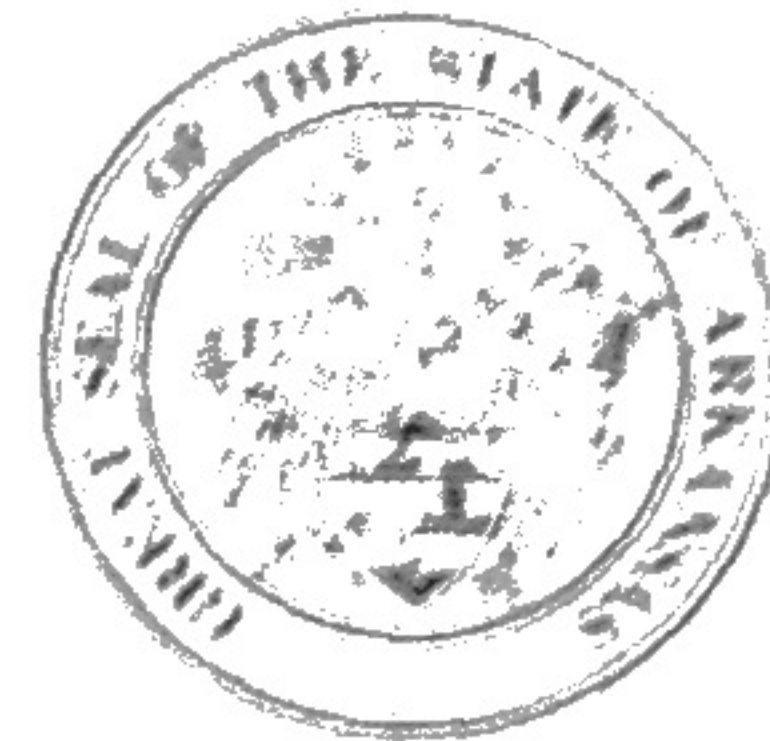




Division of Youth Services

P.O. Box 1437, Slot S-501 · Little Rock, AR 72203-1437
501-682-8654 · Fax: 501-682-1351 · TDD: 501-682-1355



September 29, 2014

Kristi Padgett, Director Yell County Juvenile Detention Center
4th & Atlanta Streets
Danville, AR 72833
VIA MAIL & EMAIL: ycjdc@arkwest.com

Sheriff Bill Gilkey, Yell County Sheriff's Department
P.O. Box 99
Danville, AR 72833
VIA MAIL & EMAIL: yellso@arkwest.com

RE: Improper Restraint at Yell County JDC

It has come to the Department's attention that your facility routinely utilizes a highly controversial and potentially dangerous restraint procedure known as the "WRAP" system. According to reports from the JJDP Compliance Monitor, and the Juvenile Ombudsman of the State of Arkansas, Yell County JDC staff has adopted a modified WRAP restraint process as a response to both major and minor disruptive conduct by juveniles. The WRAP restraint system itself has no known therapeutic uses. As modified by Yell County JDC, the system violates the recommended guidelines of the manufacturers, exposes the youth to ridicule and humiliation, and presents serious risk of harm to the juveniles in your care. Based on interviews with JDC staff and with juveniles, the Department has determined that juveniles placed in the WRAP restraint remain confined for two hours at a time, or up to four hours with a brief break.

This letter places you on notice that this system in its original form and as modified violates section II of the Memorandum of Understanding ("MOU") between DYS and the Yell County JDC, specifically the provision that placement of DYS-committed juveniles at the JDC should be considered therapeutic, not punitive. The system further violates the Arkansas Juvenile Detention Standards, sections 6-1012, 13-1001(G), and 14-1004, and so fails to comply with section III.2 of the MOU.

You are hereby directed to immediately cease and desist all use of the WRAP restraint on DYS-committed youth, and you are strongly urged to cease all use of WRAP on any juvenile in your care. You are further directed to submit a corrective action plan within thirty (30) days of the date of this letter to completely and permanently address the violations of the MOU described above.

Failure to submit an acceptable corrective action plan to this office within 30 days, or continued use of WRAP restraint on DYS-committed youth, may result in remedies outlined in section V.2 of the MOU, including withholding or reduction of payments, or termination of the agreement.

Yours cordially,

Tracy Steele

cc: Keesa Smith, DHS Deputy Director
Scott Tanner, Juvenile Ombudsman



Yell County Sheriff's Department
Chief Deputy
Capt. John M. Foster, Jr.
PO Box 99, Danville, AR 72833
Office: 479-495-4881 FAX: 479-495-4891

October 1, 2014

Tracy Steele
Division of Youth Services
PO Box 1437, Slot S-501
Little Rock, AR 72203-1437

RE: WRAP Restraint System

Greetings;

Sheriff Gilkey received your notice today that the use of the WRAP restraint system violates our Memorandum of Understanding with the Division of Youth Services as well as Arkansas Juvenile Detention Standards.

