

South Carolina Department of Juvenile Justice

**A Progress Report and Plan for Future Development**

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**I. Introduction**

In December 2003 the South Carolina Department of Juvenile Justice (DJJ) successfully concluded a 13 year-old federal class action lawsuit over conditions of confinement in its facilities. As a part of this action the agency director agreed to engage an outside expert to conduct a series of reviews for the purpose of gauging DJJ's progress in continuing to improve conditions. These external reviews were to occur at two-year intervals in 2005, 2007, and 2009.

This plan is submitted to Karen Chinn, of Karen Chinn and Associates, in fulfillment of the agreement for the year 2005. It contains documentation of progress since the motion to terminate the lawsuit and sets forth the intended future direction of the agency. DJJ looks forward to Ms. Chinn's review and to receiving her recommendations.

**II. Progress to Date**

A. DJJ/Clemson University Partnership

Shortly before termination of the lawsuit DJJ entered into a unique, multi-dimensional partnership with Clemson University to strengthen capacity of the juvenile justice system at a time when all of state government was facing deep budget cuts. The scope of this partnership includes development and operation of programs for delinquent offenders, program evaluation, applied research, staff development and training, curriculum development, and planning for utilization of DJJ's grounds and physical plant. In its brief history the partnership already has yielded a number of benefits to the Department and its juvenile offender population, as will be evident in the discussion below.

B. Improvements in Access to Programs and Treatment for Committed Female Offenders

DJJ closed its most physically inadequate facility, Greenwood, in late spring 2004. The facility's population of female offenders moved to the Broad River Road Complex, where a decline in the male population occasioned by the availability of alternative beds and other measures, made space available for a female program. The current female

facility achieves complete sight and sound separation from male juvenile offenders, with its own perimeter security fence. The young women occupy two living units, enabling the separation of passive from aggressive offenders, which had been an important security and treatment issue. Other features of the female facility include a permanent school building, a gymnasium, recreation fields for team sports, multiple and well appointed visiting areas, and access to a chapel all of which were lacking in Greenwood. The female facility has a capacity of 64 beds, 45 of which are occupied as of this writing. One indicator of success since opening the Broad River Complex female facility is the fact that grievances filed by females have declined, according to records maintained by the Inspector General's Office.

In the critical area of health services, the female population now has greater access to psychiatric and physician services and 5-day a week availability of nurse practitioners. It also is easier for females to access dental services, optometry, and sub-specialties that are handled through DJJ's contract with University Specialty Clinics.

The renovated school building contains an upgraded media center with gender responsive resources. Middle school, high school and special education levels of instruction are provided in classes that feature low teacher to student ratios. The school also houses a greenhouse program and a culinary arts class. After-school enrichment activities funded through a 21<sup>st</sup> Century grant include a computer lab, life skills, character education, creative expression, women's history and Black history studies, and community service projects.

On the treatment side, DJJ has developed a comprehensive array of programs and activities for committed females, including:

1. Alcohol and drug abuse counseling, which had been lacking at the Greenwood facility in its last years of operation
2. Sex offender treatment for three current residents
3. Skill streaming groups to teach and encourage socially appropriate behavior
4. Process groups dealing with sexual abuse and domestic violence
5. Other core treatment groups on dealing with grief and loss, effective parenting, and stress management
6. Alpine Tower challenge activity and music/drama activities
7. An increase of 30 hours per week in the availability of chaplain services

Programs and activities for females derive support from a wide array of community groups. These include Kiwanis, the American Legion, the Rotary Club, the S.C. Missionary Union, NexusKids, Help Net, the Girl Scouts of America, the 4H Club, the Fellowship of Christian Athletes, the Young Ambassadors, AC Teens, Young Craftsmen, Toast Masters, Benedict College, Allen College, and Columbia College.

