

RITE OF PASSAGE

IMPROVING THE LIVES OF YOUTH

July 11 2023

Brooke Digby, Coordinator
Juvenile Ombudsman Division
Arkansas Public Defender Commission

VIA EMAIL: [REDACTED]

RE: Response to e-mail dated July 3, 2023

Dear Ms. Digby:

Rite of Passage (ROP) is in receipt of your July 3rd correspondence regarding concerns and issues in the Arkansas Division of Youth Services (DYS) facilities operated by ROP. First, we appreciate your passion for youth and quality programming. In particular, thank you for the acknowledgement of some of the good things that have occurred on our campuses, specifically the development of the agricultural program and the normalized high school ball and prom. Some additional highlights that ROP and DYS are proud of include the following:

- Statistically, serious incidents have been reduced since 2020 and kids are safer;
- Use of detention placement has been reduced, therefore reducing overall isolation time;
- Community safety and security protocols have resulted in zero successful escapees;
- Direct care staff ratios were maintained despite an unprecedented workforce shortfall;
- An average of 5.9 family visits or phone calls were provided per month per student;
- Continuous improvement and softening of facilities to be less institutional;
- Expanded community stakeholders including 10 different faith-based organizations;
- Maintained education accreditation and offered high school diplomas and GEDs;
- Students offered vocations, post-secondary education, and aftercare funds; and
- 3,000+ hours of Positive Youth Development provided in athletics, cultural/spiritual activities, and student clubs.

Thank you for also acknowledging the unprecedented times in which we successfully operated the Arkansas programs. As we emerged from the pandemic, our population not only substantially increased, but also diversified to include younger juveniles, youth presenting with higher criminogenic risks, and youth with heightened mental health disorders. Despite these challenges, we are approaching the new contract year with renewed energy, a commitment to our DYS partnership, and additional resources to support improvements to our Clinical, Education, and Group Living Departments. We are motivated and excited for the future.

The new contract year is also an opportunity to improve our communication process with the Ombudsman's office. In lieu of compiling and distributing months and pages of issues, we suggest proactively meeting monthly with our compliance staff to discuss quality assurance/compliance matters in person, and in real time, to mitigate valid concerns immediately. We appreciate you meeting with us tomorrow.

That being said, our team has reviewed your concerns, and while we do not agree with every allegation or generalization made, you have presented some valid matters. We take the concerns seriously and are committed to continual improvement working in tandem with DYS.

ARKANSAS JUVENILE ASSESSMENT AND TREATMENT CENTER

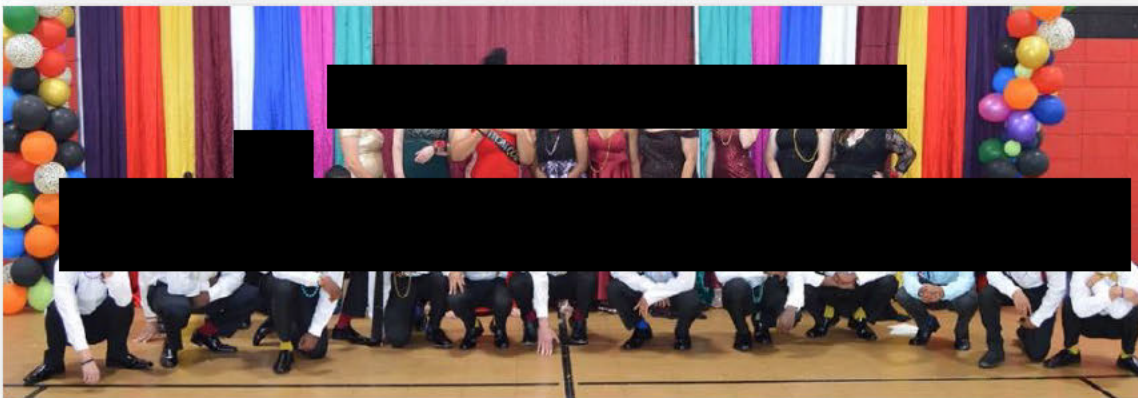
"Dedicated to Improving the Lives of Youth"

1501 Woody Drive | Alexander, AR 72002 | Phone: 501-682-9800

Harrisburg

Under the leadership of Program Director Brian Anthony, ROP is proud to have provided safe, stable, and supportive programming, despite 100% increase in population over the past two years. That said, we acknowledge our Clinical Department could have served [REDACTED] better. Her case has since been reviewed, staffed, and her treatment plan has been updated. We have assigned a dedicated Therapist, Ms. Holliday, to work with her and provide the necessary therapeutic services.

