pennsylvania
DEPARTMENT OF PUBLIC WELFARE

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
MAILING DATE: JUN 10 2014

Mr. Stephen Tone, Director
County of Northampton
669 Washington Street
Easton, Pennsylvania 18042

RE: Northampton County Juvenile Justice Center
650 Ferry Street
Easton, Pennsylvania 18042
License # 206680

Dear Mr. Tone:

As a result of the Department of Public Welfare's licensing inspection on April 17, 2014 and April 18, 2014, of the above facility, the violations with 55 Pa.Code Ch. 3800 (relating to Child Residential and Day Treatment Facilities) specified on the enclosed License Inspection Summary were found.

All violations specified on the enclosed License Inspection Summary must be corrected by the dates specified on the License Inspection Summary and continued compliance with 55 Pa.Code Ch. 3800 must be maintained.

Sincerely,

Laura Cipriani
Child Residential Licensing Director

Enclosure
Licensing Inspection Summary

VIOLATION REPORT
CHILD RESIDENTIAL LICENSING - 55 Pa.Code Chapter 3800

Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER	**License Number:** 20668
Address: 650 FERRY STREET, EASTON, PA 18042	**County:** Northampton
Director: Steve Tone	**Region:** NORTHEAST
Legal Entity Name: COUNTY OF NORTHAMPTON	
Legal Entity Address: 669 WASHINGTON STREET, EASTON, PA 18042	
Certificate(s) of Occupancy	

Program Type:	**Licensed Capacity:**	**Number of Children Served:**
Secure Detention	36	30

Type of Inspection: Partial	**BHA Docket Number:**	**Notice:** Unannounced

Reason(s) for Inspection(s)
Complaint

On-Site Inspections Dates and Department Representatives On-Site
04/17/2014: Cipriani, Laura; Miller, Andrew; Nardone, Janelle; Shambach, Alexander
04/18/2014: Cipriani, Laura; Miller, Andrew; Nardone, Janelle; Shambach, Alexander

Off-Site Inspection Dates and Inspectors, if Applicable
05/01/2014: ~~Cipriani, Laura~~; Miller, Andrew; Nardone, Janelle

Other Details

Partial or Full Triggers:	**Random Indicators:**

Child Demographic Data as of Inspection Dates

Age of Children:	**Number of Children who:**
0 to 5 years: 0	Are Adjudicated Delinquent: 30
6 to 13 years: 1	Are Dependent:
14 to 17 years: 29	Have Mental Illness:
18 to 21 years: 0	Have an Intellectual Disability:
	Have a Physical Disability:

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.16(c) - The facility shall complete a written reportable incident report, on a form prescribed by the Department, and send it to the appropriate Departmental regional office and the contracting agency, within 24 hours.

2a. DESCRIPTION OF VIOLATION
On 4/10/2014, seclusion was used on resident #1 for 47 hours and 5 minutes. This was not reported to the Department.

On 4/8/2014, seclusion was used on resident #2 for 48 hours and 9 minutes. This was not reported to the Department.

On 4/9/2014, seclusion was used on resident #3 for 24 hours and 35 minutes. This was not reported to the Department.

On 4/1/2014, seclusion was used on resident #4 for 16 hours and 10 minutes. This was not reported to the Department.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

If seclusion is needed for any youth in detention, all Supervisors and Administrators are notified by the on-duty Supervisor via an email. If the on-duty Supervisor believes that seclusion for more than four hours is warranted, he/she will contact the Deputy Director of Operations for authorization. Thus, the Deputy Director of Operations would be aware of the need to complete a HCSIS report. The Deputy Director of Operations will complete a HCSIS report within 24-hours, anytime that seclusion is utilized for more than four hours. If the Deputy Director of Operations in unavailable, the Supervisors will contact the Director of Operations regarding seclusion, and another Administrator will complete the HCSIS report. In addition, any such incident will be included in the facility's reportable incident log.
The Deputy Director of Operations is responsible for oversight of this plan.

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tong

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONG

Date 5-21-14

DEPARTMENT USE ONLY - FACILITIES MAY NOT WRITE BELOW THIS LINE!

The above plan of correction is approved as of 5/20/2014 (Date)

The above plan of correction was approved by LAL (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

- [X] Fully Implemented
- [ ] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.32(g)(1) - Outgoing mail may not be opened or read by staff persons.