DJJ also has taken steps to address other gender equity issues within the system. Access to alternative programs for committed female offenders improved as DJJ assumed control of all 24 beds at Camp Ghigua and added 15 beds for low risk and status offenders at the

Youth Development Center operated by Clemson University's Youth Learning Institute. DJJ also has opened female wings at all three evaluation centers (72 total beds), thus providing females with equal access to regional services as they undergo predispositional evaluations or admissions processing upon final commitment to DJJ custody.

#### C. Improvements in the Admissions Processing of Newly Committed Juvenile Offenders

DJJ has closed the Northeast Center Facility and shifted the location of its admissions processing function to the three regional evaluation centers. In 2003-2004 an interdivisional work group tasked by the Director took a critical look at this function. The goal was to improve and streamline assessment, classification, scheduling, and staffing processes so that committed juveniles could be placed in treatment programs expediently after final commitment to DJJ custody. The work group initiative has resulted in a reduction of more than one week in the average amount of time for admissions processing, from 18 days to about 10 days. The work group continues to monitor the admissions function, ensuring that this result will be sustained. Shorter length of stay for the admissions population has the added benefit of helping to lower population levels in the evaluation centers, which are prone to seasonal population surges.

#### D. Maintenance of Constitutional Population Levels in the Broad River Road Complex

In 2003 and 2004 DJJ used a two-pronged approach to control population levels within the Broad River Road Complex. The agency has maintained its commitment to develop alternative beds for lower risk offenders based on the premise that smaller community-based programs yield better long term results for juveniles. DJJ also has enjoyed some success in the introduction of measures that reduce length of time served for appropriate offenders:

1. In Spring 2004 DJJ and Clemson University's Youth Learning Institute opened a Youth Development Center which provides 45 beds for committed low risk offenders (15 female, 30 male)
2. In the 2003 legislative year DJJ gained authorization for a good behavior credit program enabling determinately committed juveniles to earn up to 1/3 of time off their sentences as long as the sentencing judge concurred
3. In the 2004 legislative year DJJ gained authorization to credit committed juveniles with any time served in secure confinement prior to their final commitment (detention days and/or residential evaluation days)

The cumulative impact of these measures has been to maintain population levels in the Broad River Road Complex that are well below the federal court standard, despite having added the females formerly housed at Greenwood Center. As of this writing, the Broad River Road Complex confines a population of 404 juveniles with a capacity to hold 441.

E. Improvements to Safety, Security, Activity Levels, Behavior Management, and Living Conditions in the Broad River Road Complex

In 2003 DJJ flattened the organizational structure of its Rehabilitative Services Division to achieve more efficient, accountable, and consistent operations within the Broad River Road Complex. One of the most important indicators of successful operations from the standpoint of public safety is the number of escapes from secure custody. Since termination of the lawsuit in December 2003 there have been no escapes from the Broad River Road Complex. Among the most significant steps taken to maintain this record and to improve safety/security within the complex were:

1. Adding 35 Juvenile Correctional Officer (JCO) positions in 2004 to strengthen coverage of second shift, which also has allowed more juveniles to participate in planned activities during after school hours
2. Hiring 7 new living unit/program sergeants for 2<sup>nd</sup> shift to supervise and coach the security staff (each sergeant is responsible for security staff in two living units)
3. Installing 120 surveillance cameras in living units/specific outside areas and hiring specialized staff to monitor the cameras
4. Introducing a picture identification card system for juveniles to ensure accuracy in head counts and the distribution of medication
5. Permanently assigning shift commanders for seven day a week coverage of two shifts by seasoned officers who can coach and guide less experienced staff
6. Increasing the number of security officers assigned to the schools to ensure the safety of staff and pupils
7. Training all (326) JCO series employees on the newly revised escape policy and guidelines
8. Adding a second security transportation unit

Within the Office of Inspector General an important function is the investigation of grievances filed by juveniles in DJJ facilities and programs. The Office is observing a downward trend in the number of grievances filed between July and December 2004 compared to the same period in 2003. The Inspector General's Office also covers the area of fire/life/safety. The annual comprehensive jail and fire inspection of DJJ's Shivers' Road and Broad River Road properties in April 2004 revealed no violations. Other important safety and security-related developments within the Inspector General's Office have included:

