



*Bernalillo County Juvenile Detention and Youth  
Service Center*

JDAI Self-Inspection Final Report 07/08

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***Bernalillo County Juvenile Detention and Youth Services Center  
Juvenile Detention Alternatives Initiative***

**Detention Self-Inspection Report  
December 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup>, 2007**

Introduction

This report transmits the findings of an intensive inspection of Bernalillo County Juvenile Detention and Youth Services Center which was conducted December 17<sup>th</sup>, 18<sup>th</sup>, and 19<sup>th</sup>, 2007. This inspection was commissioned by the detention facility director, pursuant to the facility's collaborative participation as a nationally designated site implementing the Juvenile Detention Alternatives Initiative (JDAI) in New Mexico.

Background

In the early 1990's, the Bernalillo County Juvenile Detention Facility recognized the need for detention reform. The facility contended with high number of residents being held for extended periods of time while their individual cases moved through the judicial process.

During the late 1990's, a new Facility Director, Mr. Tom Swisstack was named and he immediately took up the banner of detention reform and tried to build on past success. It became evident that in order to reform detention practices, the entire juvenile justice system would be required to change how it functioned. All of the system parts were so inter-related that changing one small piece of it would not have the required impact to create a climate where system wide change would be accepted.

With this goal in mind, the Bernalillo County Juvenile Detention Facility was able to pursue and obtain two funding sources to help foster the required changes: (1) Annie E. Casey Foundation, which is a private charitable organization dedicated to helping build better futures for disadvantaged children in the United States; and (2) State of New Mexico Juvenile Justice Advisory Committee, which is administratively attached to the Children Youth and Families Department and administers funds provided to the state of New Mexico through the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

This initiative has been very challenging to implement, as it requires several levels and branches of state and local government to

collaborate, agree and cooperate. The primary agencies involved are Bernalillo County, State of New Mexico Children Youth and Families Department, State of New Mexico Second Judicial District Court, State of New Mexico Public Defender's and New Mexico Second District Attorney's Offices. All of the major stakeholders have provided representation on the Steering Committee and participated on various sub-committees.

In 1994, the Anne E. Casey Foundation launched the JDAI by providing a comprehensive set of tools and technical assistance to improve juvenile detention. The objectives of the strategies were designed to result in more effective use of detention (that is, reducing the number of youth unnecessarily or inappropriately detained and reduce overall length of stay), more alternatives to secure detention for appropriate youth, system efficiencies, and better conditions of confinement for youth who do require secure detention. All of this was to be accomplished without increases in re-arrest or failure to appear rates or negatively affecting public safety.

A variety of jurisdictions around the nation applied for funding to implement these strategies. As the funded jurisdictions implemented the strategies, refinements and improvements were made. The JDAI program sites began to see major positive changes in system efficiency, reduced use of detention and better outcomes for youth and the community.

### JDAI Values

JDAI embraces the philosophy that court-involved youth should be served in the least restrictive environment possible: in their own homes, schools and communities whenever appropriate and possible. When secure detention is necessary to protect public safety, JDAI works to ensure that conditions of confinement meet all Constitutional standards, case law requirements and professional best practices.

JDAI is a methodology that creates fairer, more efficient and more effective juvenile justice systems by ensuring that the right youth is served in the right place with the right services. Ultimately, it results in re-directing public funds away from expensive secure detention beds, and towards alternatives to secure detention which are less costly and more effective in reducing juvenile crime while protecting the community.

### The Core Strategies of JDAI

There are eight core strategies each JDAI site commits to implement:

1. Interagency collaboration to improve problem solving and coordination.
2. Reliance on data to guide program and policy.
3. Use of objective instruments to guide detention admissions decisions.
4. Increased or enhanced community-based alternatives to secure detention.
5. Expedited case processing to reduce lengths of stay and speed case resolutions.
6. Innovations to reduce secure detention use for probation violations, warrants and cases in which youth are awaiting placement.
7. Use of best practices to reduce racial disparity in the detention population.
8. Routine facility inspections to improve conditions of confinement.

### Detention Self-Inspection

It is the eighth JDAI strategy (above) which is the basis for the detention self-inspection undertaken by the Bernalillo County Juvenile Detention and Youth Services Center site. The purpose of the self-inspection process is to help ensure the safe and humane conditions for detained youth by thorough assessment of the physical facility and detention programming.

