

DRI Report on BSTS Usage of the BSU – July 2017

DRI reviewed all of the individual records for every usage of the Behavioral Support Unit (BSU) between November 1, 2016 and April 30, 2017. The BSU is a locked cell used as consequence for rule infractions at the BSTS. There are several of these cells located in Corbett-Miller Hall on the BSTS campus. These infractions range from inappropriate language, horseplay, and lying (minor rule violations) to abusive sexual contact, assault upon another person, and rioting (major rule violations).ⁱ The infractions for which the resident is serving time in the BSU are noted in the BSU record to correspond with BSTS BSU policy. DRI compiled this short report on the data gathered from these BSU records.

According to DHS, the number of residents served during this period is 174 residents. The racial breakdown of these residents is as follows:

- Caucasian – 88 residents (51%)
- African American – 67 residents (39%)
- Hispanic – 14 residents (8%)
- American Indian – 4 residents (close to 2%)
- Asian – 1 (less than 1%)

According to DHS, the number of residents served with Individual Education Plans (IEPs), meaning residents receiving special education services, during this period is 100 residents (58%). According to DHS 66% of the total BSTS is on psychotropic medications.

The following data regarding the usage of the BSU was gathered in DRI's review of the BSU records:

- 124 residents (74%) have been in the BSU.
 - Caucasian – 57 residents (46%)
 - African American – 55 residents (44%)
 - Hispanic – 12 residents (10%)
- There were 1,045 separate stays in the BSU.
 - Caucasian – 518 stays (50%)
 - African American – 460 stays (44%)
 - Hispanic – 67 stays (6%)
- The total number of hours of BSU usage during this period is 9,458.27 hours.
 - Caucasian – 4,647.89 hours (49%)
 - African American – 4,410.98 hours (47%)
 - Hispanic – 399.4 (4%)
- The total number of BSU stays that were over an hour in length is 598 (57%).
 - Caucasian – 300 stays (50% of total 598)(58% of total 518 Caucasian stays)
 - African American – 269 stays (45% of total 598)(58% of total 460 AA stays)
 - Hispanic – 29 stays (5% of total 598)(43% of total 67 Hispanic stays)
- The total number of BSU stays that were over an hour in length and were a minor rule violation is 327 (55%).

- Caucasian – 179 stays (55% of the total 327 stays)(60% of the total 300 stays)
 - African American – 130 stays (40% of the total 327 stays)(48% of the total 269 stays)
 - Hispanic – 18 stays (5% of the total 327 stays)(62% of the total 29 stays)
- The total number of BSU stays were over an hour in length and were a major rule violation is 271 (45%).
 - Caucasian – 123 stays (45% of the total 271 stays)(41% of the total 300 stays)
 - African American – 137 stays (51% of the total 271 stays)(51% of the total 269 stays)
 - Hispanic – 11 stays (4% of the total 271 stays)(38% of the total 29 stays)
- The total number of BSU stays that were over 24 hours in length is 59 (6%)
 - Caucasian – 27 (46% of the total 59 stays)(5% of the total 518 Caucasian stays)
 - African American – 29 (49% of the total 59 stays)(6% of the total 460 AA stays)
 - Hispanic – 3 (5% of the total 59 stays)(4% of the total Hispanic stays)
- The total number of BSU stays that were a result of probable/possible power struggle is 693 stays (66% of the total number of BSU stays).
 - Caucasian – 340 stays (49% of the total 693 stays)(66% of the total 519 Caucasian stays)
 - African American – 304 stays (44% of the total 693 stays)(66% of the total 459 AA stays)
 - Hispanic – 49 stays (7% of the total 693 stays)(73% of the total 67 Hispanic stays)
- The total number of waiver of hearings in 706 out of the 1,045 BSU stays which is 68%.
- Residents with 6 or more BSU stays per month
 - November – 6 residents (4 AA, 2 C)(67% AA, 33% C)
 - December – 9 residents (5 AA, 3 C, 1 H)(56% AA, 33% C, 11% H)
 - January – 9 residents (2 AA, 5 C, 2 H)(22% AA, 56% C, 22% H)
 - February – 10 residents (4 AA, 5 C, 1 H)(40% AA, 50% C, 10% H)
 - March – 8 residents (4 AA, 3 C, 1 H)(50% AA, 38% C, 12% H)
 - April – 7 residents (3 AA, 4 C)(43% AA, 57% C)

