

MASTER ACTION PLAN FACT SHEET

On December 14, 2007 the United States Department of Justice (DOJ) initiated an investigation into four New York State Office of Children and Family Services (OCFS) facilities: Tryon Residential Center (soon to be closed), Tryon Girls Center, Lansing Residential Center and Finger Lakes Residential Center. On August 14, 2009 DOJ issued a Findings Letter which concluded that certain conditions constituted violations of youth's constitutional rights to protection from harm and mental health care and treatment. On July 14, 2010 the United States and the State of New York entered into a negotiated settlement agreement before the United States District Court for the Northern District of New York.

One of OCFS' primary obligations under the Settlement Agreement was to submit a Master Action Plan (MAP) to address the settlement's agreed upon remedial measures. On September 14, 2010 OCFS' MAP was submitted to the United States for approval. On December 14, 2010 the MAP was approved by the United States without changes.

In general, the MAP outlines OCFS' plan and projected timeline to address each of the remedial measures contained in the Settlement Agreement. All policies, curricula and other materials implementing the MAP are subject to DOJ's review and approval.

Highlights of OCFS' plan of action under the approved MAP broken down by categories are outlined below:

Protection from Harm – Restraints and Use of Force

Overall review and revision of policies and curricula and training with regard to the following areas:

- Prohibiting use of excessive force.
- Developing a crisis management program.
- Emphasizing use of de-escalation techniques and use of force only in exceptional circumstances where a youth poses a danger to self or others and all reasonable de-escalation techniques have failed.

- Addressing special needs of youth in physical restraint situations.
- Responding to incidents in a manner that addresses, but does not escalate a given situation.
- Limiting use of force to that amount necessary to address the situation without escalating it.
- Requiring that all incidents, allegations of abuse, and allegations of staff misconduct are adequately and timely investigated by neutral, trained investigators.

Mental Health Care and Treatment

Overall review and revision of policies, curricula and training with regard to the following areas:

- Identifying youth with mental health needs.
- Providing adequate mental health services in a timely manner.
- Developing an integrated, appropriate and effective behavioral treatment program.
- Standardizing documentation for psychotropic medication.
- Monitoring the effects of psychotropic medication.
- Requirng treatment plans to be modified or revised as necessary.

Quality Assurance

Creating or modifying quality assurance programs consistent with generally accepted professional standards for all areas addressed in the Settlement Agreement.