

Setting the Record Straight: Miami Herald Omits Facts, Ignores Reforms in Series Targeting DJJ

Allegations of Use of Force Against Youth

Statement by DJJ Secretary Christina K. Daly

“The Department maintains that the inappropriate use of force or assault on a youth is completely unacceptable. We have not, do not, and will not tolerate staff who endanger the safety and well-being of youth placed in our care. It is always our expectation that youth are to be treated with respect and dignity while under the care and custody of this Department. We are 100 percent committed to youth safety and will hold anyone accountable who is not, up to and including the involvement of law enforcement to proceed with criminal prosecution.” – Secretary Christina K. Daly

Background Information

Experienced and well-trained staff who can recognize potentially volatile situations are important to maintaining safe and nurturing environments. The Department works to ensure we hire the most qualified staff who have the best interests of the youth we serve as their top priority.

Working directly with Florida’s most troubled youth is a specialized skill, and DJJ is committed to ensuring that our staff have the tools and training they need to work with this population of youth.

The Department initiated a Crisis Intervention Model Revision Project in early 2017 that focuses on the following objectives:

- More emphasis on preventing crisis episodes through verbal de-escalation techniques.
- Additional tool/techniques for staff to anticipate, prevent and de-escalate crisis episodes effectively.
- Consistency in approaching youth in crisis.

This comprehensive, department-wide project will ensure that staff are well trained in crisis intervention and work to prevent situations where staff feel it necessary to physically intervene.

Allegations of Sexual Abuse by DJJ Or Contracted Provider Staff

Statement by DJJ Secretary Christina K. Daly

“The Florida Department of Juvenile Justice has not, and will not, tolerate the reprehensible crime of a staff person sexually abusing a youth, or for that matter, in any way taking advantage of the vulnerability of a youth placed in our care. It is our expectation that staff who have been found to compromise the well-being and safety of youth in our care be held fully accountable for their actions, including arrest and prosecution when a criminal offense can be substantiated.” – Secretary Christina K. Daly

Background Information

The Department also takes measures to ensure our staff are suitable to work with our unique and sometimes vulnerable population.

The Department reports all allegations of abuse and neglect to the Florida Abuse Hotline to be investigated by the Florida Department of Children and Families, and in many cases, law enforcement also investigates incidents of abuse and neglect in detention facilities and residential commitment programs.

All direct care staff are required to undergo and pass a level 2 background check or criminal history record check in addition to drug screening and a comprehensive interview and reference check process in accordance with Florida law.

Allegations of Outsourcing of Discipline to Kids

Statement by DJJ Secretary Christina K. Daly

“DJJ has never, and will never, tolerate the outsourcing of discipline by staff to youth. It is the expectation that all staff, regardless of whether they are in state-run detention facilities or privately contracted residential commitment programs, treat youth with the respect and dignity they deserve. Anyone who is found to have encouraged, enticed, or ordered youth to engage in fights or assault other youth will be held accountable to the full extent of the law. This is behavior is entirely unacceptable, and DJJ will not stand for it happening in our facilities or programs.” – Secretary Christina K. Daly

Background Information

The Florida Department of Juvenile Justice has in place a comprehensive and age-appropriate behavior management system in all our state-run detention centers. Staff receive thorough training on behavior management and adolescent behavior at the juvenile detention officer academy as well as through on-the-job training and coaching by supervisory and training staff.

Contracted providers are required to have appropriate behavior management systems in place that reward positive behaviors of youth and encourage compliance with their treatment plans. It is our expectation that staff in contracted programs are educated on the behavior management system and adolescents behaviors for the specialized populations they serve.

Ensuring Quality Medical Care

Statement by DJJ Secretary Christina K. Daly

“The Florida Department of Juvenile Justice contracts and provides quality medical care for the youth placed in our care and custody. It is our expectation that in the case of an emergency staff contact 911 immediately. In non-emergent situations, and when medical staff are not onsite, staff should, and do, send youth out to local community medical providers. The loss of a youth in our care, while incredibly rare, is a heartbreaking tragedy that is never taken lightly nor forgotten.” – Secretary Christina K. Daly

Background Information

Comprehensive on-site medical services in detention centers and residential programs are required by contract. The Department requires that the specialized needs of adolescents must be met as outlined in Florida Administrative Code for medical services as well as mental health and substance abuse services.

DJJ as a matter of usual practice covers the costs of both routine and non-routine medical costs for youth in our programs, whether that service is provided in a detention facility or residential program or at a local community provider such as a hospital or doctor’s office.

We learn from every incident and extend these lessons to the thousands of children we serve each year in the juvenile justice system. On the exceedingly rare occasion that loss of life occurred to youth in our care, DJJ took immediate action to strengthen training and policies and procedures to ensure youth safety.

