NIC Desktop Guide
National Institute of Corrections   to Quality Practice for Working with Youth in Confinement

THE PARTNERSHIP
National Partnership for Juvenile Services

Home > Daily Practice > Ch.14 Behavior Management

Ch.14 Behavior Management

Author:

Michele Deitch, J.D., M.Sc. [1]

Establishing a Therapeutic Culture that Supports Behavior Management

Setting Behavioral Expectations for Youth and Staff[1] [2]

It is important to begin with a clear understanding of what is meant when talking about behavior management, discipline, and punishment. Behavior management is the ongoing effort by facility staff to implement strategies that elicit positive behavior from resident youth. Ensuring appropriate youth behavior is a never-ending task that requires constant attention from staff; behavior management is not a one-time response to a troubling incident. Seen in this light, it becomes clear that behavior management is about more than the immediate response to aggressive or inappropriate behavior. It involves creating a therapeutic culture within the facility that supports the development of positive relationships between youth and staff, that ensures the safe and humane treatment of the youth, that provides youth with the treatment and programs they need to learn problem-solving skills and overcome thinking errors and past traumas, and that ensures a consistent and clear message about behavioral expectations for both youth and staff. Moreover, the facility should be run in a way that undergirds, rather than undermines, this positive culture—from ensuring a custodial environment that is safe and secure, to hiring appropriate numbers of highly-trained staff, to having clear policies and procedures to be followed when that negative behaviors occur.

The goal of a behavior management system is discipline, if discipline is understood to mean the elicitation of desirable behavior that conforms to acceptable norms.

Too often, behavior management is confused with punishment or the sanctions that should apply when a youth breaks the rules. To be clear, a behavior management system must include appropriate consequences for negative behaviors. But the objective of these consequences should not be punishment, but rather changing the youth's behavior in the future. Punishment is simply a punitive response to unwanted behavior; it alone does nothing to ensure that the misbehavior will not reoccur.

Expectations for positive behavior must be communicated to both youth and staff from the very start of their engagement with the facility. Those expectations are conveyed in very subtle and not so subtle ways. If youth are locked in run-down cages and yelled at by staff, they are clearly given a message that we expect them to behave like animals. If, in contrast, they are given rooms in homelike settings and are encouraged by supportive staff, they learn that they are expected to treat each other with respect.

The facility's leadership should also clearly establish other expectations about appropriate behavior

on the part of youth and staff in every communication and policy. A healthy environment is one where no abuse of any kind can be tolerated, whether it involves physical assaults, sexual misconduct, or verbal abuse. That rule applies to all interactions between staff and youth and among youth. Moreover, there must be zero tolerance of any behavior that involves bullying, ridicule, or extortion. Youth must feel safe in the custodial environment if they are to be able to work successfully on their therapeutic needs; any sense that they are at risk of harm from other youth or staff will undermine their rehabilitative progress. Gangs and gang behavior must not be allowed to fester in the custodial environment. Not only does gang activity interfere with the therapeutic environment and put staff and youth at risk, it also creates barriers to individual growth and positive interactions among peers.

In short, the culture of the custodial environment must be therapeutic rather than punitive. In a comprehensive analysis of evidence-based juvenile justice programs conducted in 2010, Mark Lipsey and his colleagues found that programs with a therapeutic philosophy are significantly more effective than those with a control philosophy regarding outcomes for youth.[2] [3] The researchers advised that programs with a control approach to managing youth behavior should be avoided in favor of those guided by a therapeutic approach.[3] [4] Ensuring that the culture of the institution is consistent with this therapeutic philosophy is thus critical from the standpoint of improving youth behavior and reducing recidivism rates.

The Need for a Multi-Tiered Approach to Behavior Management

Violence and misbehavior in youth confinement facilities are symptoms of a systemic failure to address the skill deficits of incarcerated youth.[4] [5] These deficits can reduce a youth's ability to address problems in a calm and reasoned fashion, provoking impulsive responses to stressful situations and emotional or violent reactions to perceived disrespect or danger.[5] [6] Because incarcerated youth arrive at secure facilities with a multitude of skill deficits, staff need to shift away from traditional punitive approaches to managing this population. Those punitive approaches and use of increased disciplinary sanctions can simply mask the aggressive behaviors of youth rather than teach them skills that can prevent such behavior in the future. The far better approach is to use a range of strategies for preventing, intervening, and responding to misbehavior that elicit desired behaviors, promote long-lasting behavioral change in youth, and lead to a systematic reduction in violence and misbehavior.[6] [7]

Research has shown the value of using a multi-tiered framework modeled upon Positive Behavioral Interventions and Supports (PBIS), an incentive-based behavior modification system that teaches and strengthens appropriate behaviors and reduces challenging behaviors.[7] [8] The model is designed to prevent the development of new problem behaviors, the triggering of occurrences of problem behaviors, and the exacerbation of existing problem behaviors. While PBIS is typically applied to classroom settings, research supports its effectiveness with students of all ages and in all types of settings, including in secure juvenile facilities.[8] [9]

It is important to understand the logic and structure of the PBIS multi-tiered approach to behavior management, as illustrated in Figure 1. The primary tier provides preventive strategies and behavioral support for all youth across all settings within the institution. According to Brenda Scheuermann, 80% to 90% of all youth in school settings respond successfully to a positive, proactive environment that emphasizes teaching students how to behave and ensuring that attention is paid to appropriate behaviors rather than simply punishing inappropriate behavior.[9] [10] The secondary tier provides more intensive behavioral supports and interventions for those students whose behaviors are not responsive to primary-tier strategies. Another 10% to 15% of youth tend to need these structured and individualized interventions.[10] [11] Finally, the tertiary tier provides highly individualized and even more intensive behavioral supports for students whose behaviors are not responsive to primary or secondary tier interventions. One to five percent of all youth will likely need these intensive services.[11] [12] Youth move in and out of these tiers as their behavior changes, so that youth who were responsive at the secondary

tier can move back to the primary tier, removing secondary tier interventions from their behavior management plan.

This framework is especially helpful for juvenile confinement staff, because it shows the importance of across-the-board approaches that, when applied to an entire institution, help prevent behavioral problems in individual youth. Preventing misbehavior is the best way to manage it, and intervening early with minor misbehavior helps keep problems from escalating or becoming chronic.

To achieve and maintain the positive culture described above—and to encourage the safest environment possible for both youth and staff—the multi-tiered approach to behavior management should incorporate best practices in a number of different areas, including the following:

- Staff training and the building of positive staff–youth relationships.
- Staffing practices.
- Physical environment.
- Small group processes.
- Classification.
- Structured daily schedules.
- Youth empowerment and outlets for complaints.
- Therapeutic interventions.
- Strength-based rewards and consequences.
- Discipline and graduated sanctions.
- Separation and disciplinary confinement of youth.
- Long-term behavioral management units.
- Crisis management—de-escalation, use of force, and restraints.

When implemented comprehensively, improvements in each of these areas consistently lead to a reduction in violence and misbehavior and create a culture of behavior management within a confinement setting. The rest of this chapter describes in detail the best practices that together comprise an effective behavior management system and shows how they fall within this multi-tiered structure, which incorporates elements of prevention, intervention, and disciplinary responses, as well as appropriate ways to handle situations that call for crisis management.

Figure 1

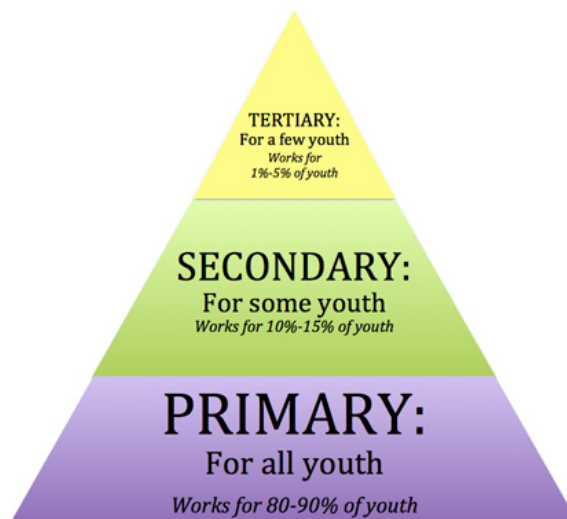**Effective Behavior Management System**

Multi-Tiered Structure

Figure 1 illustrates the behavior management model using a pyramid divided into three tiers of behavioral supports and interventions, with the primary tier at the bottom. The primary tier applies to all youth; the secondary tier applies to some youth; and the tertiary tier applies to a few youth.

Best Practices in the Multi-Tiered Model of Behavior Management

Preventive Elements of the Primary Tier

The primary tier of an effective behavior management system is focused on prevention of misbehavior through system-wide strategies applicable to all youth in the facility, rather than an approach that targets an individual resident. Those proven, across-the-board prevention strategies include: effective staff training on relationship-building, appropriate staffing levels, environmental factors, the use of small groups within the facility, classification, gang management, highly structured daily schedules, and youth empowerment. Most of these operational issues are addressed in more detail elsewhere in this Guide, but are discussed here from the standpoint of how they support an effective behavior management system.

Staff Training and the Building of Positive Staff–Youth Relationships

Staff training is arguably the best avenue to preventing misbehavior in juvenile facilities, and the single most important contributor to the quality of youth confinement services.[12] [13] David Roush and Michael McMillen highlight the links between inadequate staff training and serious problems like youth suicide and youth-on-youth violence.[13] [14] Yet agencies often limit the time and resources devoted to staff training, citing scarce funding and scheduling difficulties. This is surely a mistake. Juvenile detention and corrections staff consistently rank additional training as their highest need.[14] [15] New staff should receive as many hours of training as possible, and ongoing in-service training should be required for experienced staff. (See Ch. 4: Developing and Maintaining a Professional Workforce) [16]

The content of the training curriculum is even more important than the number of hours staff spend being trained. Training on certain subjects is essential from the standpoint of improving facility safety. Roush recommends training youth facility staff in all of the following subjects:

- Job skills (security procedures, supervision of youth, report writing, key control).
- Suicide prevention (signs of suicide risk, precautions).
- Emergency procedures (fire procedures, use of force regulations and tactics).
- Relationship building (communication skills, social and cultural lifestyles of youth, adolescent growth and development).

- Youth rules and regulations.
- Youth rights and responsibilities.

Of these, training in relationship building may be the most important when it comes to preventing misbehavior and maximizing safety in a juvenile facility.

Relationships between youth and staff are considered the primary way in which the behavior of youth is managed; therefore, it is critical for staff to receive training to improve those relationships.[15] [17] Positive relationships are built on a foundation of trust. That trust is developed through active listening, honesty in all interactions, respectful communication, fair and thoughtful responses to the youth's actions, and concern for the youth's well-being as demonstrated by caring behavior, encouragement, protection of the youth, and the teaching of problem-solving skills. Staff should always strive to practice these kinds of positive interactions with youth in the facility. Teens are highly capable of seeing through superficial or non-genuine interactions, and inconsistent responses on the part of staff are certain to lead to a lack of trust. Many youth have complicated family and educational histories that already lead them to mistrust adults. Many of them lack positive, caring relationships with adults and have little reason to behave well for those they do not trust. But, where there is a trusting, caring, mutual relationship with an adult, the youth want to succeed and control their behaviors to please that individual.

Through their interactions with residents, confinement staff have the potential to model positive behavior, respectful communication, and strategies for resolving problems or sources of stress. Social learning theory tells us that the behavior of residents in institutional settings is the product of staff interactions, and that everything a staff member does is an interaction and a teaching opportunity.[16] [18] Indeed, one study found that a quarter of the behavioral change observed in youth can be directly attributed to the nature of the relationship formed between the client and the treatment provider.[17] [19] Even the emotions and behaviors of the staff tend to be replicated by the youth who observe them. Through their own behavior, staff can model self-management and reflective action, or they can teach aggression, sarcasm, argumentation, and loss of control. Thus, the ways in which staff talk to youth and respond to negative behaviors are critical elements of preventive behavior management, and the training curriculum must teach staff how to communicate and respond in a positive manner.

Youth that exhibit aggressive behaviors are those most in need of supportive relationships with staff. Yet, they often receive the least programming and fewest opportunities to develop positive adult relationships, because staff typically move into a punishment mode in response to these youth. It is far more effective for staff to shift their approach to one that emphasizes redirection of the negative conduct.

Around the country, juvenile confinement agencies have developed policies and practices to encourage positive staff interactions with youth and to teach staff how they can play a critical role in redirecting negative behaviors on the part of residents through these relationships. At Long Creek Youth Development Center in South Portland, Maine, for example, staff members are required to provide a minimum of ten positive statements to residents each day that reinforce desired behaviors and redirect negative ones.[18] [20] Line staff members are informed of the behaviors that youth learn in specialized programming and are directed to emphasize these behaviors. In this way, line staff are able to build on the foundation laid by treatment staff: both groups are able to help residents cultivate alternative coping strategies when aggressive feelings arise.[19] [21] Although treatment staff specialize in skill training, line staff can provide practical application of these skills.[20] [22] Conversely, line staff can help identify the type, severity, and frequency of a youth's misbehavior, so that the treatment team can tailor plans to meet the youth's needs.[21] [23]

Similarly, Mark Steward has coined a phrase—"eyes on, ears on, hearts on"—to describe the level of supervision and interaction with youth that all staff should maintain while on duty.[22] [24] This approach is informed by the notion that, when youth know staff members are there to help them and not hurt them,

a change in behavior is more likely to occur.

Not only do positive relationships help prevent violence and other forms of misbehavior by providing youth with skills and a reason to exercise self-control, these relationships also provide a foundation that allows staff to intervene when aggressive conduct escalates. Line staff that already have a positive relationship with youth can more effectively use verbal skills to de-escalate a confrontation involving that child. Indeed, it is difficult for staff to defuse a situation without having an existing trusting and positive relationship.

Training in relationship building should cover effective use of authority, expressions of disapproval that redirect a youth's behavior, and appropriate ways to reinforce problem-solving skills in youth.[23] [25] Staff members who understand how their job influences relationships with youth are most successful at preventing misbehavior among youth. For example, such training might help staff understand that youth want to feel in control and might refuse to respond to a directive if the youth feels it is just another order from an authority figure. Staff members who understand the reason for noncompliance are more likely to effectively promote positive responses.[24] [26]

Staff must learn about adolescent development and the myriad factors that influence youth behavior. They need to understand that youth misbehavior is primarily a product of a still developing brain, poor impulse control, peer pressure, lack of appreciation of consequences, and lack of practice with effective problem-solving skills. They need to appreciate the degree to which mental illness, trauma, substance abuse, and the disruption of a youth's family life can lead to outbursts and other negative behaviors. And they need to know that youth are still works in progress. The children in their care are highly capable of change, and their characters are still forming. (See Ch. 6: Adolescent Development) [27]

Staff should also be trained in diversity awareness. Staff members and youth offenders often come from different cultures. This difference can result in cultural misunderstandings whereby staff or youth perceive disrespect or inappropriate behavior where none is intended, in turn leading to conflicts between staff and youth. To prevent such conflict, staff training should highlight the differences in culture, socialization, and race that can affect staff members' ability to relate to youth and to respond to crisis situations.[25] [28] Staff training should help staff members become aware of their own biases and gain an accurate working knowledge about the various cultures of the facility's residents.[26] [29]

Staff training must also include information about mental health issues, given that the majority of youth involved with the juvenile justice system have special mental health needs. In fact, studies estimate that anywhere between 65% and 70% of youth offenders have at least one diagnosable mental health disorder.[27] [30] Lisa Boesky notes that certain supervision and management strategies are more effective with mentally ill youth.[28] [31] Also, when a crisis situation occurs, staff that do not understand the youth's mental illness may unintentionally escalate the situation.[29] [32] Finally, staff may inadvertently reward angry outbursts or violence if they have not learned how to reinforce pro-social ways of coping.[30] [33] (See Ch. 11: Mental Health) [34]

The best mental health training makes clinical material understandable, is tailored to staff members' specific job duties, provides realistic management and supervision recommendations, and includes real-life case examples.[31] [35] Administrators might find it beneficial to send entire staff teams to the same outside mental health training, so the entire team is exposed to the same information. Juvenile facility staff teams frequently report that, after they work together to learn about mental health issues, they experience decreased episodes of self-injury and aggression or violence among confined youth.[32] [36]

Later sections of this chapter will provide further detail on how staff training on crisis-level incidents, use of verbal techniques to de-escalate a tense situation, and avoiding the use of punitive strategies such as physical force, use of mechanical and physical restraints, and seclusion of youth in response to serious misbehavior.