9. Initiation of a toll-free "Tip Line"
10. Establishment of a K-9 narcotics team
11. Designation of a Gang Officer to be the agency specialist in collecting and disseminating gang-related information

Concurrent with and complementary to these efforts to bolster safety and security within the Broad River Road complex has been an effort to "normalize" the environment behind the fence. The purpose of this initiative is to allow deserving residents to experience

personal growth and development during after school “down time” hours through participation in activities that are routinely enjoyed by adolescents in the community. This initiative entitled the “Community Behind the Fence” Teen After-school Center has four program platforms and a host of activities within each platform. The platforms and some representative activities include:

12. Academic Enrichment (21<sup>st</sup> Century After-school Program, GED preparation, Champion Readers, creative writing, Chess Club, weekend library services)
13. Spiritual Development (Vacation Bible School, Sunday School, Faith-based Club, Family Focus)
14. Sports and Fitness (leisure time education, NAYS referee program, intramural sports leagues, 4-H equine program)
15. Volunteer and Mentor Services (pre- and post-custody mentors, pilot tutors and pen pals)

DJJ residents also participate in a variety of Balanced and Restorative Justice projects that afford the opportunity to give back to the community. Representative projects have included:

16. The building of Adirondack chairs, which are donated to the Sistercare and Habitat for Humanities organizations
17. A hotdog sale and car-wash, co-sponsored by DJJ’s “Wild Bunch” 4-H club and the DJJ Chapter of the South Carolina Correctional Association, with proceeds donated to Sistercare and to the chapter

Contributing to the development of character and leadership building activities to fill idle hours for residents of the Broad River Road Complex has been the implementation of an improved levels system. Juveniles currently are placed in one of four levels based on behavioral criteria, then receive prescribed privileges or restrictions according to the assigned level. For example:

18. Those juveniles attaining the highest level (IV) wear uniform casual clothing rather than jumpsuits
19. Level IV juveniles may participate in off grounds supervised activities that have been developed by Rehabilitative Services staff
20. Level III and IV juveniles participate in special events within the Broad River Road Complex

Weekly postings by program managers inform juveniles of their status within the levels system, providing an indicator of progress during the youths’ stay in a DJJ facility.

DJJ is not entirely satisfied that the levels system is working optimally as a behavior management tool, having encountered a number of obstacles during its implementation. Issues under discussion include the best ways to group juveniles in living units, given the levels system as one possible organizational principle, and treatment needs/programming being another. The issue is further complicated by the fact that living units within the

Broad River Road Complex do not lend themselves to supporting a levels system. DJJ does expect that the addition of security staff (July 2005) will enable more consistency in assignment of staff to living units. That should in turn enhance the consistency with which staff extend privileges and enforce restrictions based on the individual behaviors of juvenile residents.

DJJ's partnership with Clemson University has been a great asset in developing the "community behind the fence." In spring 2004 Clemson University's Institute of Economic and Community Development, with financial support from the Kellogg Foundation, sponsored an intensive collaborative process known as a "charette" to develop a plan for revitalization of the 210 acre Broad River Road Complex. During a three-day period architects and planners heard from more than 200 state agency partners, DJJ staff, victim advocates, juveniles, juvenile family members, and other stakeholders before creating a physical master plan to meet the needs of residents and staff within the Broad River Road Complex. Various elements of this plan will factor into DJJ's budget requests and permanent improvement documents of the future, to be discussed in a later section.

Physical improvements to the Broad River Road Complex remain high on DJJ's list of priorities. Most of the buildings that house residents are obsolete by modern standards, and, according to outside experts, cannot be renovated in a cost-effective manner. Since December 2003, DJJ has completed a number of permanent improvement projects, including major renovations to the only four living units that are modern enough to be maintained as viable buildings (Birchwood facility). DJJ also renovated buildings within the Willow Lane facility for female occupation, and buildings within the Birchwood High School. Plans for the orderly replacement of other living units are in place and will be discussed in subsequent sections.

