

Why NORCOR was worth our time

It's my belief that journalists, accustomed to asking questions, need to get better at answering them and explaining how and why we report the stories we do.

We ask you to trust the information we publish, and it's only fair to show how the work is done.

With that in mind, the East Oregonian is going to use space on a semi-regular basis to deconstruct a recently published article and explain how we chose our sources, sifted through data, verified facts, selected certain words and decided when it was ready to publish.

We will take nothing for granted. Decisions that seem obvious are sometimes the most worth examining. And we encourage further questions. The media is a tool for looking critically at the powers that be, and we must be willing to put our work up to the same rigorous evaluation.

We're starting with the article reported by Phil Wright and published Wednesday about the Northern Oregon Regional Correctional Facility's treatment of youth who are housed at the jail.

The story began when we were apprised of a report by Disability Rights Oregon, a federally designated advocacy group, after representatives toured the facility on several occasions and interviewed youth inmates.

The report was released last week but embargoed until Tuesday at 8 a.m., a

common practice for organizations intending to give media time to read a report, ask questions and do our own research before publishing.

We get reports and studies, news tips and press releases emailed to us nearly every day, and part of the job is deciding which merit the time, space and energy to follow up on. This report was appealing for several reasons.

First: The report's creator has direct access that journalists do not. The jail was required to let an attorney enter the facility and talk to the youth on multiple occasions. For privacy reasons and because the inmates are minors, a newspaper isn't even able to access the names of most of the juveniles held there, some of whom come from Umatilla and Morrow counties.

The organization also has a history of credibility. In March it published a similar report about the Multnomah County Jail that found similar methods for dealing with inmates suffering from mental illness.

And most importantly, the findings are relevant for the public to understand. We entrust a lot of funding and power to those who manage the criminal justice system — especially those who oversee children — and have a responsibility to examine how they are doing their jobs.

Once we decided the story was worth the time and attention, we got to work.



DANIEL
WATTENBURGER
Editor

What to publish, what to cut

Disability Rights Oregon in mid-November asked reporters if they were interested in a forthcoming investigative report on conditions at the juvenile jail in The Dalles.

Northern Oregon Regional Correctional Facility operates that juvenile detention facility, and sometimes Umatilla and Morrow counties send youth there for treatment, usually because they are defendants facing serious criminal charges. So I was interested.

The lawyer who conducted the investigation, Sarah Radcliffe, was available for interviews before the report went public Dec. 5. She and I talked over the phone the morning of Nov. 28.

What she said, and how she said it, convinced me this report would be news.

Radcliffe described a jail — sure, the inmates are 12-18, but they still are in jail — that relied on Puritanical rules and attitudes to make their young inmates behave. The kids there could get into trouble for looking out of windows, for keeping their hands above their waists, for not looking forward.

They did not get the amount of education state law requires, they faced hours of isolation a day, and if they broke rules that isolation could last weeks.

Disability Rights released the report to news organizations and others on Nov. 30,

but the report remained under embargo. That allowed me time to read all 37 pages and compile information from the report into a news story.

Radcliffe's report has plenty of stats and numbers, and I selected some. I didn't want to reproduce her report, after all, but give readers a sense of what was in it, of why she found conditions there shocking.

I also needed to get reactions from someone who would be a voice for NORCOR. That was its director, Bryan Brandenburg. He was not available until Tuesday at noon. I didn't want to publish a story without his side.

And because we're a local paper, I wanted to hear from public officials and others that have dealings with that juvenile jail. I didn't get to speak to every source I wanted to by deadline. Kara Davis, a local defense attorney, was one. She has represented clients who served time in the juvenile jail. I hope to work her words and insight into subsequent reports.

Because this story is not over. I had the first "follow" in Friday's edition. Another appeared Saturday. If Wasco County gets its way, an independent investigation will look into NORCOR in light of DRO's findings. If that happens, I'll follow it.

And if that investigation doesn't happen, I'll write about that, too.



