

Follow-Up Report of the CIIC Inspection of the Ohio River Valley Juvenile Correctional Facility

December 6, 2010

On September 13, 2010, CIIC inspected the Ohio River Valley Juvenile Correctional Facility (ORVJCF). Due to the serious concerns presented by both youth and staff during the inspection, CIIC returned after three months to reevaluate the concerns.

Overall: The facility has made several positive improvements in the past three months. It is still a work in progress, but it appears to be moving in a positive direction. Youth relayed fewer allegations regarding staff use of excessive force, staff morale appeared to be moderately higher, assaults have dramatically decreased, and areas of the facility have undergone necessary renovation.

Most Positive Change: Strong Leadership. Numerous staff said that Superintendent Pigman is “accessible,” “visible,” and “easy to talk to.” One staff said that the superintendent is receptive to all staff and also that he is a strong leader: “he runs the show.”

Continuing Concerns:

- Low staff morale is an ongoing issue that needs to be addressed proactively. CIIC recommends implementing staff committees or focus groups similar to those implemented at Indian River Juvenile Correctional Facility so that staff members feel part of the decision-making process, rather than forced to accept top-down decisions.
- Relations between staff and youth appear improved, but are still perceptibly negative. Poor relations between staff and youth are the likely root cause of the other serious issues: youth belief that staff use restraints unnecessarily, staff belief that youth use the grievance procedure to make false allegations, low staff morale, etc. It therefore must be addressed. Cultural sensitivity training, in progress during the follow-up inspection, is a step in the right direction. CIIC recommends that the number of character coupons that each staff person awards should be calculated on a weekly or monthly basis and the staff who awards the most should be recognized with a prize that staff value, so as to encourage the use of character coupons. CIIC also recommends the continued attempt to recruit more minority staff; in addition, youth groups that focus on interracial communication should be implemented to improve race relations between staff and youth.
- While fewer in number, some youth again alleged that staff were using excessive force. Youth alleged that staff were improperly and unnecessarily restraining youth.
- Although youth did not report any STG concerns during the follow-up inspection, staff relayed that approximately 85 percent of the youth are gang affiliated. Given the higher security population and the increased likelihood of “graduating” to a DRC facility, CIIC recommends that a full-time STG Coordinator position be implemented at ORVJCF.

New Concern:

- During the inspection, youth in the SMU were observed blocking visibility into their cells, such as putting blankets or paper over the door windows. Staff relayed that they used to enforce the security measure of taking down any obstructions, but every attempt to remove obstructions resulted in a use of force and therefore they have not enforced the measure. Blocking visibility is a serious security concern for both youth and staff and therefore needs to be addressed.

Detailed Comparison of CIIC Concerns in September Inspection Compared to December Follow-Up

CIIC Concern	Follow-Up
<p>Use of Force: Youth repeatedly alleged staff used force unnecessarily and excessively, particularly in areas of the unit not covered by surveillance.</p>	<ul style="list-style-type: none"> • While some youth again alleged excessive force, the number of allegations was perceived to be lower and youth also voiced more minor concerns. • Staff relayed that the facility was in the process of installing 120 additional cameras at a cost of \$1.5 million. • Staff relayed that every use of force is reviewed by administrative staff for appropriateness of the level of force used. Furthermore, staff who effectively manage situations are praised. Several staff at ORVJCF were recently recognized in this way.
<p>Staff Morale: Numerous staff expressed concerns regarding their safety, their jobs, and a reported lack of consistency in administration.</p>	<ul style="list-style-type: none"> • Low staff morale was again expressed during the staff focus group. This is a continuing issue of concern. Staff also pointed to recent political events and the potential for privatization in the future. • However, staff morale was noticeably higher during the follow-up inspection than during the September inspection and staff expressed appreciation for the superintendent’s leadership and willingness to listen to staff.
<p>Safety and Security: Youth relayed serious concerns pertaining to Security Threat Groups.</p>	<ul style="list-style-type: none"> • No youth relayed concerns regarding STGs.
<p>Safety and Security: Youth relayed that there were fights daily in the educational facility and that “if you go to school, you get whacked.”</p>	<ul style="list-style-type: none"> • Although one youth said that there were fights daily, most youth said that they feel safe. • Data provided to CIIC during the follow-up inspection reveals that ORVJCF has managed to reduce its monthly number of youth-on-youth assaults to one-third of the total six months ago.
<p>Safety and Security: Staff relayed that there is no accountability for youth who engage in serious misbehavior, or youth who make false allegations that are later unfounded.</p>	<ul style="list-style-type: none"> • This is an ongoing concern. Staff expressed an inability to effectively manage youth who are over the age of 18 and who present an ongoing threat to the security of the institution (such as repeated attempts to make weapons with the specific intention to harm staff). Staff suggested that these youth should be transferred to an adult institution.

<p>Facility Maintenance: Several housing units had serious facility maintenance issues, including missing doors, destroyed locks, leaking showers, and unsanitary conditions in the restrooms.</p>	<ul style="list-style-type: none"> • All doors had been fixed and replaced; windows were fixed; two bathrooms had been renovated in one housing unit. Several units were impressively decorated due to a beautification competition between units. • The restrooms that had not been renovated had mildew and needed to be cleaned; staff indicated that the restrooms will be renovated in the future.
<p>Youth Grievance Procedure: Youth alleged that the grievance procedure “doesn’t work.” Youth also alleged that no one checks the grievance drop box in the unit.</p>	<ul style="list-style-type: none"> • Youth continued to allege that the grievance procedure “doesn’t work.” • However, CIIC spoke at length with the new Grievance Coordinator, who said that he checks the grievance drop boxes every work day. The Grievance Coordinator also expressed an impartial attitude that did not indicate favoritism for either youth or staff; he also expressed his belief that every youth grievance deserves a full and fair investigation.
<p>Youth Grievance Procedure: Staff relayed that youth often use the grievance procedure to make false allegations in order to get staff in trouble.</p>	<ul style="list-style-type: none"> • This concern was echoed during the Staff Focus Group. Staff said that youth use the grievance procedure to manipulate staff. One staff said that youth threaten to write a grievance on him at least once or twice each shift.