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OFFICE OF THE  
**AUDITOR GENERAL**

**WILLIAM THOMSON**  
DEPUTY AUDITOR GENERAL

February 25, 2010

The Honorable Judy Burges, Chair  
Joint Legislative Audit Committee

The Honorable Thayer Verschoor, Vice Chair  
Joint Legislative Audit Committee

Dear Representative Burges and Senator Verschoor:

Our Office has recently completed a 24-month followup of the Arizona Supreme Court, Administrative Office of the Courts (AOC)—Juvenile Detention Centers regarding the implementation status of the 51 audit recommendations (including sub-parts of the recommendations) presented in the performance audit report released in November 2007 (Auditor General Report No. 07-11). As the attached grid indicates:

- 37 have been implemented;
- 13 are in the process of being implemented; and
- 1 legislative recommendation has not been implemented.

Unless otherwise directed by the Joint Legislative Audit Committee, this concludes our follow-up work on the efforts of the AOC, Santa Cruz County Probation Department, Mohave County Probation Department, Maricopa County Juvenile Probation Department, and the Pima County Juvenile Court to implement the recommendations resulting from the November 2007 performance audit report.

Sincerely,

Melanie M. Chesney, Director  
Performance Audit Division

MMC:sjs

Attachment

February 25, 2010

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cc: Mr. David K. Byers, Director  
Administrative Office of the Courts

Mr. Rik Schmidt, Director of Juvenile Court Services  
Pima County Juvenile Court

Mr. Primitivo Romero III, Chief Probation Officer  
Santa Cruz County Probation Department

Mr. Vincent Iaria, Chief Juvenile Probation Officer  
Maricopa County Juvenile Probation Department

Mr. Friend Walker, Chief Probation Officer  
Mohave County Probation Department

# ARIZONA SUPREME COURTS, ADMINISTRATIVE OFFICE OF THE COURTS—JUVENILE DETENTION CENTERS

## Auditor General Report No. 07-11 24-Month Follow-Up Report

Recommendation	Status/Additional Explanation
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**Finding 1: Review of operations shows opportunities for improvement**

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1.1 The Santa Cruz County center should:

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|--|---------------------------------|
| a. Restrict access to its control room to only necessary control room and supervisory personnel;   | <b>Implemented at 6 Months</b>  |
| b. Develop and implement a key control system. In particular, this system should ensure that keys to exterior doors and the control room are not issued to staff who work directly with juveniles. Additionally, this system should include policies and procedures that specify which staff should have access to keys and require keys to be properly issued, tracked, and stored; | <b>Implemented at 6 Months</b>  |
| c. Determine if exterior blind spots at the juvenile detention center pose a potential threat to juvenile detention center security, and if so, take steps to ensure that these blind spots are routinely monitored by either adding or adjusting a camera or doing a daily perimeter walk;  | <b>Implemented at 6 Months</b>  |
| d. Continue its efforts to hire a registered nurse and designate this position as the health services authority;   | <b>Implemented at 24 Months</b> |
| e. Ensure that only a qualified healthcare provider trains detention personnel how to perform health screenings;   | <b>Implemented at 6 Months</b>  |
| f. Develop and implement policies to test all juveniles for tuberculosis within 7 days of admission to lessen the potential health risks for both the juvenile detention center and its community;   | <b>Implemented at 6 Months</b>  |
| g. Ensure that detention personnel receive training from a qualified healthcare provider in medication administration;   | <b>Implemented at 6 Months</b>  |

