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COLORADO JUVENILE DEFENDER CENTER
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DYC'S PUNITIVE CULTURE IS HURTING YOUTH AND STAFF

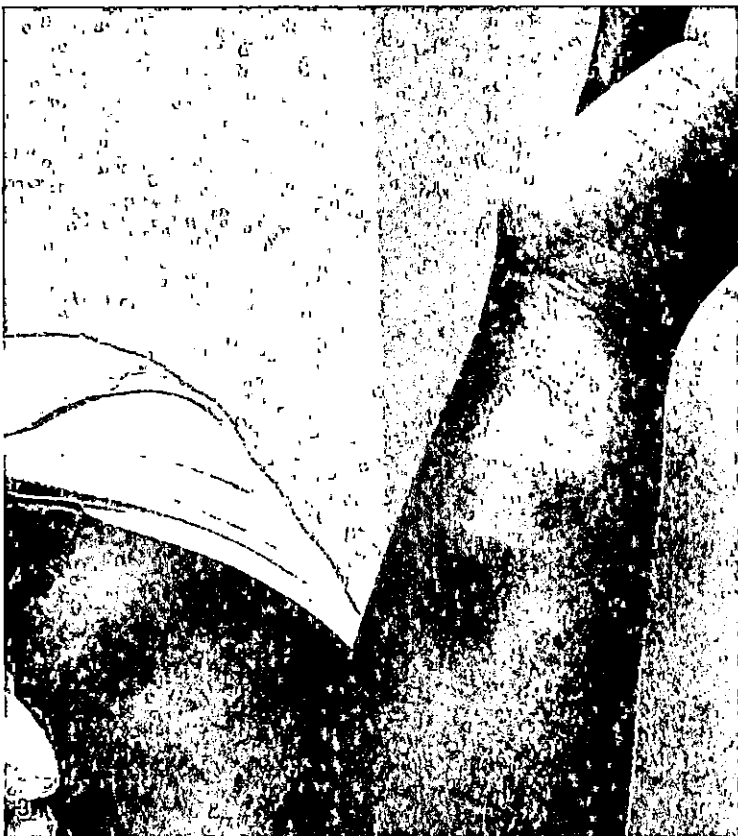
- **Violence against youth and staff at DYC is unacceptably high.**
 - Complaints of violence and injury have skyrocketed. In just the past several months we have received **over 35 complaints of abuse**. Children, unable to trust DYC, are contacting outside organizations for help. Staff, unable to gain support within DYC, are calling legislators and the media to express fear of violence in the facilities; some staff are so fearful, they are calling for pepper spray and stun guns.
 - The recent Audit confirms escalating violence. The Office of the State Auditor found that ***fights and assaults in DYC facilities have increased by 42%*** between fiscal years 2013-16; ***critical incidents increased by 108%***.
 - DYC's own data confirms increased violence. DYC concedes that over the past four years, there has been an overall trend of increased fights and assaults in its facilities. According to DYC data:
 - ***DYC facilities have a higher rate of fights and assaults than facilities in other states.***
 - ***DYC facilities have a higher rate of youth injuries than facilities in other states.***
 - ***DYC facilities have a high rate of injury to staff as a direct result of youth contact.***
- **Violence at DYC further harms traumatized children.** Youth in the juvenile justice system are extremely likely to have experienced serious trauma—***in one study, over 90% of juvenile detainees reported at least one traumatic incident.*** Studies show that programs focused on trauma-informed care make facilities safer, reduce threats to staff, reduce physical management and seclusion, and improve mental health.

DESPITE PROMISES TO ADOPT LESS PUNITIVE PRACTICES, DYC CONTINUES TO AUTHORIZE ABUSIVE, COUNTERPRODUCTIVE METHODS TO CONTROL AND DISCIPLINE YOUTH¹