Sheriff Gilkey has directed that we are to comply with our Memorandum of Understanding and Arkansas Juvenile Detention Standards and has directed that all supervisors and staff immediately cease and desist from any use of the WRAP system on any juveniles that are held in our custody. I have issued that order in writing (copy attached) and have ordered JDC supervisors to surrender the equipment to our investigative division so that it will no longer be physically available at the Juvenile Detention Center.

We will be amending the JDC written policy & procedures manual to reflect these changes and will be implementing additional training for supervisors and staff in conflict resolution to deal with disruptive inmates.

Please also note that as of this week there has been a change in administrator over the facility and Robin Barefield will be acting as interim director. Sheriff Gilkey, Barefield, and I will be meeting with staff over the next few days and will be briefing them on these and other changes that will be implemented at the facility.

We would appreciate input and suggestions as to appropriate alternatives and training for staff.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Foster, Jr.", with a long horizontal flourish extending to the right.

Capt. John M. Foster, Jr.
Chief Deputy - Yell County Sheriff's Department



Yell County Sheriff's Department
Chief Deputy
Capt. John M. Foster, Jr.
PO Box 99, Danville, AR 72833
Office: 479-495-4881 FAX: 479-495-4891

October 1, 2014

TO: Yell County JDC Supervisors/Staff

RE: WRAP Restraint System

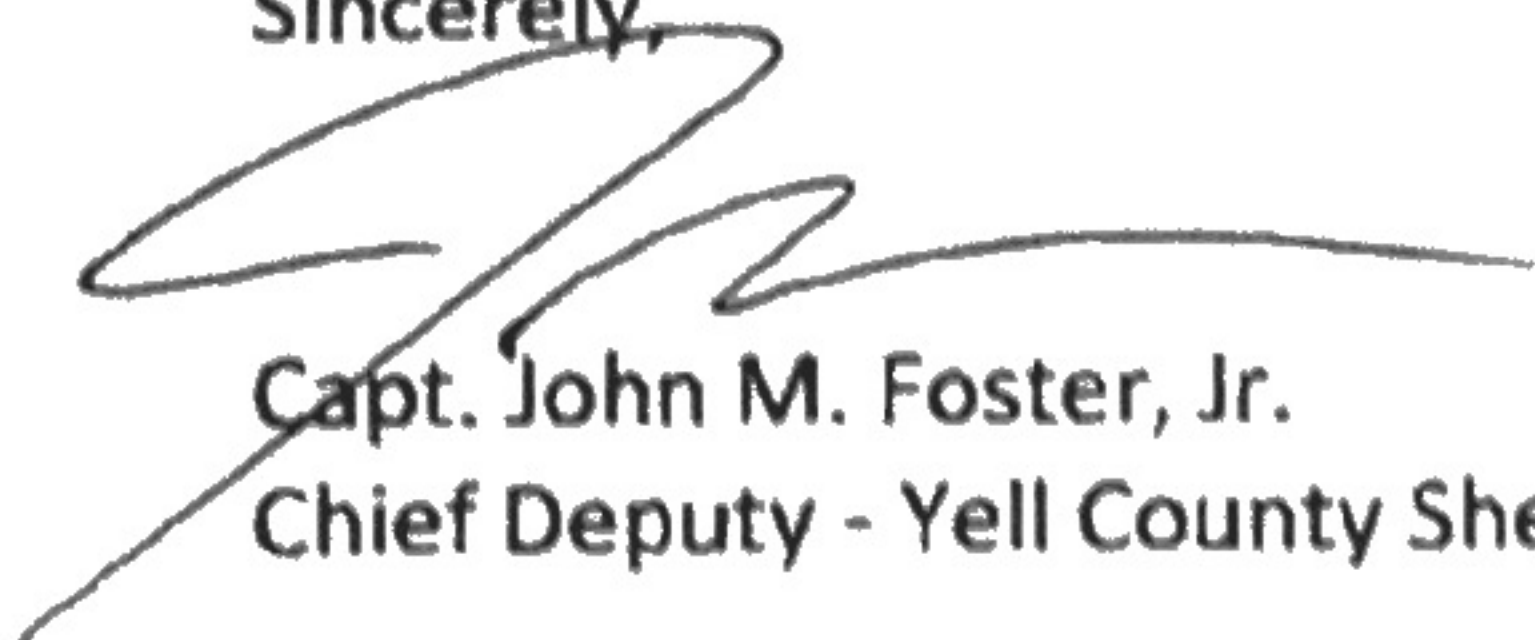
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Sincerely,



Capt. John M. Foster, Jr.
Chief Deputy - Yell County Sheriff's Department