#### F. Improvements in Treatment Services and Programming

DJJ's treatment services and programming undergo continuous assessment and refinement based on best practice models. A number of changes have occurred since late 2003 as a result of this process:

1. The substance abuse treatment program at John G. Richards transitioned from a therapeutic community model to a more developmentally appropriate cognitive/behavioral and skills-building approach
2. Suicide prevention/intervention measures have been strengthened through new policies and procedures and modern preventive clothing and bedding
3. Mental health screenings now take place within one hour of a juvenile's arrival in custody in accordance with the recognized standard
4. Skills enhancement programs for males and females are underway, including employability skills

5. Two HIV/AIDS prevention classes have been implemented (Brother2Brother Project)
6. Collaboration between the education and clinical staff has been increased by holding quarterly staffings of juveniles in the schools at a set time each week, thus encouraging more education staff to attend and contribute to the process.

Aftercare planning for juveniles leaving the confines of the Broad River Road Complex has long been an area of concern within the agency. This area has been strengthened by the federally funded Reintegration Initiative, which has enabled DJJ to pilot an intensive case service model of aftercare for high risk juveniles returning to five South Carolina counties. Planning for aftercare begins as soon as eligible youth from the participant counties enter facilities. When released they benefit from being supervised by managers who carry low caseloads in order to provide more robust services, supervision, and support.

Although DJJ's three evaluation centers were not a primary focus of the lawsuit they contribute important treatment relevant information and guidance about committed juveniles offenders through pre-disposition assessments prepared for the court and the admissions processing of juveniles committed to DJJ custody at disposition. The evaluation centers have improved the thoroughness of their reports to the court. Ensuring that contacts are made with the home school district and local departments of social services, when warranted, has enhanced aftercare planning. As anticipated when the decision was made some years ago to perform evaluation services regionally, inter-agency staffings have increased in number to the benefit of juveniles having complex histories of multiple agency involvement.

Staff members at the evaluation centers now are performing more in-depth assessments of juveniles suspected of having Attention Deficit Hyperactivity Disorder, a common disorder in delinquent populations. The evaluation centers also maintain self help books for juveniles to read on several relevant topics such as "How to Deal with Bullies."

#### G. Improvements within DJJ's School District

DJJ's school district has placed a strong emphasis on attainment of the General Equivalency (GED) or High School Diploma for students within the Broad River Road Complex. As a result GEDs awarded to students increased from 65 in fiscal year 2001-2002 to 161 in 2003-2004, while high school diplomas for the same period increased from 4 to 12. Moreover, the school district assisted 32 of its GED graduates in applying for acceptance to technical colleges and applying for financial aid.

Other indicators of the progress in education programs include:

1. The 2004 district report card posted an "excellent" absolute rating and an "excellent" improvement rating

2. Birchwood High School received accreditation by the Southern Association of Colleges and Schools
3. The school district maintains an “all clear” status with the state Department of Education in standards compliance
4. The district workforce includes 5 National Board certified teachers
5. DJJ’s teacher of the year in 2004 was selected to the *USA Today* All Teacher Team

Additionally, three career and technology education programs have been added to school curriculums (welding, industrial systems, and culinary arts). Thirty-three students participated in the Youth Industries Sheet Metal Program, and 9 received Certified Apprenticeship Accreditation through the National Center for Construction Education and Research.