In addition to addressing her specific case, we have made significant strides in strengthening our clinical services overall. The young women at Harrisburg will have two Therapists and a Case Manager.



Mansfield

During the past year, Mansfield's population more than doubled, yet incidents have reduced, there have been zero escapes, and we have garnered community support (see inset on following page) based on our outcomes.

However, we recognize there are areas that need improvement.

Isolation. DYS policy allows a youth to stay in a room for up to four hours, and anything longer requires DYS notification. The ROP policy, in line with ACA Standard 4-JCF-3b-06 and 3C-02-03, allows the Program Director to approve room placement for up to 24 hours due to safety reasons, and anything longer needs notification to the Regional Director and authorization for each additional eight-hour period. ROP's revised policy will align with DYS's promulgated policy.

To provide a safe environment for youth, it may at times be necessary to temporarily separate youth for safety reasons, as was the case with [REDACTED] who was continuously involved in dangerous fights and assaults. Although staff's intent was to keep youth safe, and avoid a fight, we acknowledge a lapse in policy adherence, particularly in areas of adequate documentation such as the duration spent in the room, notification protocol, and details that go beyond those outlined in our guiding codes.

We do not believe this incident has been systemic at Mansfield, but we are cooperating with the state investigators and conducting our own investigation. As an agency, we are committed to reducing or eliminating the use of isolation, and overuse will not be tolerated. Our Quality

Assurance (QA) team, comprised of subject matter experts outside of the Mansfield program, is on site today and will meet with you tomorrow.

In the meantime, our current review identified areas for improvement in communication, documentation, and service delivery. Effective immediately, ROP will initiate the following:

- Collaborate with DYS to establish a central database for all DYS policies to ensure we are operating from the most current one. ROP's policy will be updated to reflect DYS standards.
- ROP will streamline documentation process, ensuring it covers details when a youth needs separation, but not isolation. This will include clearly defined benchmarks for additional notifications, and thorough descriptions of behaviors that necessitate extended isolation.
- Staff involved will be re-trained, and we will provide ongoing training aligned with the revised policy, which will be mandatory for all new and existing staff members. This will include a newly designed incident reporting training, which we have already started implementing.
- We will work in close communication with DYS on all our initiatives, and welcome any collaborative training that may be offered by DYS regarding its isolation policy and protocols.

As a follow-up, I have inquired about [REDACTED] particular case. He is scheduled for an MDT staffing this week, which will include a review of his Safety Plan, and will determine the best program to meet his needs.

Leadership. ROP treats every allegation of abuse seriously, including allegations involving our Mansfield leadership, such as [REDACTED]. Currently [REDACTED] who is a 20-year ROP veteran, has been removed from the site and placed on administrative leave pending our internal investigation as well as third-party investigations conducted by Arkansas State Police. ROP will follow all human resource policies and protocols based on investigation results. Further, we will provide a new leadership plan for DYS's consideration.

Contraband. ROP prohibits the presence of materials identified as contraband on campus and in ROP vehicles. Should contraband be admitted onto the campus by a staff, this act is not tolerated and shall result in disciplinary action. The example and documentation illustrate what should, and did, occur in our disciplinary action protocol, which placed the specific staff on administrative leave pending an investigation. The other employee matters reported to you by a student, and an investigation is underway to determine the merits of this allegation. These two staff members are no longer employed by ROP.

