

**Findings and
Recommendations:**

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SERVICES**

14. YSA’s electronic monitoring unit does not effectively monitor youths in the evenings and on weekends.

YSA’s Project Refocus (Refocus), a home release program that uses electronic monitoring to keep track of youths, is part of YSA’s Alternative Detention Division. Refocus employs three case managers who coordinate the electronic monitoring of approximately 10 youths. D.C. Superior Court judges assign youths to Refocus as an alternative to sending them to the Oak Hill Youth Center. According to Refocus case managers, these youths are considered “high risk” because they have a history of truancy, recidivism, and non-compliance with court instructions.

The team found that Refocus has neither the equipment nor the personnel necessary to respond adequately to electronic monitoring violation alerts that occur during overnight and weekend hours. According to Refocus case managers, their vendor’s monitoring system faxes violation alerts to their offices at 450 H Street within minutes after they occur. However, none of the Refocus case managers work past 8 p.m. during the week, and no staff is available over the weekend. As a result, if a youth were to leave his home at 10 p.m. on a Friday evening, the violation alert would not be read until a Refocus staff member returned to the office the following week.

DCCP personnel stated that in the late 1990s, Refocus was staffed 24-hours-per day, and used “drive by” equipment to supplement after-hours monitoring efforts. Also, an after-hours “hotline” was established so that youths and their families would have continuous access to counseling services and assistance in the event of a crisis. Refocus no longer utilizes “drive by” equipment and no longer has staffing for an after-hours “hotline.”

Electronic monitoring programs are potentially effective in large part because participants believe that they are constantly being “monitored,” and that a violation will generate a prompt response in the form of a telephone call or a visit from a staff member. Furthermore, a monitoring program can also aid in the prevention of delinquency. By responding to violation alerts in a timely fashion, staff members may prevent youths from re-offending, being injured, or absconding. DCCP’s inability to continually monitor Refocus youths and respond to violation alerts severely weakens the effectiveness of Project Refocus, and denies the high-risk youths that are assigned to the program the level of monitoring they require.

Recommendation

That the A/YSA assign or hire the personnel necessary to respond promptly to all after-hours and weekend electronic monitoring violation alerts.

Agree _____ Disagree _____ **X** _____

DHS’s Response to IG’s Recommendation:

The Alternative Detention Division (ADD) serves pre-trial youth at the request of Court Social Services Division and through court order. While YSA is in partial agreement with the OIG

recommendation that ADD could benefit from additional manpower and a modification in the work schedules, it is important to note YSA does not have primary case responsibility. If YSA is to meet the proposed standard of “over 90% of youths” remaining arrest-free and make their court hearings during their time in the electronic monitor program, a major commitment must be made on the part of Court Social Services Division, which is responsible for these youth. The assignment by Court Social Services of at least three full-time probation officers to work modified hours would enhance ADD’s effectiveness.

Currently, YSA caseworkers (*not* case managers as the narrative incorrectly suggests) supervise and monitor 15 youths per worker. The caseworkers assigned to the Home Detention Unit occasionally conduct their own after 6:00 p.m. calls. Project Refocus has a designated staff person who works a late evening tour to perform curfew checks after 6:00 p.m. five evenings a week but not on weekends. The electronic monitoring vendor performs randomly scheduled checks seven days a week. The results of their surveillance are faxed to Project Refocus staff within twenty-four hours. Youth who violate curfew check are reported to the assigned probation officer prior to scheduled status hearings and in cases where there are three continuous violations calls are placed to the probation officer before scheduled status hearings.

CSS has stated that they are reluctant to sanction youth who have not yet been found involved for failure to cooperate with the pre-trial release conditions. Defense attorneys and PDS have consistently argued that services provided prior to a finding of involvement should not be used as a tool to coerce defendants, but should be an honest attempt to help the client and family to ameliorate the behavior that led to the arrest. Historically, defense counsel have directed their clients not to volunteer for pre-trial services if it will influence their chances to be found involved or result in a harsher sentence if clients have not cooperated. CSS has stated that marginal participation is better than none at all; thus, CSS does not aggressively react to efforts to restrict a youth’s community placement.