The evaluation is conducted using standards, guidelines and an inspection instrument developed specifically for JDAI sites by the Youth Law Center. Some of the standards included in the self-inspection are based on Constitutional guarantees, some on statutes and evolving case law. Others derive from current best professional practices aimed at protecting the health, safety and legal rights of detainees. In all, there are 308 standards grouped under eight general categories: classification; health care; access issues; programming; training and supervision of employees; environmental issues; restraints, punishment and due process; and safety.

Based on their evaluation, the team then offers comments and corrective suggestions for the officials responsible for administering detention. The process is intended to be open, constructive and ultimately of valuable assistance to detention administrators as well as of direct benefit to detained youth.

The detention evaluation is called "self-inspection" because it is generated from within the juvenile justice system, not because it is conducted exclusively by people from within the facility.

## The Team

Bernalillo County Juvenile Detention and Youth Services Center's JDAI project began assembling the self-inspection team in September, 2007. As suggested by the Youth Law Center, the Bernalillo County Juvenile Detention and Youth Services Center team included people who work within the detention facility as well as people from outside the facility.

The team consisted of:

*(Community Professionals)*

- Ramona Sanchez, Bernalillo County Manager's Special Project Coordinator
- Stephen Archuleta, New Mexico Children Youth and Family Department, JDAI State-wide Coordinator
- Patti Vowell, New Mexico Children Youth and Family Department, JDAI State-wide Assistant Coordinator
- Craig Sparks, New Mexico Children Youth and Family Department, Regional Juvenile Probation and Parole Officer Director
- Adele Evans, Albuquerque Public Schools, Principal
- Pamela Engstrom, Rio Rancho Public Schools, Principal
- Gary Stewart, Community Volunteer

*(Facility Professionals)*

- Yvonne Kahn, Children's Community Mental Health Clinic, Director
- Cathi Legg, BCJDYSC, Nurse Manager
- Diane Wagner, BCJDYSC, Lead Social Worker
- Michaelann Apodaca, BCJDYSC, Training Manager
- Dominique Velasquez, BCJDYSC, Financial Administrator
- Kenneth Errico, BCJDYSC, Program Manager
- Cookie Norris, BCJDYSC, Program Manager
- Gilbert Romero, BCJDYSC, Program Manager
- Leslie Jiron, BCJDYSC, Program Manager
- Mark Portillos, BCJDYSC, Program Manager
- Angel Garcia, BCJDYSC, Youth Program Officer II
- Shelia Godfrey, BCJDYSC, Youth Program Officer I

The team was supported by an in-house work group co-led by Arthur Murphy, Assistant Director of Operations, and Chris Sanchez, Program Manager. This team worked intensively to pull together and organize all necessary documentation, including relevant policies and procedures, logs, and forms which related to each of the 308 standards contained in the self-inspection requirements.

## The Process

The Facility Self-inspection team for the Bernalillo County Juvenile Detention and Youth Services Center (BCJDYSC) site participated in a two-day training session provided by the Youth Law Center on October 2<sup>nd</sup> and 3<sup>rd</sup>, 2007.

The file preparation began on October 4<sup>th</sup>, 2007. Being that the BCJDYSC has been accredited by the American Correctional Association for approximately 15 years; the files were prepared in the format following the ACA process for review of documentation in accordance with the established JDAI Facility Self-Inspection Standards.

The BCJDYSC self-inspection team met as a team for the first time on November 2<sup>nd</sup>, 2007. At this meeting, goals, objectives, facility self-inspection time-line and inspection teams were established. Further, training was provided by Art Murphy and Chris Sanchez regarding the auditing process, use of the JDAI Standard Instrument, usage of the JDAI Audit Tool and interpretation of policies and procedures. Lastly, hands-on training was provided in the actual practice and documentation of organizational operations, which followed the Documentation Review Process established by the JDAI Self-Inspection standards.

The BCJDYSC self-inspection team met a second time on November 30<sup>th</sup>, 2007. At this meeting, the teams were trained on observation and interview techniques as outlined by the JDAI Self-Inspection standards. Further, a self-inspection agenda was discussed and agreed-upon in regards to conducting the formal facility self-inspection.

Finally, on December 13<sup>th</sup>, 2007, self-inspection team leaders met, discussed and finalized team assignments for their respective sections. Also, a staff and resident town-hall meeting was conducted to inform facility personnel and residents about the process the facility was undertaking regarding the JDAI Facility Self-Inspection.

