

MINUTES OF THE SPECIAL STUDY COMMITTEE ON SOCIAL AND REHABILITATIVE
INSTITUTIONS

Held in Room 313-S at the Statehouse, at 12:30 p.m., on March 5, 1980.

Members present were:

Senator Robert Talkington, Chairman
Representative Joe Hoagland, Vice Chairman
Senator Mike Johnston
Representative David Heinemann
Representative Phil Martin

Staff present were:

Fred Carman, Revisor's Office
Emalene Correll, Legislative Research Department
Marlin Rein, Legislative Research Department
Ray Hauke, Legislative Research Department
Robert A. Coldsnow, Legislative Counsel

Conferees appearing before the committee were:

Darrel W. Ray, Ed.D., Psychologist and Coordinator, Youth Center at
Atchison
Sam Freeland, Superintendent, Norton State Hospital
Hildreth Hultine, R.N., Superintendent, Larned State Hospital

The Chairman called the meeting to order.

Dr. Ray appeared to speak to some of the problems at YCAA. His statement is attached (Attachment A). He expressed the hope that, after this committee's report is finalized, the administration at YCAA can be supported and staff can get on with the business of helping youth.

In discussion, Dr. Ray said a resident assistant superintendent for the Atchison institution would be a great help if he was given wide latitude. He did not think the center should be separate from Topeka, but a full-time administrator was needed.

Dr. Ray's and Mr. Heintzleman's team project was mentioned, the project being a plan of building the composition of the treatment teams. Dr. Ray stated he has worked very hard on it, but it will probably be another two years before it can be implemented. He gets discouraged because the plan needs the support of top-level administration, and there has been a lack of communication with the administrator at the center who has not given the matter his attention. Dr. Ray realizes the administrator cannot do everything, and a full-time administrator would be helpful.

In his statement, Dr. Ray mentioned two instances of nepotism at the youth center. He was asked to give these names and any others he knew of. He pointed out he did not want to imply these people were not doing their jobs or were not capable but listed them as Mr. Vigola, Youth Services Director, Mrs. Vigola, head YSW at Ivy Cottage, Mr. Schooler, director of Redwood Cottage, his wife who works under him as a YSW, Mr. Mercer, head of Sequoia Cottage, and Mrs. Mercer who works under him. Dr. Ray noted a previous experience he had in an institution in Tennessee where a new nepotism ruling was mandated requiring one family member to transfer within a year's time. This eliminated the nepotism problem at

that institution. It was noted that nepotism affects other staff.

In answer to questions from Senator Johnston, Dr. Ray said the Chief Social Worker and the Director of Child Care Services referred to in his statement were Mrs. Cameron and Mr. Vigola respectively. He understood the animosity between them had been going on a number of years. Mr. Vigola gives policies to his people and Mrs. Cameron gives directives to social workers with the two departments ending up at odds with each other. An example was that she will try to get a youth on pass, and he will try to hold him. Consequently, the youth gets caught in the middle. Dr. Ray said both Mrs. Cameron and Mr. Vigola answer to Dr. Kearns and are horizontal to each other in the organization structure. Dr. Ray does not think Dr. Kearns has had much support from the administration to resolve their problems. Dr. Ray understands Mrs. Cameron has told Dr. Kearns if he does not do his job right, she will see to it that he does not keep it long. In his opinion, it is hard to evaluate how serious this can be since her husband is part of the legislature. Dr. Ray said some of Mrs. Cameron's statements are hearsay, but he pointed out that she had interfered with his programs. Whether the hearsay is true or not does not seem to matter because other employees are affected by the animosity.

In answer to questions from Representative Martin, Dr. Ray stated SRS has taken no action on the Atchison problem during the 15 months he has been there. He takes great pride in his independence, and he has not discussed his testimony or written materials with anyone from SRS or the youth center. He feels he is still an outsider, free to criticize. However, Dr. Ray expressed the hope that no one would be the victim of his testimony including himself.

In further discussion, Dr. Ray stated he has had a great deal of experience in other states with delinquent youth programs where they were part of the Department of Corrections. He felt the present umbrella approach was best and would serve the needs of juveniles better. Under a Department of Corrections, most of the money goes for adults, and juvenile treatment gets set aside. There is also a lack of mental health treatment resources, and guards treat juveniles like hardened criminals.

Dr. Ray was asked how he was recruited for his present position. He replied he was a native Kansan and wanted to return to Kansas, so he recruited himself by writing to Secretary Harder who funneled the request through the chain of command.

Representative Heinemann requested Dr. Ray to find out what the KCVC training center has to offer for non-violent sixteen or seventeen-year old students. Dr. Ray said he would like to do this.

With respect to the impact of resident density at Atchison, Dr. Ray stated the larger cottages with twenty to thirty population have a definite problem, being so crowded it is difficult to have any sort of therapy. There is no problem at the smaller cottages with fourteen or so population. Dr. Ray agreed there was a potential for liability as a result of overcrowding.

