
Government of the District of Columbia



Department of Corrections

Testimony of
Devon Brown
Director

“Youth Incarcerated At The DC Jail”

A Joint Public Oversight Roundtable
Council of the District of Columbia

Committee on the Judiciary
Phil Mendelson, Chair

Committee on Human Services
Tommy Wells, Chair

Monday, July 14, 2008

Room 500
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004
2:00 p.m.

Good afternoon Chairman Mendelson, Chairman Wells, and members of the Committee on Public Safety and the Judiciary and the Committee on Human Services.

I am Devon Brown, Director of the District of Columbia Department of Corrections. As you know, I have held my present appointment since January 2006. My background and credentials speak to my longstanding work and devotion to the care and treatment of the incarcerated, including juvenile populations. I began my career over 34 years ago as a youth counselor at the Woodbourne Home for Boys in Baltimore, Maryland. Since then I have gone on to become a licensed clinician and was previously a certified school psychologist. At one point, I functioned as a behavior management specialist, a correctional psychologist, a forensic psychologist and was the impetus behind the change in Maryland law creating the juvenile program at the Patuxent Institution. Under my supervision as Commissioner of the New Jersey Department of Corrections, I transformed a once highly problematic youth prison to a facility of relative calm through the systematic application of behavior science principles.

I appear before you today in response to a request by the Committee on Human Services for a joint study between the Department of Corrections (DOC) and the Department of Youth Rehabilitative Services (DYRS) on youth incarcerated at the DC Jail. I appreciate the opportunity to participate in this roundtable regarding this timely and highly important subject.

Joining me at the table is my Deputy Director, Patricia Britton.

The District of Columbia Department of Corrections is one of the largest detention systems in the nation. Our offender population consists of pretrial detainees, sentenced misdemeanants, and felons, as well as those awaiting parole violation hearings. The average daily inmate population under the custody of the department this fiscal year is 2,956 (through June 2008). This population includes detainees housed at the Central Detention Facility (DC Jail), the Correctional Treatment Facility (CTF) and four privately operated halfway houses. Most inmates within our auspices are housed at the DC Jail, which serves as the District's principal *adult* correctional institution. The jail represents the primary point of entry for everyone committed to incarceration by the courts.

Juvenile Demographics

It is important to note that everyone who is committed to the custody of the DOC is considered to be an adult in the eyes of the law, irrespective of their chronological age. Among our inmate population are those who have not yet reached 18 years of age. According to the most recent calculation, the average age of juveniles in our custody is 17.3 years. The overwhelming majority of these individuals are African American males, with 2.5 percent being individuals of Hispanic origin.

To date, the average daily population (ADP) of juveniles in DOC custody is 27, which represents a 20.56 percent decrease from the ADP of 34 juveniles in FY 2007. In May 2007, the DOC experienced its highest APD of 42 juveniles. There are 24 juveniles detained in our custody today.

These juveniles, like all of the DOC inmate population, are referred to our custody by the courts through the U.S. Attorney's Office. The most frequent serious offense is armed robbery (47%), followed by fugitive from justice (22.7%), assaults (11.6 %), homicide (4.1%), and traffic/unauthorized use of an automobile (2.9%). A firearm has typically been used in the commission of these offenses.

Like all offenders in our jurisdiction, juveniles become the responsibility of the Federal Bureau of Prisons (FBOP) upon their conviction and designation to a facility under federal authority. Because the FBOP does not have facilities for the exclusive housing of juveniles, that agency either contracts with private correctional entities or delays designating a sentenced juvenile until the individual reaches the age of 18.

Custody Provisions

Male juveniles are housed at the DC Jail and females are housed at the Correctional Treatment Facility (CTF). As stated previously, should they be convicted of a felony, the Federal Bureau of Prisons assumes authority of their custody. While the “sight and sound separation” provisions of the Juvenile Justice and Delinquency Prevention Act prohibit youth under juvenile court jurisdiction from being commingled with adult inmates, this restriction does not apply to youth under the authority of adult criminal court. Therefore, youth prosecuted as adults can be incarcerated with adult inmates in jails and prisons. This situation notwithstanding, the DOC, like other progressive correctional systems, understands the unique needs of juveniles under adult control and separates them from adult offenders. Consistent with American Correctional Association (ACA) standards, all youths are housed on a juvenile block that is separated from adults at the DC

Jail. Unlike the adult jail population, juveniles are housed in single cells. All activities (e.g., religious services, education) take place within the self-contained block in recognition of the unique needs and circumstances of adolescents and to prevent their coming into contact with adult offenders.

In an effort to better ensure the safety of its operations, four correctional officers (COs) are assigned to the jail's juvenile unit during school hours. Three COs are physically on site at all times. In addition, a liaison from the DOC Director's office is assigned to the juvenile unit and provides regular briefings to the Director on activities and issues on the unit. Jail personnel who are assigned to this housing unit have been trained by DYRS staff on the management of juvenile populations. To further strengthen the effectiveness of the unit, officials from the National Institute of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) routinely audit the juvenile unit to ensure that it is functioning in compliance with established federal guidelines.

We have invested substantially in progressive approaches that will promote the well-being and success of juveniles in our custody. We have ensured that all correctional staff assigned to the juvenile unit have had

specialized training in working with incarcerated youth and have been very selective in which staff is trained to work with this group. We have also enhanced the number of treatment personnel from one to two case managers, a program specialist, a principal who is in training and three new teachers from DCPS. In addition, two mental health specialists are assigned to this unit.