YSA’s ADD unit also co-manages committed youth cases with the YSA Social Workers and Case Managers. This function has helped meet YSA’s mission to release committed youth who need more intense supervision. This is one area in which they have realized successes.

The previous Program Manager of the ADD met with the YSA Human Resources Specialist to discuss a complete personnel upgrade. The ADD caseworkers have asked that any realignment of hours be advanced through the collective bargaining agreement, thus the feasibility of revising tours-of-duty of current case workers, to include some evening and weekend hours will have to be negotiated with the union, or hiring employees specifically to work evenings and weekends.

OIG Response: **The OIG stands by this recommendation.**

15. Current tours-of-duty for case managers in the Alternative Detention Division (ADD) do not adequately cover evenings and weekends when youths are at higher risk of delinquency.

ADD, which consists of both Project Refocus and the Home Detention Unit, provides monitoring, social services, and support to pre-trial youths and their families. With the goal of

hired staff. As previously stated, the ADD caseworkers (*not* case managers) have asked that any realignment of hours be advanced through the collective bargaining agreement, thus the feasibility of revising tours-of-duty of current case managers, to include some evening and weekend hours will have to be negotiated with the union, or hiring employees specifically to work evenings and weekends.

16. Delayed court orders and lack of vital care information often impede the work of ADD case managers.

ADD case managers coordinate the delivery of court-ordered services and report back to D.C. Superior Court (Court) on each youth's progress and compliance. Since ADD youths are pre-trial, case managers are responsible for providing written reports, comments, and recommendations to judges, the Attorney General for District of Columbia, and Court social services (a.k.a. probation) representatives.

According to the YSA case management manual, the ADD case manager should meet face-to-face with a youth within 3 days of the date of the court order to discuss the terms and conditions of supervision. ADD policies and procedures also state that case managers must submit to the Court a summary report of a youth's progress, activities, and compliance no less than 5 days before a youth's next dispositional hearing or his trial.

ADD case managers cited lengthy delays in getting the court-ordered referrals that detail the parameters of a youth's home detention. They stated it is not uncommon for their unit to receive a court order more than 2 weeks after it is issued. Case managers gave examples of referrals not being received until a few days before a youth's hearing. This deprived them of sufficient time to work with a youth so they could provide meaningful insight and recommendations to the court.

Some ADD case managers also stated that they often receive case files from the court that lack key documents: social histories of a youth and his/her family, and release forms signed by the youth's parent or guardian that authorize the case manager to work with the youth. Case managers stated that incomplete or missing release forms are particularly problematic. Before each youth leaves the Court, both the youth and his/her parent/guardian must sign an "Agreement to Participate" in the ADD program. Without a signed agreement, the case manager is not permitted to begin working with the youth.

Case managers must be able to provide timely, accurate assessments to the Court since the information is used by judges to determine appropriate next steps for these pre-trial youths. Case managers cannot begin substantive work with a youth until they receive court orders, social histories, and parent/guardian release forms. When this information is delayed or incomplete, case managers spend more time tracking down information and release signatures and less time working directly with the youth, a condition that often forces case managers to submit incomplete progress reports and recommendations to the Court.

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The Court's Social Services Division and YSA's Court Liaison Unit are each responsible for obtaining the various social histories, assessment documents, and parent/guardian signatures that go into a youth's file before it is passed along to YSA for assignment to the ADD.

Recommendations:

- a. That the Chief of the ADD and the supervisor of the Court Liaison Unit meet with representatives from the DC Superior Court Social Services Division to (1) determine why ADD case managers do not receive all of the court orders and information they require to begin working with a youth, and (2) devise systems to improve the flow of information between the Court and YSA.