Recommendation	Status/Additional Explanation
h. Fully secure all medications and limit control room keys to necessary staff;	<b>Implemented at 6 Months</b>
i. Adopt a more objective suicide screening questionnaire such as the MAYSI-II, or a questionnaire similar to the one that the Coconino or Mohave County centers use;	<b>Implemented at 6 Months</b>
j. Implement a multiple-level approach to suicide risk and observation/supervision similar to the approaches in use at the Coconino and Pima County and Maricopa-Durango centers to more effectively address a juvenile's needs and direct detention actions;	<b>Implemented at 6 Months</b>
k. Either place a camera in the cell designated for suicide watch or replace the door with a full-view, shatter-proof glass door;	<b>Implemented at 6 Months</b>
l. Ensure that a qualified medical and/or mental health professional reviews and approves any revisions to the medical and/or mental health policies, procedures, and forms at the Santa Cruz County center;	<b>Implemented at 6 Months</b>
m. Use objective measures, such as points or grades in its behavior management system, which can serve as goals for juveniles to strive toward and decision-making tools for detention personnel, instead of length of stay. The Santa Cruz County center should also continue its efforts begun in September 2007 to explore the use of more meaningful rewards and privileges, and revise its policies and procedures to reflect these changes;	<b>Implemented at 6 Months</b>
n. Work with the Chief Probation Officer to formally designate specific probation personnel as backup coverage when the juvenile detention center experiences staffing shortages to ensure that juveniles are not subjected to unnecessary and potentially harmful periods of lockdown, juveniles are adequately supervised, and staff training needs get met. Also, work with the Probation Department of Santa Cruz County to develop and implement policies and procedures to reflect this partnership; and	<b>Implemented at 6 Months</b>
o. Work with the juvenile court's Presiding Judge and the County Board of Supervisors to ensure adequate staffing at its juvenile detention center.	<b>Implemented at 6 Months</b>

## Recommendation

## Status/Additional Explanation

### 1.2 The Mohave County center should:

- a. Enclose its control room to protect detention personnel and juvenile detention center security activities. The Mohave County center should also continue its reported practice implemented in August 2007 of restricting access to its control room and to one or two detention officers assigned to the work control room, and revise its policies and procedures to reflect this change;
- b. Revise its policies and procedures to ensure that keys are properly issued, tracked, and stored. These policies and procedures should also specify which staff should have access to keys and indicate that staff who work directly with juveniles do not have control room and exterior door keys;
- c. Ensure that only a qualified healthcare provider trains detention personnel how to perform the initial intake health screening;
- d. Develop and implement policies to test all juveniles for tuberculosis within 7 days of admission to lessen the potential health risks for both the juvenile detention center and its community;
- e. Continue the reported practice implemented in August 2007 of storing prescription medications in a locked medical box in the control room and all other medications and first aid supplies in a locked cabinet. The Mohave County center should revise its policies and procedures to reflect this change;
- f. Implement a multiple-level approach to suicide risk and observation/supervision similar to the approaches in use at the Coconino and Pima County and Maricopa-Durango centers to more effectively address a juvenile's needs and direct detention actions;
- g. Ensure that a qualified medical and/or mental health professional reviews and approves any revisions to the medical and/or mental health policies, procedures, and forms at the Mohave County center;
- h. Examine its use of isolation and consider what role the six new positions authorized by the County Board of Supervisors in August 2007 can play in addressing this issue;

### **Implementation in Process**

According to a Mohave County official, the cost of the initial plan to enclose the control room was too high. An architect is completing a second plan for enclosing the control room, after which the County will solicit new bids. The center continues its practice of restricting access to its control room.

### **Implemented at 6 Months**

### **Implemented at 6 Months**

### **Implemented at 6 Months**

### **Implemented at 6 Months**

### **Implemented at 6 Months**

### **Implemented at 6 Months**

### **Implemented at 6 Months**

Recommendation	Status/Additional Explanation
i. Immediately stop the practice of mechanically restraining juveniles to stationary objects within the juvenile detention center, as such practice may compromise the safety and well-being of juveniles; and	<b>Implemented at 6 Months</b>
j. Revise its escape risk policies and procedures to enhance supervision of juveniles who pose an escape risk and only use mechanical restraints in instances where juveniles have a history of trying to evade staff.	<b>Implemented at 6 Months</b>
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1.3 The Maricopa-Durango center should:	
a. Continue with plans to implement revised policies in early 2008 that will require two perimeter walks per day;	<b>Implemented at 6 Months</b>
b. Explore options designed to eliminate or minimize juvenile exposure to adult inmates, as required by federal and state sight and sound laws. These options may include identifying alternative entry points to the juvenile court building for adult inmates, installing a camera in the elevator area to better monitor when adult inmates are being escorted into the center, placing juveniles in holding cells on one floor of the juvenile court building and adult inmates on another, and/or having the control room exercise primary control over the door to the elevator area; and	<b>Implemented at 6 Months</b>
c. Ensure that only a qualified healthcare provider trains detention personnel how to perform health screenings.	<b>Implemented at 6 Months</b>
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1.4 The Pima County center should determine if exterior blind spots at the juvenile detention center pose a potential threat to juvenile detention center security, and if so, take steps to ensure that these blind spots are routinely monitored by either adding or adjusting a camera or doing a daily perimeter walk.	<b>Implemented at 6 Months</b>
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<b>Finding 2: State-wide effort needed to improve operating standards</b>	
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2.1 The AOC should seek the Arizona Judicial Council's direction regarding the need to identify and/or develop mandatory juvenile detention center operational standards	<b>Implemented at 6 Months</b>