2a. DESCRIPTION OF VIOLATION
The facility has a policy that outgoing mail for residents with a gang affiliation or sexually offending behaviors will be screened by staff. Outgoing mail may be confiscated by staff if the content of the mail is determined to be inappropriate.

The facility utilizes a "blanket" court order that is not specific to the resident or situation, allowing the facility to open and read outgoing mail for residents identified as a threat because of gang related or sexually offending behavior.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

The facility will apply for a waiver of this regulation based upon the need to ensure that sexual offenders are not contacting their victims,and to ensure that gang members are not engaging in behavior/plans that may put the community at risk. Until a decision about that waiver is received, no outgoing mail will be opened or read by staff members. All staff were notified of this change at staff meetings held on May 7, 2014. If the waiver is denied, then the facility, in conjunction with the Courts, will create a new policy to address this issue. Any policy will be forwarded to the Bureau of Human Services Licensing for review and approval prior to implementation.
The facility's Director of Operations is responsible for oversight of this plan.

If the waiver is denied, the facility will create and submit a revised policy to the Department within 30 calendar days of the waiver denial.
LAC 5/28/2014

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tone

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE

Date 5-21-14

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The above plan of correction was approved by LAC (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

- ☐ Fully Implemented
- ☒ Partially Implemented - Adequate Progress
- ☐ Partially Implemented - Inadequate Progress
- ☐ Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.32(g)(3) - Incoming mail from persons other than those specified in paragraph (2), may not be opened or read by staff persons unless there is reasonable suspicion that contraband, or other information or material that may jeopardize the child's health, safety or well-being, may be enclosed. If there is reasonable suspicion that contraband, or other information that may jeopardize the child's health or safety may be enclosed, mail may be opened by the child in the presence of a staff person.

2a. DESCRIPTION OF VIOLATION
The facility has a policy that incoming mail for residents with a gang affiliation or sexually offending behaviors will be screened by staff. Incoming mail may be confiscated by staff if the content of the mail is determined to be inappropriate. This policy does not address that the facility would need to have reasonable suspicion for a specific resident with a specific piece of mail. Confiscating mail is not permitted.

The facility utilizes a "blanket" court order that is not specific to the resident or situation, allowing the facility to open and read incoming mail for residents identified as a threat because of gang related or sexually offending behavior.

On 1/22/2014, staff person M was scanning incoming mail for resident #5, who is affiliated with a gang. The resident's letter read, "They are trying to pin you for the 2 girls rape thing. But [name] is talking to them so am I. They know I'm wifey and just want you out." Because of this content, the letter was deemed inappropriate and was not given to the resident. This content does not jeopardize the child's health or safety.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

The facility will apply for a waiver of this regulation based upon the need to ensure the safety of community members and victims. Until a decision about that waiver is received, no incoming mail will be opened or read by staff members unless there is reasonable suspicion that contraband, or other information or material that may jeopardize the child's health, safety or well-being may be enclosed. In those instances, the mail will be opened by the child in the presence of a staff person. All staff were notified of this change at staff meetings held on May 7, 2014. If the waiver is denied, then the facility, in conjunction with the Courts, will create a new policy to address this issue. Any policy will be forwarded to the Bureau of Human Services Licensing for review and approval prior to implementation. If the waiver is denied, the facility will create and submit a revised policy to the Department within 30 calendar days of the waiver denial. LHC 5/28/2014
The facility's Director of Operations is responsible for oversight of this plan.

Repeat Violation: No	Date(s) of Previous Violation(s):			
Signature of Legal Entity Representative (Required on EVERY Page)	Stephen L. Tope			
Printed Name and Title of Legal Entity Representative (Required on EVERY Page)	STEPHEN L. TOPE	Date	5-21-14	

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Plan of correction implementation status as of 6-9-14 (Date)

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- ☐ Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.202(b) - With the exception of exclusion as specified in § 3800.212 (relating to exclusion), a restrictive procedure may be used only to prevent a child from injuring himself or others.