Staff Ratios, Turnover, and Deployment[33] [37]

Though staff training is critical, staffing practices such as staff-to-youth ratios, turnover, and deployment also directly impact staff members' ability to monitor youth, provide for youth safety, and allow for quality interactions and support.[34] [38] These activities, in turn, affect the likelihood of youth misbehavior, as well as the level and number of violent incidents in a facility. Appropriate staffing practices are key to ensuring a safe environment for all youth and staff members and to promoting positive behavior among youth.

The higher the staff-to-youth ratio (meaning, the more staff present for each youth in the facility), the more that staff interactions will help prevent behavior problems in secure facilities by allowing staff additional opportunity to work with youth and help staff identify and resolve problems before violence escalates.[35] [39] High staff-to-youth ratios allow youth to feel safe, making them less likely to act out.[36] [40]

Roush and McMillen suggest an overall minimum staff-to-youth ratio of one staff person to every 8 to 10 youth; but, ideally, one staff person should directly supervise only about 6 to 10 youth at a time.[37] [41] These ratios are so widely considered an effective measure for reducing violence in secure facilities that the Department of Justice (DOJ) included them in newly issued regulations for enforcing the Prison Rape Elimination Act (PREA). The PREA Standards, designed in part to prevent youth-on-youth sexual violence, mandate that, by October 2017, juvenile facilities maintain staff-to-youth ratios of 1 to 8 during waking hours and 1 to 16 during sleeping hours.[38] [42] These ratios include security or direct-care staff only.[39] [43] Sheila Mitchell believes that high staff-to-resident ratios are so important in preventing violence that her agency increased the number of staff to 1 staff member per 6 youth during the day and 1 staff member per 10 to 15 youth at night. Dr. Nelson Griffis believes the ratios should be even lower for violent or sex offenders. He recommends a 1 to 5 staff-to-youth ratio for this population. (See Ch. 8: Management and Facility Administration [44] and Ch. 17: Quality Assurance: Prison Rape Elimination Act) [45]

Beyond the importance of maintaining appropriate staff-to-youth ratios, avoiding staff turnover is a critical factor in promoting safe custodial environments. High rates of staff turnover can destabilize a facility, contributing to the risk of youth misbehavior and violence. Confinement facilities that experience frequent staff turnover have consistently high numbers of new, inexperienced staff members who are less familiar with the individual youth, security procedures, and crisis de-escalation techniques; these staff are less effective in managing the youth and preventing violence.[40] [46] New staff members often do not have meaningful relationships with the youth, which may contribute to the youths' willingness to act out, test limits, and assault the staff members.

Staff should be deployed in a way that allows them to maintain a high degree of supervision in housing and activity spaces, because these are the areas where violence among youth most commonly occurs.[41] [47] Research on Texas's juvenile correctional facilities found that major rule violations overwhelmingly occurred in the housing areas.[42] [48] Staff should always be present to supervise youth circulation between physically controlled zones, to supervise youth in their housing areas, and be strategically deployed to supervise any areas where camera angles, corners, or building layouts might allow youth to hide or engage in negative behaviors. Youth should not be able to conceal themselves in unsupervised rooms or corners.

Roush and McMillen also recommend that staff supervisors remain highly visible; youth are less likely to engage in negative behaviors if they know they are being monitored at all times.[43] [49] Youth should know that, even during periods of low staffing, remote audio and visual monitoring systems are supplementing direct supervision.[44] [50]

Staff seniority should also be taken into account in determining how, where, and when staff will be deployed. Contrary to frequent practice, the most inexperienced staff should not be assigned to what is

determined to be the most dangerous shift. Many staff members dislike working the second shift and seek to avoid it, but this is when youth have the most downtime, and the risk of behavior problems increases. Youth often take advantage of inexperienced staff. Thus, wise administrators should seek to assign their most effective and experienced staff members to this shift to assist in behavior management efforts. Similarly, more experienced staff should work with special populations, including the mentally ill. This is a challenging assignment, and inexperienced staff members typically do not have the training or skills to help manage behavioral problems that arise with these populations.

The age and gender of staff members also matters when it comes to deployment. Older juvenile corrections staff should be assigned to work with older youth (17 and older), and managers should aim for at least a three- to five-year age difference between those doing the supervision and those being supervised. To the extent possible, female staff should be assigned to work with girls; this can help reduce the impact of trauma on the part of those youth who have been abused in the past.

Physical Environment and Security Measures

The physical structure and environment of youth confinement facilities have a tremendous impact on the likelihood of violence within that facility. The size and design of the spaces where youth are confined can impact the behavior of youth.[45] [51] Proper design of a facility can help prevent violence across all youth populations, and should be considered a critical element of the behavior management plan of a youth confinement facility. Also, appropriate use of technology can help promote safer interactions among youth and serve as a deterrent to youth misbehavior.

The juvenile justice field widely recognizes the superiority of small, community-based juvenile corrections facilities over larger, conventional training schools.[46] [52] There are two ways in which smaller secure juvenile facilities prevent the development of aggressive behaviors.

First, smaller facilities create an environment more hospitable to treatment. This is important because a severely institutional, restrictive juvenile facility may cause youth to attempt to exert control through aggressive, confrontational behaviors that endanger staff or other youth.[47] [53]

Roush and McMillen recommend facilities with physical settings that project an image of positive expectations for youth.[48] [54] Specifically, they suggest natural lighting and physical access to outdoor spaces to reduce the impression of confinement as well as carpeting, furnishings, and other spatial configurations designed to reduce noise and create the perception of a calm and controlled setting.[49] [55] Will Harrell, also emphasizes the importance of youth access to outside recreation, green spaces, and natural sunlight. He notes that such environmental factors help prevent a youth from becoming institutionalized, which is linked to violent behavior.

Similarly, according to Mark Steward, small facilities are easier to design with homelike features that reflect this type of therapeutic community. For example, Hogan Street Youth Facility in Missouri is the highest security level facility in the state, and yet it looks no different than the state's other group home settings because it, too, is designed to resemble a home.[50] [56] Dorm rooms at this facility contain comfortable wooden beds and colorful comforters. Walls are decorated with pictures, murals, and craft projects from treatment group sessions. Day rooms have couches, coffee tables, plants, and wooden furniture, resembling the comfort of a home living room. This stands in stark contrast to the typical corrections-based dayroom of white walls and hard, plastic, bus station seating that reflect a more restrictive living environment.[51] [57] Missouri's use of small, non-restrictive facilities has been successful by many measures. Notably, the frequency of violent incidents and the need for restraints or seclusion remains extremely low, compared to juvenile correctional facilities in other states, and, there have been no suicides during the 25 years since large training schools were eliminated from the Missouri system.[52] [58]

The second way in which smaller secure juvenile facilities prevent the development of aggressive behaviors among youth is that smaller facilities are typically incorporated into a regionalized plan for locating these facilities close to the communities of incarcerated youth. Keeping a youth close to home is important, because families play a critical role in supporting changes in a youth's behavior, and family members can visit more often if they live close by. With the encouragement of staff at the facility, these interactions can lead to positive behavior in youth and long-term, healthy family relationships. (See Ch. 10: Effective Programs and Services) [59]

For example, the Missouri Department of Youth Services is able to engage the families of confined youth because of its localized regionalization plan for facilities, which allows most youth to stay close to home, in facilities of no more than 50 youth; the secure care facilities hold just 30 to 36 youth.[53] [60] Since closing its large training schools and shifting to this regionalized model, Missouri has experienced an enormous reduction in violence within its juvenile facilities, according to Mark Steward. (See Ch. 3: Physical Plant Design and Operations) [61]

Other juvenile justice systems are beginning to follow suit.[54] [62] North Carolina shifted to housing no more than 25 youth in its facilities, and since restructuring its system, the state's juvenile justice agency has experienced a very substantial reduction in rule violations and violent incidents, as well as a 73% decrease in re-arrest rates.[55] [63] Louisiana's Office of Youth Detention is implementing a five-year strategic plan of localized facilities based on the Missouri Model.[56] [64] The state is working to move youth out of large, distant, state institutions with a correctional custodial feel and to instead situate them in homelike settings, with a therapeutic, youth-centered environment. One count found that more than 52 youth correctional facilities have been closed in at least 18 states since 2007, and many others have downsized by closing parts of large institutions.[57] [65]

Paul DeMuro contends that juvenile confinement facilities should be small enough that the facility administrator "can know the life story of every kid in them."[58] [66] But not all experts agree that facilities need to be smaller than 50 beds to be effective at reducing youth violence. Nelson Griffis contends that facilities with 80 beds or fewer can also accomplish this goal with greater economies of scale, assuming they are well-designed and focus on treatment goals.

It is important to remember that deinstitutionalization, though important, can be destabilizing. Downsizing the number of youth in facilities often requires merging youth from different facilities into new environments. This can lead to culture clashes between youth who are not yet fully equipped with the skills needed to manage this type of change. At the same time, staff members are also forced to transition to different facilities. This can also be destabilizing, because staff are challenged by a learning curve as they enter a new environment at a time in which consistency is most crucial. This instability can lead to increased levels of youth misbehavior.

In short, research and experience strongly suggest a correlation between the size and design of facilities and the level of misbehavior on the part of residents. Keeping facilities small and more homelike can help prevent behavior problems, and help support the therapeutic mission of the facility.

Although the overall size of facilities is very important, so too is the size of the sleeping units. Research has shown that the vast majority of violent incidents occur in dormitory settings, especially those with 11 or more residents in one large sleeping space.[59] [67] David Roush recommends eliminating congregate sleeping arrangements in juvenile detention facilities to reduce youth violence,[60] [68] a view shared by Griffis, who believes that single-occupancy rooms are essential in juvenile custodial settings. This position is also reflected in the American Correctional Association's standards for juvenile confinement facilities.[61] [69] Will Harrell highlights the special importance of using single-occupancy rooms in reception centers and diagnostic units, where staff have much less information about the youth's behavior or vulnerabilities at that point, and because the stage of the process is so traumatic for the youth in ways that may cause them to act out.

Even when single-occupancy sleeping rooms *are* used, it is important that these rooms are not overly institutional or restrictive, or else youth may try to exert control by acting out.[62] [70] The restrictiveness of sleeping rooms can be reduced by, for example, including carpeted floors to reduce noise or windows or lighting that reduce the sense of physical confinement.[63] [71] Single-occupancy rooms must be used in a manner that promotes privacy without becoming a form of isolation or excessive confinement. Allowing youth to decorate their rooms with pictures of family members or craft projects completed in therapeutic treatment groups creates a personalized space for youth that encourages positive behavior. Structured this way, single-occupancy rooms can provide a retreat at the onset of negative feelings. However, when youth retreat to their rooms, staff should keep the doors to the room unlocked so that youth do not associate the space with punishment.

Not all agencies rely on single-occupancy rooms to manage youth behavior. Because of the risk that single-occupancy rooms may promote restrictive living environments, Missouri uses dormitory settings, which provide a shared space so youth learn to live in community with one another.[64] [72] While Missouri's experience in this regard is clearly successful, most youth corrections experts tend to see Missouri's housing arrangement as an anomaly and believe that the single-room design is a critical part of an agency's behavior management system.

It is also important that administrators and staff not overlook the importance of following basic security measures; the security of facility features such as doors, windows, and cameras can affect the staff's ability to manage youth and can deter youth misbehavior. For example, security breaches often occur when staff members accidentally leave windows or doors unlocked. To minimize security risks, staff should physically check that each door and window is secure each time they walk by.

Surveillance cameras can be especially helpful in supplementing direct supervision of youth by staff. [65] [73] But, unless they are properly deployed and monitored, cameras can also lull staff and administrators into a false sense of security.[66] [74] Administrators need to ensure that there are no blind spots or areas without camera visibility in the facility, because these locations tend to be prime spots for violent incidents or illegal activity.[67] [75] If there are unavoidable blind spots, staff should take additional security precautions in these areas. (See Ch. 16: Behavior Observation, Recording, and Report Writing) [76]

In short, facility design, facility size, and staff attention to basic security measures can have a profound impact on youth misbehavior, and it is critical that staff pay attention to such issues as a key preventive strategy in behavior management.

Small Group Processes

Research shows that youth are better behaved when they participate in small group activities that allow for positive interactions with their peers. In custodial settings, regardless of the size of the facility, youth should be placed into small, family-like groups of no more than 12 youth, and members of these small groups should participate together in every aspect of daily life together during their incarceration. Structured grouping of youth within facilities helps promote behavior management in two ways. First, the cohesiveness of a group is essential to achieve treatment gains and is an important condition for a change in behavior.[68] [77] In every Missouri facility, for example, youth are placed in small groups that participate together in all education, treatment, meals, recreation, and free time.[69] [78] Throughout their stays in Missouri's youth institutions, youth are challenged in these groups to discuss their feelings, gain insights into their behaviors, and build their capacity to express their thoughts and emotions clearly, calmly, and respectfully—even when they are upset or angry.[70] [79] The consistency of the group does not allow young people to hide or withdraw, and when aggressive feelings arise, a youth's peers challenge them to confront those feelings in meaningful and productive ways.[71] [80] Based on a similar premise, the Texas juvenile system offers the Capital and Serious Violent Offenders Program, a highly successful and intensive therapeutic program that relies on group support to encourage changes in behavior.[72] [81]

The small group structure uses the concept of peer pressure in a positive way by encouraging youth to reinforce the skills learned in therapeutic programming that youth attend together. In small, family-like groups, youth come to recognize each other's triggers for aggression, which can prevent violence.

A number of agencies, including the Missouri Department of Youth Services, the District of Columbia Department of Youth Rehabilitation Services, and the Santa Clara County (California) Probation Department, have found that using small group structures has led to a significant reduction in youth violence and gang activity.[73] [82]

The second way the internal structure of small groups helps promote safety is by maintaining appropriate staff-to-youth ratios. Roush and McMillen suggest that each housing unit should support no more than 8 to 12 residents, because this is the most a single staff person can manage effectively and with a high level of safety. Youth may be separated into even smaller housing groups for programming purposes or for certain categories of youth.[74] [83] Furthermore, it is harder for staff to provide immediate support to individual youth when they are arranged in large groups, and it is more difficult to move large groups from place to place for various program activities.[75] [84] To address this problem, Missouri conducts treatment and education programs in cottages or dormitory settings.[76] [85]

Missouri's DYS assigns a single case manager to oversee each youth from the time of commitment through release and into aftercare, and it provides youth with extensive supervision and support throughout the critical reentry period.[77] [86] This means there is always a case manager watching what the youth is doing while providing positive encouragement, which serves as a deterrence to misbehavior.

Juvenile detention and corrections administrators should strive to implement opportunities to group youth into small teams, as this is an effective behavior management practice.

Classification Systems

A solid classification system is a key part of any facility's behavior management plan. Classification systems are the principal tool youth confinement facility administrators have for allocating program resources and for minimizing the potential for escape and violence.[78] [87] Classification systems are commonly considered "the brain" of correctional management, because it allows individuals to be categorized by individual risk to commit violence and their vulnerability to violence. By classifying youth according to risk level, administrators can make appropriate decisions regarding staffing, bed space.[79] [88]

Classification systems are based on the theory that individuals in custody have varying levels of vulnerability and aggressiveness, which can be measured by objective, validated techniques. The classification status determines housing, programming, and recreation within the facility. The staff assigned in each area must be fully aware of the types of youth under their care and be trained in management techniques appropriate for dealing with that group.[80] [89]

Effective classification requires the continual updating and retrieval of information about a youth, especially following any behavioral incidents. This allows management to reevaluate and update a youth's status if classification needs change. Accurate and reliable data should provide management staff with an improved ability to identify potential safety risks.