#### H. Improvements to Health Services

DJJ’s Health Services program has achieved several important milestones since settlement of the class action lawsuit in late 2003. These include:

1. Privatization of pharmacology services to an off-site vendor, bringing the Health Services program into compliance with certain Board of Pharmacy monthly inspection requirements
2. Successful transitioning of health care for female offenders from Greenwood to Willow Lane with the general result that girls have improved access to health care
3. Relocation of dental services to the South Carolina Department of Corrections, which enables DJJ to use a modern dental facility and benefit from the broader expertise of SCDC dentists

#### I. Establishment of the South Carolina Friends of Juvenile Justice

DJJ has worked to establish a non-profit foundation, South Carolina Friends of Juvenile Justice. This organization collaborates with individuals and agencies in providing “resources, attention, and care to at-risk and incarcerated youth.” The foundation serves DJJ by providing advocacy, programs, and funding for prevention, rehabilitation, and reintegration programs. Its first four projects include:

1. Increasing the infrastructure for prevention and reintegration by promoting development of Teen After-school Center (TASC) programs
2. Developing a mentorship program for all three service areas (prevention, rehabilitation, and reintegration)
3. Funding capital improvements to the Broad River Road Complex, including a re-designed entry and multi-purpose visitor center as originally conceptualized in the charette process

4. Developing partnership programs between administrators of the Broad River Road Complex and local churches, area non-profit organizations, and civic organizations to extend the capacity of DJJ to care for its juvenile residents

Improvements since the conclusion of the lawsuit are a firm foundation for more global efforts to reform juvenile justice in South Carolina and strengthen infrastructure across the entire system. Implementation of plans for the future is contingent in part on the availability of recurring funding for line staff, placements, and other operational needs as well as one-time monies for permanent improvements. DJJ's administrators gratefully acknowledge support from the Executive and Legislative branches of state government in planning and implementing an orderly process for change.

### **III. The Immediate Future (2005-2006)**

#### A. DJJ's Budget Request for 2005-2006

The immediate future plan for DJJ is embodied in its budget request for 2005-2006. The Governor's Executive Budget writers and members of the General Assembly have responded in a favorable manner to this document. Under the category of recurring operational monies, key items that remain in the General Appropriations Bill as passed by the South Carolina House of Representatives include:

1. \$7.8 million to replace Medicaid dollars with state monies, thus ensuring the future of alternative programs that have been instrumental in controlling population levels with the Broad River Road Complex
2. \$3.1 million for juvenile correctional officer and classification worker staffing in the Broad River Road Complex and the DJJ Detention Center, which will improve safety, security, and juvenile access to educational and recreational programming (98 total positions)
3. \$609,824 for community specialists to bring caseloads to more manageable levels and reduce the likelihood of technical violations that often result in commitments to DJJ custody (19 positions)
4. \$456,755 to continue the development of behavior management and life skills programming for females within the Broad River Road Complex in a manner equivalent to the quality of services provided the male population

Non-funded items in DJJ's original budget document that may recur as requests in 2006-2007 include:

5. \$791,075 for youth crime prevention to support local efforts through revitalized youth councils, creation of a DJJ prevention coordinator position, implementation

- of two prevention/early intervention programs around the state, and establishment of a parent help line to assist parents who are having problems with their children
6. \$141,647 to initiate a work release program for juveniles within the Broad River Road Complex, with the intent of increasing employability through practical work experience before these young people return to the community
  7. \$1.8 million to establish an additional wilderness camp for male offenders needing high management care, as an alternative to institutional confinement

DJJ's request for recurring funds reflects the awareness of agency administrators that systemic reform cannot be unilateral. Rather, the request balances the need for additional program development and security staffing within the Broad River Road Complex with parallel needs for sufficient alternative beds and capacity in front-end programs.

DJJ's key capital budget priority is a \$2.3 million dollar item for a new prototype housing unit within the Broad River Road Complex. Funding for this unit remains in the Appropriations Bill as of this writing. The agency is not increasing its bed space but rather replacing its oldest housing units, which experts agree cannot be renovated in a cost efficient manner. The plan is to request two replacement units each year over a five-year period that extends to 2009-2110.