Mr. Freeland appeared to answer questions and furnish information concerning the Norton institution. He stated the problems in western Kansas are different from those at YCAA. He stated the employees at Norton are

knowledgeable and caring people. He is kept advised of any problems by an active employee union. He submitted a letter (Attachment B) from a patient's parent requesting the legislature to fund an activity building for the Norton facility which Mr. Freeland felt was needed.

It was noted that Mr. Freeland had been a state employee for twenty-four years during which time he had worked at other hospitals. He was asked for recommendations, from an administrative standpoint, to improve the system. He said administrative training, with all department heads getting supervisory training, was a great help. He felt the recent recruitment of a full-time director for the mental health and retardation facilities also will be helpful.

Representative Martin noted that, in different mental hospitals in Kansas, people are diagnosed as being mentally retarded but are still housed in a state hospital. He asked how these people could be placed in the Norton hospital. Mr. Freeland said the problem lies primarily with the diagnosis of mentally ill or mentally retarded. If the diagnosis is mentally retarded, the patient can be transferred. He noted one-half of the patients at Norton are coming from mental hospitals. With respect to a time delay in admitting these patients, Mr. Freeland said the reason for the delay is because the Norton institution is full, and someone has to be moved out to community programs before others can be moved in. He pointed out that forty to fifty patients a year used to be placed in community programs, but this number gets smaller all the time because of the lack of community facilities. He added the community programs cannot deal with the type of behavioral patient they receive the same as the hospital can. Although the legislature has increased funds for these facilities, he felt it was difficult for them to operate and abide by the same regulations hospitals do. Representative Martin solicited Mr. Freeland's help in eliminating possible liability for the state where patients may be admitted to the wrong type of hospital.

The Chairman called attention to a Secretary's Letter 294 regarding acceptable behavior of employees which requires each employee to answer and sign a statement that they have read the letter and the department head had discussed the employee's rights with him. He asked Mr. Freeland if, as superintendent, he had experienced any resistance to this written SRS policy. He replied that he had. He met with all shifts where employees aired their concerns about signing this. He felt their concerns were mostly the result of erroneous information about getting fired if they made a charge or not having the opportunity to know who charged them with unacceptable conduct. He thinks his employees feel better about the letter since his meetings with them.

In answer to questions from the Chairman, Mr. Freeland said he was satisfied with his chain of command on the local level but has felt some lack higher up because there had been no full-time director of institutions. As far as his institution was concerned, he felt the management structure was adequate.

Ms. Hultine stated she had been at Larned eight months and has corrected some abusive situations such as the use of seclusion and restraints. These can no longer be used without a doctor's order. She noted the Dillon building was the most resistant to change. She found that the staff of this building has a penal philosophy, and she was not to in-

trude. However, she has had support from Secretary Harder and Mr. Keller. She has had two slapping instances where one employee was fired.

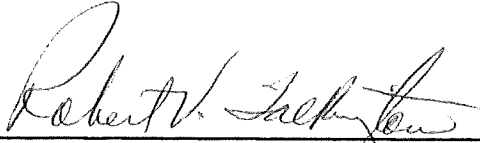
In making recommendations, Ms. Hultine did not think youths being rehabilitated for juvenile offenses should be housed with state hospital patients as they do not mix or belong in that setting.

With respect to the Secretary's Letter 294, Ms. Hultine said forty employees at Larned had objected to signing this. She did not know what their objections were based on since Larned already had almost the same policy.

Mr. Coldsnow asked Ms. Hultine if it was a policy at Larned if patients from other institutions were transferred into Dillon, another patient would be transferred or traded. She said this was not true except in penal cases since those two wards in Dillon are always full. There are vacancies in the other two wards.

Ms. Hultine stated this was her first state position having formerly been employed as a psychiatric teaching nurse at Hastings, Nebraska.

The meeting adjourned at 1:30 p.m.



Chairman

ATTENDANCE SHEET

3-5

NAME

REPRESENTING

TOWN

Pulliam

Ackman

Sawyer + 1

Hamm

Barton

Miller + 1

Cameron

WRITTEN COMMENTS BEFORE THE SPECIAL STUDY COMMITTEE ON
SOCIAL AND REHABILITATIVE INSTITUTIONS
Darrel W. Ray, Ed.D.

I have been associated with the Youth Center at Atchison for 15 months. During this time I have been engaged in development of programs for the long-term closed cottage (Kansan Cottage) and the designing and implementation of a major training effort at YCAA. Prior to my move to Kansas I had the opportunity to serve as Supervisor of Correctional Training for the State of Tennessee and as Treatment Coordinator in a major boy's institution. I have also served as organizational consultant for several institutions and organizations. I have recently completed research, and served as expert witness in the area of juvenile institutional overcrowding and treatment methods.

After 15 months I believe I can still speak as an outsider with regard to YCAA. While I have come to know the intricacies of this institution I have no roots in the history of the institution's problems. First I would like to give my view of the institution as an "outsider" and then address some of the specific problems of the institution with an eye towards constructive recommendations.