Agree X Disagree _____

DHS's Response to IG's Recommendation:

By agreeing with this recommendation, DHS does not necessarily agree with OIG's factual findings. Indeed, timely notification to start supervision of wards referred by D.C. Superior Court Family Court Judges continues to be one of ADD's biggest challenges. The previous ADD Chief and current Program Manager continue to meet with Supervisory Probation Officer for court intake regularly to discuss lat cases. This problem persists because intake probation officers do not forward notification to the YSA/CLU staff. YSA has an intake box in the fourth floor intake office in which paperwork can be placed. YSA/CLU staffs pick up court documentation daily. CSS management must instruct its probation staff to place required court orders and social studies into the YSA mailbox.

YSA/CLU cannot be held responsible for cases of which they have no knowledge. Court Social Services, the U.S. Marshall's Service, and the courtroom clerks all share responsibility for obtaining the various social histories, and assessment documents and providing them to YSA/CLU. The CLU staff must be notified while the parent/guardian is in the court building to obtain signatures that go into a youth's file before it is passed along to YSA/DCCP for assignment to the ADD.

The previous ADD chief and the current Program Manager of the Court Liaison Unit, to which ADD now reports, have and continue to meet regularly with representatives from the Court's Social Services Division to increase timely transfers of all court orders and documents for youth. YSA has determined the delays associated with receiving all of the court orders and information, and is taking steps to secure commitments from CSS, the U.S. Marshall's Service, and the court room clerks to improve the flow of information between the Court and YSA. YSA notes, however, that it was promised access to the new data base known as "Court View" on August, 2003, when the system went on line, but to date we are still unable to access Court View and the JUSTIS system has offered only temporary relief.

- b. That the supervisor of DCCP's Court Liaison unit take action to ensure that Court Liaison representatives obtain the requisite signatures on all information release forms and youth participation agreements.

Agree _____ Disagree _____ **X** _____

DHS's Response to IG's Recommendation:

YSA's Court Liaison unit has not encountered difficulty in obtaining the requisite signatures and information release forms for the identified youth's participation if they are notified while the parent is in the building.

OIG Response: **The OIG stands by this recommendation.**

17. ADD case managers feel that current fieldwork practices are unsafe.

The ADD provides monitoring, social services, and support to pre-trial youths and their families. With the goal of minimizing the chances that youths will miss a court date or commit another offense, case managers monitor compliance with curfews, manage referrals for court-ordered services, and make regular weekly contact, both over the phone and in person, with youths and their families. On average, the ADD maintains an active caseload of approximately 70-80 youths.

Case managers and some support staff in the ADD routinely visit client youths and their families in their homes. ADD personnel provide individual and family counseling, referrals for food, clothing, and other essential services such as substance abuse/addiction counseling. At a minimum, ADD case managers are expected to meet face-to-face with each youth under their care several times per week, and at least twice per month with each youth's parents/guardians. During these meetings, they are often faced with parents who resist their intervention, alcohol and drug influenced family members, and dangerous neighborhoods.

The National Association of Social Workers⁴⁰ writes:

[w]ork related violence against social workers is a fact of life. It is pervasive and must be addressed by every school of social work, agency and individual worker. Violence includes physical assault, verbal assault, harassment and the threat of assault. Many occurrences of violence can be anticipated and their impact lessened; some may be prevented entirely. If agencies have well conceived safety policies and procedures in place, client and worker safety will be maximized and the agency's liability will be minimized A written safety plan specific to the function and layout of each agency, or branch or division of an organization must be developed.

The ADD does not have written policies and procedures that cover field safety, and one case manager stated YSA has not addressed these issues with any type of

⁴⁰ <http://www.socialworkers.org/profession/centennial/violence.htm>

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training. Several case managers stated they were not comfortable making home visits alone, and try to compensate by meeting a youth in a public place or the agency office, even though management discourages the practice.

Concerns about safety may have a negative impact on case managers' productivity and morale. In addition, the lack of well-conceived and written safety policies and procedures keeps youth and worker safety from being maximized, and the District's liability minimized.

Recommendations:

- a. That the A/YSA convene a meeting with all personnel who conduct field work to discuss ways in which the Division can improve safety and effectiveness while working with families in their homes, transporting youths, etc.