**Recommendation****Status/Additional Explanation**

2.2 If the Arizona Judicial Council approves the need to identify and/or develop mandatory juvenile detention center operational standards, the AOC should work with the county juvenile courts to review and improve the operational guidelines to ensure that they provide adequate direction and detail to juvenile detention centers and identify new standards where appropriate. The standards should include sufficient detail and information to provide juvenile detention centers with the guidance they will need to establish conforming policies, procedures, and practices.

**Implemented at 18 months**

- a. To assist in developing appropriate operational standards, the AOC and county juvenile courts should consult the American Correctional Association, the National Commission on Correctional Health Care, the National Partnership for Juvenile Services, the Council of Juvenile Correctional Administrators, and the Annie E. Casey Foundation.

**Implemented at 12 Months**

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2.3 Upon completing the guideline review and standards development, the AOC and county juvenile courts should submit the recommendations to the Arizona Judicial Council for its consideration and approval. The AOC and the county juvenile courts should also seek the Arizona Judicial Council's guidance regarding the most appropriate method for mandating compliance, such as recommending placing the standards in the Code or recommending that the Code indicate that county juvenile detention centers must comply with the standards.

**Implemented at 18 months**

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2.4 Upon the Arizona Judicial Council's final approval of the standards, the AOC should take several steps to help juvenile detention centers transition as they implement operational standards, including:

- a. Providing training and technical assistance to appropriate county juvenile court and juvenile detention center staff on the mandatory standards;

**Implementation in Process**

AOC staff are conducting site visits to assess whether juvenile detention center policies and procedures adequately reflect the mandatory operational standards. AOC staff have also assisted the juvenile detention centers in making any necessary revisions to policies and procedures, including facilitating the sharing of policies and procedures among various juvenile detention centers. According to AOC staff, all juvenile detention centers will have the new standards reflected in their policies and procedures by July 2010.

**Recommendation****Status/Additional Explanation**

b. Assisting county juvenile court staff in obtaining additional resources from their respective boards of supervisors if needed; and

**Implementation in Process**

According to AOC staff, juvenile detention center administrators can use recommendations within AOC juvenile detention center review reports to show the need for additional resources, such as staff, but AOC staff do not have evidence that this has occurred.

c. Identifying additional resources, such as best practices and tools used by some juvenile detention centers, to share with other juvenile detention centers to help comply with the adopted standards.

**Implemented at 24 Months**

2.5 Once it has instituted mandatory standards, the AOC should seek the Arizona Judicial Council's approval and then work with county juvenile courts to develop and implement performance-based standards and the processes needed to measure progress toward meeting the standards, as appropriate.

**Implementation in process**

The Juvenile Detention Task Force, which was created to develop mandatory juvenile detention center operational standards, was extended until July 1, 2010, to continue addressing this recommendation. A task force sub-committee has identified standards that could be developed into performance-based standards and is developing the processes to be used to measure progress toward meeting those standards. According to AOC staff, the task force sub-committee will submit its proposals to the Juvenile Detention Task Force for approval in March 2010.

2.6 If the Arizona Judicial Council authorizes performance-based standards, as well as the processes needed to measure progress toward meeting the standards, the AOC should establish a time frame or schedule for fully developing and implementing these standards.

**Implementation in process**

According to an AOC official, the time frame for implementing performance-based standards will be discussed at the Juvenile Detention Task Force meeting in March 2010.

**Finding 3: Supreme Court should improve juvenile detention center screening**

3.1 The AOC should seek the Arizona Judicial Council's direction regarding the need to develop state-wide policies, procedures, and/or standards for the application of Arizona Juvenile Court Rule 23(D) to appropriately and consistently screen juveniles for detention, while also recognizing legitimate county-level concerns regarding the safety of the juveniles and the community within their jurisdiction.