2a. DESCRIPTION OF VIOLATION
Any resident that is involved or believed to be involved in gang activity is interviewed by the facility's Gang Intelligence Unit (GIU) upon arrival. If the resident refuses to answer questions during the interview, or is perceived to be deceptive about his/her gang involvement, the resident is placed on "restriction". Restriction is the placement of the resident in a locked room and meets the definition of seclusion, a restrictive procedure defined by 55 Pa.Code Chapter 3800.

On 4/3/2014, resident #1 was admitted to the facility. Because there were several other residents going through the intake process at that time, resident #1 was placed in seclusion from 3:40PM to 5:10PM, 1 hour and 30 minutes, to be held until he could be processed by staff and placed on the unit.

On 4/3/2014, from 6:43PM to 8:55PM, resident #1 was placed in seclusion for refusing to do his admitting paperwork and cursing.

On 4/10/2014 at 10:45AM, resident #1 was placed in seclusion for being disrespectful, having a bad attitude, and not following directions. Five minutes later, resident #1 was observed in the seclusion room "throwing up gang signs". Resident #1 was held in seclusion for 47 hours after that observation.

On 4/5/2014, resident #2 was placed in seclusion for refusing to sit down in his room and attempting to get other residents to look at him. Resident #2 was held in seclusion from 11:25AM to 1:30PM, 2 hours and 5 minutes.

On 4/8/2014 at 9:27AM, resident #2 was placed in seclusion for being deceptive about his gang affiliation after staff observed a drawing he had done that had gang related symbols. Resident #2 was held in seclusion for 48 hours and 9 minutes. He was released from seclusion after admitting that he has friends affiliated with gangs, but he is not in a gang.

On 4/9/2014 at 1:50PM, resident #3 was placed in seclusion for being deceptive about his gang affiliation. Resident #3 was held in seclusion for 24 hours and 35 minutes.

On 4/1/2014 at 4:50PM, resident #4 was placed in seclusion for being deceptive about a potential gang related drawing. At some point between 4:50PM and 6:30PM, resident #4 told a staff person that he hated being alone in the seclusion room and felt like self-harming. The resident denied feelings of wanting to kill himself, but stated that he wanted to slam his head against the wall. Staff person G, a supervisor, was informed of this report but because the resident had no known history of self-harm, he remained in seclusion. Resident #4 was held in seclusion for 16 hours and 10 minutes, when he was released to a sheriff to leave the facility.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.
See attached. - page 6A

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tone

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE

Date 5-21-14

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The above plan of correction is approved as of 5/28/2014 (Date)

The above plan of correction was approved by LMC (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

- ☐ Fully Implemented
- ☒ Partially Implemented - Adequate Progress
- ☐ Partially Implemented - Inadequate Progress
- ☐ Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800

3800.202(b) - With the exception of exclusion as specified in § 3800.212 (relating to exclusion), a restrictive procedure may be used only to prevent a child from injuring himself or others.

AZM 6-9-14

Plan of Correction

3800.202(b)-With the exception of exclusion as specified in section 3800.212 (relating to exclusion), a restrictive procedure may be used only to prevent a child from injuring himself or others.

Supervisors and staff were advised to use seclusion only as a "last resort," and only if the child is a risk to hurt himself or others. This was re-iterated at staff meetings on April 23 and 30th & May 7, 2014 as well as at the Gang Intelligence Unit meeting on April 23, 2014. If seclusion is needed for more than eight hours in a 48 hour period in the future, a specific court order will be sought for that youth.

In addition, the facility's Supervisors and Gang Intelligence Unit utilize the facility's Intensive Instructional Classroom (IIC) for uncooperative youth, rather than secluding that youth in intake. The IIC rooms are, in effect, time out rooms in which a staff person is always present monitoring the youth. Therefore, this is not seclusion. For incidents that are gang-related, a member of the Gang Intelligence unit will interview uncooperative youth on every shift, rather than every 24 hours, to determine his/her level of compliance and whether that youth is able to rejoin the regular facility population. (See attached email and the revised Gang Intelligence Unit Policy.) Supervisors will do the same for youth in IIC for non-gang-related behaviors.

If multiple youths are brought into detention at the same time and are awaiting intake, they will either be placed in a holding cell with the door opened and under staff supervision, or will be transitioned to a room close by and supervised by staff until their intake can be completed.

The Gang Intelligence Coordinator, Supervisors, and Deputy Director of Operations are responsible for the oversight of this plan.