PHIL
WRIGHT
Reporter

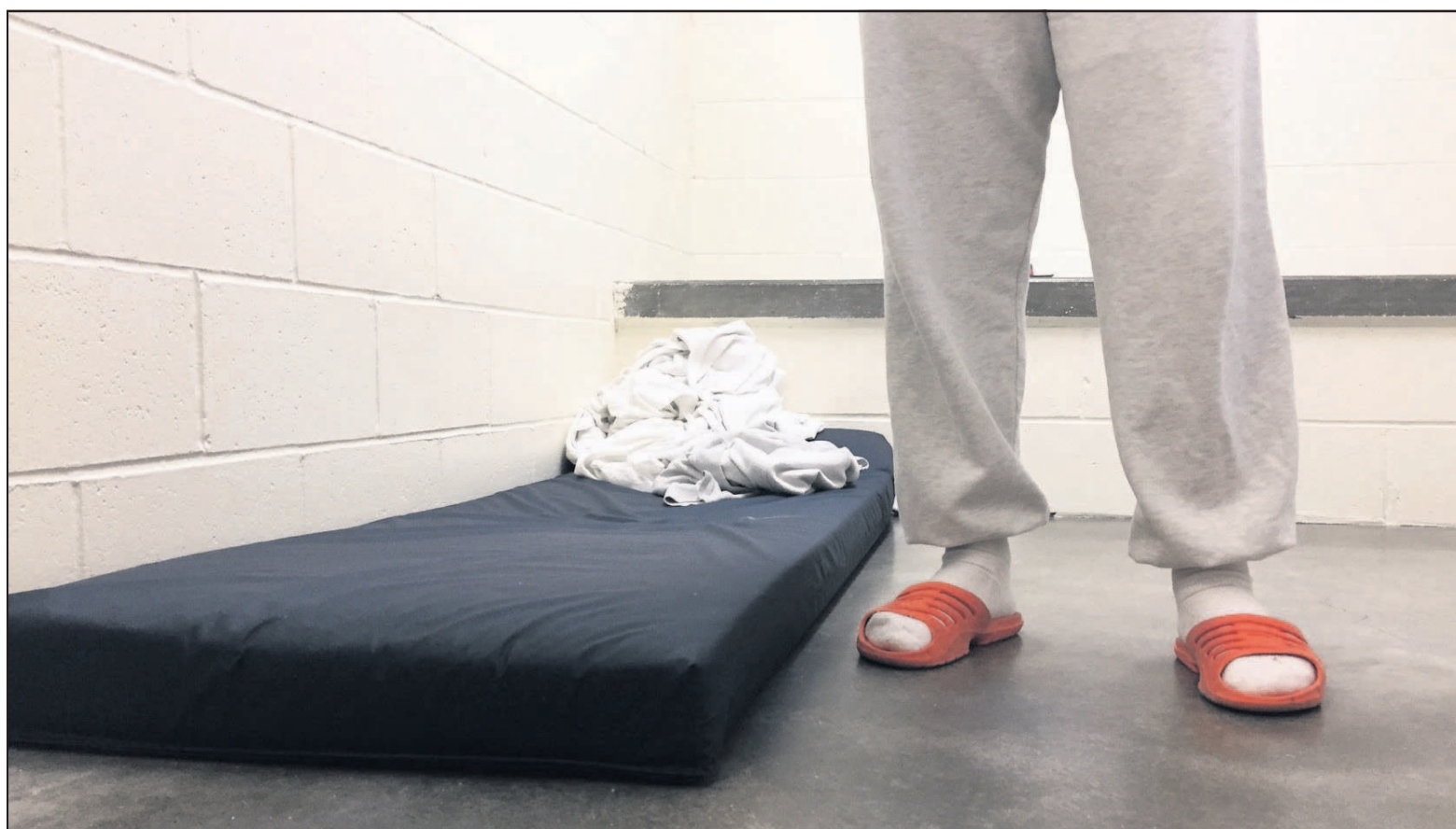


Photo contributed by Disability Rights Oregon

Isolation is a common experience for youth at the Northern Oregon Regional Correctional Facility, The Dalles, according to a new report from Disability Rights Oregon. NORCOR's director maintains youth there do not suffer inhumane treatment. 1

Youth in isolation 2

Juvenile jail accused of inhumane methods

Editor's note: This story was published in the Dec. 6 edition of the East Oregonian. It appears here in its original version but with annotation.