**Implemented at 6 Months**



## Recommendation

## Status/Additional Explanation

3.2 If the Arizona Judicial Council approves the need to develop juvenile detention screening policies, procedures, and/or standards, the AOC should work with the county juvenile courts to develop such policies, procedures, and/or standards, including a potential requirement that counties use a validated screening instrument, and then submit its recommendations to the Arizona Judicial Council for its consideration and approval.

### Implementation in Process

The Juvenile Detention Task Force subcommittee is developing screening tool guidelines for use by each county detention center. According to AOC staff, the target date for completing these guidelines is July 2010. The AOC anticipates that the detention centers will implement these guidelines within 6 to 12 months after their completion and approval.

3.3 The AOC should work with the counties to continue their efforts to identify and use detention alternatives.

### Implemented at 24 Months

3.4 The AOC should continue to encourage the use of alternatives to detention by continuing to request funding for the use of effective alternatives to detention and funding projects that help juveniles reintegrate into their communities after a stay in detention.

### Implemented at 24 Months

## Finding 4: Supreme Court should improve juvenile detention center inspection program

4.1 The Legislature should consider revising statute to replace Juvenile Corrections with the AOC as the entity responsible for inspecting juvenile detention centers.

### Not Implemented

The Legislature has not taken action on this recommendation.

4.2 If given responsibility for inspections, the AOC should develop and implement a comprehensive juvenile detention center inspection program by developing and implementing policies and procedures that require the following:

- a. Conducting a thorough inspection of each juvenile detention center every 3 years where compliance with all guidelines is assessed, including reviewing juvenile detention center policies and procedures for adherence to each guideline; seeking supporting evidence to determine if the juvenile detention center's policies and procedures are followed; reviewing fire and health inspection reports; conducting facility walk-throughs to inspect for cleanliness, safety, and security issues; and conducting satisfaction interviews with staff and juveniles;
- b. Preparing comprehensive inspection reports that include which documents were reviewed and/or observations were made to determine compliance, and details of all discussions regarding issues and recommendations;

### Implementation in Process

Although the Legislature has not taken action on recommendation 4.1, as reported in our 18-month follow-up report, the AOC had begun working on developing a process to conduct juvenile detention center inspections. According to an AOC official, AOC has since focused on helping implement the new mandatory operational standards at juvenile detention centers state-wide, but will finalize development of a comprehensive juvenile detention center inspection program and begin these inspections in July 2010.

### Implementation in Process

See explanation for 4.2a.

Recommendation	Status/Additional Explanation
<p>c. Conducting additional annual inspections of juvenile detention centers to spot-check against a few selected guidelines, follow up on issues found during past inspections, inspect for issues that have surfaced among the juvenile detention centers and for compliance with newly created guidelines, to conduct a facility walk-through to look for safety and security issues, and to provide technical assistance;</p> <p>d. Enforcing compliance with inspection recommendations by requiring and approving corrective action plans;</p> <p>e. Following up with juvenile detention centers on their efforts to implement corrective actions through site visits and/or documentation reviews; and</p> <p>f. Working with detention centers and enlisting the assistance of the presiding judge in cases where the juvenile detention center has difficulty complying with a finding or recommendation because of a lack of resources and/or funding.</p>	<p><b>Implementation in Process</b> See explanation for 4.2a.</p> <p><b>Implementation in Process</b> See explanation for 4.2a.</p> <p><b>Implementation in Process</b> See explanation for 4.2a.</p> <p><b>Implementation in Process</b> See explanation for 4.2a.</p>
<p>4.3 The AOC should review its staff resources and assess whether it has sufficient staff to properly implement and maintain the improved inspection program or if it needs additional staff to do so. If the AOC determines that it needs additional staff resources, it should review and consider various options for obtaining these resources, including shifting internal staff resources or working with the county juvenile courts and/or the Legislature to obtain additional staff resources.</p>	<p><b>Implemented at 24 Months</b></p>
<p>4.4 If the AOC does not receive sole responsibility to conduct inspections and both the AOC and Juvenile Corrections continue to inspect juvenile detention centers, the AOC should ensure that recommendations resulting from these inspections are implemented.</p>	<p><b>Implementation in Process</b> According to AOC staff, they have reviewed Juvenile Corrections inspection reports and have scheduled visits to juvenile detention centers to assess efforts to implement recommendations.</p>