The PREA Standards offer useful guidance on the appropriate placement of youth in housing units. [81] [90] The goals of PREA are to reduce sexual violence in correctional facilities, and PREA Standards outline best practices for identifying potential victims or perpetrators of violence during the intake process. PREA Standards require that, at a minimum, staff should attempt to ascertain information about:

1. Prior sexual victimization or abusiveness.

2. Any gender nonconforming appearance or identification as lesbian, gay, bisexual, transgender, or intersex, and whether the resident may therefore by vulnerable to abuse.
3. Current charges and offense history.
4. Age.
5. Level of emotional and cognitive development.
6. Physical size and stature.
7. Mental illness or mental disabilities.
8. Intellectual or developmental disabilities.
9. Physical disabilities.
10. The resident's own perception of vulnerability.
11. Any other specific information about individual residents that may indicate heightened needs for supervision, additional safety precautions, or separation from certain other residents.[82] [91]

To meet PREA Standards, the information gathered should be the basis for housing decisions. This information also should be used for purposes of education, programming, and work assignments to keep youth safe throughout the day.[83] [92]

Although jurisdictions vary in the factors considered during classification and assessment, a national survey by the National Institute of Corrections found that most adult correctional systems screen for some basic inmate characteristics including membership in a gang or security threat group, escape risk, violent behavior, and suicide risk.[84] [93] Similar characteristics should be taken into account during the classification process for youth. (See Ch. 19: Challenging and Vulnerable Populations) [94]

An effective classification system will go a long way toward helping maintain safety in the facility. However, administrators should be wary of the risks that come from having a limited number of secure facilities in which to place a youth. As many states embark on the depopulation and closing of state-run secure institutions, they have limited options for where to initially place a youth to best meet his or her needs and on where to move the youth should his or her behavior warrant a transfer to another campus or another security level. Ideally, there should be a range of available facilities to maximize the ability of the classification system to address a particular youth's needs and behaviors. This is particularly true now that secure facilities tend to hold a higher concentration of youth who have a history of violence or serious emotional or mental health needs. In such settings, classification systems and accurate data on each youth may become even more important for the overall safety of the facility. Understanding the risk factors specific to these groups and making housing and programmatic decisions based on classification will ensure the youth are housed according to their security needs. As noted earlier, having a larger number of smaller facilities is an approach that allows both for depopulation of state-secure facilities and housing youth safely in these facilities using an effective classification plan.

Gang Management

The presence of gangs in a facility can have a tremendous impact on youth safety and the potential for violent behavior, and can encourage disregard for facility rules.[85] [95] Gangs contribute to poor staff–youth relationships and the likelihood that staff will turn to control methods rather than the therapeutic approaches shown to be most successful.[86] [96] Gangs are highly prevalent in certain juvenile confinement facilities, and in one 1998 study, one-third of youth in custody claimed a gang affiliation.[87] [97] Thus, an important preventive element of the multi-tiered behavioral management system is having an effective gang management plan. (See Ch. 6: Adolescent Development, [27] Ch. 17: Quality Assurance, [98] and Ch. 19: Challenging and Vulnerable Populations) [94]

The root factors leading youth to gang membership are well documented; they include a need for identity, a sense of belonging, protection, feelings of self worth, and money.[88] [99] Staff members can identify gang members—or youth at risk for becoming gang members—knowing these risk factors. Regardless of whether youth are already affiliated with a gang, classification systems can be used to group

youth in a way that discourages the reliance on gangs and continued gang activity. By organizing youth in small groups in much the same way that a gang or fraternity uses grouping techniques, youth feel a sense of belonging, and facility leaders and staff can turn that into a very positive mechanism for reducing gang violence.

For instance, Santa Clara County's Juvenile Probation Department reduced Hispanic gang activity in its detention facility by 78% by placing youth of opposing gangs in the same group to force them to learn to live in close quarters together. Similarly, the Missouri Division of Youth Services integrates gang members from rival gangs in the same small groups. By setting very clear expectations about zero tolerance for misbehavior and continued gang activity, and by providing extensive therapeutic programming to help these youth control their anger and foster healthy relationships, the staff have managed to maintain a safe environment.[89] [100] The approach also appears to have long-lasting effects, as Missouri's recidivism rate for gang members was reported as below 10%.[90] [101]

Mark Steward indicates that small groups provide youth with a sense of belonging and leadership that gangs also provide.[91] [102] When youth are new to the group, they immediately find their place within the group's hierarchy and realize that the opportunity to move into leadership positions within the group provides the incentive for doing well in the program. There is pride in being the leader of this type of group and, as a result, youth tend to avoid aggression or behaviors that elicit aggression, such as gang rivalry. Steward has found that the small group process reduces the likelihood of assaultive behavior among youth by a factor of four.[92] [103]

Interestingly, staff at the Tarrant County (Texas) juvenile detention facility use a classification approach to gang management that is opposite the one described above. Whereas the Santa Clara County facility and the Missouri Division of Youth Services both place youth from opposing gangs into the same small groups, Tarrant County puts opposing gang members on what they call DNA (do not associate) status. A youth who associates with those on the restricted list is cited for severe misconduct. Staff members reinforce this classification system by taking preventive steps to ensure the youths' separation.

Steward cautions that staff-to-youth ratios and positive staff–youth relationships are important in employing both the gang management strategy used in Tarrant County and the opposite strategy used in Santa Clara County's facility and the Missouri Division of Youth Services. Staff should ensure gang members are not participating in gang-related activity. However, Steward maintains that, in the long run, youth will benefit from small groups with opposing gang members, because they will learn to live in community with one another. Separating opposing gang members from one another can actually perpetuate hostilities along gang membership lines.

Although there are competing approaches to managing gang activities in juvenile facilities, a failure to address the gang problem with proactive strategies can contribute to the staff's inability to manage the behavior of youth in custody.

Structured Daily Schedules

Many experts believe that a key to preventing violence and managing youth behavior in juvenile secure facilities is daily programming and activities that engage youth at all times of the day. Most violence occurs when youth are idle, as many line staff can testify from experience.[93] [104] Kelly Dedel notes that the value of keeping youth busy with meaningful activities is that they give less thought to harming themselves, others, the building and equipment, and more thought to the skills and insights they are learning through their programs and positive relationships. Furthermore, David Roush points out that programming and activities offer the structure, organization, and predictability that are important in reducing situations of conflict and stress for both youth and staff, preventing the need for subsequent physical interventions.

Education is the primary vehicle for a structured schedule for incarcerated youth, even for those who are confined in disciplinary settings. It may also be the single most important programming that institutions can provide, because so many youth in institutions are behind in their studies or have dropped out of school.[94] [105] (See Ch. 13: Education) [106]

Beyond education, staff members need to provide other forms of structured programs or activities that keep all youth busy and safe from harm. Will Harrell notes that the federal court in Ohio issued a consent order stipulating that structured programming must be provided to incarcerated youth in disciplinary confinement.[95] [107] The order defines structured programming as "adequate, structured Rehabilitative Services, including an appropriate mix of physical, recreational, or leisure activities, during non-school hours and days…at each facility from the end of the school day until youth go to bed, and on weekends."[96] [108]

After-school hours and weekends present particular challenges when it comes to keeping incarcerated youth engaged in activities. Therefore, staff members should be creative in finding activities for youth, for example, scheduling routine and specialized cleaning of the facility during those times. This behavior management strategy requires that staff engage with youth in a positive manner throughout their shift.[97] [109] Consistent and continued staff involvement—and minimal down time—will help prevent aggressive behavior, as the Missouri juvenile agency has found.

Recreation is another important activity that provides youth access to fresh air and exercise, which are useful for preventing misbehavior. Youth should have access to fresh air for at least one hour every day, and they need to have large-muscle exercise as a part of their daily routine, for normal health and development and for relieving tension and frustration that otherwise might result in aggressive behavior.

According to Orlando Martinez, other activities that staff members can provide include vocational training; religious or other spiritual opportunities; individual and family counseling; medical, dental, mental health services; and substance abuse treatment, AIDS counseling, and sex offender treatment. However, David Roush points out that staff should take caution in transitioning youth from activity to activity, when there is a greater likelihood of instability. Staff should also ensure routine daily activities so that youth know what to expect during the day; routine helps to prevent physical altercations. Programming tailored to meet each youth's needs, should be considered a fundamental part of the primary (preventive) tier in a behavior management plan at any facility. (See Ch. 10: Effective Programs and Services) [59]

Youth Empowerment and Outlets for Complaints

Youth misbehavior is often the youth's response to a perceived lack of control and autonomy in a tightly regulated environment.[98] [110] Youth often feel that they have no effective outlets to express their grievances against facility policies or certain staff members. Meaningful opportunities for youth to advocate for themselves help staff to learn from the youth and adjust facility practices in ways that better meet their needs and help manage youth behavioral. Youth dissatisfaction can be channeled into a pro-social vehicle that emphasizes effective communication strategies, acceptable advocacy tools, and fundamental fairness. This is consistent with the positive youth development model that uses a strength-based approach.[99] [111] Also, numerous studies about therapeutic correctional communities emphasize the value of empowering individuals in confinement in ways consistent with the therapeutic and security missions of the agency.[100] [112]

Will Harrell strongly recommends creating Youth Councils, in which youth are selected to represent their peers in bringing concerns about facility conditions or practices to administrative attention and advocating for systemic changes. This respectful approach to communication about concerns becomes a model for all the youth about how to seek redress, and it creates real leadership opportunities for youth as an alternative to gang leadership. For this approach to work as a behavior management tool, however,

staff must be willing to listen openly to the concerns raised by the residents, and make reasonable changes that do not compromise the safety or mission of the agency. Participation on Youth Councils should be limited to youth who have reached a designated level of achievement within the facility and whose behavior fits with this privilege.

Closely related to the notion of youth empowerment is the importance of establishing a well-functioning grievance system in every confinement facility—youth and adult. Like all people, youth want to feel capable of expressing their concerns, to be heard, and to feel that they have some ability to affect their environment and what happens to them. They have an acute sense of fundamental fairness, and when legitimate complaints are ignored or are not remedied sufficiently, they harbor resentments that are often released as misbehavior. Confinement facility administrators should ensure that their grievance system is easily accessible to youth, that youth know their rights, that there are clear procedures for receiving, investigating, and responding to complaints, and that the agency's responses are truly responsive rather than dismissive. A well-designed grievance system can be an extremely effective outlet for redirecting a youth's anger and demonstrates that concerns can be resolved in a peaceful manner, making this strategy an important preventive tool on the first tier of a behavior management system.[101] [113]

Intervention Elements of the Secondary Tier

The secondary tier of the three-tiered behavior management system provides interventions for students who do not respond well to the preventive approaches on the primary tier. Research on the use of PBIS in the classroom suggests that approximately 5% to 15% of youth will need these more individualized interventions to address their rule-breaking and violent behaviors.[102] [114] While most youth in the facility should be receiving specialized treatment or programming, these secondary-tier interventions are intensified to prevent negative behaviors.

Of particular importance at this stage is helping youth manage their anger, teaching them appropriate responses to peers and authority figures, and identifying any potential mental health issues. Although consequences for misbehaving youth are important, it is also critical to understand *why* misconduct is occurring and how to prevent it with effective therapeutic strategies. Youth must be given the opportunity to practice positive behaviors and decrease negative behaviors.

The secondary tier of the behavioral management system, then, has two critical elements: intensified therapeutic interventions based on cognitive-behavioral methods, and a strength-based system of rewards and consequences that emphasizes positive reinforcement.

Therapeutic Interventions

Youth arrive at secure juvenile facilities with a myriad of challenges, but none are as prevalent or present as great a risk for aggressive behavior as cognitive skill deficits.[103] [115] Of all therapeutic interventions, the most effective are those that specifically target the cognitive deficits that lead to violent behavior. Nelson Griffis asserts that a good treatment program changes the thinking patterns of the youth through cognitive restructuring and that this impacts behavior more than a behavior modification system, though both elements are necessary. These cognitive interventions teach youth to monitor their thought patterns in situations that would otherwise lead to antisocial behavior and violence. On average, evidence-based cognitive-behavioral programs reduce recidivism by 25% to 30%.[104] [116] (See Ch. 10: Effective Programs and Services) [59]

It is important that staff rely upon evidence-based programs that focus on cognitive-behavioral interventions to help youth identify and change their dysfunctional thinking patterns and behaviors. Examples of effective programs grounded in cognitive-behavioral therapy include Family Functional

Therapy (FFT), Multi-Systemic Therapy (MST), and Aggression Replacement Training (ART).[105] [117]

In a multi-tiered behavior management system, cognitive-based therapeutic interventions should be provided to all youth to prevent violence from occurring, but should also be intensified as needed as a mechanism for individual interventions when misbehavior occurs. Kelly Dedel notes that the therapeutic interventions must be individualized and tailored to the unique needs of each youth.

Behavior Modification through Strength-Based Rewards and Consequences

An effective facility-wide behavior management plan has clearly established rules, as well as a mechanism for applying meaningful rewards and consequences designed to increase desirable behaviors and to diminish negative behaviors. This is a form of behavior modification, and the theory holds that if good behavior is not consistently recognized and rewarded, then unwanted behavior is simultaneously encouraged. Reinforcement comes from following desirable behavior immediately with an outcome perceived as a reward in direct response to that behavior, so that the behavior is encouraged in the future. This strategy teaches the youth self-regulation, and is based on Social Learning Theory.[106] [118] Reinforcement can either be positive (a tangible benefit that the recipient desires), or negative (the removal of an ongoing but temporary negative condition). Parents and animal specialists use these techniques widely; they have obvious application in the confinement setting as well. The key point is that a consistent response to youth behavior encourages positive behavior and discourages negative behavior, which is critical to the overall success of a behavior management system.

Rewards (or "reinforcers") can take many forms: they can be material in nature (food, clothes, or toys); they can involve activities (sports or movies); they can be social rewards that make a person feel valued (verbal praise, public recognition ceremonies, attention, or helpful feedback); or they can rely on tokens (a points-based system in which the recipient gets to choose the form of the reward).[107] [119]

Although staff should apply rules consistently to all youth in the facility, each youth should have an individualized behavior management plan that identifies and documents the specific behaviors that are targeted for change so that staff members understand where to direct their reinforcement efforts. The plan should also identify strength-based rewards and disciplinary consequences specifically applicable to that youth. The individual youth must perceive the rewards and consequences as desirable or undesirable. Not all people will respond the same way to the same benefit or loss of benefit. For this reason, Griffis recommends use of a token system, so that the youth can use accumulated points for positive behavior to choose a reward to his or her personal liking.

To provide a practical example of a strength-based incentive, if a youth is motivated by recreational activities, that youth should have increased opportunities to participate in sports or an extra hour of recreation time for appropriate behaviors or for using a new behavioral skill he or she has learned. Other effective incentives could be movie nights, pizza parties, dinner with the Superintendent, or extra time in the game room. Rewards based on the strengths or desires of the individual youth helps motivate the youth to behave well.

As with rewards, the most effective consequences in a behavior management system are defined by the individual youth's strengths and motivations and should be determined by his or her behavior plan at intake. Orlando Martinez believes that defining the consequences in this way ensures that the disciplinary measures are meaningful to the individual youth. Consequences should involve a loss of privileges that are uniquely applied to an individual youth based on his or her strengths or interests. For example, an effective disciplinary technique for a sports-oriented youth may mean not allowing the youth to play basketball with friends.

According to Martinez, the consequences provided in a rewards-based behavior management system help deter negative behaviors, such as aggression and violence. Consequences have to be meaningful, but

that does not mean they need to be punitive. Rewards systems must include things that can be taken away from the youth so that they feel the consequence of their negative behavior by either not receiving the reward or having the reward taken away. Privileges that can be taken away to produce a change in behavior include extra phone calls or visitation, though it is important to note that denying a minimum of these could violate the youth's constitutional rights.

According to Kelly Dedel, the most effective rewards systems are based on the give and take of a certain number of points for every observed behavior. Youth acquire points for displaying a good or acceptable behavior and points are simply not given when there is negative behavior. Points can be calculated over a week or points can be totaled for the day, but incentives and consequences must happen immediately and in a meaningful way. Waiting to apply disciplinary measures even a few hours after the incident will not be as impactful as immediate consequences for undesired behaviors.[108] [120] Swift and certain rewards and consequences help youth understand the impact of their behavior. Similarly, youth are more likely to repeat and adopt pro-social behaviors—as opposed to antisocial or aggressive behaviors—when those behaviors and attitudes are recognized, acknowledged, and affirmed in an immediate and meaningful way.[109] [121]

In addition to being strength-based and immediate, disciplinary measures ought to match the severity of the misconduct.[110] [122] Minor violations should typically result in the misbehaving youth not accumulating points towards a desired reward, whereas more serious violations could receive more serious and direct consequences, such short timeouts. However, timeouts should occur in the open, where youth are not locked behind a cell door and where staff and peers remain visible. Overly harsh responses, such as the lengthening of a youth's sentence, are counterproductive, because such responses are not cognitive-based—they do not address the feelings or thinking errors that led to the misconduct, and thus the behavior could easily reoccur.[111] [123]

Finally, a key to the success of any consequence that is imposed for misconduct is that the youth must be able to earn back the removed privilege by demonstrating positive behaviors. The consequence must have the potential to be a negative reinforcer—the removal of this negative condition in response to desirable behavior acts as a motivating reward, and encourages the youth to continue to act in positive ways that are consistent with the behavior management plan.

For most youth, then, the intensification of treatment programming and cognitive-based skills training—combined with an effective strength-based system of rewards and consequences—is enough to redirect their behavior in ways that support a therapeutic, non-punitive culture in the facility.