The following data regarding the usage of the BSU was gathered in DRI's review of the BSU records in regards to residents of the BSTS with IEPs (students eligible for special education):

- 61 (49%) of the residents that experienced segregation had an IEP
 - Caucasian – 26 residents (42% of the total 61)(46% of the total 57 Caucasian residents that experience segregation)
 - African American – 29 residents (48% of the total 61)(53% of the total 55 AA residents that experience segregation)
 - Hispanic – 6 residents (8% of the total 61)(50% of the total 12 Hispanic residents that experience segregation)
- 615 (59%) of the BSU stays were residents who have an IEP
 - Caucasian – 237 stays (39% of the 615 total)(46% of the total 518 Caucasian stays)

- African American – 319 stays (52% of the 615 total)(69% of the total AA stays)
 - Hispanic – 59 stays (9% of the 615 total)(88% of the total Hispanic stays)
- 5,240.77 (55%) of the hours of BSU usage were residents who have an IEP
 - Caucasian – 1,892.90 hours (36% of the total 5,240.77 hours)(41% of the total 4,647.89 Caucasian hours)
 - African American – 3,073.59 hours (59% of the total 5,240.77 hours)(70% of the total 4,410.98 AA hours)
 - Hispanic – 274.28 hours (5% of the total 5,240.77 hours)(69% of the total 399.4 Hispanic hours)
- 356 (60%) of the stays in the BSU for more than an hour in length were residents who have an IEP
- The total number of BSU stays that were over an hour in length and were a minor rule violation for residents who have an IEP is 190 stays (58% of the total 327 stays).
 - Caucasian – 82 stays (43% of the total 190 stays)(46% of the total 179 stays)
 - African American – 91 stays (48% of the total 190 stays)(70% of the total 130 stays)
 - Hispanic – 17 stays (9% of the total 190 stays)(94% of the total 18 stays)
- The total number of BSU stays were over an hour in length and were a major rule violation for residents who have an IEP is 165 stays (61% of the total 271)
 - Caucasian – 59 stays (36% of the total 165 stays)(48% of the total 123 stays)
 - African American – 99 stays (60% of the total 165 stays)(72% of the total 137 stays)
 - Hispanic – 7 (4% of the total 165 stays)(64% of the total 11 stays)
- 32 (54%) of the stays in the BSU for more than 24 continuous hours in length were residents who have an IEP
- The total number of BSU stays that were a result of probable/possible power struggle for residents who have an IEP is 421 stays (61% of the total 693 stays that are probable/possible power struggle).
 - Caucasian – 165 stays (39% of the total 421 stays)(68% of the total 243 Caucasians w/ IEPs)
 - African American – 210 stays (50% of the total 421 stays)(64% of the total 327 AA w/ IEPs)
 - Hispanic – 46 stays (11% of the 421 stays)(77% of the total 60 Hispanics w/ IEPs)
- Residents with 6 or more BSU stays per month with an IEP
 - November – 3 residents (50% of the total 6 residents)(2 AA, 1 C)(67% AA, 33% C)
 - December – 6 residents (67% of the total 9 residents)(4 AA, 1 C, 1 H)(67% AA, 16.5% C, 16.5 % H)
 - January – 8 residents (89% of the total 9 residents)(2 AA, 4 C, 2 H)(25% AA, 50% C, 25% H)
 - February – 7 residents (70% of the total 10 residents)(4 AA, 2 C, 1H)(57% AA, 29% C, 14% H)

- March – 5 residents (63% of the total 8 residents)(3 AA, 1 C, 1 H)(60% AA, 20% C, 20% H)
- April – 6 residents (86% of the total 7 residents)(3 AA, 3 C)(50% AA, 50% C)

ⁱ Performance-Based Standards for Juvenile Correctional Facilities, Fourth Edition, Commission on Accreditation for Corrections (2009), 4-JCF-3B-04 and 4-JCF-3B-10.