To further reduce contraband and enhance campus security, ROP looks forward to the repaving of the Mansfield access road and parking lot, allowing vehicles to park, and staff to leave their personal items, outside the fence. This will provide more effective security protocols, so staff

March 14, 2023

To whom it may concern,

My name is Buddy Black and I am the Mayor of Mansfield, Arkansas and I am writing this letter to endorse Rite of Passage in Mansfield. Prior to ROP taking over the facility here in Mansfield there were numerous escapes by the young men being incarcerated there. It seems like there were constant calls for Mansfield Police Department assistance or Sebastian County Sheriff assistance. There was a lot of chaos there during that time.

Since Rite of Passage took over on July 1, 2020 we have not received a single call for assistance that I am aware of. They handle everything in house without any help from the Mansfield P.D. The other aspects of the relationship has been an excellent working relationship from the Water Department to the Sanitation Department.

Again, I endorse ROP 100 %.

Sincerely,
Buddy Black, Mayor
City of Mansfield

cannot return to their cars, where contraband may exist, or allegations may be made. The staff member named in the allegation is no longer

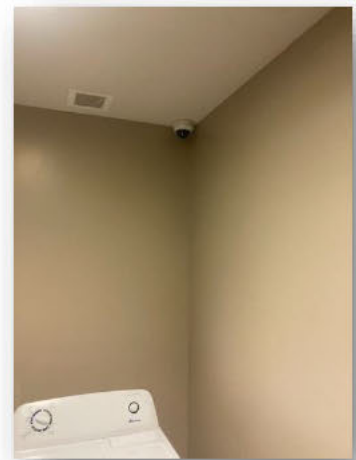
Master Control. ROP recognizes the current protocol and physical plant limitations are not ideal. We will work with DYS and our maintenance team to develop a plan to present a new, designated entrance and protocol procedure to ensure Master Control is not distracted when conducting entry searches.

Therapists. As of July, Mansfield has two Therapists and three Case Managers. This is a positive direction for Mansfield, and we will continue this momentum by identifying an appropriate (private) space for therapeutic sessions.

Assaults. We are not aware of continuing sexual assaults at Mansfield, but take any allegation seriously. As planned, ROP will receive PREA certification at all Arkansas facilities. Through our previous work with DYS, the AJATC and Harrisburg facilities became the first Arkansas facilities to become PREA certified (Dermott and Mansfield will undergo their audit in December 2023). Through our Compliance Department, these standards are in place: ROP implements PREA-compliant policies, staff are trained, and allegations of abuse are reported. In the case of [REDACTED], ROP suspected the incident, first reported the incident, and when investigated, she was immediately terminated.

Further, we develop systems and physical plant modifications to deter sexual abuse and assault from occurring within our facilities. We are appreciative of DYS, who has completed the installation of cameras (cottage 6 installation pending) in the laundry and hygiene areas to minimize “blind spots” on the campus.

We are open to any other collective suggestions or best practices to keep kids safe.



Alexander (AJATC)

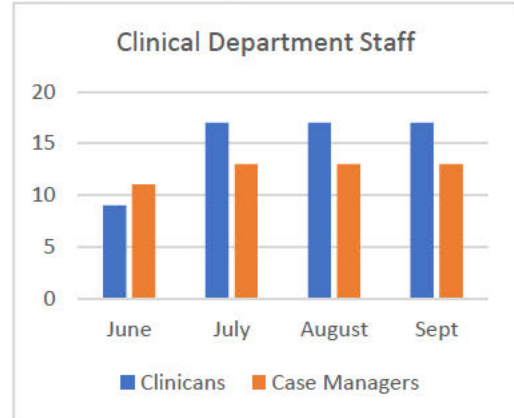
AJATC is one of the most diverse service centers for youth in the region, serving youth from 10 - 20, males and females, sex offenders/sexually maladaptive, while providing initial assessments and operating medical services. AJATC serves as the departmental hub for all the outlying facilities. ROP has advocated for a Specialized Mental Health Treatment Unit designed to meet the intensity of care necessary for highly acute youth who present with severe mental health symptomology or who dysregulate to the point of harming self or others (such as [REDACTED]). This would be an excellent opportunity to partner with you. We invite your support and advocacy to help us, and DYS, to develop this critical program to better serve Arkansas youth.