The facility's Gang Intelligence Unit policy will be updated to reflect that seclusion will only be used to prevent a child from injuring himself or others.

MC 5/21/2014

AZM 6-9-14

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.202(c) - For each incident in which use of a restrictive procedure is considered:
(3) A restrictive procedure shall be discontinued when the child demonstrates he has regained self-control.

2a. DESCRIPTION OF VIOLATION
Any resident that is involved or believed to be involved in gang activity is interviewed by the facility's Gang Intelligence Unit upon arrival. If the resident refuses to answer questions during the interview, or is perceived to be deceptive about his/her gang involvement, the resident is placed on "restriction" for an initial period of 24 hours. Restriction is the placement of the resident in a locked room and meets the definition of seclusion, a restrictive procedure defined by 55 Pa.Code Chapter 3800. The resident is not presented with an opportunity to demonstrate that he/she is willing to cooperate until 24 hours have passed. A practice of assigning any time period to a restrictive procedure cannot be compliant with this regulation as the facility has no way of anticipating when a resident will be able to "regain self-control".

On 4/3/2014 at 3:40PM, resident #1 was placed in seclusion. While in seclusion, he was observed by staff person C every five minutes. Staff person C documented that resident #1 was "pacing and sitting on bench" while in seclusion. The resident was not removed from seclusion until 5:10PM.

On 4/3/2014 at 6:43PM, resident #1 was placed in seclusion. While in seclusion, he was observed by staff person C every five minutes. Staff person C documented that resident #1 "stood, paced, and sat or layed on the bench" while in seclusion. The resident was not removed from seclusion until 8:55PM.

On 4/4/2014 at 6:55PM, resident #1 was placed in seclusion. While in seclusion, he was observed by staff person B every five minutes. Staff person B documented that resident #1 was "cooperative and compliant" and that he was pacing, sitting on the bench, standing by the door, and standing on the bench. The resident spoke with a supervisor at 8:35PM about his behaviors. He was not removed from seclusion until 9:00PM.

On 4/10/2014, resident #1 was placed in seclusion. While in seclusion, he was observed sitting down, pacing, and lying down. He was not removed from seclusion until 9:50AM on 4/12/2014.

On 4/8/2014 at 9:27AM, resident #2 was placed in seclusion. While in seclusion, he was observed sitting on the bench, laying on the bench, standing at the door, talking to staff, and sitting on the floor. He was not removed from seclusion until 9:36AM on 4/10/2014.

On 4/9/2014 at 1:50PM, resident #3 was placed in seclusion. While in seclusion, he was observed sitting down, laying down, and walking around the seclusion room. He was not removed from seclusion until 2:25PM on 4/10/2014.

On 4/1/2014 at 4:50PM, resident #4 was placed in seclusion. From 4:50PM to 11:00PM that evening, he was observed by staff person B every five minutes. Staff person B documented that resident #1 was "cooperative and compliant" and "sitting on the floor and laying down on the floor for majority of the shift" while in seclusion. The resident was not removed from seclusion until 9:00AM on 4/2/2014.

On 1/22/14, resident #5 was placed in seclusion at 4:05PM. The resident regained self-control from 3:00pm on 1/27/2014 until he was released from seclusion at 2:35pm on 1/29/2014. During this time period, he was observed pacing, laying down, and sitting down.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.
See Attached - page 8A

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tice

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) Stephen C. Tice

Date 5-21-14

DEPARTMENT USE ONLY - FACILITIES MAY NOT WRITE BELOW THIS LINE!

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.202(c) - For each incident in which use of a restrictive procedure is considered:
(3) A restrictive procedure shall be discontinued when the child demonstrates he has regained self-control.

The above plan of correction is approved as of 5/28/2014 (Date)

The above plan of correction was approved by MC (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

- [X] Fully Implemented
- [ ] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

Plan of Correction

3800.202(c) - For each incident in which use of a restrictive procedure is considered: (3) A restrictive procedure shall be discontinued when the child demonstrates he has regained self-control.

Supervisors and staff were advised to use seclusion only as a "last resort," and only if the child is a risk to hurt himself or others. This was reiterated at staff meetings on April 23 and 30th and May 7, 2014, and at the Gang Intelligence Unit meeting on April 23, 2014. If seclusion is needed for more than eight hours in a 48-hour period in the future, a specific court order will be sought for that youth.