Intensive Intervention Elements of the Tertiary Tier

The premise of the multi-tiered behavior management model is that most youth exhibit appropriate behaviors when exposed to the across-the-board preventive measures described earlier. A small proportion of youth—about 10% to 15%—need some additional interventions and supports to adjust their behaviors,[112] [124] And only a very small number of youth—estimated by experts at about 1% to 5% —are so challenging or violent that they require the most intensive and individualized level of interventions available.[113] [125] This most intense form of intervention is the tertiary tier of the behavior management model.

Most youth that need this third level of support receive intensified versions of the therapeutic interventions of the secondary tier. However, the disciplinary consequences associated with third-level of misconduct also need to be enhanced, and the facility may need to implement operational changes to address the misbehavior and keep other youth safe. These disciplinary consequences and operational approaches must reinforce a culture of nonviolence and must continue to offer the opportunity for youth to practice positive behaviors. The discussion here will focus on these disciplinary and operational approaches, differentiating those that have been shown to be effective from those that have been found

to be counter-productive in addressing youth violence.

Discipline and Graduated Sanctions

Effective discipline in a juvenile facility requires a continuum of responses to misbehavior, also called "graduated sanctions." These graduated sanctions should incorporate appropriate, proportionate, and immediate consequences for serious misbehaviors while still providing youth a space in which they can practice positive behaviors. At the low end of the continuum, responses to minor misbehavior—such as failure to make the bed or follow staff directions—should include lower-level consequences or removal of privileges for the youth. At the upper end of the spectrum, there should be more significant responses to and consequences for aggressive or violent behavior.[114] [126]

Whatever the response, it should be applied immediately. The longer the time between the youth's actions and the resulting sanction, the less the two events will be linked in the youth's mind. Some particularly serious misconduct may warrant a response that requires a due process hearing, which should occur as soon as possible and within any required timeframe. That due process hearing should be much more than a *pro forma* event: the youth must feel like he has a meaningful chance to be heard and to share his version of the incident. Will Harrell notes that perceived fairness goes a long way towards helping the youth appreciate the consequences of his or her actions, whereas a sense of injustice can simply reinforce the youth's hostility.

Even more critical is the need to ensure that the sanctions do not end up reinforcing the negative behavior by being overly punitive or devoid of an educational component. According to Andrea Weisman, graduated sanctions are most effective when additional programming is applied at every level, so that youth can learn more appropriate skills for managing aggressive behaviors. Youth who rely on aggression to solve problems need to learn more appropriate problem-solving skills and also need the space to practice those skills. This requires continued interaction with staff and peers even after engaging in an aggressive encounter with other youth. Thus, isolating the youth in a highly restrictive setting without access to programming tends to be counterproductive in reducing behavioral problems. Similarly, punitive measures such as adding time on a youth's sentence provide no opportunity for the youth to learn or practice new skills and should therefore be discouraged, notes Will Harrell.

The most aggressive and violent youth can be removed from the general population as a safety measure, but the goal remains to teach them how to behave appropriately and to conform to facility rules rather than to punish them. Natural consequences, such as being unable to participate in a dormitory's activities as a result of misbehavior on the dorm, sends a much more meaningful message to the youth than does the imposition of a punitive sanction.

The use of restorative justice measures such as talking circles (also known as group conferencing) can also be helpful in the context of graduated responses to misbehavior.[115] [127] In a small group, youth can discuss how an act of aggression affected everyone as well as interfered with their group dynamic. Often, group members build up resentment towards the misbehaving youth without any opportunity to express those emotions. Knowing how one's actions affected the community can be a deterrent to further misbehavior. Missouri's juvenile institutions routinely address youth misbehavior through small group discussions,[116] [128] and Ohio's juvenile facilities are considering implementation of this approach, according to Will Harrell.

It is also important to remember that most serious misconduct does not arise in a vacuum, but follows numerous lower-level incidents of nonconformity with the rules. If minor misbehavior is ignored or if the consequences imposed are meaningless to the youth, it is likely that the misbehavior will escalate. Thus, the need for immediate responses and interventions that teach positive behaviors is essential at the earliest signs of noncompliance with facility rules. The question should not be, "What do we do with a youth who is seriously aggressive?" but "What have we done (or not done) before now that allowed the

youth's behavior to escalate to this point?" Having an effective system of graduated responses is key to effective behavior management.

Separation of Youth and Disciplinary Confinement

An effective system of graduated sanctions may require the separation of an aggressive youth from the general population when he or she fails to respond to initial or subsequent interventions following violent incidents. These sanctions may range from an immediate separation of aggressive youth, to disciplinary confinement, to longer-term separation and placement in special housing units.

Most physically aggressive conflicts start small and simply require an immediate separation of the youth.[117] [129] At this point in the conflict, the use of cool-off rooms or temporarily placing youth in their rooms may be a sufficient intervening response, requiring no additional discipline.[118] [130] The length of time youth spend in room restriction should be based on the youth's behavior. Staff should guard against the risk that cool-off rooms easily become used in a punitive way by prolonging the time apart from peers. Once calm and ready to talk about feelings, the youth should be released from his room and provided the space to talk about his aggression. For example, the Gardner-Betts juvenile detention facility in Travis County, Texas, uses a cool-off room for youth who start to exhibit aggressive behavior. According to the detention center's lead psychologist, the cool-off room is used to prevent youth's behavior from escalating and is used for only a short period of time.

The very short-term use of room confinement for cooling off purposes is often appropriate at the start of a violent incident or in its immediate aftermath, but should not be confused with disciplinary confinement or punitive seclusion. Disciplinary confinement of a youth in his or her room is often used as a formal sanction for misbehavior, but its use must be carefully monitored and should be limited to no more than a few days at most. Some experts contend that youth should never be placed in a restricted room for 24 hours or more as a punishment method.[119] [131] This approach should never be used with youth who suffer from mental illness, who should be placed in a treatment-oriented environment.

Juvenile corrections expert Paul DeMuro highlights the fact that the New Orleans juvenile detention facility sets a maximum of 8 hours that a youth can spend in disciplinary isolation, while the Mississippi youthful offender unit ensures that youth on disciplinary status are out of their cells receiving programming for 4 out of every 24 hours.[120] [132] Both of those limits arose out of consent decrees following federal lawsuits, but administrators in both facilities have recognized the benefits of this approach.

Although isolation can provide a relief for staff who often need a break from aggressive youth, it may also be emotionally damaging to youth who already have experienced much trauma in their lives.[121] [133] There is a great deal of research finding that placement in corrections-style isolation settings can further traumatize the youth and can lead to mental health problems and suicidal behavior.[122] [134] A national study found that over half the youth who committed suicide while in secure confinement were in disciplinary lockdown situations when they died.[123] [135] The courts and the federal government are starting to take notice of these concerns about the solitary confinement of youth. In 2013, a federal court in New Jersey approved a settlement of a civil rights case dealing with disciplinary seclusion of youth with mental health issues due to the harmful effects of such placements, awarding $400,000 to the youth.[124] [136] And the U.S. Department of Justice has recognized that "isolation of children is dangerous and inconsistent with best practices and that excessive isolation can constitute cruel and unusual punishment."[125] [137]

Not only is seclusion of youth in tightly restricted settings, without access to programming, potentially harmful, it is also counterproductive when it comes to stopping misconduct. The approach is ineffective at identifying the underlying causes of the youth's misconduct, and the setting offers no opportunities for the youth to learn to improve his or her behavior or to practice new problem-solving

skills. Thus, use of punitive seclusion as a consequence cannot serve as a reinforcement mechanism for positive behavior as described above. Studies have repeatedly shown that youths' behavior gets worse when they are locked up in punitive settings.[126] [138] For example, one study found that the practice in Texas juvenile corrections facilities of referring misbehaving youth to security units (essentially, short-term disciplinary cells) following an incident actually correlated with an increase in misconduct.[127] [139] Youth in that study were found to be referred to the security units an average of 48 times, with 93 youth referred over 300 times during their confinement in state custody.[128] [140] Clearly, referral to this punitive setting did nothing to stem the likelihood of further serious rule violations.

In another study, Human Rights Watch reported on the widespread use of seclusion to manage the behavior of incarcerated youth. The report found that the longer teenagers were kept in isolation, the less they participated in activities and programs.[129] [141] Not surprisingly, with less to do in those settings, the youth got into more trouble.[130] [142] As noted earlier, one of the essential elements of the primary tier of the effective behavior management system is ensuring that youth have a full day with structured activities and programs. Removing opportunities for programming and increasing idleness as a sanction tends to have the opposite effect of leading to misconduct and deprives youth of the benefits of programs designed to help prevent such misbehavior.

Undoubtedly, staff rely on punitive isolation as a way to interrupt or punish misbehavior, but evidence shows it is not an effective behavior management tool. Contrary to common assumptions, youth do not tend to view placement in these settings as a deterrent to breaking major rules, and placement in these restrictive settings can increase misbehavior. In short, punitive seclusion of youth is counterproductive as a behavior management tool in the juvenile confinement setting and its use should be firmly discouraged by child-serving agencies. The research provides strong evidence that there is a need for non-punitive interventions if the goal is to effectively manage youth behavior.

To guard against the risk that separation of youth from their peers may amount to punitive seclusion, a number of entities have established strict time limits and other restrictions on the use of disciplinary room confinement.

- The Juvenile Detention Alternatives Initiative (JDAI) opposes the use of room confinement for discipline, punishment, or convenience, among other purposes.[131] [143]
- The American Academy of Child and Adolescent Psychiatry (AACAP) has a policy statement opposing any use of solitary confinement and calling for a mental health evaluation of any child who is confined in a disciplinary setting for more than 24 hours.[132] [144]
- Standards developed by the Institute for Judicial Administration and the American Bar Association (IJA-ABA) state that best practices for juvenile facilities should include limiting isolation to eight hours and prohibiting room confinement for suicide risk, as well as limiting disciplinary confinement to five days for minor infractions and ten days for major infractions.[133] [145]
- The ABA Task Force on Youth in the Adult Criminal Justice System recommended that room confinement for any purpose, even in adult facilities, should never exceed ten days.[134] [146]

However, even if agencies adhere to these time limits, there is nevertheless a substantial risk that referrals of youth to disciplinary settings can be overused and may still have deleterious effects. The far better approach is to ensure that separation of youth from peers is minimized, that it be a last resort to allow for relief of immediate tensions or to stabilize an emergency situation, that these youth continue to have access to programming and services, and that the youth can earn their way out of these conditions by displaying appropriate behavior. In lieu of any form of disciplinary confinement, staff should intensify behavioral interventions targeting the needs of a particular youth.

Behavior Management Units

Longer-term management of violent youth may require ongoing separation of these teens from their

peers in the facility through use of special housing units. The risk of these units, however, is that they may become forms of punitive segregation rather than a therapeutic housing placement designed for safe operation of the facility. For example, the Ohio Department of Youth Services operates a Special Management Unit (SMU) in its secure juvenile facilities for sanctioning youth who engage in violent behaviors. When originally created, the SMU was intended to be an extension of a cool-off room, using an entire wing of cells for youth who needed temporary separation from the general population. However, over time, the unit came to operate more as a punitive segregation unit, similar to those commonly seen in adult prisons; this practice led to oversight by the federal court.

Under the guidance of a court monitor, Ohio reworked its SMU based on the best practices of various juvenile systems around the country related to managing the behavior of the most violent and disruptive youth in secure custody.[135] [147] Now, the SMU, operating under a 2012 Consent Decree, must provide structured programming even to youth in closed-cell environments. This structured programming must be designed so that it modifies behaviors, provides rehabilitation, addresses general health and mental health needs, and is coordinated with a youth's individual behavioral and treatment plans. Finally, youth may not be confined in locked cells during waking hours, and placement in the SMU must follow an adequate disciplinary hearing.[136] [148]

Specialty units should be created to house and treat youth with acute mental health issues who present behavioral problems. These youth may need to be removed from the general population, but also need to have their mental health issues addressed directly.

In short, youth removed from the general population and placed in special housing units to better manage their behavior should spend most of their day engaged in activities or treatment rather than in seclusion. This prevents the unit from deteriorating into a lockdown setting in which youth spend significant lengths of time locked in their rooms. Even if these are considered units for longer-term separation of youth, there should be a clear plan and path for the youth to be returned to the general population. Administrators should have a clear vision and purpose for the SMUs, which should be a vehicle for delivering more intensive programs and interventions. Staff should be adequate in number and qualified to deal with this challenging population.

To the extent that behavior management units—or any other kind of housing unit that separates troublesome youth from their peers on a long-term basis—become punitive in nature, they do not have positive outcomes, and youth commonly exhibit more aggressive behavior under these conditions. A report about youth violence in the Texas juvenile justice system found high rates of violence and misbehavior in a unit specifically designed to separate assaultive youth and keep them housed under highly restrictive conditions on a long-term basis.[137] [149] Thus, agencies should take special care in designing and operating their behavior management units so as to support rather than undermine an effective behavior management plan for the facility.

Crisis Management

Comprehensive implementation of the three tiers of the behavior management system should lead to a significant reduction in aggressive incidents that require immediate staff involvement. But in rare instances, crises arise that require staff to take immediate control of a situation to avoid a significant risk of harm to youth or staff. Proper use of crisis management techniques should support the therapeutic culture of the confinement facility and the overall behavior management system by defusing dangerous situations and protecting youth safety.

Verbal De-escalation

Amanda Yurick has found that verbal techniques are important tools for use in the early stages of

violent episodes. Counter-intuitively, though, verbal tools should not be used to intervene once violence has occurred, because such comments may inadvertently cause an escalation in aggressive behavior. The timing of the use of these techniques is important and should be clearly defined for staff during training sessions.

Yurick emphasizes that staff must continue to maintain positive interactions even as they intervene in a confrontation between youth. Often, well-intentioned staff may respond to misbehavior with phrases such as "calm down" or "be patient" or by using gentle reminders for youth to use breathing techniques they were taught in anger management. However, when youth are showing signs of aggression, these verbal commands tend to heighten the aggression. The better strategy is for staff to reflect the emotions of what the youth is communicating by first validating the youths' emotions with phrases such as, "yeah, you're right, that is terrible," and then investigating the source of the incident with phrases such as, "tell me what he did." Responses need to be authentic and not contrived, which requires extensive training.

Throughout any incident, staff need to remain in control of their emotions, and must see their objectives as to neutralize risks and redirect youth behavior. Any resort to punitive responses will undermine the positive relationships they have worked so hard to build up. A staff member's calm yet firm approach can still be perceived as positive on the part of youth and will help teach them how to manage their own behavior.

The Use of Force Continuum

"Use of force" is a catch-all phrase that encompasses the use of hands-on physical force against a youth, the use of mechanical restraints (ranging from handcuffs and shackles to fixed restraints and restraint chairs), and the use of chemical weapons (such as pepper spray). Although not all uses of force are inappropriate, the concern is with incidents in which force is excessive or used unnecessarily.

Use of force and restraints should never be seen as disciplinary measures in and of themselves; their purpose is not to punish a misbehaving youth but rather to get a situation under control to prevent further harm. Every agency should have clear policies and procedures that dictate how to manage crises safely and appropriately. Punitive use of these control measures should be clearly prohibited.

Improperly used for punitive purposes, crisis management techniques such as use of force and restraints can promote a culture of fear and violence that is directly opposed to the therapeutic environment that research shows works best to control youth behavior. In large part, this is because aversive control procedures have a highly detrimental impact on the quality of positive staff–youth relationships. In addition, such punitive approaches can make youth more aggressive, can traumatize them, and can cause injuries to both youth and staff.

Research has shown that the use of force and restraints is most prevalent in facilities that suffer from adverse conditions such as understaffing and overcrowding, as well as high levels of suicidal behaviors, assaultive behaviors, and injuries among both staff and youth.[138] [150] Tension and fear appear to run high among youth and staff in these facilities.[139] [151] The correlation between use of force and adverse conditions suggests that use of punitive measures cannot overcome the need for administrators to address fundamental operational problems within a facility. Indeed, the more substantial the operational challenges, the more damaging is the behavior of youth. There is a vicious cycle that serves to reinforce a punitive—and ultimately ineffective and unsafe—culture within the juvenile facility. By paying attention to physical conditions and staffing practices, the agency can likely reduce its need for reliance on punitive control measures. Well run facilities that have appropriate levels of highly trained staff, that assess the needs of youth and provide the necessary interventions and treatment programs for them, and that emphasize supportive and positive relationships between staff and youth, have reduced needs for hands-on force, use of restraints, and placement of youth in isolation settings.