- **DYC staff physically restrained youth at least 3,611 times between Jan. 2016—Jan. 2017. Of those restraints, over 60% resulted in the use of mechanical restraints, such as handcuffs, shackles, or the WRAP.**
- **DYC staff placed children in the WRAP 253 times between Jan. 2016—Jan. 2017.** The WRAP is essentially a full-body straight jacket—in Arkansas, the Juvenile Ombudsman found its use to be ***torture***.
- **Pain Compliance.** DYC sanctions the use of pain compliance techniques, including knee strikes and nerve pressure points, to manage and control children. These tactics teach children it is appropriate to control others by causing pain.
- **Physical response to passive non-compliance.** DYC allows staff to respond physically to passive non-compliance by children who pose no immediate threat to safety, often for minor behavior such as refusing to move a chair or go to their room. By laying hands on passive children, staff escalate youth and unnecessarily cause assaults and injuries.
- **These punitive methods violate best practices and the law.** Widely-recognized national standards for managing detained youth prohibit the use of any mechanical restraint device other than handcuffs in facilities; prohibit the use of pressure point control and pain compliance techniques; and prohibit hogtying youth or placing youth in restraints in uncomfortable positions. The US Department of Justice has found that the use of pain compliance “***violates children's constitutional rights.***”

¹ See “*Bound and Broken*” a recent report released by the Child Safety Coalition, which examines how DYC's culture of violence is hurting Colorado kids, available at <http://static.aclu-co.org/wp-content/uploads/2017/03/Bound-and-Broken-report-Feb17-complete.pdf>

Culture change is needed at NYC



1) Isolation cell at NYC's Lookout Mountain Youth Services Center, photo credit to © Richard Ross, www.juvenile-in-justice.com. 2) Child injured by staff during physical restraint at NYC's Lookout Mountain Youth Services Center. 3) Photo of injury to young person taken after physical management by NYC staff. 4) Child in WRAP restraint in NYC's Lookout Mountain Youth Services Center.

The WRAP Restraint



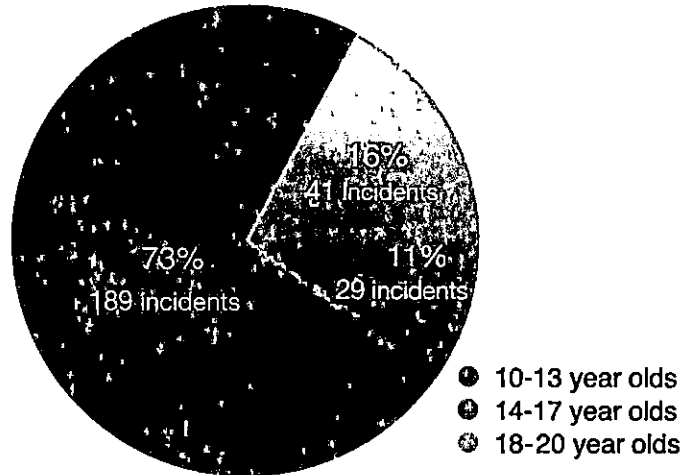
Youth being placed in WRAP, spit mask and helmet by Division of Youth Corrections staff.



Use of the WRAP by the Colorado Division of Youth Corrections

- Between Jan 2016 - Jan 2017, DYC used the WRAP a total of 259 times on 134 youth.
- Youth age 14-17 accounted for 73% of all WRAP use (189 incidents, 97 unique youth).

Total Number of Wrap Restraint Incidents by Age of Youth



- DYC uses the WRAP on even its youngest children:
 - **One 10 year old** in the WRAP
 - **Three 11 year olds** in the WRAP, one eleven year old twice
 - **Three 12 year olds** in the WRAP, some more than once
 - **Eight 13 year olds** in the WRAP, some more than once

Colorado is an outlier in its use of the WRAP on kids

- Very few juvenile justice systems in the country use the WRAP, yet Colorado’s Division of Youth Corrections uses the restraint in all ten of its state-operated facilities. DYC facilities account for a quarter of all juvenile justice facilities in the country which have contracted to use this restraint.
- Other jurisdictions have recognized the harm that the WRAP causes to children. In 2014, the Arkansas Juvenile Ombudsman investigated the use of the WRAP and called the device “torture.” The Ombudsman subjected himself to the device and helmet, finding it was difficult to breath and that it increased anxiety. Less than two weeks after receiving the Ombudsman’s letter, the Arkansas Division of Youth Services banned the WRAP, commenting that it has “no known therapeutic uses,” exposes youth to ridicule and humiliation, and presents a serious risk of harm to youth.

* Data on ages of DYC youth reflect youth held in DYC’s 10 state-run facilities as of December 13, 2016. DYC Detention and Commitment: Age Breakdown on 12-13-16 by Facility

** Data on physical restraints, fights and assaults and critical incidents reflect youth held in DYC’s 10 state-run facilities from January 2016 - January 2017. DYC answers to questions relating to document titled OCYF-27 DYC Answers to JBC, dated Feb. 22, 2017.