In addition, the facility Supervisors and Gang Intelligence Unit utilize the facility's Intensive Instructional Classroom (IIC) for uncooperative youth, rather than secluding that youth in intake. The IIC rooms are, in effect, time out rooms in which a staff person is always present monitoring the youth. Therefore, this is not seclusion. For incidents that are gang-related, a member of the Gang Intelligence Unit will interview uncooperative youth on every shift, rather than every 24 hours, to determine his/her level of compliance and whether that youth is able to rejoin the regular facility population. (See attached email and revised Gang Intelligence Unit Policy.) Supervisors will do the same for youth in IIC for non-gang related behavior.

If seclusion is utilized, a Supervisor will make the determination when that resident can be removed from seclusion. This decision will be made after interviewing and assessing the resident in terms of their degree of cooperation, body language, tone of voice, emotional stability, acknowledgement of responsibility for their behavior, and their verbal commitment to adhere to the facility's rules. All staff, including Supervisors, are trained about resident debriefing and assessment via the Safe Crisis Management (SCM) curriculum.

The Gang Intelligence Coordinator, Supervisors and Deputy Director of Operations are responsible for the oversight of this plan.

Beginning immediately, any youth placed in seclusion will be released from seclusion immediately upon the supervisor's assessment that the youth has regained self-control. For the purpose of this plan of correction, the term "regained self-control" will mean once the youth is no longer a threat of injury to himself or others.

MC 5/28/2014

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800

3800.213 - A record of each use of a restrictive procedure, including the emergency use of a restrictive procedure, shall be kept and shall include the following:

(1) The specific behavior addressed.
(2) The methods of intervention used to address the behavior less intrusive than the procedure used.
(3) The date and time the procedure was used.
(4) The specific procedure used.
(5) The staff person who used the procedure.
(6) The duration of the procedure.
(7) The staff person who observed the child.
(8) The child's condition following the removal of the procedure.

2a. DESCRIPTION OF VIOLATION

Resident #2's record did not include the resident's condition following his removal from seclusion on 4/10/2014.

Resident #4's record did not include the resident's condition following his removal from seclusion on 4/2/2014.

Resident #5's record did not include the resident's condition following his removal from seclusion on 1/29/2014.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)

Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

A Special Behavior Report (SBR) is written by staff to document behaviors exhibited by residents, including when restriction is utilized. In the cases noted above, the Youth Care Worker did not note the resident's condition when he was removed from seclusion. This was an oversight, and should have been included. In the future, if seclusion is utilized, the resident's condition upon release from seclusion will be noted on the SBR. In addition, a "Record of Restrictive Procedure" form has been created (see attached) to clearly document all eight conditions noted above. A record of each use of seclusion will be kept in a log.

Facility Supervisors are responsible for reviewing SBRs to determine whether all required content is included. The Deputy Director of Operations is responsible for oversight of this plan.

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Towe

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TOWE

Date 5-21-14

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The above plan of correction was approved by LAC (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

- [X] Fully Implemented
- [ ] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Ciprlani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.274(8) - Observational checks of children during sleeping hours shall include actual viewing of each child.

2a. DESCRIPTION OF VIOLATION
On 4/10/2014 and 4/11/2014, resident #1 was in seclusion during sleeping hours.
On 4/8/2014 and 4/9/2014, resident #2 was in seclusion during sleeping hours.
On 4/9/2014, resident #3 was in seclusion during sleeping hours.
On 3/22/2014 and 4/1/2014, resident #4 was in seclusion during sleeping hours.
From 1/21/2014 through 1/28/2014, resident #4 was in seclusion during sleeping hours.

During these times, observational checks were conducted every 5 minutes via camera, however, the residents were not actually viewed by staff at least once every 15 minutes.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

Effective immediately, during sleep hours, residents in seclusion will be viewed every 15 minutes by a staff person. In an effort to enhance and ensure child supervision and safety, the facility will continue to utilize five minute video checks to supplement staff's visual checks. This information was given to all staff at staff meetings held on May 7, 2014. All future staff will be trained on this procedure during their initial training period. In addition, all staff will be trained on the protocol for safety checks, including checks of youth in seclusion, on a yearly basis by the Training Coordinator.
The facility Supervisors are responsible for ensuring that staff are performing their required duties.
The Deputy Director of Operations is responsible for oversight of this plan.