Therapy. Similar to other agencies across the country, ROP acknowledges it has been difficult to hire and retain Therapists, primarily because of the pay scale offered and competitive labor market. We have lost many Therapists to Arkansas State agencies, but now can offer market wages to attract highly skilled Therapists, due to our new contract, effective July 1st.

In June, multiple Therapists and Case Managers quit, but through the efforts of our Human Resources Department, the site only turned over four staff. Our Clinical Director never resigned. Since that time, we have hired an additional Clinical Supervisor, two Case Managers and have

multiple interviews with perspective clinicians scheduled. Additionally, we have approved a short-term contract with a local agency to provide services.

We have also increased the base salary, effective July 1 through our new contract, for a licensed clinician to \$65k-\$70k annually (an increase of \$13k-\$18k), which is aligned with the current market rate in the area. This graphic illustrates the increase in clinical staffing across all Arkansas programs. In June, we employed nine Therapists and 11 Case Managers. In July, this has increased to 16 Therapists (with one more starting on 7/17). This number includes four clinicians contracted through an agency, that will start providing services in July.



To provide continued support and guidance to the Clinical Department during a time of growth and need, ROP will temporarily assign one or more veteran clinical staff (see below) to oversee systems, documentation, training and best-practices in therapy and case management. These staff will replace the support previously provided by [REDACTED]. They will work with our current AJATC Clinical Director to enhance the Department and help in the national search and training for a new Regional Clinical Director.



Jill Follensbee has 15 years of experience and is a Clinical Director for ROP. She holds Master's Degree and certifications including MAPC, LPC, and LMHC.



Christina Gwin has nearly 10 years of experience in the field. She earned a Bachelor's Degree from Howard University, holds a Master's Degree and is a licensed social worker.

Based on our most recent review of the clinical files, we concur that services and documentation were deficient. However, some services such as group therapy and one-on-one sessions were provided but were not adequately recorded. With the additional national resources, we have a plan going forward.

Maintaining Ethical Standards. Therapists are not asked to engage in unethical practices. The notion of "unethical" behavior originated from a Therapist who quit before attending the Pathways curriculum workbook training, for sexual offenders. This is not a certification or licensure for clinical staff, it is merely a training that anyone, including Case Managers, can attend. Currently, the Clinical Director and one Case Manager have completed this short training session, and we will continue to offer this as pre-service training for new Therapists and Case Managers. Not all Therapists will utilize this training, as they may have responsibilities over different populations.

As mandated child abuse reporters, Therapists are required to report any suspicion of abuse to the child abuse hotline. As part of the multi-disciplinary team, they are also required to report and share incidents and findings to ensure the child's safety, needs, and treatment goals are met.

Special Education. Arkansas programs have been working diligently to address issues within its Education Department. While improvements have been made in the three-corners schools, we agree services can be improved and are designating resources.

- Additional SPED resources are provided via Jenna Moore one week a month onsite;
- Conducting weekly meetings with DYS (Dr. DallaRosa); and
- Additional positions for Special Education include:
 - A SPED coordinator (Ms. Cooper)
 - SPED Administrative Assistant (Ms. Gaut)
 - Registrar (Ms. Moore) will provide services to the three-corners
 - SPED Lead (Ms. Clement) and SPED teacher (Ms. Emerson) at AJATC
 - SPED teacher position recruited for at Harrisburg

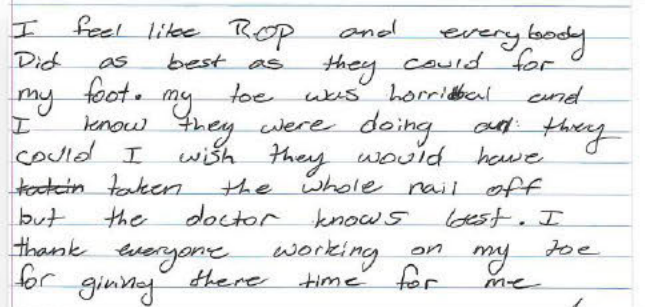
In addition, our Education Department continues to create an internal SPED process for timelines, documentation completion, and compliance in collaboration with the Department of Education.