Staff were retrained on topics such as sick call procedures, confinement of youth, including medical confinement procedures and how to check on these youth as well as reminding staff they are *always* empowered and expected to call 911 in the case of an emergency or even when in doubt of the severity of a situation. The Department regularly updates notices placed in our facilities instructing staff to call 911 in an emergency in an effort to keep that instruction at the forefront.

In addition, DJJ introduced legislation, which passed the 2014 Legislature, creating a criminal statute for the neglect of any youth while in DJJ custody. Staff are held fully accountable for any actions that result in neglect of a youth.

Employee Hiring Practices

Statement by DJJ Secretary Christina K. Daly

“The Florida Department of Juvenile Justice is committed to hiring high-quality staff who are dedicated to the safety and wellbeing of at-risk and delinquent youth. In recognition that competitive salaries are a factor in recruitment and retention, Governor Rick Scott recently announced he will propose a 10 percent pay increase for juvenile detention and probation officers to ensure the Department can fulfill our obligation of providing safe and secure facilities while also providing the necessary services to our youth.” – Secretary Christina K. Daly

Background Information

The Department also takes measures to ensure our staff are suitable to work with our unique and sometimes vulnerable population.

All direct care staff are required by law to undergo and pass a level 2 background check or criminal history record check in addition to drug screening and a comprehensive interview and reference check process in accordance with Florida law. A level 2 background check generally refers to a state and national fingerprint-based check and consideration of disqualifying offenses, and applies to those employees designated by law as holding position of responsibility and trust.

In addition, DJJ direct care staff are required to complete a pre-employment exam, which is a validated suitability test for individuals working with our specialized population.

Recently, the Department strengthened our reference check process for individuals with prior state employment experience to ensure a comprehensive and thorough review of a prospective employee’s previous performance and employment as well as ensure staff meet the high expectations of this Department. Hiring managers are now required to request from each previous employing agency any disciplinary actions, performance evaluations, investigations, memos of counseling, corrective action plans and settlement agreements.

DJJ has also worked with all our contracted providers to improve hiring practices through a statewide initiative.

DJJ takes seriously our obligation to maintain the confidence and trust of the public and ensure we are hiring the most qualified and best suited applicants to work with Florida’s youth and families.

Other State Comparison

Statement by DJJ Secretary Christina K. Daly

“Florida is leading the nation in our reform of the juvenile justice system and it is entirely inaccurate to imply otherwise. Florida is a large and diverse state with one of the most comprehensive juvenile justice systems in the country. Our system is designed to provide services throughout the justice process, including prevention, secure detention, probation, residential commitment and aftercare services. Florida is proud to have a juvenile justice system that serves as national model for how juvenile justice can best serve youth and families.” – Secretary Christina K. Daly

Background Information

Many juvenile justice systems around the country are bifurcated, meaning the state may be responsible for one program area, such as residential commitment, while the counties are solely responsible for secure detention. This is not the case in Florida, where our system is centrally organized to ensure every point of the service continuum is working together to serve Florida youth.

The Florida Department of Juvenile Justice embarked on aggressive reform efforts beginning more than six years ago and to realign existing resources to community-based interventions, as well as increase the availability of transitional services such as vocational programming, employment, education, family support, transitional housing and transportation.

While we can always learn from our counterparts in other states, and we often do, it is more often that other state contingencies are turning to Florida to learn of the cutting-edge, forward-thinking reforms we have implemented here. A number of states and municipalities have contacted the Department, or visited Florida, to receive information on such areas as civil citation and pre-arrest diversion alternatives, rightsizing residential, research and data collection, procurement, monitoring and oversight practices, normalcy and instituting nurturing and youth-centered environments.

Florida was selected as one of the four leading states to participate in the Georgetown University’s Center for Juvenile Justice Reform’s Juvenile Justice System Improvement Project. The selection was based on our readiness to engage in reform efforts, having a culture of practice innovation and our commitment of leadership. This project began in 2011 and was completed in June 2017. The Department has also participated in the Youth in Custody Practice Model and the Trauma Responsiveness Project, among other certificate programs, in collaboration with the Center for Juvenile Justice Reform.

In addition to our work with Georgetown University, the Department has participated in reform projects with the Annie E. Casey Foundation, such as the Juvenile Detention Alternatives Initiative and the Improving Conditions of Confinement in Secure Detention Project.

The transformation of our juvenile justice system in recent years is producing results.

- Florida has the lowest juvenile arrest rate in more than 40 years.
- DJJ has reduced the use of residential commitment for low-moderate risk youth by 60 percent.
- We have the lowest recidivism for youth on probation that the agency has ever seen.
- Florida has the first in the country validated disposition matrix, which guides the optimum placement of youth for the best outcomes.
- DJJ utilizes validated risk assessment tools to guide service needs for youth in our care and custody.