Each agency should have clear, written policies establishing the circumstances under which force may be used with a youth and the procedures to be followed when force is used. These policies should indicate the kinds of force that are allowable or prohibited, specify the type of misbehavior that might justify each level of force, establish time limits on the use of force, and clarify other limitations. The policies should create a continuum that sets forth a hierarchy of interventions from least to most intrusive for responding to youth who are misbehaving, and require the use of the least restrictive measure necessary to control behavior. The policies should address matters such as the need for involvement of medical or mental health staff, the need for ongoing monitoring of youth in restraints, the documentation of any use of force or restraint incident, the administrative approval process prior to application of force or restraints, and the debriefing of the youth and staff following any incident involving force or restraint.[140] [152]

Staff must be intensively trained on these policies, because the tense situations that sometimes arise in youth custodial settings can escalate quickly into hands-on confrontations, which can lead to injuries for youth and staff and liability for the agency. Staff should be trained to recognize individual triggers that can lead to negative behaviors, as well as the strategies they can employ to head off behavioral crises— measures such as physical and verbal de-escalation techniques, moving the youth to a less stressful setting, the involvement of staff with mental health expertise, and the involvement of the youth's family members.[141] [153] Specially trained crisis intervention teams can be brought in to work with youth who present particular challenges, such as those with mental health issues.

Hands-on Force: When and How Much?

Some experts believe that a force continuum requires staff to work their way through each option before moving on to a higher level of force, others contend that the continuum simply provides a range of allowable options from which staff must determine what is a proportionate response to a given form of misbehavior. Steve Martin, believes that the best approach is for the policies to establish the relationship between the threat offered by a youth and the level of response to that threat.[142] [154] The goal is to avoid all unnecessary or excessive use of force, because such force violates constitutional mandates. Proportionality is the key concept: for example, staff should never seek to "take down" a youth by physical force unless that youth is actively violent (and not necessarily even then). Physical force should be exceptionally rare in youth settings, employed only when there is an imminent and immediate threat of bodily injury to a person, including to the youth. All use of force policies should clarify that, regardless of the level of force applied, no use of force may last any longer than the time needed to control the immediate threat of aggression.

Situations in which there is not active violence, but a youth simply refuses to comply with an order or is passively resisting do not constitute an immediate necessity of force; policy should clarify this. As previously mentioned, staff must be trained to respond to these situations through tactical measures that emphasize de-escalation of the situation to neutralize any potential threat. The continuum of force must offer options for staff—including separation of the youth from peers, verbal de-escalation, or the involvement of mental health staff—that do not involve hands-on measures or use of mechanical or chemical restraints. Staff should use the least intrusive strategy possible to alter the dangerous behavior. Use of physical force or mechanical or chemical restraints should never be used as a form of "pain compliance" to get youth to follow the rules.

Steve Martin notes that the situations that lead to use of force are generally predictable in confinement settings. The facility's policies should spell out each of these situations—including extreme situations such as group disturbances and violent behavior—and provide clear guidance to staff as to how to handle these scenarios, emphasizing proportionate responses and an assessment of the enforcement necessity of a force response.[143] [155] Clear policies that reduce opportunities for confrontation between staff and youth result in fewer injuries to both groups. Martin believes that the

level of control to be exercised in a given situation should be "driven by two directly observable factors: 1) what harm immediately ensues if the staff member elects to delay force; and, 2) if the staff member elects to delay, is there time and distance reasonably available to delay force without causing harm?"[144] [156] These two factors help assess the necessity of the force response and drive home the point that not every threat is of such immediacy that it justifies a force response.

Martin also stresses the importance of having clear policies that dictate how to manage use of force incidents. When use of force is imminent and a team of staff is involved, he recommends that one individual be designated as a detached manager who stays in command of the incident as an observer. This person can provide an overview of what's happening, direct the involved staff members to reduce pressure on or avoid twisting a part of a youth's body, and tell the staff when to end the incident because the threat is neutralized. This technique reduces the risk of asphyxia and bodily injuries, and allows incidents to get under control quickly.

Preventing unnecessary use of force is also critical. The emotional instability of many youth can lead to unpredictable reactions and failure to comply with staff orders. In the absence of clear policies and staff who are well trained to handle these situations, confrontations develop quickly and often lead to unnecessary and excessive use of force. Martin describes situations in which a youth starts acting out in front of his peers and the staff encircle the youth like a caged animal, ordering him to change his behavior. The youth feels physically challenged, and cannot back down without losing face in front of peers. Verbal commands are ineffective in this situation, and the confrontation quickly escalates. If the area is secure and the youth is not engaged in active aggression, Martin believes the better approach is for staff to keep a physical and reasonable distance from the youth—enough space so that the youth does not perceive a potential physical encounter—and take the time to talk the youth down. This can take anywhere from 15 minutes to an hour or more. But over time, the youth gets worn out and is eventually likely to calm down without losing face. The situation can resolve peacefully without need for force and without risking injuries to either party. Staff in the Ohio juvenile corrections system were trained in these techniques and decreased the incidence of use of force substantially, along with the rate of injuries to staff and youth.

Finally, it is important that there be staff with specialized training to deal with youth with mental illness, who are disproportionately likely to be involved in incidents leading to use of force. These youth often have unpredictable reactions and can act out without warning. Training in crisis intervention strategies is invaluable to deal with this population. (See Ch. 11: Mental Health) [34]

Use of Mechanical Restraints

Though the use of mechanical and chemical restraints is a form of force, these techniques present special physical and psychological risks to youth and should therefore be considered separately from physical force. Mechanical restraints such as restraint chairs or shackles can lead to injuries, asphyxiation, and cardiac arrest, and can traumatize (or re-traumatize) a youth, especially those with histories of abuse. The physical risks are exacerbated when youth have pre-existing medical or mental health conditions, some of which may be unknown to the staff.[145] [157] A journalistic investigation of the use of fixed restraints in institutions found that 44 deaths had occurred among youth held in fixed restraints in a 10-year period.[146] [158] In very rare circumstances, some form of mechanical restraint may be necessary to prevent imminent injury, but should not be used any longer than necessary for staff to gain physical control of an emergency situation and neutralize the threat of harm. Youth should be released from the restraints at the first indication that it is safe to remove them.

To minimize the risk of injury or trauma, best practices call for no fixed restraints to be used on youth, either those restraints affixed to a wall or piece of furniture, or 4- or 5-point restraints, such as restraint chairs, that hold each of a youth's limbs. The JDAI standards define fixed restraints as the "attaching of a child's hands, feet, or other body parts to a fixed object such as a bed, chair or bolt in the

floor or wall," and prohibit the use of such restraints.[147] [159] Other practices, such as hog-tying a youth's hands and feet, are also considered highly dangerous and are disallowed under JDAI standards.

Legal cases have been sharply critical of the use of fixed restraints on youth, and have either outlawed their use as unconstitutional or have tightly limited the circumstances in which fixed restraints could be used to instances approved by a psychiatrist.[148] [160] Most professional standards also disavow the practice of using fixed restraints on youth, and only the American Correctional Association allows their use under limited circumstances requiring the approval of the facility superintendent.[149] [161]

The use of fixed restraints appears to be relatively rare in juvenile custodial settings; a 1994 study found that fewer than 5% of surveyed facilities engaged in the practice.[150] [162] This fact undermines any claim that a facility needs to have this option available as a therapeutic measure to deal with youth who are out of control or banging their heads.[151] [163] Indications are that restraints are more often used for administrative convenience or as punishment rather than as a response to true emergencies.

Steve Martin's prescriptions detailed above for reducing the use of excessive or unnecessary force can be applied equally well when it comes to avoiding the application of restraints: if any form of mechanical restraint is to be used, it should be used only as a proportionate response to the imminent threat presented by the youth and only for the time it takes to neutralize the situation. JDAI standards limit use of restraints to handcuffs, used only as needed in the transportation process or during true emergency situations at the facility.[152] [164]

Use of Chemical Restraints

As with the use of fixed restraints, the use of chemical restraints such as pepper spray or oleoresin capsicum (OC) spray on youth has been widely condemned by juvenile justice experts. Use of pepper spray puts the health of youth at risk: chemical agents generate adverse physical reactions that can be exacerbated in secure settings with poor ventilation, causing potential harm to youth and staff, even if they are not direct targets of its use.[153] [165] Children with asthma and other health problems are at particular risk, as are those who are taking psychotropic medications.[154] [166] Studies conducted on the adult population further indicate that the use of pepper spray on those with mental illness may lead to an increase in violent behavior and a worsening of the mental health condition.[155] [167] Moreover, the use of chemical restraints, like mechanical restraints, can traumatize youth and undermine their rehabilitative efforts.

Most state-run juvenile correctional facilities have moved away from the use of chemical restraints on youth. A study by the Council of Juvenile Correctional Administrators conducted in 2011 found that just 15 states allow the use of pepper spray in juvenile corrections facilities, and of those, only 6 states permit staff to carry pepper spray in the facilities.[156] [168] Many experts have noted that the greater the ease of access to pepper spray, the more likely the staff are to employ it on youth who are misbehaving, without attempting other methods of quelling the negative behaviors.

Not only are chemical weapons potentially dangerous and subject to overuse, but they have also been shown to be ineffective at controlling youth violence.[157] [169] Thus, their use undermines the long-term safety of a facility. The fact that the majority of state juvenile corrections agencies maintain safe facilities without using pepper spray is a powerful indicator that chemical weaponry is not an essential tool in the behavior management kit for juvenile confinement staff.

A significant concern with regard to the use of pepper spray is that it is often used routinely and unnecessarily, for example, when youth are passively resisting or as a form of pain compliance. It also often substitutes for a hands-on use of force, typically by staff that believes that pepper spray presents fewer risks than engaging in hands-on use of force. Steve Martin condemns this approach, again calling for proportionality in response to the threat involved.[158] [170] He contends that if pepper spray is to be

used at all, it should be limited to circumstances involving dangerous group disturbances to temporarily distract youth while a tactical team is dispatched, and should be used only in housing units holding youth who have recently engaged in assaultive behavior. He believes that chemical weaponry should never be kept on person; rather, it should be available only in a locked central location, to be retrieved only during a serious incident with the approval of the facility administrator.

It is especially important for staff to recognize that they should not use chemical restraints on youth with serious mental illness who may not be capable of conforming their conduct to staff directives. Since these youth may be unable to understand or follow orders, it is hard to see the use of restraints as anything other than a punitive measure. For these youth, the use of a chemical agent is inappropriate unless it is essential to neutralize an immediate and active threat of bodily harm to staff or other youth and no other alternatives are reasonably available.

Numerous lawsuits have held agencies liable for the overuse of pepper spray or injuries to youth through its use.[159] [171] Between the liability, the injuries, and the realization that the facilities' safety records had not improved through the use of chemical weapons, many jurisdictions have opted to discontinue the use of chemical restraints entirely.

Criminal Prosecution and Transfer of Youth to Adult Facilities

Transfer of Youth to Adult Facilities as a Counterproductive Strategy

As agency officials seek to reduce the incidence of violence in institutions, they sometimes turn to a strategy of removing troublesome youth from the juvenile setting by transferring them to adult prisons or jails, either through criminal prosecution or, depending on state law, motions to transfer youth that are serving blended sentences. As with punitive sanctions, this approach is also counterproductive and should be strongly discouraged. Transferring youth to adult facilities is not considered an appropriate behavior management tool. Adult criminal prosecution of youth and placement of youth in adult settings are both practices that are potentially detrimental to youth.[160] [172] Various studies have found that such transfers to the adult criminal justice system can end up compromising public safety.[161] [173] Recidivism rates are high among those transferred to adult prisons, in large part because the youth learn from—and are often assaulted by—adult offenders and are socialized into a criminal culture.[162] [174] A report from OJJDP asserted that adult prisons and jails "may socialize delinquent youth into true career criminals."[163] [175] Finally, such transfers are unlikely to solve the underlying reasons that violence arose in the juvenile facility in the first place.

Some of the most compelling evidence against placing youth in adult prisons comes from the 2007 report of a Task Force on violence prevention appointed by the Centers for Disease Control and Prevention (CDC), which included a comprehensive review of all prior studies on this subject. This CDC Task Force investigated the effects of transferring youthful offenders to the adult criminal justice system and found that the policy was counterproductive, resulting in a 34% increase in recidivism.[164] [176] One study cited by the CDC found that youth who serve at least one year in adult prison have a 100% greater risk of *violent* recidivism than those who stay in the juvenile system.[165] [177] The CDC reached a stark conclusion that it presented to policymakers around the country: "To the extent that transfer policies are implemented to reduce violent or other criminal behavior, available evidence indicates that they do more harm than good."[166] [178] Indeed, the CDC found that "transfer of juveniles to the adult criminal system generally results in increased rather than decreased subsequent violence, compared with violence among juveniles retained in the juvenile system."[167] [179]

One reason behind this increased propensity for future violence is the risk that arises when housing youth among adults. First, youth in adult facilities are five times more likely than their counterparts in juvenile facilities to become victims of sexual abuse and rape.[168] [180] This is in part due to their

vulnerability and smaller physical stature. Furthermore, they are twice as likely to be physically attacked with a weapon by a fellow inmate.[169] [181] Finally, youth housed in adult facilities experience higher rates of mental illness and are 36 times more likely to commit suicide than youth in juvenile facilities.[170] [182]

Many youth in adult prisons and jails are held in isolation to protect them from the physical risks of being housed with adult offenders.[171] [183] Although staff may be well intentioned in separating youth from adults, such extreme isolation exacerbates the likelihood of a youth's mental deterioration and lack of access to services, programs, education, and even to recreational opportunities. Many youth are confined in 23-hour lock-up for months or years on end, sometimes with no access to outdoor recreational yards.[172] [184] Consequently, they lack access to peers and to social contact during their most formative years.

In addition to concerns about their safety and mental health, youth in adult prisons are deprived of crucial educational and rehabilitative programming. Educational opportunities and rehabilitative programming are the cornerstones of the juvenile custodial regime, unlike in adult jails and prisons. In a 2012 Texas study, researchers found that many youth confined in adult jails receive no educational services at all, or only very limited programming.[173] [185] Similar findings come from studies of adult prisons and jails in other states as well.[174] [186]

Ultimately, the compromised safety and lack of access to meaningful programming for youth in the adult prison system produce citizens who are more violent and more likely to reoffend. Numerous studies have found that most youth who get transferred to adult prison receive relatively short sentences. [175] [187] These short sentences mean that these transferred youth are getting out of prison while still young, and they are coming back to their home communities with little to no education, skills training, or treatment. Thus, there are serious public safety concerns about the approach of using prosecution or transfer to solve behavior management problems in juvenile custodial settings.

Another reason that removal of youth from juvenile facilities tends to backfire as a behavior management tool is that transfer does not solve an agency's underlying problem with controlling youth misconduct. Removal of a few disruptive youth may simply open up new opportunities for other youth to take their places when it comes to asserting power over others or creating disturbances. The key to behavior management is not getting rid of the symptom through transfer of youth, but in understanding and addressing the root causes of the misconduct. In many cases, patterns of serious incidents represent the agency's failure to fully implement all tiers and elements of the behavior management system, as described in this chapter.

Except when the most extreme circumstances present significant and ongoing dangers to other youth or staff, youth should be kept in juvenile settings, regardless of the seriousness of their misconduct. With an appropriate behavior management system in place as described in this chapter, staff in juvenile facilities are far better equipped than those in adult correctional facilities to address the needs of misbehaving youth and to redirect their behavior in a positive way. In those rare circumstances when criminal prosecution of a youth is necessary, all efforts should be made to keep that youth in the juvenile facility prior to trial, since conditions for youth in adult jails are so antithetical to their needs and since the youth can continue to benefit from the services and programs available in the juvenile facility during the pre-trial period. Even after conviction in adult criminal court, in some instances, the youth may continue to be held safely in the juvenile facility. A 2013 study found that there was no increase in risk or harm caused by confining youth tried as adults alongside those prosecuted in juvenile court in juvenile confinement facilities.[176] [188]

Management of Youth in Adult Facilities

In those jurisdictions where youth prosecuted as adults are required to be held in adult jails or prisons, staff in the adult facilities must take special precautions to protect these youth. The PREA

Standards require that youthful offenders be confined separately from adults and that there be sight and sound separation of the two populations.[177] [189] This separation must be achieved without placing the youth in isolation and without denying programming.[178] [190] This can be especially challenging for staff in a jail that holds only the occasional youth and that is ill equipped to make special arrangements for a single individual due to architectural or staffing constraints.[179] [191] Nevertheless, such arrangements should be a high priority due to liability concerns should the youth be injured or denied educational programming to which he or she is legally entitled.[180] [192]

Administrators at adult jails that hold very few youth at a time may wish to explore the potential for informal arrangements with local juvenile detention facilities to confine these youth while they await trial. Such arrangements would allow the youth to mix with peers, receive out-of-cell time, and receive educational and other therapeutic programming offered in the juvenile detention facility. This is a safe and sensible alternative to holding the youth in isolation in the jail, and relieves the jail of a significant operational and fiscal burden. The need for such arrangements is especially critical for pre-adolescent youth.[181] [193]

For those adult correctional facilities—both jails and prisons—with larger numbers of youth, staff should designate certain housing units as juvenile wings, and should develop procedures that keep the youth separate from adult inmates throughout the day. If some incidental contact between the populations is inevitable, then there should be direct staff supervision at all times.[182] [194] There should be staff specially trained to work with youth, and there should be consistency in staff assignments to work in this unit in order for the staff to develop effective and positive relationships with the youth. Staff should also develop special educational and therapeutic programming opportunities for the youth. For example, the Texas prison system places youthful offenders in the COURAGE program, which uses group work and role-playing to help youth develop more insights into their criminal behavior.[183] [195] Some jails have worked out special arrangements with the local school district to provide teachers to work with youth in the jail, especially for those youth requiring special education services. Staff should implement all the behavior management strategies and principles described in this chapter as they work with youth in the adult correctional setting.