#### B. Other Immediate Plans

Beyond these key budget request items, DJJ's more immediate plans include:

1. Implementing a reclassification instrument and staffing process for incarcerated juveniles as a uniform tool for determining access to privileges, work release eligibility, early release eligibility and related decisions
2. Implementing and increasing the availability of an Outward Bound step-down program that will prepare incarcerated juveniles to re-enter the community successfully
3. Working with the Annie Casey Foundation, the Governor's Juvenile Justice Advisory Council, the USC Children's Law Office, and the state Department of Public Safety to reform juvenile detention practice
4. As part of juvenile detention reform, working with these partners to develop a risk-based decision making instrument, modern electronic surveillance capacity (GPS), and staff secure residential care
5. Expansion of after-school programming (Teen After-school Centers and Juvenile Employment Enrichment Programs) as enhancements to probation supervision and as options for at risk /early intervention populations

These priorities reflect DJJ's recognition of several extremely important issues relative the future of juvenile justice in South Carolina:

6. The need to better prepare youth leaving the Broad River Road Complex for their return to the community through step-down/transitional programming
7. The need to establish a risk assessment process and continuum of options for pre-adjudicated youth similar in scope to what now exists for the post-adjudication population, thereby relieving population pressures at the DJJ Detention Center
8. The need to strengthen the community side of the system ( prevention, diversion, and probation) with meaningful education, work, and skill development programs during the after-school hours when unsupervised youth are most likely to get into trouble

#### **IV. Next Two to Four Years (2007-2010)**

##### A. Vision for the Longer-Term Future

For all youth under its care, whether they are managed in the community or in confinement, DJJ's goal and statutory mandate is rehabilitation. A key guiding principle for the juvenile justice system is least restrictive placement with its underlying assumption that the vast majority of young offenders can be successfully managed in the community. DJJ's focus for the next two to four years will be the creation of a community based juvenile justice system that reflects the least restrictive principle. For the limited number of juveniles who must serve time in facilities, DJJ will improve the transition back to the home community. Specific longer-term goals are presented below:

##### B. DJJ's Goals

1. Increasing the proportion of court ordered pre-dispositional evaluations completed in the community (rather than in secure confinement) to 40 percent
2. Maintaining the effort to strengthen prevention, diversion, probation and parole through day treatment programs, after-school programs, and expansion of the reintegration initiative
3. Continuously assessing the need to develop additional community-based beds for appropriate committed juveniles and pre-adjudicatory juveniles who otherwise would occupy secure custody beds

##### C. Capital Improvement Projects

Projects of a capital nature include:

1. Developing transitional housing to step-down incarcerated juveniles before their parole to the community as envisioned in the charette master plan

2. Developing a new entrance to the Broad River Road Complex featuring a multi-purpose community center where volunteers and parents can meet juveniles without driving “behind the fence,” as envisioned in the charette master plan
3. Seeing through to completion the replacement of 10 living units within the Broad River Road Complex
4. Renovating and adding to the DJJ infirmary

## **V. Conclusion**

In 1990 the filing of a class action lawsuit signaled a crisis in South Carolina’s Juvenile Justice system that required 13 years for resolution. This document is submitted for review by an outside expert in the field to affirm that DJJ has maintained constitutional conditions in its facilities since the lawsuit’s conclusion in December 2003. Agency administrators believe that they have instituted substantial improvements to safety, staffing, programming, and general quality of life over the last two years. Moreover, recognizing the inter-relatedness of component parts within a system to its effectiveness as a whole, DJJ has embarked on a course of broader systemic reform.

Juvenile justice system reform is an incremental process dependent upon vision, commitment over time to mission and purpose, the wisdom to balance needs that compete for attention, a continuous reassessment of priorities, and the ability to develop resources. DJJ is working toward a true community-based system where the vast majority of juveniles receive supervision and services close to home, only the most high-risk offenders occupy secure custody beds, and programming at all points along the continuum represents best practice. Dedicated leadership, committed partners and advocates, and continued funding support will help to make this vision a reality.

While this document has been positive in tone it is not intended to imply that DJJ is near completion of its agenda to improve conditions in the Broad River Road Complex and deal with broader issues impacting South Carolina’s juvenile justice system. DJJ has only started to make the most essential improvements and is at the beginning of what likely will be a six-year process of change and revitalization.