By PHIL WRIGHT
East Oregonian

Disability Rights Oregon in a new report accused the juvenile jail in The Dalles of skirting Oregon law and using inhumane means to punish youth.

The director of the Northern Oregon Regional Correctional Facility admitted the juvenile detention center can improve, but said in no way is the treatment there inhumane. 3

Disability Rights Oregon is the federally designated Protection and Advocacy System for Oregonians with disabilities, which grants the organization the authority to inspect jails and other facilities that care for or confine people with disabilities. Disability Rights attorney Sarah Radcliffe 4 visited the NORCOR juvenile jail on three occasions between June and September and interviewed 23 youth there, some who told her about long stays in isolation with little or no meaningful human contact, including youth who were suicidal.

"I was just really shocked by the conditions," she said. "Kids are getting disciplined for normal behavior, and some for mental health-related behavior."

Offenders as young as 12 faced discipline for talking in line or not looking forward, according to the report, 5 and most youth reported spending three to six hours per day locked in their cells. Youth could spend weeks "on disciplinary status," according to Radcliffe, in which they cannot participate in any group activities, have to eat alone, receive solitary education in their housing unit and cannot have phone calls or visits from family.

Radcliffe called NORCOR's disciplinary process "regressive and aggressive."

NORCOR also does not document how long youth remain in

isolation, a violation of Oregon law.

Dr. Ajit Jetmalani is the director of child and adolescent psychiatry at Oregon Health and Science University and a member of the statewide juvenile justice mental health task force. He said in the report the NORCOR juvenile detention facility "appears to be unaware of the neuroscience of adolescent development" that shows "the critical importance of attachment and sustained positive relationships" for juveniles.

"The key to recovery for these kids is not enforcing strict compliance with rules, but rather in forming healthy relationships that help to foster an intrinsic desire to engage positively with the world," he said. 6

NORCOR Director Bryan Brandenburg said that is what NORCOR is trying to achieve, and he disputed much of Radcliffe's report.

"The kids are not treated inhumanely," he said, "they are treated appropriately."

The facility provides programs such as self-esteem classes and drug treatment. NORCOR even offers yoga.

"We really are about teaching kids better behavior," he said. "We certainly don't punish, as she said in her report, nor do we treat them inhumanely."

Staff do place youth who are disruptive or who break the rules in disciplinary segregation, he said, which means isolation in their cell. But staff and mental health workers regularly check on youth in segregation, he said, "so they are not deprived of human contact."

But he admitted NORCOR had "silly" 7 rules for enforcing behavior and it was time to replace or change them, including prohibitions against looking around or looking out of windows during class. In the wake of Radcliffe's report, he said, those rules are gone. And NORCOR is installing clocks in easy-to-see places so youth don't have to ask staff for the time of day.

NORCOR also will do a better job of documenting how long youth are in isolation, Brandenburg

said, and he and Jeff Justesen, NORCOR's detention manager, are crafting grievance and appeals processes for youth who get into trouble. Oregon law requires juvenile jails to offer a hearing prior to imposing "roomlock" in excess of 12 hours or denial of any privilege in excess of one day. Inmates in Oregon's state prisons can file complaints against staff and file appeals for discipline, Brandenburg said, and youth in NORCOR should have those same rights.

And youth in isolation now can have journals and safety flex pens in cells, as well as phone calls and visits.

Brandenburg was at a business trip and not in his office Tuesday, so he said his numbers were from memory, but two years ago NORCOR averaged 19 youth offenders a month and that has dropped to 15 a month. There were a total of 276 youths booked into the jail between January and October and six are in the facility now. NORCOR does keep youth longer than other sites, he said, but that is due to the programs it offers.