Finally, adult correctional agencies need to have a plan for safely integrating youth into the adult population when they reach the maximum age for the youthful offender program. These youth will need particular support as they navigate the confusing and dangerous dynamics among prisoners in the adult side of the facility. This is especially true because prison culture is so antithetical to the culture of a well-run juvenile unit, so youth are typically ill prepared to make that transition. Providing the youth additional support in the early months of placement in the adult side of the facility is both appropriate and humane.

Conclusion

Juvenile justice agencies around the country have demonstrated repeatedly that it is entirely possible for an agency to reduce institutional violence and misbehavior. It is important to understand, however, that misbehavior is a chronic problem that needs to be managed on an ongoing basis; it is not something to be fixed with a one-time change in policy or practice or by tightening control measures. Effective behavior management is a comprehensive effort that includes operational changes to facilities and programs, as well as changes in the interactions between youth and staff, the implementation of meaningful rewards and consequences for youth conduct, and the opportunity for youth to receive intensive therapeutic interventions.

This chapter has provided a detailed look at the three levels of an effective behavior management plan that should be implemented by every juvenile justice facility: the primary (prevention) tier; the secondary (intervention) tier; and the tertiary (discipline) tier. Within each tier, there are numerous elements that serve to elicit and reinforce positive behavior. These are not individual strategies to be

selected from a menu of options; rather, they must be implemented comprehensively to be as effective as possible in preventing and managing youth misbehavior in secure settings. At the core of this plan—and fundamental to the rehabilitation of the children—are supportive and respectful relationships between staff and youth.

Research shows that these positive behavioral strategies work effectively to create safe environments that help youth learn to control their emotions and actions. Yet far too often, behavior management in juvenile facilities is equated with control measures such as use of force, restraints, and seclusion. Many facilities persist in using punitive strategies that may seem intuitive as responses to misbehavior but are actually counterproductive when it comes to reducing violence and other negative conduct. Corrections-based responses to misbehavior such as the use of seclusion, force, mechanical restraints, chemical restraints, verbal abuse, physical abuse, and other control measures are not evidence based; they actually increase misbehavior on the part of youth subjected to these measures and contribute to a culture of fear and mistrust. This culture is antithetical to the therapeutic goals of the juvenile justice system.

A true therapeutic culture will provide youth with the tools they need to become productive citizens and will provide staff with the skills they need to support youth in that goal. At the same time, a therapeutic culture creates a safer and healthier custodial environment for youth and staff alike.

References

American Academy of Child & Adolescent Psychiatry. 2012. "Policy Statement: Solitary Confinement of Juvenile Offenders." http://www.aacap.org/AACAP/Policy_Statements/2012/Solitary_Confinement_of_Juvenile_Offenders.aspx [196].

American Bar Association. 2001. *Youth in the Adult Criminal Justice System: Guidelines for Policymakers and Practitioners.* Washington, DC: Author, Criminal Justice Section.

American Correctional Association. 1990. *Standards for Juvenile Detention Facilities.* 3rd ed. Laurel, MD: Author.

American Correctional Association. 1991. *Standards for Juvenile Training Schools.* 3rd ed. Laurel, MD: Author.

American Correctional Association. 1991. *Standards for Small Juvenile Detention Facilities.* Laurel, MD: Author.

Annie E. Casey Foundation. 2014. *Juvenile Detention Facility Assessment: 2014 Update.* Baltimore, MD: Author. http://www.aecf.org/m/resourcedoc/aecf-juveniledetentionfacilityassessment-2014.pdf [197].

Annie E. Casey Foundation. 2006. *Detention Facility Self-Assessment: A Practice Guide to Juvenile Detention Reform.* Baltimore, MD: Author. http://www.aecf.org/resources/juvenile-detention-facility-assessment [198].

Austin, James, and Kenneth McGinnis. 2004. *Classification of High-Risk and Special Management Prisoners: A National Assessment of Current Practices.* Washington, DC: National Institute of Corrections.

Bandura, Albert. 1971. *Social Learning Theory.* New York: General Learning Press.

Bandura, Albert. 1986. *Social Foundations of Thought and Action.* Englewood Cliffs, NJ: Prentice-Hall.

Barton, William H., and Jeffrey A. Butts. 2008. *Building on Strength: Positive Youth Development in Juvenile Justice Programs*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago.

Bazemore, Gordon, and Mark Umbreit. 2001. *A Comparison of Four Restorative Conferencing Models*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

Bechtold, Jordan, and Elizabeth Cauffman. 2013. "Tried as an Adult, Housed as a Juvenile: A Tale of Youth from Two Courts." *Law and Human Behavior* 38, no. 2: 126–138.

Bishop, Donna. 2000. "Juvenile Offenders in the Adult Criminal Justice System." *Crime and Justice* 27: 81–167.

Boesky, Lisa Melanie. 2001. "Mental Health Training in Juvenile Justice: A Necessity." *Corrections Today* 63, no. 4: 98–101.

Burrell, Sue. 2009. *Moving Away from Hardware: The JDAI Policy on Fixed Restraint*. Baltimore, MD: Juvenile Detention Alternatives Initiative, Annie E. Casey Foundation.

Burrell, Sue. 2013. *Trauma and the Environment of Care in Juvenile Institutions*. Los Angeles, CA and Durham, DC: National Center for Child Traumatic Stress.

Campaign for Youth Justice and Partnership for Safety and Justice. 2011. *Misguided Measures: The Outcomes and Impacts of Measure 11 on Oregon's Youth*. Washington, DC: Campaign for Youth Justice.

Campaign for Youth Justice. 2007. *Jailing Juveniles: The Dangers of Incarcerating Juveniles in Adult Jails in America*. Washington, DC: Author.

Cellini, Henry. 1994. "Management and Treatment of Institutionalized Violent Juveniles," *Corrections Today* 56, no. 4: 98, 100–102.

Center for Children's Law and Policy. 2012. *Factsheet: Chemical Agents in Juvenile Facilities*. Washington, DC: Author.

Centers for Disease Control and Prevention. 2007. "Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System: A Report on Recommendations of the Task Force on Community Preventive Services." *Morbidity and Mortality Weekly Report* 56, no. RR-9. http://www.cdc.gov/mmwr/PDF/rr/rr5609.pdf [199].

Cesaroni, Carla, and Michele Peterson-Badali. 2013. "The Importance of Institutional Culture to the Adjustment of Incarcerated Youth and Young Adults." *Canadian Journal of Criminology and Criminal Justice* 55, no. 4: 563–575.

Children's Law Center, Inc. 2012. *Falling Through the Cracks: A New Look at Ohio Youth in the Adult Criminal Justice System*. Covington, KY: Author.

Colorado Juvenile Defender Coalition. n.d. *Caging Children in Crisis*. Denver, CO: Author.

Consent Order, *United States of America v. The State of Ohio et al.,* (No. 2: 08-cv-00475-ALM-MRA, December 19, 2012), available as document no. 107–1: 1.

Council of Juvenile Correctional Administrators. 2011. *Issue Brief: Pepper Spray in Juvenile Facilities*. http://cjca.net/attachments/article/172/CJCA.Issue.Brief.OCSpray.pdf [200].

Cox, Alexandra. 2013. *Juvenile Facility Staff Responses to Organizational Change*. Author.

Cunningham, James. 2003. "A 'Cool Pose': Cultural Perspectives on Conflict Management." *Reclaiming Children and Youth: Journal of Strength-based Interventions* 12, no. 2: 88–92.

Day, Andrew, and Patrick Doyle. 2010. "Violent Offender Rehabilitation and the Therapeutic Community Model of Treatment: Towards Integrated Service Provision?" *Aggression and Violent Behavior* 15, no. 5: 380–386.

Deitch, Michele, Amanda Barstow, Leslie Lukens, and Ryan Reyna. 2009. *From Time Out to Hard Time: Young Children in the Adult Criminal Justice System.* Austin, TX: University of Texas at Austin, LBJ School of Public Affairs.

Deitch, Michele, Amy Madore, Kate Vickery, and Alycia Welch. 2013. *Understanding and Addressing Youth Violence in the Texas Juvenile Justice Department: Report to the Office of the Independent Ombudsman.* Austin, TX: University of Texas at Austin, LBJ School of Public Affairs.

Deitch, Michele, and Neelum Arya. 2014. "Waivers and Transfers of Juveniles to Adult Court: Treating Juveniles Like Adult Criminals." In *Juvenile Justice Sourcebook,* edited by Wesley Church and David Springer 241–263. New York: Oxford University Press.

Deitch, Michele, Anna Lipton Galbraith, and Jordan Pollock. 2012. *Conditions for Certified Juveniles in Texas County Jails.* Austin, TX: University of Texas at Austin, LBJ School of Public Affairs.

Deitch, Michele. 2011. *Juveniles in the Adult Criminal Justice System in Texas.* Austin, TX: University of Texas at Austin, LBJ School of Public Affairs.

DeMuro, Paul. 2014. *Toward Abolishing the Use of Disciplinary Isolation in Juvenile Justice Institutions: Some Initial Ideas.* Author.

Drake, Elizabeth. 2007. *Evidence-Based Juvenile Offender Programs: Program Description, Quality Assurance, and Cost.* Olympia, WA: Washington State Institute for Public Policy.

Evans, Douglas. 2012. *Pioneers of Juvenile Justice Reform: Achieving System Change Using Resolution, Reinvestment, and Realignment Strategies.* New York: Research and Evaluation Center, John Jay College of Criminal Justice, City University of New York.

Fagan, Jeffrey. 1996. "The Comparative Impacts of Juvenile and Criminal Court Sanctions on Adolescent Felony Offenders." *Law and Policy* 18: 77–119.

Flicker, Barbara Danziger, Institute of Judicial Administration and American Bar Association. 1982. *Standards for Juvenile Justice: A Summary and Analysis,* 2nd ed. Cambridge, MA: Ballinger.

Grassian, Stuart. 2006. "Psychiatric Effects of Solitary Confinement." *Washington University Journal of Law & Policy* 22: 325–383.

Griffis, Nelson. 1972. *Designing a Token Economy for the Detention Setting.* Jackson, MI: Michigan Juvenile Detention Association.

Haney, Craig. 2003. "Mental Health Issues in Long-Term Solitary and 'Supermax' Confinement." *Crime and Delinquency* 49, no. 1: 124–156.

Hardyman, Patricia, James Austin, Jack Alexander, Kelly Dedel Johnson, and Owan C. Culloch. 2002. *Internal Classification Systems: Case Studies in their Development and Implementation.* Washington, DC: National Institute of Corrections.

Hawken, Angela, and Mark Kleiman. 2009. *Managing Drug Involved Probationers with Swift and Certain Sanctions: Evaluating Hawaii's HOPE.* Research report submitted to U.S. Department of Justice. http://www.ncjrs.gov/pdffiles1/nij/grants/229023.pdf [201].

Hayes, Lindsay. 2009. *Characteristics of Juvenile Suicide in Confinement Facilities.* Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

Howell, James. 1998. *Youth Gangs: An Overview.* Juvenile Justice Bulletin. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

Hubner, John. 2008. *Last Chance in Texas: The Redemption of Criminal Youth.* New York: Random House.

Human Rights Watch and American Civil Liberties Union. 2012. *Growing Up Locked Down: Youth in Solitary Confinement in Jails and Prisons Across the United States.* New York: Author. www.hrw.org/sites/default/files/reports/us1012ForUpload.pdf [202].

Johnson, Leah E., Eugene W. Wang, Nicole Gilinsky, Zhaomin He, Clint Carpenter, C. Michael Nelson, and Brenda K. Scheuermann. 2013. "Youth Outcomes Following Implementation of Universal SW-PBIS in a Secure Texas Juvenile Facility." *Education & Treatment of Children* 36, no. 3: 135–145.

Just Children. 2009. *Don't Throw Away the Key: Reevaluating Adult Time for Youth Crime in Virginia.* Charlottesville, VA: Author. http://www.campaignforyouthjustice.org/documents/FR_VA_Dontthrow.pdf [203].

Justice Policy Institute. 2006. *Models for Change: Building Momentum for Juvenile Justice Reform.* Washington, DC: Author.

Juvenile Court Judge's Commission, Pennsylvania Council of Chief Juvenile Probation Officers, and the Pennsylvania Commission on Crime and Delinquency. 2012. *Pennsylvania's Juvenile Justice System Enhancement Strategy: Achieving Our Balanced and Restorative Justice Mission Through Evidence-Based Policy and Practice.* http://www.modelsforchange.net/publications/342 [204].

Juvenile Law Center. 2014. "Juvenile Law Center Negotiates Final Settlement of Civil Rights Lawsuit Challenging Solitary Confinement of 2 Boys in Custody of NJ Juvenile Justice Commission." http://www.jlc.org/blog/juvenile-law-center-negotiates-final-settlement-civil-rights-lawsuit-challenging-solitary-confi [205].

Klykken, Are Haram. 2012. *Prison Studies of Solitary Confinement: A Bibliography of Research on Psychological Effects of Social Isolation, Pre-Trial Isolation and Supermax Conditions*, University of Tromso: Author. http://www.solitaryconfinement.org/uploads/BibliographyResearchPrisonStudiesByAre_Haram_Klykken.pdf [206].

Lanza-Kaduce, Lonn, Jodi Lane, Donna M. Bishop, and Charles E. Frazier. 2005. "Juvenile Offenders and Adult Felony Recidivism: The Impact of Transfer." *Journal of Crime and Justice* 28, no. 1: 59–77.

Latessa, Edward J., and Christopher T. Lowenkamp. 2005. "What Are Criminogenic Needs and Why Are They Important." *For the Record* 4th Quarter 2005: 15–16.

Lewin, Kurt. 1946. "Behavior and Development as a Function of the Total Situation." In *Manual of Child Psychology*, edited by Leonard Carmichael. Hoboken, NJ: John Wiley & Sons: 791–844.

Liebling, Alison. 2011. "Moral Performance, Inhuman and Degrading Treatment and Prison Pain."

Punishment and Society 13, no. 5: 530–550.

Lipsey, Mark W. [207], James C. Howell, Marion R. Kelly, Gabrielle Chapman, and Darin Carver. 2010. *Improving the Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-based Practice.* Washington, DC: Center for Juvenile Justice Reform. Georgetown University. http://cjjr.georgetown.edu/pdfs/ebp/ebppaper.pdf [207].

Listenbee, Robert L., Administrator, U.S. Department of Justice. Letter to Jesselyn McCurdy, Senior Legislative Counsel, American Civil Liberties Union 1, July 5, 2013. https://www.aclu.org/sites/default/files/assets/doj_ojjdp_response_on_jj_solitary.pdf [208].

Marshall, William, and David Burton. 2010. "The Importance of Group Processes in Offender Treatment." *Aggression and Violent Behavior* 15: 141–149.

Martin, Steve. 2013. "Staff Use of Force in a Confinement Setting: When Is It Really Necessary?" *Correctional Law Reporter* XXV, no. 1.

Martin, Steve. 2014. "Staff Use of Force in a Confinement Setting: How Much is Enough, When is it Too Much." *Correctional Law Reporter* XXV.

McGowan, Angela, Robert Hahn, Akiva Liverman, Alex Crosby, Mindy Fullilove, Robert Johnson et al. 2007. "Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System: A Systematic Review." *American Journal of Preventive Medicine* 32, no. 4S: S7–S28.