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Toye

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TOYE

Date 5-12-14

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The above plan of correction was approved by LMC (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

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- [ ] Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.274(17)(i) - The following requirements apply to the use of seclusion: Oral or written authorization by supervisory staff is required prior to each use of seclusion.

2a. DESCRIPTION OF VIOLATION
On 4/3/2014 at 6:43PM, resident #1 was placed in seclusion by staff person D. Staff person D did not get approval from a supervisor prior to the use of seclusion.

On 4/10/2014, resident #1 was placed in seclusion by staff person A. Staff person A did not get approval from a supervisor prior to the use of seclusion.

On 4/8/2014, resident #2 was placed in seclusion by staff person E. Staff person E did not get approval from a supervisor prior to the use of seclusion.

On 4/9/2014, resident #3 was placed in seclusion by staff person E. Staff person E did not get approval from a supervisor prior to the use of seclusion.

On 4/1/2014, resident #4 was placed in seclusion by staff person F. Staff person f did not get approval from a supervisor prior to the use of seclusion.

As a matter of practice, any member of the Gang Intelligence Unit (GIU) can place a resident into seclusion. Not all of the members of the GIU are supervisors. Members of the GIU who are not supervisors do not get supervisory approval prior to placing a resident in seclusion.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

On April 19, 2014, all staff were reminded, via attached email, of the need to obtain permission from a Supervisor before utilizing seclusion (intake holding) for any resident, including those who are gang-involved. This expectation remains in place. This expectation will be reviewed with all staff on at least a yearly basis by their Supervisors, and during annual training. The facility Supervisors are responsible for ensuring that Youth Care Workers follow all facility procedures/expectations.
The Deputy Director of Operations is responsible for oversight of this plan.

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tone

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE

Date 5-12-14

DEPARTMENT USE ONLY - FACILITIES MAY NOT WRITE BELOW THIS LINE!

The above plan of correction is approved as of 5/28/2014 (Date)

The above plan of correction was approved by UHC (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

- [X] Fully Implemented
- [ ] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.274(17)(ii) - The following requirements apply to the use of seclusion: The use of seclusion may not exceed 4 hours, unless a licensed physician, a licensed physician's assistant or registered nurse examines the child and gives written orders to continue the use of seclusion. Reexamination and new written orders are required for each 4-hour period the seclusion is continued. If seclusion is interrupted for any purpose and reused within 24 hours after the initial use of seclusion, it is considered continuation of the initial seclusion period.

2a. DESCRIPTION OF VIOLATION
On 4/10/2014, seclusion was used on resident #1 for 47 hours and 5 minutes.
On 4/8/2014, seclusion was used on resident #2 for 48 hours and 9 minutes.
On 4/9/2014, seclusion was used on resident #3 for 24 hours and 35 minutes.
On 4/1/2014, seclusion was used on resident #4 for 16 hours and 10 minutes.
On 1/21/2014, seclusion was used on resident #5 for 25 hours and 42 minutes.
On 1/22/2014, seclusion was used on resident #5 for 166 hours and 30 minutes.

The residents identified above were not examined by medical personnel at any time during these time periods. Written orders from medical personnel to continue the use of seclusion past 4 hours were not obtained in any of these instances.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

Effective immediately, the facility's Medical Director or Physician will be notified of the need to examine a youth in seclusion to determine if he/she is medically cleared to be maintained in seclusion more than four hours. If the Medical Director or Physician believes that extended seclusion is medically suitable, then written orders will be issued. This procedure will be repeated for each four hour period that the seclusion is continued. If the facility's Medical Director or Physician are unavailable, then, after three hours, the youth will be transported to the local hospital emergency room for examination and to obtain written orders for continued seclusion. This procedure will be repeated for each four hour period the seclusion is continued and the facility's medical staff are not available. An "Authorization for Seclusion" form has been created to clearly document this process. (See attached.)
The facility's Director of Operations is responsible for oversight of this plan.

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tove

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TOVE — Date 5-12-14

DEPARTMENT USE ONLY - FACILITIES MAY NOT WRITE BELOW THIS LINE!