"We are one of two detention centers in Oregon that have those programs, so they are sent to NORCOR to complete those programs — 30-day and 90-day programs," he said. 8

Umatilla and Morrow counties are among 17 Oregon counties that send detainees to the juvenile facility, along with the Warm Springs Indian Reservation and counties in southeastern Washington. The U.S. Immigration and Customs Enforcement sends youth there from throughout the country.

Dale Primmer is the director of Umatilla County Community Justice, which oversees services for juvenile offenders. He said the county rents two beds as needed per day from the facility and the county has no one there now.

Those beds are for often used for longer stays, he explained, such as youth undergoing treatment in one of the facility's programs or a defendant facing serious Measure 11 crimes.

Primmer said he glanced through the Disability Rights report and could not comment on whether it was factual or not. County officers transport youth at NORCOR to court hearings, doctors and other appointments, but Primmer said he has not heard if any inmates complained about their treatment.

He also said if NORCOR's treatment of youth is inhumane, he would confer with county commissioners and law enforcement partners to determine options for incarcerating or monitoring youth. 9

County Juvenile Department Director Tom Meier didn't immediately return a call seeking comment, but Morrow County District Attorney Justin Nelson said youth defendants or their attorneys have not told him or his deputy about concerns at NORCOR. He added that does not mean the report is inaccurate.

The Pew Charitable Trust reported juvenile confinement dropped by half nationwide, but Oregon is moving the opposite direction. According to Radcliffe, only Wyoming incarcerates a higher percentage of its youth than Oregon.

Disability Rights Oregon made several recommendations, including guarantees from the Oregon's Department of Education that youth in NORCOR receive an appropriate education, to ending solitary confinement. Radcliffe's No. 1 recommendation is the creation of "comprehensive rules governing treatment and conditions at juvenile detention facilities."

Primmer said the lack of a consistent method of evaluating youth detention sites for best practices was a significant takeaway.

Brandenburg maintained Radcliffe "exaggerated for impact to dramatize a situation that is not as dire as she wants to portray it," but her report also shows NORCOR can do better.

"We are in the service business," he said, "so we will look at those recommendations we see as legitimate and valid and make an effort to address them."

1. We selected an isolation cell as the lead photo from nearly a dozen that accompanied the report. Prisons and jails will allow photojournalists behind the walls on some occasions, but because the jail is in The Dalles and we would likely not have been allowed the same kind of access, we opted to use a contributed photo. We also used another of the outside of the jail shared by *The Dalles Chronicle* to help set the scene.

2. Choosing the right headline is about generating interest while accurately representing the content of an article. We opted to emphasize the isolation found in the report. *The Oregonian's* headline was "Regional juvenile jail in The Dalles blasted as 'inhumane' in new report," while Oregon Public Broadcasting used "'Psychologically harmful conditions' for kids at NORCOR juvenile detention center."

3. The first two paragraphs set up the scope of our reporting, summarizing both the contents of the report and the response from the jail.

4. We spoke to Sarah Radcliffe before the full report was available to get an idea of what it would include.

5. The report included personal accounts from anonymous youth inmates, but for the sake of space and focus we opted not to include them in this story. We attached the complete report, as well as NORCOR's response, to the article on our website.

6. This line was taken directly from the report between two quotes attributed to Dr. Jetmalani. After publication, we were notified by a DRO spokesperson that the line was not his quote, but a summary of findings in the report. We corrected the story online and you can find a correction on Page 2A of today's paper.

7. We will sometimes select a single word, usually a powerful one, from a quoted source to summarize a description or explanation. The direct quote here was an answer to a question: "We're getting rid of those silly rules."

8. The first half of this article is based on nearly an hour of interviews with Radcliffe and Brandenburg and a full reading of the 37-page report. The second half focuses on potential impacts to our readership.

9. Days after the DRO report was released, Wasco County commissioners announced they would stop sending youth to the facility until an independent investigation is completed. The Oregon Youth Authority and Umatilla County followed suit a day later.

More online: For the documents used in this reporting, an audio interview with reporter Phil Wright about the process and updated stories about response to the report, visit www.eastoregonian.com