Detention administration provided the inspection teams with a private conference room and meeting space. Documentation and other supplies were available in the conference room so team members could study the written materials as their schedules permitted. The team had unlimited access to the detention area, either as a group or as individuals, any time of the day or night.

On December 17<sup>th</sup>, 2007, Detention Facility Administrator, Tom Swisstack kicked off the official start of the facility self-inspection by greeting all the inspection team members, discussed a brief overview of the goals and objectives for the inspection and thanked everyone in advance for dedicating their time and efforts in assisting the facility through this process. Immediately following the introduction, Art Murphy reviewed the three-day facility self-inspection agenda and provided each team with their respective JDAI section files for review.

Prior to conducting the documentation and policy and procedure review, a detailed tour was provided to the inspection team members. After the completion of the facility tour, team leaders assembled their team members and began a detailed inspection of the section files.

On December 18<sup>th</sup> and 19<sup>th</sup>, 2007, evaluation of each standard was made through a combination of review of relevant policy and/or other documentation, observation by the team and interviews of staff and residents in accordance with their assigned JDAI Facility Self-Inspection Sections.

Prior to interviewing youth and staff, the team agreed on a protocol for how to introduce themselves and explain their purpose to ensure consistency in how they were perceived by youth and staff. The team explained they were an independent evaluation team, looking at detention programming and the facility in order to ensure the best possible services for detained youth. They assured staff and youth that their shared opinions and experiences were of great help in this effort. They also stated to youth that their privacy would be respected and all their comments would be anonymous, except if they shared something which would invoke mandatory reporting, for example, reports of abuse or other crimes.

On December 19<sup>th</sup>, 2007, an out-briefing was conducted by each team leader with their teams representation regarding their findings, observations and interviews related to their JDAI Facility Self-Inspection Sections.

## Findings

The team's findings are summarized in Appendix A, *JDAI Self-Inspection Instrument*.

## Major Recommendations

Although recommendations are included in some of the "comments" sections of the reporting Instrument, the team identified the following over-arching recommendations to which they hope Detention management will pay particular attention.

**Recommendation 1: Refining Facility Policy, Procedures and Practices.** Policies, procedures and practices should be refined in accordance with the findings to meet the established language stated within the JDAI Facility Self-Inspection Standards.

**Recommendation 2: Convene a task force between Albuquerque Public Schools and the facility to examine how to ensure educational credits are awarded to youth during confinement.** Although the facility provides a comprehensive education programming, it was identified that residents within the facility are not receiving credits for their education while incarcerated within the facility. It is recommended that this issue be discussed and addressed, so residents receive the credits necessary towards their education.

**Recommendation 3: Refine and enhance the Behavior Modification Process.** Although the facility has established a process that meets the intent of the standards, it is recommended that the facility incorporates a more standardized approach of addressing the disciplinary processes. Further, it was identified that the facility administers a positive reinforcement process; however, it is recommended that a more inclusive approach to addressing positive behaviors be incorporated into the facility's approach of positive reinforcement.

**Recommendation 4: Convene a task force to examine how to improve the continuum of programming for youth in detention.** Participants should include representatives from facility staff and supervisors, medical personnel, recreational coordinator, social worker, and school personnel. The objectives of the task force should be to identify current resident programming, research formalized programming, develop lesson plans, train facility personnel and implement formalized programming. This

programming should have a system in place for individualized treatment and behavior management plans while youth are detained and post-release plans upon their release. These plans would include attention to and coordination of Individualized Education Plans, mental health needs, day-to-day programming, health care issues, etc.

**Recommendation 5: Consider ways to increase communication and support for parents.** Although informal parent orientation was identified, it is recommended that a more formalized process be developed and implemented. i.e., information in writing and/or more frequent parent meeting is explored.

**Recommendation 6: Maintain and update self-inspection documentation for future inspections.** JDAI methodology suggests self-inspections be conducted every six months. It would be much easier to maintain and update the large volume of required materials than to reconstruct it.

### Summary

Overall, the teams were very impressed with the file preparation and supplied documentation, professionalism, dedication and quality of care shown by facility administration, managers and staff. They observed hard work, creativity, and sensitive, meaningful interaction with residents in a professionally operated facility.