Dermott

The general concerns at this campus were threefold; including scheduling medical follow-ups regarding a youth's toenail, observations regarding the physical plant, and computers for classrooms. We are pleased that Dermott has a qualified, experienced leader¹ at its helm to oversee program operations and initiatives.

We take youth's medical care seriously, and [REDACTED] who was cited in your letter has had multiple medical appointments since May to provide for his care. The student was seen by an ER Provider at [REDACTED]/2023 and [REDACTED] 2023 where the youth was prescribed antibiotics and to follow up with his primary care provider and a podiatry specialist.

He was seen at [REDACTED] for consultation [REDACTED], treatment of the tissue around the toenail [REDACTED] 2023) and he had a follow up appointment on [REDACTED]/2023. Our staff contacted the young man and asked his status. The young man wrote the following (see inset) in his own words.



I feel like ROP and everybody did as best as they could for my foot. my toe was horrible and I know they were doing all they could I wish they would have taken the whole nail off but the doctor knows best. I thank everyone working on my toe for giving there time for me.



Second, regarding classrooms and computers at Dermott, a walkthrough was conducted on May 11th with the ROP Principal, Executive Director, and DYS staff to discuss the needs of the Education Department. Based on that meeting, we are appreciative DYS has agreed to provide additional computers. In addition, we emphasize that ROP has a daily schedule for all students that includes programming, education and meals and recreation. Time is also designated for structured transition of program participants. As students await transition, they may appear to be idle, but the time is needed to ensure safety and consistency.

¹ ROP conducts extensive background checks prior to employment and regularly during each employee's tenure including Child and Adult Maltreatment, State Police and Federal Background checks. [REDACTED] has successfully cleared all requirements for employment including background checks.

Finally, the recent (June 1, 2023) DYS audit stated students were gaining access to the roof of a dorm through the air unit located in a recreation yard. Since then, DYS has successfully completed the installation of concertina wire, in collaboration with ROP, to ensure students do not access the units or gain access to the building roof-tops.



Ongoing Initiatives

Listed below are larger initiatives ROP, in partnership with DYS, will continue implement to ensure safe and compliant programs:

- CARF accreditation will be attained at each Arkansas programs (currently AJATC is CARF accredited).
- PREA certification, as specified previously, will be attained at Mansfield and Dermott (currently AJATC and Harrisburg are PREA certified).
- The salad bar, which was eliminated during COVID, will be brought back to AJATC to ensure students have abundant, nutritious meals² (this has already been discussed and signed-off by the Health Department last week).
- Quality Assurance (QA) reviews are being scheduled next week, to ensure administrative and operational fidelity, and compliance with ROP and State standards. A formal Action Plan is developed in collaboration with the QA team and Site Management Team. All areas needing action shall be corrected within 90 days, and an 8-week follow-up will ensure areas of improvement have been corrected.
- Trauma-informed training (Think Trauma and/or Attachment Regulation and Competency [ARC]) will be provided via Ms. Gwin or Ms. Follensbee and the rest of the clinical team to support a trauma-informed model.
- We will work in collaboration with DYS to develop the most individualized, prescriptive treatment program to ensure every youth is receiving appropriate evidence-based treatment.

We all share your interest in the welfare of the youth we serve and appreciate your commitment to improving the conditions of custody and level of care and services to this population. With established regular meetings, increased communications, and agreed-upon mutual goals, the joint effort between ROP, DYS, and the Office of the Ombudsman can result in a safer, well-staffed, and therapeutic rehabilitative program.

Should there be any additional questions please do not hesitate to contact me.

Sincerely,

S. James Broman
Chief Executive Officer

² AJATC offers 600 calories for breakfast, 850 calories for lunch, approximately 450 calories for afternoon snack and at least 200 calories for morning snack. AJATC youth receive an evening snack in the 200-calorie minimum range. Dinner is between 1200 and 2000 calories for a total of approximately 3500 calories offered per day (dietary recommendation is 2000-2500 per day).