Agree X Disagree _____

DHS's Response to IG's Recommendation:

By agreeing with this recommendation, DHS does not necessarily agree with OIG's factual findings. YSA is in partial agreement with this OIG recommendation. As a matter of clarity, YSA does not staff the ADD unit with case managers. Case manager is a title designated only to staffs working in the DCCP's aftercare unit, who provide supervision to adjudicated youth committed to YSA. Case workers (otherwise known as social services representatives or SSRs) are employed in the ADD unit, and are covered by law enforcement retirement. As with most job assignments involving a considerable amount of field-work, there are risks associated with working with a difficult population. However, during the entire history of ADD there has never been an assault on a case worker due to their inability to relate with the youth and his/her family. Nevertheless, in the absence of written policies and procedures that cover field safety, a special training is currently being researched by the acting Program Manager.

- b. That the A/YSA work with the Washington, DC-based National Association of Social Workers and the Metropolitan Police Department to (1) develop policies and procedures that address case managers' safety; (2) identify applicable training opportunities that focus on areas such as non-violent self defense and de-escalation techniques.

Agree X Disagree _____

DHS's Response to IG's Recommendation:

By agreeing with this recommendation, DHS does not necessarily agree with OIG's factual findings. YSA will continue to utilize best practice standards in the field of human services and social work, as well as coordinate with the Metropolitan Police Department (MPD), to maintain policies and procedures necessary to ensure the safety of all staffs working in the community.

- c. That the A/YSA assess the feasibility of formally implementing a “partner system” in order to reduce the number of instances when case managers must visit client homes alone.

Agree X Disagree _____

DHS’s Response to IG’s Recommendation:

By agreeing with this recommendation, DHS does not necessarily agree with OIG’s factual findings. YSA has always encouraged use of a “partner system” among staffs designated to work in the field on behalf of the agency. Our assessment of this system shows that among the many staffs indigenous to various neighborhoods in the District of Columbia, some find the “partner system” helpful, while others view the system as an impediment with respect to timely responses to youths and families. YSA will continue to assess the feasibility of implementing a formal system and will take appropriate steps, pending the outcome of its assessment.

18. The Central Processing Unit does not provide TB infection education for employees.

Tuberculosis (TB), an airborne disease that can be spread by such actions as coughing or sneezing, appears in correctional facilities at rates several times higher than in the general public. According to the National Commission on Correctional Health Care (NCCHC), “although research has demonstrated non-infected persons need to be exposed to tuberculosis bacteria for more than a brief duration before being infected, there is no confirmation as to how much exposure ... causes infection.”⁴¹

Youths who have been court ordered to a group or shelter home are processed by DCCP’s Court Liaison Unit and held in the Central Processing Unit (CPU) prior to placement. In the CPU, which is located on the basement level of 409 E Street NW, multiple youths are confined in communal holding cells and come in close contact with each other and YSA staff.

The NCCHC recommends that all correctional facilities develop and maintain a TB infection control program. Key elements of such a program should include screening and testing for staff and residents, as well as education for “all staff working in the correctional setting ... on proper infection control procedures as well as the identification of symptoms of TB.”⁴² The Centers for Disease Control (CDC) states that all correctional facilities, “even those in which few TB cases are expected to occur,” should maintain a TB-infection control program. With respect to testing corrections employees, the CDC recommends “baseline” skin testing should be mandatory for all employees.

The team found that youths entering the CPU are given a skin test for TB if there is no record of TB test results in their medical files. However, due to confidentiality laws CPU employees are not informed if a youth tests positive for TB and an employee may have been

⁴¹ <http://www.ncchc.org/resources/statements/tb.html>

⁴² <http://www.ncchc.org/resources/statements/tb.html>

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exposed. In addition, CPU employees are not provided “baseline” skin tests for possible exposure, and the CPU does not have a written TB-infection control program.

CPU staff members stated they have never received any type of training, annual testing, or information that would help them to better understand the risks, if any, posed by exposure to the TB bacteria. As a result, CPU staff members are uncomfortable in their work environment because they do not know whether they are being exposed to the TB bacterium and what impact that exposure may have on their health.