The above plan of correction is approved as of 5/28/2014 (Date)

The above plan of correction was approved by LAC (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

- [X] Fully Implemented
- [ ] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Ciprlani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.274(17)(iii) - The following requirements apply to the use of seclusion: A staff person shall observe a child in seclusion at least every 5 minutes.

2a. DESCRIPTION OF VIOLATION
The facility documents the 5 minute observations and 2-hour supervisory checks on their *Seclusion Checks* form. On 4/9/2014, resident #2 was in seclusion. At 3:30PM and 7:30PM, staff person I was conducting the 5 minute observations and documented that the resident was "laying down" during each of those times. On the same date, staff person H was conducting supervisory checks every 2 hours. At 3:30PM and 7:30PM, staff person H documented that he observed the resident "standing by the door" and "pacing" respectively.

On 1/23/2014, resident #5 was in seclusion. At 3:00PM, staff person K documented that a five minute check was completed and that the resident was "laying on floor". Staff person I also documented that a five minute check was completed at 3:00PM and that the resident was "standing at door".

On 1/24/2014, resident #5 was in seclusion. At 7:00AM, 7:05AM, and 7:10AM staff person K documented that a five minute check was completed and that the resident was "sleeping". Staff person L documented that a supervisory check was completed at 7:00AM and that the resident was "speaking to supervisor".

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

Staff at the Juvenile Justice Center need to be diligent about completing five minute checks on youth in seclusion. These instances noted above are not the norm. On April 18, 2014, facility Supervisors were notified of the need for staff to be more detailed on the five minute check sheets. (See attached email.) This information was relayed to staff at staff meetings on April 30, 2014 and May 7, 2014. Staff will be trained on this expectation yearly by the facility's Training Coordinator and Supervisors. In addition, all new staff will receive training about this expectation during their initial training period.
The facility Supervisors are responsible for oversight of this plan.

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tone

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE

Date 5-12-14

DEPARTMENT USE ONLY - FACILITIES MAY NOT WRITE BELOW THIS LINE!

The above plan of correction is approved as of 5/28/2014 (Date)

The above plan of correction was approved by UK (Initials)

Plan of correction implementation status as of 6.9.14 (Date)

- [x] Fully Implemented
- [ ] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.274(17)(v) - The following requirements apply to the use of seclusion: A child in seclusion shall be checked and observed by a supervisory staff person who is not continually observing the child as required in subparagraph (iii), at least every 2 hours the seclusion is used.

2a. DESCRIPTION OF VIOLATION
The facility documents the 2-hour supervisory checks on the bottom of their *Seclusion Checks* form. The facility did not have documentation that supervisory checks were completed on the following dates and times:
On 4/10/2014 from 10:45AM-3:00PM, while resident #1 was in seclusion.
On 4/10/2014 from 7:00AM-2:45PM, while resident #3 was in seclusion.
On 1/24/2014 from 2:35PM to 10:55PM, while resident #5 was in seclusion.
On 1/27/2014 from 6:15AM to 3:00PM, while resident #5 was in seclusion.

On 4/8/2014 at 9:27AM, resident #2 was placed in seclusion. Supervisory checks were completed at 12:55PM and 3:51PM, almost three hours apart.

On 4/10/2014, resident #2 was in seclusion. Supervisory checks were completed at 6:00AM and 9:36AM, more than 3½ hours apart.

On 3/23/2014, resident #4 was in seclusion. At 12:15AM and 3:05AM staff person H completed a five minute check on the resident. This same staff person also completed the supervisory check at the same time.

On 4/10/2014, resident #2 was in seclusion. From 1:45AM to 3:10AM, staff person J was conducting 5 minute checks on resident #2 via camera. Staff person J also documented that he conducted a supervisory check on resident #2 at 2:42AM.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

Supervisors at the Juvenile Justice Center need to be diligent about conducting two-hour supervisory checks on residents in seclusion. In the instances noted above, it is likely that the Supervisors conducted the checks, but they were not noted on the check sheets, which were kept in the control room. On April 18, 2014, the Supervisors were notified of the need to conduct and document these checks (see attached email). In the future, if seclusion is utilized, these sheets will be kept outside of the seclusion area where the checks can be easily documented.
The Director of Operations and the Deputy Director of Operations are responsible for oversight of this plan.

