pennsylvania
DEPARTMENT OF HUMAN SERVICES

**Sent via e-mail: stone@northamptoncounty.org**
**Mailing Date: October 27, 2016**

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

RE: Northampton County Juvenile Justice Center
650 Ferry St
Easton, PA 18042
License #: 206680

Dear Mr. Tone:

As a result of the Department of Human Services' licensing inspection on August 22, 2016 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,

Brian Hazlak, MA
Child Residential Licensing Manager

Enclosure
Licensing Inspection Summary

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

| | |
|---|---|
| **Facility Name:** Northampton County Juvenile Detention Center | **License Number:** 20668 |
| **Address:** 650 Ferry Street, Easton, PA 18042 | **County:** Northampton |
| **Director:** Stephen Tone | **Region:** NORTHEAST |
| **Legal Entity Name:** Northampton County Juvenile Detention Center | |
| **Legal Entity Address:** 650 Ferry Street, Easton, PA 18042 | |

**Certificate(s) of Occupancy**
Other
01/07/2002
L & I

| Program Type: | Licensed Capacity: | Number of Children Served: |
|---|---|---|
| Secure Detention | 36 | 31 |

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

**Reason(s) for Inspection(s)**
Complaint

**On-Site Inspections Dates and Department Representatives On-Site**
08/22/2016: Piazza, Mark; Bosack, Amie

**Off-Site Inspection Dates and Inspectors, if Applicable**
08/24/2016: Piazza, Mark; Bosack, Amie
09/06/2016: Piazza, Mark; Roman, Erin
09/16/2016: Piazza, Mark; Hazlak, Brian

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

**Child Demographic Data as of Inspection Dates**

**Age of Children:**
- 0 to 5 years: 0
- 6 to 13 years: 2
- 14 to 17 years: 27
- 18 to 21 years: 2

**Number of Children who:**
- Are Adjudicated Delinquent: 31
- Are Dependent: 0
- Have Mental Illness: 8
- Have an Intellectual Disability: 0
- Have a Physical Disability: 0

**Licensing Inspection Summary:** 20668 - 08/22/2016 - Piazza, Mark
**Facility Name:** Northampton County Juvenile Detention Center

**1. REGULATION 55 Pa.Code §3800**
3800.11 - The requirements of Chapter 20 (relating to licensure or approval of facilities) shall be met.

**2a. DESCRIPTION OF VIOLATION**
During Onsite inspection on 08/22/2016, Regulatory Technicians were denied access to records of staff member's phone numbers.

**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 Northampton County Juvenile Justice Center will continue to adhere to full disclosure of staff files which contain all employee information pursuant to Chapter 20.34 when requested by representatives of BHSL. With that acknowledged, the NCJJC does not fully accept that this occurrence rises to the level of a citable infraction. On the day of the investigation, representatives were provided with all staff files that were requested.

Exception is taken in this matter because NCJJC believes we did comply in two methods during this investigation. The first method was in providing the staff personnel files in their entirety, which include the personal information requested by BHSL representatives. When this information was specifically requested and concerns were posed by this administration, additional clarification was sought out by both this administration as well as the BHSL representatives, to which a mutually agreeable plan was reached via telephone conversation with the regional office. Once having reached the agreed upon course of action, verbal confirmation was provided that compliance was reached. Considering the preponderance of the aforementioned information and based on the facility adhering to the agreed upon plan of action, there is still some dispute of NCJJC's non-compliance.

In the future, we will continue to fully disclose all requested personnel information to BHSL representatives upon request. The director or his/her designee will ensure implementation of this procedure.

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

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

**Printed Name and Title of Legal Entity Representative (Required on EVERY Page)** STEPHEN L. TOBE — **Date** 9/29/16

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

The above plan of correction is approved as of 9-30-16 (Date)

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

Plan of correction implementation status as of 9-30-16 (Date)

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

**Licensing Inspection Summary:** 20668 - 08/22/2016 - Piazza, Mark
**Facility Name:** Northampton County Juvenile Detention Center

**1. REGULATION 55 Pa.Code §3800**
3800.32(b) - A child may not be abused, mistreated, threatened, harassed or subject to corporal punishment.

**2a. DESCRIPTION OF VIOLATION**
As seen on surveillance footage of restraint of Child #1 on 07/29/2016 at 1:02 PM, Staff member A is seen walking behind Child # 1 exiting a doorway. Child #1's hands are at his/her side, and Staff member A grabs the back of child #' 1's collar with both hands, and slams Child # 1 face first into a wall.

**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.*

At the NCJJC, all staff members are and will continue to be trained at the time of hire on the utilization of proper restraint practice through Safe Crisis Management outlined by JKM. In addition, they will continue to receive annual refresher training in accordance with the best practices recommended by SCM. Furthermore, these practices are supported by NCJJC Policy Safety and Security Section: III, Code: 3.10 submitted along with this report.