Mendel, Richard. 2010. *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders.* The Annie E. Casey Foundation. http://www.aecf.org/resources/the-missouri-model/ [209].

Mendel, Richard A. 2011. *No Place for Kids: The Case for Reducing Juvenile Incarceration.* Baltimore, MD: Annie E. Casey Foundation. http://www.aecf.org/resources/no-place-for-kids-full-report [210].

Models for Change, Pennsylvania, Mental Health Association in Pennsylvania, and Pennsylvania Council of Chief Juvenile Probation Officers. 2009.*Family Involvement in Pennsylvania's Juvenile Justice System.* Harrisburg, PA: Mental Health Association in Pennsylvania.

National Center for Youth in Custody. 2012. "Strategies for Effective Facility-Based Behavior Management," Webinar. November 14, 2012. http://nc4yc.org [211].

National Partnership for Juvenile Services (formerly NJDA). 1999. "Position Statement: Minimum Direct Care Ratio in Juvenile Detention Centers." Lexington, KY: Author. http://npjs.org.previewdns.com/wp-content/uploads/2012/12/NJDA-Position-Statement-Staff-Ratio.pdf [212]

National PREA Resource Center. "Juvenile Facility Standards." Standards 115.14, "Youthful Inmates"; 115.313, "Supervision and Monitoring"; 115.341, "Obtaining information from residents"; 115.342, "Placement of residents in housing, bed, program, education, and work assignments." http://www.prearesourcecenter.org/sites/default/files/library/preafinalstandardstype-juveniles.pdf [213].

New Amsterdam Consulting, Inc. 2007. *Performance-based Standards for Youth Correction and Detention Facilities (2007 Research Report),* Scottsdale, AZ: Author.

Newell, Michelle, and Jorja Leap. 2013. *Policy Brief: Reforming the Nation's Largest Juvenile Justice System.* Los Angeles: UCLA Luskin School of Public Affairs.

Parent, Dale G., Valerie Leiter, Stephen Kennedy, Lisa Livens, Daniel Wentworth, and Sarah Wilcox. 1994. *Conditions of Confinement: Juvenile Detention and Correctional Facilities* (Research Report). Washington, DC: Office of Juvenile Justice and Delinquency Prevention. https://www.ncjrs.gov/pdffiles1/ojjdp/1FrontMat.pdf [214].

Parker, Michael, ed. 2007. *Dynamic Security: The Democratic Therapeutic Community in Prison*. London: Jessica Kingsley Publishers.

Peters, Adrienne M.F., and Raymond R. Corrado. 2013. "An Examination of the Early 'Strains' of Imprisonment Among Young Offenders Incarcerated for Serious Crimes." *Journal of Juvenile Justice* 2, no. 2, Office of Juvenile Justice and Delinquency Prevention. http://www.journalofjuvjustice.org/jojj0202/article06.htm [215].

Redding, Richard E. 2010. "Juvenile Transfer Laws: An Effective Deterrent to Delinquency?" *Juvenile Justice Bulletin*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. https://www.ncjrs.gov/pdffiles1/ojjdp/220595.pdf [216].

Roush, David, and Michael Jones. 1996. "Juvenile Detention Training: A Status Report." *Federal Probation Journal* 60, no. 2: 54–60.

Roush, David, and Michael McMillen. 2000. "Construction, Operations, and Staff Training for Juvenile Confinement Facilities." *Juvenile Accountability Incentive Block Grants Program Bulletin*. Washington, DC: Office of Juvenile Justice and Delinquency Protection. http://www.ncjrs.gov/pdffiles1/ojjdp/178928.pdf [217].

Scheuermann, Brenda, and Judy Hall. 2012. *Positive Behavioral Supports for the Classroom*. New Jersey: Pearson.

Schiraldi, Vincent, Marc Schindler, and Sean J. Goliday. 2011. "The End of the Reform School?" In Juvenile Justice: Advancing Research, Policy, and Practice, edited by Francine T. Sherman and Francine H. Jacobs. New Jersey: John Wiley & Sons: 409–432. http://www.acgov.org/probation/resourcelib.htm [218].

Schuster, Terry, Office of the Federal Court Monitor. *13 Good Ideas from Other Jurisdictions That May Help Improve Outcomes on the PROGRESS Units, 2012*. (Unpublished report on file with author.)

Sedlak, Andrea, and Karla McPherson. 2010. *Conditions of Confinement: Findings from the Survey of Youth in Residential Placement*. Juvenile Justice Bulletin. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. http://www.ncjrs.gov/pdffiles1/ojjdp/227729.pdf [219].

Sedlak, Andrea, and Karla McPherson. 2010. *Youth's Needs and Services: Findings from the Survey of Youth in Residential Placement*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. https://www.ncjrs.gov/pdffiles1/ojjdp/227728.pdf [220].

Skowyra, Kathleen, and Joseph Cocozza. 2007. *A Blueprint for Change: Improving the System Response to Youth with Mental Health Needs Involved with the Juvenile Justice System*. NationalCenter for Mental Health and Juvenile Justice.

Specter, Don. 2006. "Making Prisons Safe: Strategies for Controlling Violence." *Washington University Journal of Law & Policy* 22: 125–134.

Steward, Mark, and Pili Robinson. 2012. "Juvenile Justice System Solutions for Texas: Things to Consider." Conference Presentation." *8th Annual Strengthening Youth and Families Conference: Engaging Families, Connecting Communities, Achieving Successful Outcomes from TJJD*. Austin, TX: Author.

T.D. and O.S. v. Mickens et al., 1:10-cv-02902-JEI –AMD, U.S.D.C. (New Jersey), 2013.

Thornberry, Terence P. 1998. "Membership in Youth Gangs and Involvement in Serious and Violent Offending." In *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions,* edited by Rolf Loeber and David P. Farrington. Thousand Oaks, CA: Sage: 147–166.

Washington Coalition for the Just Treatment of Youth. 2009. *A Reexamination of Youth Involvement in the Adult Criminal Justice System in Washington: Implications of New Findings about Juvenile Recidivism and Adolescent Brain Development.* Seattle, WA: Author.

Weiss, Eric M. 1998. "Deadly Restraint: A Hartford Courant Investigative Report." *Hartford Courant,* October 11–14.

Zeidenberg, Jason. 2011. *You're an Adult Now: Youth in Adult Criminal Justice Systems.* Washington, DC: National Institute of Corrections. http://static.nicic.gov/Library/025555.pdf [221].

Endnotes

[1] [222] This chapter is adapted from a report titled, *Understanding and Addressing Youth Violence in the Texas Juvenile Justice Department,* by Michele Deitch, Amy Madore, Kate Vickery, and Alycia Welch, published by the Lyndon B. Johnson School of Public Affairs, The University of Texas, in May 2013. Chapter V in particular summarizes best practices in behavior management of youth in custody. The author is especially grateful to Alycia Welch for her substantial contributions to the research and drafting of that chapter.

Numerous juvenile justice practitioners served as expert consultants for the original report and as Field Contributors for this chapter, and their contributions in the form of telephone interviews and personal correspondence were truly invaluable. This chapter benefited from the wisdom and guidance of the following experts, all of whom have substantial experience working with youth in custody: Karen Albert, Lisa Boesky, Kelly Dedel, Bob Dugan, Nelson Griffis, Will Harrell, Steve Martin, Orlando Martinez, Sheila Mitchell, David Roush, Brenda Scheuermann, Vincent Schiraldi, Terry Schuster, Mark Steward, Debbie Unruh, Andrea Weisman, and Amanda Yurick.

[2] [223] Mark W. Lipsey, James C. Howell, Marion R. Kelly, Gabrielle Chapman, and Darin Carver, *Improving the Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-Based Practice*, (Georgetown University: Center for Juvenile Justice Reform, December 2010), 23–25.

[3] [224] Ibid.

[4] [225] Edward J. Latessa and Christopher T. Lowenkamp. "What Are Criminogenic Needs and Why Are They Important," *For the Record* 4 (2005):15.

[5] [226] Ibid.

[6] [227] Juvenile Court Judge's Commission, Pennsylvania Council of Chief Juvenile Probation Officers, and the Pennsylvania Commission on Crime and Delinquency, *Pennsylvania's Juvenile Justice System Enhancement Strategy: Achieving Our Balanced and Restorative Justice Mission Through Evidence-Based Policy and Practice* (April 2012): 24.

[7] [228] Brenda Scheuermann and Judy Hall, *Positive Behavioral Supports for the Classroom,* 2nd ed. (New Jersey: Pearson, 2012), 18.

[8] [229] Leah E. Johnson, Eugene W. Wang, Nicole Gilinsky, Zhaomin He, Clint Carpenter, C. Michael Nelson, and Brenda K. Scheuermann, "Youth Outcomes Following Implementation of Universal SW-PBIS in a Secure Texas Juvenile Facility," *Education & Treatment of Children* 36, no. 3 (2013): 135–145.

[9] [230] Scheuermann and Hall, *Positive Behavioral Supports for the Classroom,* 18.

[10] [231] Ibid. 19.

[11] [232] Ibid.

[12] [233] David Roush and Michael Jones, "Juvenile Detention Training: A Status Report," *Federal Probation Journal* 60 (1996): 54.

[13] [234] David Roush and Michael McMillen, Office of Juvenile Justice and Delinquency Prevention, "Construction, Operations, and Staff Training for Juvenile Confinement Facilities," Juvenile Accountability Incentive Block Grants Program Bulletin (January, 2000): 20.

[14] [235] See, e.g., Ibid.; Alexandra Cox, "Juvenile Facility Staff Responses to Organizational Change" (Author, October 2013), 21.

[15] [236] Carla Cesaroni and Michele Peterson-Badali, "The Importance of Institutional Culture to the Adjustment of Incarcerated Youth and Young Adults," *Canadian Journal of Criminology and Criminal Justice* 55, no. 4 (2013): 568, 571.

[16] [237] Kurt Lewin, "Behavior and Development as a Function of the Total Situation," In *Manual of Child Psychology*, ed. Leonard Carmichael (Hoboken, NJ: John Wiley & Sons, 1946), 791–844.; Albert Bandura, *Social Foundations of Thought and Action*, (Englewood Cliffs, NJ: Prentice-Hall, 1986); Alison Liebling, "Moral Performance, Inhuman and Degrading Treatment and Prison Pain," *Punishment and Society* 13, no. 5 (2011): 530–550.

[17] [238] Andrew Day and Patrick Doyle, "Violent Offender Rehabilitation and the Therapeutic Community Model of Treatment: Towards Integrated Service Provision?," *Aggression and Violent Behavior* 15 (2010): 382.

[18] [239] National Center for Youth in Custody, "Strategies for Effective Facility-Based Behavior Management," Webinar, November 12, 2012.

[19] [240] Henry Cellini, "Management and Treatment of Institutionalized Violent Juveniles," *Corrections Today* 56, no. 4 (1994): 98.

[20] [241] National Center for Youth in Custody, "Strategies for Effective Facility-Based Behavior Management."

[21] [242] Cellini, "Management and Treatment of Institutionalized Violent Juveniles," 98.

[22] [243] Richard Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders.* (Baltimore, MD: Annie E. Casey Foundation, 2010), 40.

[23] [244] Ibid.

[24] [245] Ibid.

[25] [246] James Cunningham, "A 'Cool Pose': Cultural Perspectives on Conflict Management," *Reclaiming Children and Youth: The Journal of Strength-based Interventions* 12, no. 2 (2003): 88–92.

[26] [247] Ibid.

[27] [248] Kathleen Skowyra and Joseph Cocozza, *A Blueprint for Change: Improving the System Response to Youth with Mental Health Needs Involved with the Juvenile Justice System* (National Center for Mental Health and Juvenile Justice, 2007), 1.

[28] [249] Lisa Melanie Boesky, "Mental Health Training in Juvenile Justice: A Necessity," *Corrections Today* 63, no. 4 (2001): 98–99.

[29] [250] Ibid. 98.

[30] [251] Ibid. 99.

[31] [252] Ibid. 100–101.

[32] [253] Ibid.

[33] [254] NPJS, formerly NJDA, "Position Statement: Minimum Direct Care Ratio in Juvenile Detention Centers," (Lexington, KY: Author, 1999).

[34] [255] Roush and McMillen, "Construction, Operations, and Staff Training," 17.

[35] [256] Ibid.

[36] [257] Ibid.

[37] [258] Ibid., 17.

[38] [259] *National Standards to Prevent, Detect, and Respond To Prison Rape*, 28 C.F.R. § 115.313(c).

[39] [260] Ibid.

[40] [261] Roush and McMillen, "Construction, Operations, and Staff Training," 17–18, 20.

[41] [262] Ibid., 11.

[42] [263] Michele Deitch, Amy Madore, Kate Vickery, and Alycia Welch, *Understanding and Addressing Youth Violence in the Texas Juvenile Justice Department: Report to the Office of the Independent Ombudsman* (Austin, TX: University of Texas at Austin, LBJ School of Public Affairs, 2013), 27.

[43] [264] Roush and McMillen, "Construction, Operations, and Staff Training," 11.

[44] [265] Ibid.

[45] [266] Andrea Sedlak and Karla McPherson, "Conditions of Confinement: Findings from the Survey of Youth in Residential Placement," *Juvenile Justice Bulletin* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, May 2010): 1.

[46] [267] Richard A. Mendel, *No Place for Kids: The Case for Reducing Juvenile Incarceration* (Baltimore, MD: Annie E. Casey Foundation, 2011).

[47] [268] Roush and McMillen, "Construction, Operations, and Staff Training," 10.

[48] [269] Ibid.

[49] [270] Ibid., 10–11.

[50] [271] Mark Steward and Pili Robinson, "Juvenile Justice System Solutions for Texas: Things to Consider," Conference Presentation, *8th Annual Strengthening Youth and Families Conference: Engaging Families, Connecting Communities, Achieving Successful Outcomes from TJJD* (Austin, TX, November 9, 2012).

[51] [272] Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders*, 19.

[52] [273] Ibid., 9–10.

[53] [274] Ibid., 15–18.

[54] [275] Vincent Schiraldi, Marc Schindler, and Sean J. Goliday, "The End of the Reform School?" In *Juvenile Justice: Advancing Research, Policy, and Practice,* eds. Francine T. Sherman and Francine H. Jacobs (New Jersey: John Wiley & Sons, Inc., 2011), 409–432.

[55] [276] Douglas Evans, *Pioneers of Juvenile Justice Reform: Achieving System Change Using Resolution, Reinvestment, and Realignment Strategies* (New York: Research and Evaluation Center, John Jay College of Criminal Justice, City University of New York, 2012), 29.

[56] [277] Justice Policy Institute, *Models for Change: Building Momentum for Juvenile Justice Reform* (December, 2006): 23–25.

[57] [278] Mendel, *No Place for Kids*, 38.

[58] [279] Schiraldi et al., "The End of the Reform School?," 414.

[59] [280] Roush and McMillen, "Construction, Operations, and Staff Training," 12.

[60] [281] Ibid.

[61] [282] American Correctional Association, *Performance-Based Standards for Juvenile Detention Facilities*, 4th ed. (Laurel, MD: Author, 1990); American Correctional Association, *Standards for Juvenile Training Schools*, 3d ed. (Laurel, MD: Author, 1991); American Correctional Association, *Standards for Small Juvenile Detention Facilities* (Laurel, MD: Author, 1991).

[62] [283] Roush and McMillen, "Construction, Operations, and Staff Training," 10-11.

[63] [284] Ibid.

[64] [285] Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders,* 19.

[65] [286] Ibid.

[66] [287] Ibid.

[67] [288] Ibid.

[68] [289] William L. Marshall and David L. Burton, "The Importance of Group Processes in Offender Treatment," *Aggression and Violent Behavior* 15 (2010): 143.

[69] [290] Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders*, 20–21.

[70] [291] Ibid.

[71] [292] Ibid., 20.

[72] [293] John Hubner, *Last Chance in Texas: The Redemption of Criminal Youth* (New York: Random House, 2008).

[73] [294] Michelle Newell and Jorja Leap, "Policy Brief: Reforming the Nation's Largest Juvenile Justice System," Los Angeles: UCLA Luskin School of Public Affairs (November, 2013): 9–10.

[74] [295] Roush and McMillen, "Construction, Operations, and Staff Training," 11.

[75] [296] Ibid., 9.

[76] [297] Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders*, 19.

[77] [298] Ibid., 21–22.

[78] [299] Patricia Hardyman, James Austin, Jack Alexander, Kelly Dedel Johnson, and Owan C. Culloch, *Internal Classification Systems: Case Studies in their Development and Implementation* (Washington, DC: National Institute of Corrections, 2002), 1.

[79] [300] Ibid.