The department is pleased to have had a number of city officials, including the two of you, Councilmember Mendelson and Councilmember Wells, visit the jail to observe and objectively assess our operations. The department has also had the distinct honor of having Mayor Fenty visit the facility on several occasions, as well. On one such visit, Mayor Fenty specifically met with the juvenile population in a town hall setting. This forum, similar to one previously conducted with the general inmate population, allowed for adolescents to openly discuss and share their concerns and opinions with the Mayor. The juveniles primarily expressed a desire for better educational programs and recreation time in order to support their obtainment of a GED, increased job opportunities and greater focus on community based resources that would enhance the likelihood of their staying out of trouble.

The Department of Corrections recognizes that juvenile offenders have distinct needs that require special attention. The DOC has implemented a variety of changes to place greater emphasis on the welfare and rehabilitation of youth in our jail. These changes were instituted to provide a structured, rehabilitative environment in which the educational, psychological, and interpersonal needs of youthful offenders could be addressed. Although space limitations in the jail are an issue, the DOC has remained focused on promoting the welfare and encouraging the rehabilitative growth of this population. We are confident that through collaboration with our stakeholders who share an interest in furthering the progress of this special population much can be accomplished.

Provision of Services and Programs

Last year, the department reconfigured the housing and programming structure of its juvenile population in an effort to better address their needs while providing a safer, more constructive environment. This restructuring better controls the activities of this unit and promotes a more orderly, safe, and secure environment. Security staff assigned to the unit has undergone

special training to enhance their expertise in managing a younger, more energetic, and more impulsive youthful offender. As the juveniles are now housed in a self-contained unit which allows markedly more space, the Department has significantly enhanced the number and types of programs offered to this population.

Programs

Juveniles at the jail are engaged in activities throughout the day designed to promote their physical, mental and social well-being. The Department has developed specialized programs that are responsive to the developmental needs of youthful offenders. These include educational, mentoring and anger management programs. We are expanding the array of techniques that have proven effective in deescalating volatile incidents involving youthful offenders. The Department of Corrections works in close partnership with various agencies and volunteers in providing services to inmates at the DC Jail. For example, we have forged a highly productive relationship with the DC Public Schools (DCPS) which is responsible for ensuring resources are available to meet the educational needs of this population.

Most recently, the DOC established a system employing behavior management techniques in the juvenile unit. This modality focuses on the cognitive, emotional, educational, and social needs of this population. The behavior program is a two-tiered level system which relies on increasing rewards for the display of positive behavior. All juveniles are afforded the opportunity to actively participate in various activities and volunteer programs but are given additional privileges based upon their conduct. If an individual violates policies and procedures, he may be returned to a lower level tier where his privileges are lessened. All youth will continue to have access to the same education programs irrespective of their status. The goal is to provide all juveniles with the skills necessary to successfully navigate within society and become constructive members of their communities.

Additional programs available to the juveniles designed to promote positive development include:

- **Peaceoholics** is a juvenile mentoring program that focuses on incarcerated youth from economically distressed areas. Individual and group counseling is utilized to intervene in gang and neighborhood rivalries. Peaceoholics has had a presence in the jail since early this year.
- **Formal Chess Instruction** was introduced in 2007. It provides structured recreation to inmates by providing a full program of chess instruction, tournament preparation, and academic activities to enhance cognitive skills, self-esteem, self-discipline, and socialization abilities. The model of problem-solving behavior learned through chess is utilized as a

simulation of human encounters. Inmates learn how to choose moves in chess competition as an exercise in the application of logic in the obtainment of positive outcome--not only in the game but in life itself.

- **Free Minds Book Club** (implemented in 2005) introduces to juveniles at the DC Jail the transformative power of books and creative writing and free yet constructive expression of thoughts and emotion.
- **Moral Reconciliation Therapy** (introduced in 2007) provides a systematic treatment strategy designed to enhance social, moral and positive behavioral growth in a progressive, systematic fashion. This treatment modality is specifically designed for offender populations and is based upon the assumption that fully functioning, reasonably content, individuals have a better sense of identity and that their behavior and relationships will be based upon relatively high levels of moral judgment. The objective is to reeducate clients socially, morally and behaviorally and to instill appropriate goals and values.
- **Art Therapy** helps juveniles address their psycho-social issues through drawings, tracings and painting. During these sessions, they are encouraged to talk freely about their lives, goals, and challenges. Art therapy has been available to the inmates since 1988.
- **Indoor and Outdoor Recreation** (initiated in 1976) affords inmates the means to constructively engage in leisure activity. This resource is particularly important for those segments of the inmate population who possess high energy levels.
- **Religious Services** (implemented in 1976) are available to those who desire to attend worship services. Juveniles are provided an opportunity to find a service that will assist them in their spirituality.

- **Educational T.V. Program** (established in 2006) is a television-based educational initiative where carefully selected video programming is shown throughout the housing units and in the infirmary. The material chosen for viewing features a myriad of educationally enriching subjects such as health, history, law, economics and biographies of prominent national figures.
- **The Institute for Behavioral Change and Research** (Stress Management introduced earlier this year) teaches juveniles work ethics and how to successfully perform and conduct themselves during their employment.
- **Restorative Justice Training Anger Management Program** (introduced 2008) is designed to create a positive impact in the lives of juvenile offenders within the criminal justice system. In addition, the program assists juveniles to acknowledge responsibility for their misconduct and unacceptable behavior.

Conclusion

The Department of Corrections is committed to providing all those under its care with the means to better their existence. We realize the unique circumstances besetting juveniles in our custody and will continue to make a concerted effort to provide them with the resources necessary to further their development. We are unwavering in our determination to ensure ongoing, progressive, and sustained growth of these individuals as we transition into a premier detention system that meets the public safety needs of citizens of the District of Columbia.

Thank you for the opportunity to testify before you today. I would be pleased to answer any questions that you have at this time.

###