Shift supervisors will reiterate the importance of appropriate SCM techniques along with educating all staff at the weekly staff meeting on September 28, 2016, specifically to regulation 3800.32(b).

Staff member A will be scheduled for retraining on Wednesday, October 5, 2016, on the appropriate use of restraint specifically to regulation 3800.32(b) and NCJJC Policies. This staff training will be conducted by the facility's trainer and the facility's certified SCM instructors.

The Director or designated staff members will review all documentation records daily to ensure the appropriate use of restrictive procedures in accordance with regulation 3800.32(b).

| **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** 9/29/16

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**Licensing Inspection Summary:** 20668 - 08/22/2016 - Plazza, Mark
**Facility Name:** Northampton County Juvenile Detention 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**
on 08/02/2016 at 7:10 AM, Child # 1 was restrained by Staff Member B, because Child # 1 reached over a desk in a non-threatening manner to take rap lyrics that Child # 1 had written.

**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.*

At the NCJJC, all staff members are and will continue to be trained at the time of hire on the utilization of proper restraint practice through Safe Crisis Management outlined by JKM. In addition, they will continue to receive annual refresher training in accordance with the best practices recommended by SCM. Furthermore, these practices are supported by NCJJC Policy Safety and Security Section: III, Code 3.10, submitted along with this report.

Shift supervisors will reiterate the importance of appropriate SCM techniques along with educating all staff at the weekly staff meeting on September 28, 2016, specifically to regulation 3800.202(b).

Staff member B will be scheduled for retraining on Wednesday, September 28, 2016, on the appropriate use of restraint specifically to regulation 3800.202(b) and NCJJC Policies. This staff training will be conducted by the facility's trainer and the facility's certified SCM instructors.

The Director or designated staff members will review all documentation records daily to ensure the appropriate use of restrictive procedures in accordance with regulation 3800.202(b).

| **Repeat Violation:** No | **Date(s) of Previous Violation(s):** | | | |
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**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** 9/29/16

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**Licensing Inspection Summary:** 20668 - 08/22/2016 - Piazza, Mark
**Facility Name:** Northampton County Juvenile Detention 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**
During restraint of Child # 1 by Staff member B on 08/02/2016 at 7:10 AM, Child # 1 is making no struggle. Staff member B can be seen releasing one arm of Child # 1 to use a radio, Child # 1's arm lays at his/her side; making no struggle. Restraint of Child #1 by Staff Member B continues for another 3 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.*

At the NCJJC, all staff members are and will continue to be trained at the time of hire on the utilization of proper restraint practice through Safe Crisis Management outlined by JKM. In addition, they will continue to receive annual refresher training in accordance with the best practices recommended by SCM. Furthermore, these practices are supported by NCJJC Policy Safety and Security Section : III, Code: 3.10, submitted along with this report.

Shift supervisors will reiterate the importance of appropriate SCM techniques along with educating all staff at the weekly staff meeting on September 28, 2016, specifically to regulation 3800.202(c).

Staff member B will be scheduled for retraining on Wednesday, September 28, 2016, on the appropriate use of restraint specifically to regulation 3800.202(c) and NCJJC Policies. This staff training will be conducted by the facility's trainer and the facility's certified SCM instructors.

The Director or designated staff members will review all documentation records daily to ensure the appropriate use of restrictive procedures in accordance with regulation 3800.202(c).

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

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**Licensing Inspection Summary:** 20668 - 08/22/2016 - Piazza, Mark
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**1. REGULATION 55 Pa.Code §3800**
3800.211(b) - Manual restraints that apply pressure or weight on the child's respiratory system are prohibited.

**2a. DESCRIPTION OF VIOLATION**
During restraint on 08/02/2016 at 7:10 AM, Staff Member B used his/her back leg to push Child # 1's head and chest forward to Child #1's knees, while Child # 1 was sitting with his/her legs out on the floor, causing pressure and weight on Child # 1's respiratory system.

During restraint on 08/02/2016 at 7:15 AM, Child # 1 was in a prone position during the restraint for 30 to 40 seconds.

**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.*

At the NCJJC, all staff members are and will continue to be trained at the time of hire on the utilization of proper restraint practice through Safe Crisis Management outlined by JKM. In addition, they will continue to receive annual refresher training in accordance with the best practices recommended by SCM. Furthermore, these practices are supported by NCJJC Policy Safety and Security Section: III, Code: 3.1, submitted along with this report.

Shift supervisors will reiterate the importance of appropriate SCM techniques along with educating all staff at the weekly staff meeting on September 28, 2016, specifically to regulation 3800.211(b).

Staff member B will be scheduled for retraining on Wednesday, September 28, 2016, on the appropriate use of restraint specifically to regulation 3800.211(b) and NCJJC Policies. This staff training will be conducted by the facility's trainer and the facility's certified SCM instructors.

The Director or designated staff members will review all documentation records daily to ensure the appropriate use of restrictive procedures in accordance with regulation 3800.211(b).

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