Recommendation(s):

- a. That the A/YSA organize information sessions during which all CPU employees, as well as any other front-line corrections employees at YSA who wish to participate, receive a basic understanding of tuberculosis transmission, the frequency with which TB appears in juvenile facilities, and the risks posed by exposure.

Agree _____ **X** _____ Disagree _____

- b. That the A/YSA implement a baseline skin-testing program for all front-line YSA corrections employees.

Agree _____ **X** _____ Disagree _____

19. ADD lacks a youth vocation, employment, and training coordinator.

ADD provides intensive community-based supervision to youths who have been charged with an offense, but whose cases are still pending in D.C. Family Court.

As a condition of program participation, each ADD youth must either work or attend school. With many youths, the case manager’s first priority is to focus on re-enrollment and school eligibility issues. For other youths, case managers work on locating an appropriate GED program.

Many youths assigned to the ADD, however, have histories of truancy, have not attended school for months, or have reached their 18th birthday. For these youths, an alternative to a traditional school environment, such as employment or vocational training, is a crucial element of their pre-trial service plans.

The team found that YSA previously had a “Community Education and Employment Coordinator,” but this position no longer exists and there is no employee in the ADD who is dedicated solely to developing relationships and maintaining programs with potential employers and training facilities throughout the city. As a result, ADD case managers are performing these functions on an ad hoc basis. Currently, individual ADD case managers attempt to identify job training, apprenticeship, and other vocational programs for youths throughout the city by referring youths to other agencies when possible, or by relying upon professional contacts they

have established at other organizations. ADD case managers stated that this system is ineffective, and only allows for a narrow range of employment and training opportunities for youth.

Recommendation:

That the A/YSA approve the hiring of a vocation and employment coordinator who would (1) focus exclusively on identifying opportunities and maintaining relationships with public and private sector training programs and employers, and (2) assist ADD case managers with matching youths to employment and training opportunities.

Agree _____ Disagree _____ **X** _____

DHS's Response to IG's Recommendation:

YSA's ADD unit serves as a supervision, monitoring and diversionary service to youth at-risk for penetrating the juvenile justice system. As such, ADD staffs provide counseling and referrals through Court Social Services. ADD staffs are instructed to aid youth in accessing services provided by agencies charged with the responsibility of identifying opportunities and establishing and maintaining relationships with public and private sector training programs. Court Social Services maintains the responsibility for referring detained youth under their supervision to the Department of Employment Services (DOES), thereby assisting ADD caseworkers with matching youths to employment and training opportunities.

YSA's ADD unit does not lack a youth vocation, employment, and training coordinator. The previous ADD Chief suggested that some clients could benefit from vocational and employment counseling, and referral to training programs. Youth have stated they want employment but lack the requisite educational requirements. For this calendar year, referrals have been made to training programs such as ARCH, Covenant House, and DOES for youth who have expressed an interest in employment. Eighty percent of the youth serviced are enrolled in school, are trying to enroll in a GED program, and are required by the court to attend school.

YSA for the past year has had access to a vocational specialist from D.C. Public Schools who specializes in locating vocational and charter school placements for YSA youth. She frequents YSA's 450 H Street, N.W. office once a week, usually on Thursday, and stays until all the cases referred have been addressed.

ADD Youth who are stepped down from Oak Hill have access to a re-entry counselor at the Oak Hill Academy. ADD caseworkers are performing these functions on an ad hoc basis. Individual ADD case managers are not discouraged from identifying job training, apprenticeship, and other vocational programs for youths throughout the city, but they can also refer youth to one of the previously mentioned resources. ADD have referred youths to other agencies, and "by relying upon professional contacts they have established at other organizations." Some ADD caseworkers have stated that this system is ineffective, and only allows for a narrow range of employment and training opportunities for youth. Nevertheless, until a specific case can be

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identified that none of the current services can assist the need for resource employee dedicated to locating vocational and employment services, there is no immediate need for an employment counselor. This is another area that Court Social Services needs to invest FTEs and provide this services to youth who are referred by the courts.

OIG Response: **The OIG stands by this recommendation.**