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tone

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE

Date 5-12-14

DEPARTMENT USE ONLY - FACILITIES MAY NOT WRITE BELOW THIS LINE!

The above plan of correction is approved as of 5/28/2014 (Date)

The above plan of correction was approved by LHL (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

- [x] Fully Implemented
- [ ] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

Licensing Inspection Summary: 20668 - 04/17/2014 - Cipriani, Laura
Facility Name: NORTHAMPTON COUNTY JUVENILE JUSTICE CENTER

1. REGULATION 55 Pa.Code §3800
3800.274(17)(vi) - The following requirements apply to the use of seclusion: The use of seclusion for any child may not exceed 8 hours in any 48-hour period without a written court order.

2a. DESCRIPTION OF VIOLATION
The facility utilizes a "blanket" court order that is not specific to the resident or situation, allowing the use of seclusion for 24 to 48 hours for any resident that is determined to be a threat based on gang affiliation.

On 4/10/2014, seclusion was used on resident #1 for 47 hours and 5 minutes. The facility does not have a court order permitting the use of seclusion for resident #1 on this date.

On 4/8/2014, seclusion was used on resident #2 for 48 hours and 9 minutes. The facility does not have a court order permitting the use of seclusion for resident #2 on this date.

On 4/9/2014, seclusion was used on resident #3 for 24 hours and 35 minutes. The facility does not have a court order permitting the use of seclusion for resident #3 on this date.

On 4/1/2014, seclusion was used on resident #4 for 16 hours and 10 minutes. The facility does not have a court order permitting the use of seclusion for resident #4 on this date.

On 1/21/2014, seclusion was used on resident #5 for 25 hours and 42 minutes. The facility does not have a court order permitting the use of seclusion for resident #5 on this date.

On 1/22/2014, resident #5 was placed in seclusion at 4:05PM. The facility obtained a court order to keep resident #5 in seclusion, but did not do so until after the resident had been held for more than 8 hours. The court order is dated 1/23/2014.

3. PLAN OF CORRECTION (POC) (Attach pages as necessary. Remember that you must sign and date any attached pages.)
Include steps to correct the violation described above and steps to prevent a similar violation from occurring again. If steps cannot be completed immediately, include dates by which the steps will be completed.

See attached Plan of Correction

Repeat Violation: No	Date(s) of Previous Violation(s):			

Signature of Legal Entity Representative (Required on EVERY Page) Stephen L. Tine

Printed Name and Title of Legal Entity Representative (Required on EVERY Page) STEPHEN L. TONE — **Date** 5-21-14

DEPARTMENT USE ONLY - FACILITIES MAY NOT WRITE BELOW THIS LINE!

The above plan of correction is approved as of 5/28/2014 (Date)

The above plan of correction was approved by LAC (Initials)

Plan of correction implementation status as of 6-9-14 (Date)

- [x] Fully Implemented
- [ ] Partially Implemented - Adequate Progress
- [ ] Partially Implemented - Inadequate Progress
- [ ] Not Implemented

Plan of Correction

3800.274 (17) (vi)- *the following requirements apply to the use of seclusion: The use of seclusion for any child may not exceed 8 hours in any 48-hour period without a written court order.*

In the first five incidents noted above, the youth were secluded due to gang-related behavior, based upon a 2006 court order authorizing such seclusion. That practice has been stopped, and a revised policy was implemented. (See attached "Gang Intelligence Unit" Policy.) If seclusion is needed for any youth in detention, all Supervisors and Administrators are notified by the on-duty Supervisor, via email. The Deputy Director of Operations and/or the Director of Operations, will be notified via a phone call, of a situation that may require seclusion beyond four hours, and they would grant permission to do so. If seclusion is needed for more than 8 hours in a 48-hour period in the future, a court order specific to the involved resident will be obtained by the Deputy Director of Operations or the Director of Operations. In the last instance noted above, the incident occurred at the end of the business day. In the future, after business hours and on holidays and weekends, the Director of Operations will notify the Deputy Court Administrator of the need for a court order, and the order will be obtained.

The Director of Operations and Deputy Director of Operations are responsible for oversight of this plan.