[80] [301] James Austin and Kenneth McGinnis, *Classification of High-Risk and Special Management Prisoners: A National Assessment of Current Practices* (Washington, DC: National Institute of Corrections, 2004).

[81] [302] National PREA Resource Center, "Standards to Prevent, Detect, and Respond to Prison Rape Under the Prison Rape Elimination Act," 28 C.F.R. §115.

[82] [303] PREA Standards. §115.341.

[83] [304] PREA Standards. §115.342.

[84] [305] Austin and McGinnis, *Classification of High-Risk and Special Management Prisoners,* 42.

[85] [306] Sedlak and McPherson, "Conditions of Confinement," 8.

[86] [307] Ibid.

[87] [308] Terence P. Thornberry, "Membership in Youth Gangs and Involvement in Serious and Violent Offending," in *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions,* eds. Rolf Loeber and David P. Farrington (Thousand Oaks, CA: Sage, 1998), 147–166.

[88] [309] James Howell, "Youth Gangs: An Overview," *Juvenile Justice Bulletin* (August, 1998): 12.

[89] [310] Don Specter, "Making Prisons Safe: Strategies for Controlling Violence," *Washington University Journal of Law & Policy* 22 (2006): 133.

[90] [311] Ibid.

[91] [312] Steward and Robinson, "Solutions for Texas."

[92] [313] Ibid.

[93] [314] Cox, "Juvenile Facility Staff Responses," 23.

[94] [315] Andrea J. Sedlak and Karla S. McPherson, *Youth's Needs and Services: Findings from the Survey of Youth in Residential Placement* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, April 2010), 5–6.

[95] [316] *See* Consent Order, *United States of America v. The State of Ohio et al.*, (No. 2:08-cv-00475-ALM-MRA, December 19, 2012), available as document no. 107–1: 1.

[96] [317] Ibid., 1–2.

[97] [318] Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders*, 28–29.

[98] [319] Adrienne M. F. Peters and Raymond R. Corrado, "An Examination of the Early 'Strains' of Imprisonment Among Young Offenders Incarcerated for Serious Crimes," *Journal of Juvenile Justice* 2, no. 2 (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, Spring 2013).

[99] [320] William H. Barton and Jeffrey A. Butts, *Building on Strength: Positive Youth Development in Juvenile Justice Programs* (Chicago, IL: Chapin Hall Center for Children at the University of Chicago, 2008).

[100] [321] See, Michael Parker, ed., *Dynamic Security: The Democratic Therapeutic Community in Prison* (London: Jessica Kingsley Publishers, 2007).

[101] [322] Paul DeMuro, *Toward Abolishing the Use of Disciplinary Isolation in Juvenile Justice Institutions: Some Initial Ideas* (Author, 2014), 6.

[102] [323] Scheuermann and Hall, *Positive Behavioral Supports*, 19.

[103] [324] Models for Change-Pennsylvania, Mental Health Association in Pennsylvania, and Pennsylvania Council of Chief Juvenile Probation Officers, *Family Involvement in Pennsylvania's Juvenile Justice System* (Harrisburg, PA: Mental Health Association in Pennsylvania, 2009).

[104] [325] Lipsey et al., *Improving the Effectiveness of Juvenile Justice Programs*, 26.

[105] [326] Ibid.; Elizabeth Drake, *Evidence-Based Juvenile Offender Programs: Program Description, Quality Assurance, and Cost* (Olympia, WA: Washington State Institute for Public Policy, 2007).

[106] [327] Albert Bandura, *Social Learning Theory* (New York: General Learning Press, 1971).; Bandura, *Social Foundations of Thought and Action*.

[107] [328] Nelson Griffis, *Designing a Token Economy for the Detention Setting* (Jackson, MI: Michigan Juvenile Detention Association, 1972).

[108] [329] National Center for Youth in Custody, "Strategies for Effective Facility-Based Behavior Management."

[109] [330] Models for Change-Pennsylvania et al., *Family Involvement in Pennsylvania's Juvenile Justice System*, 29.

[110] [331] National Center for Youth in Custody, "Strategies for Effective Facility-Based Behavior Management."

[111] [332] Models for Change-Pennsylvania et al., *Family Involvement in Pennsylvania's Juvenile Justice System*, 29.

[112] [333] Scheuermann and Hall, *Positive Behavioral Supports*, 19.

[113] [334] Ibid.

[114] [335] Human Rights Watch and ACLU, *Growing Up Locked Down: Youth in Solitary Confinement in Jails and Prisons Across the United States* (New York: Author, 2012), 85–86.

[115] [336] Gordon Bazemore and Mark Umbreit, *A Comparison of Four Restorative Conferencing Models* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, February 2001), 5–6.

[116] [337] Mendel, *The Missouri Model*, 20.

[117] [338] Human Rights Watch and ACLU, *Growing Up Locked Down*, 86.

[118] [339] Ibid.

[119] [340] Mendel, *No Place for Kids,* 34.; DeMuro, "Disciplinary Isolation," 5.

[120] [341] DeMuro, "Disciplinary Isolation," 6.

[121] [342] Sue Burrell, *Trauma and the Environment of Care in Juvenile Institutions* (Los Angeles, CA and Durham, DC: National Center for Child Traumatic Stress, 2013), 5.

[122] [343] Ibid; Lindsay Hayes, *Characteristics of Juvenile Suicide in Confinement Facilities* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 2009); Stuart Grassian, "Psychiatric Effects of Solitary Confinement," *Washington University Journal of Law & Policy* 22 (2006): 325; Craig Haney, "Mental Health Issues in Long-Term Solitary and 'Supermax' Confinement," *Crime and Delinquency* 49, no. 1 (2003): 124–156.; Are Haram Klykken, *Prison Studies of Solitary Confinement: A Bibliography of Research on Psychological Effects of Social Isolation, Pre-Trial Isolation and Supermax Conditions* (University of Tromso: Author, 2012).

[123] [344] Hayes, "Characteristics of Juvenile Suicide in Confinement Facilities," 6.

[124] [345] *T.D. and O.S. v. Mickens et al.*, 1:10-cv-02902-JEI –AMD, U.S.D.C. (New Jersey), 2013, cited in Juvenile Law Center, "Juvenile Law Center Negotiates Final Settlement of Civil Rights Lawsuit Challenging Solitary Confinement of 2 Boys in Custody of NJ Juvenile Justice Commission," January 21, 2014.

[125] [346] Robert L. Listenbee, Administrator, U.S. Department of Justice, Letter to Jesselyn McCurdy, Senior Legislative Counsel, American Civil Liberties Union 1, July 5, 2013.

[126] [347] Deitch et al., *Understanding and Preventing Youth Violence,* 37–38, 44–47, 51–55; Lipsey, *Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-Based Practice*, 13.; Drake. "Evidence-Based Juvenile Offender Programs: Program Description, Quality Assurance, and Cost."; Burrell, "Trauma and the Environment of Care," 5.

[127] [348] Deitch et al., *Understanding and Addressing Youth Violence,* 37–38.

[128] [349] Ibid., 37.

[129] [350] Human Rights Watch and ACLU, *Growing Up Locked Down*, 87.

[130] [351] Ibid.

[131] [352] Annie E. Casey Foundation, *Juvenile Detention Facility Assessment: 2014 Update*, (Baltimore, MD: Author, 2014).

[132] [353] American Academy of Child & Adolescent Psychiatry, "Policy Statement: Solitary Confinement of Juvenile Offenders," (April 2012).

[133] [354] Barbara Danziger Flicker, Institute of Judicial Administration and American Bar Association, *Standards for Juvenile Justice: A Summary and Analysis,* 2nd ed. (Cambridge, MA: Ballinger, 1982), 237, 240.

[134] [355] American Bar Association, *Youth in the Adult Criminal Justice System: Guidelines for Policymakers and Practitioners* (Washington, DC: Author, Criminal Justice Section, 2001), 24.

[135] [356] Terry Schuster, Office of the Federal Court Monitor, "13 Good Ideas from Other Jurisdictions That May Help Improve Outcomes on the PROGRESS Units," (2012): 1, (Unpublished report on file with author).

[136] [357] Consent Order, *United States of America v. The State of Ohio et al.*

[137] [358] Deitch et al., *Understanding and Addressing Youth Violence*, 51–55.

[138] [359] Sue Burrell, *Moving Away from Hardware: The JDAI Policy on Fixed Restraint,* (Baltimore, MD: Juvenile Detention Alternatives Initiative, Annie E. Casey Foundation, 2009): 1, 8 [citing New Amsterdam Consulting, Inc., *Performance-based Standards for Youth Correction and Detention Facilities (2007 Research Report)* (Scottsdale, Arizona, July 2007): 12.]

[139] [360] Ibid.

[140] [361] Ibid., 9.

[141] [362] Ibid.

[142] [363] Steve Martin, "Staff Use of Force in a Confinement Setting: How Much is Enough, When is it Too Much," XXV *Correctional Law Reporter* (2014).

[143] [364] Steve Martin, "Staff Use of Force in a Confinement Setting: When is it Really Necessary?" XXV (1) *Correctional Law Reporter* (June/July 2013): 1, 10.

[144] [365] Ibid.

[145] [366] Burrell, "Moving Away from Hardware," 2.

[146] [367] Eric M. Weiss, "Deadly Restraint: A Hartford Courant Investigative Report." *Hartford Courant* (October 11–14, 1998).

[147] [368] Burrell, *Moving Away from Hardware*, 1.

[148] [369] Ibid., 3.

[149] [370] Ibid., 3–4.

[150] [371] Burrell, *Moving Away from Hardware*, 1 (citing Dale Parent, Valerie Lieter, Stephen Kennedy, Lisa Livens, Daniel Wentworth, and Sarah Wilcox, *Conditions of Confinement: Juvenile Detention and Corrections Facilities* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, Abt Associates, Inc. 1994).

[151] [372] Burrell, *Moving Away from Hardware*, 8.

[152] [373] Annie E. Casey Foundation, *Juvenile Detention Facility Assessment.*

[153] [374] Center for Children's Law and Policy, *Fact Sheet: Chemical Agents in Juvenile Facilities* (Washington, DC: Author, 2012), 2.; Annie E. Casey Foundation, *Juvenile Detention Facility Assessment.*

[154] [375] Center for Children's Law and Policy, *Fact Sheet: Chemical Agents.*

[155] [376] Ibid.

[156] [377] Council of Juvenile Correctional Administrators, *Issue Brief: Pepper Spray in Juvenile Facilities*, 1.

[157] [378] Center for Children's Law and Policy, *Fact Sheet: Chemical Agents,* 1; Deitch et al., *Understanding and Addressing Youth Violence*, 42–43; 105.

[158] [379] Martin, "Staff Use of Force in a Confinement Setting: How Much is Enough, When is it Too Much."

[159] [380] Center for Children's Law and Policy, *Fact Sheet: Chemical Agents,* 3.

[160] [381] Michele Deitch, Amanda Barstow, Leslie Lukens, and Ryan Reyna, *From Time Out to Hard Time: Young Children in the Adult Criminal Justice System* (Austin, TX: University of Texas at Austin, LBJ School of Public Affairs, 2009).; Campaign for Youth Justice, *Jailing Juveniles: The Dangers of Incarcerating Juveniles in Adult Jails in America* (Washington, DC: Author, 2007).; Michele Deitch and Neelum Arya, "Waivers and Transfers of Juveniles to Adult Court: Treating Juveniles Like Adult Criminals," In *Juvenile Justice Sourcebook*, eds. David Springer and Wesley Church (New York: Oxford University Press, 2014), 241–263.

[161] [382] See Donna Bishop, "Juvenile Offenders in the Adult Criminal Justice System," *Crime and Justice* 27 (2000): 81–167.; Lonn Lanza-Kaduce, Jodi Lane, Donna M. Bishop, and Charles E. Frazier, "Juvenile Offenders and Adult Felony Recidivism: The Impact of Transfer," *Journal of Crime and Justice* 28 (2005): 59–77.; Richard E. Redding, "Juvenile Transfer Laws: An Effective Deterrent to Delinquency?" *Juvenile Justice Bulletin* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 2010).

[162] [383] Redding, "Juvenile Transfer Laws," 7–8.

[163] [384] Ibid. 7.

[164] [385] Centers for Disease Control and Prevention, *Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System: A Report on Recommendations of the Task Force on Community Preventive Services* (*MMWR,* 56, RR-9, 2007): 7.

[165] [386] Angela McGowan et al., "Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile Justice System to the Adult Justice System: A Systematic Review," *American Journal of Preventive Medicine* 32, no. 4S (2007): S13.

[166] [387] Centers for Disease Control and Prevention, *Effects on Violence of Laws and Policies,* 9.

[167] [388] McGowan et al., "Effects on Violence of Laws and Policies," S20.

[168] [389] Redding, "Juvenile Transfer Laws: An Effective Deterrent to Delinquency?" 7.

[169] [390] Ibid.

[170] [391] Campaign for Youth Justice, *Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America,* 10.

[171] [392] Ibid.; Michele Deitch, Anna Lipton Galbraith, and Jordan Pollock. *Conditions for Certified Juveniles in Texas County Jails* (Austin, TX: University of Texas at Austin, LBJ School of Public Affairs, May 2012), X.

[172] [393] Campaign for Youth Justice, *Jailing Juveniles,* 10; Deitch et al., *Conditions for Certified Juveniles,* 14–15.

[173] [394] Deitch et al., *Conditions for Certified Juveniles*, 15–16.

[174] [395] Jason Zeidenberg, *You're an Adult Now: Youth in Adult Criminal Justice Systems* (Washington, DC: National Institute of Corrections, 2011).; Just Children, *Don't Throw Away the Key: Reevaluating Adult Time for Youth Crime in Virginia* (Charlottesville, VA: Author, 2009).; Colorado Juvenile Defender Coalition, *Caging Children in Crisis* (Denver, CO: Author, n.d.).; Campaign for Youth Justice and Partnership for Safety and Justice, *Misguided Measures: The Outcomes and Impacts of Measure 11 on Oregon's Youth* (Washington, DC: Campaign for Youth Justice, 2011).; Washington Coalition for the Just Treatment of Youth, *A Reexamination of Youth Involvement in the Adult Criminal Justice System in Washington: Implications of New Findings about Juvenile Recidivism and Adolescent Brain Development* (Seattle, WA: Author, 2009).

[175] [396] See Redding, "Juvenile Transfer Laws: An Effective Deterrent to Delinquency?"; Children's Law Center, Inc., *Falling Through the Cracks: A New Look at Ohio Youth in the Adult Criminal Justice System* (Covington, KY: Author, 2012).; Washington Coalition for the Just Treatment of Youth, *A Reexamination of Youth Involvement in the Adult Criminal Justice System in Washington.*; Michele Deitch, *Juveniles in the Adult Criminal Justice System in Texas* (Austin, TX: University of Texas at Austin, LBJ School of Public Affairs, 2011).

[176] [397] Jordan Bechtold, and Elizabeth Cauffman, "Tried as an Adult, Housed as a Juvenile: A Tale of Youth from Two Courts," *Law and Behavior* (August 5, 2013).

[177] [398] PREA Standards. 28 C.F.R. §§ 115.14, 115.114.

[178] [399] Ibid.

[179] [400] Deitch et al., *Conditions for Certified Juveniles*, 25.

[180] [401] Ibid., 24–25.

[181] [402] Deitch et al., *From Time Out to Hard Time.*

[182] [403] PREA Standards. 28 C.F.R. §§ 115.14.

[183] [404] Deitch, *Juveniles in the Adult Criminal Justice System*, 25–26.

Source URL: http://www.desktopguide.info/?q=node/21

Links:
[1] http://www.desktopguide.info/?q=node/48#micheled
[2] http://www.desktopguide.info/?q=node/21#_edn1
[3] http://www.desktopguide.info/?q=node/21#_edn2
[4] http://www.desktopguide.info/?q=node/21#_edn3
[5] http://www.desktopguide.info/?q=node/21#_edn4
[6] http://www.desktopguide.info/?q=node/21#_edn5
[7] http://www.desktopguide.info/?q=node/21#_edn6
[8] http://www.desktopguide.info/?q=node/21#_edn7
[9] http://www.desktopguide.info/?q=node/21#_edn8
[10] http://www.desktopguide.info/?q=node/21#_edn9
[11] http://www.desktopguide.info/?q=node/21#_edn10
[12] http://www.desktopguide.info/?q=node/21#_edn11
[13] http://www.desktopguide.info/?q=node/21#_edn12
[14] http://www.desktopguide.info/?q=node/21#_edn13
[15] http://www.desktopguide.info/?q=node/21#_edn14
[16] http://www.desktopguide.info/?q=node/12