As you know the YCAA has a long history of poor professional and administrative leadership which the legislature moved to remedy when the Youth Centers at Topeka and Atchison were combined. However, the roots of this leadership crisis go deep in both the institution and the surrounding community. It has been abundantly clear to me that the strife of the past is very much alive in the recriminations this committee has heard from other witnesses. This is an institution deeply wounded by the negligence and malfeasance of the previous administrator. Although this administrator has been gone some three years, the marks of suspicion, ignorance and mistrust, are readily observed in the behavior of the staff. I have worked, observed, and trained in many different juvenile institutions but nowhere have I seen staff more dedicated to hurting or exposing one another.

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This problem is manifested most acutely in the long-standing animosity between the Chief Social Worker and the Director of Child Care Services, but is equally apparent in other areas as well. In my opinion, the substance of testimony given before you thus far seems less an indictment of specific individuals or programs and more the symptoms of an institution which will not let its wounds heal.

With regard to this committee's mandate to examine the management system and utilization of resources, it is apparent to this observer that the resources of this institution will continue to be wasted as long as individuals continue to squander their valuable talents carrying out petty espionage on one another. The legacy of the past administration and the more recent and somewhat inconvenient administrative combination of the institutions, has conspired to deprive the current administration of the ability to gain control of the institution and guide its programs.

With the exception of this present exercise in mutual recrimination, the administration seems to have made significant progress in recent months towards imposing order in a strife torn environment. I would attribute this improvement to several major changes in the institution. First, and most important, has been the implementation of what I consider to be the most progressive system for the development of Youth Service Workers of any state I am familiar with. This new system has given many staff new pride and higher community status for an often thankless job. The pride and status, as well as higher salaries, have enabled the institution to dramatically upgrade the quality of recruits for YSW jobs.

Second, has been the implementation of a uniquely comprehensive training program developed by Bob Heintzleman of YCAT. Again, I must say that this training system is far advanced over other state training systems I am familiar with. Its marriage of classroom work, intense supervision and broad institutional exposure, has already proven to be an effective tool for both development of new staff and screening of persons inappropriate

Third, the hiring of a full time staff member for supervision of Personnel procedures has brought focus and clarity to an area where intimidation and negative sanctions seemed the rule for supervision of staff. Since the hiring of Ms. Barbara Wiley some 9 months ago, there has been a heightened awareness among supervisory personnel of what good supervisory technique is and isn't.

Perhaps as a by-product of these positive changes we are seeing, for the first time, some of the underlying problems of the institution. Because of better utilization of personnel procedures and the YSW career system we are able, for the first time to pinpoint weak points in the institution and begin to demand better performance. The previous policy of hiring virtually anyone off the street and putting them to work without an hour of training has ceased, but we will continue to live with the consequences of that mistake until all staff are either properly trained or let go. Sure there are drugs on campus, as well as student intimidation and abuse, but also there are staff who spend most of their work time gossiping and abusing other staff, there are alcoholic staff and drug dependent staff. This is the product of a previous system of hiring and a previous administration. These problems are being positively addressed by the incumbent administration through mandatory training of tenured staff, close review of performance evaluations, and a better system of appeals for both staff and student grievances.

There are several problems that remain unaddressed at this time and will require attention at some point in the near future. Perhaps the most critical is the shortage of clinical staff at Atchison. It appears that not every effort has been made to recruit competent and well qualified staff, nor has the institution been able to keep professional staff. The treatment efforts of the institution have been severely hampered

by the chaos created through frequent changes in clinical staff and long standing vacancies. I would recommend a greater effort by the administration to advertise in professional publications and greater out-of-state recruitment.

Second on my list of problems would be the decided lack of training for top management and administration. It is well and good that a person has the minimum qualifications for administration, but these are no substitutes for an ongoing management and administrator development program. No major corporation would turn over a multi-million dollar division to a person without requiring regular training in the latest management techniques. What seems to suffice for administrative development in this system is regular attendance at conferences or other less than rigorous developmental efforts.

Third, while I think that the combining of the YCAA and YCAT campuses has been beneficial I believe the wide geographic separation of the campuses renders effective administration difficult. I would encourage the legislature to examine this arrangement in the future in an effort to streamline the administration of the two campuses.

Fourth, one unsettling legacy from the old regime is the existence of nepotism in the institution especially concerning persons supervising their own spouse or other relation. This exerts a very unhealthy influence on the institution, undermining the professional atmosphere of the various departments or cottages. I would encourage the committee to examine this problem in the course of your inquiry.

The fifty^h problem is that of continued encouragement of destructive staff behavior by a few persons tutored under the previous administration. I would recommend, and I say this only partially tongue in cheek, that this committee encourage the superintendent to find a room where the warring staff members may be confined until such a time as they settle

their differences in a constructive way. Until these people settle their grudges I believe it will be difficult for the institution to move ahead in an efficient manner.

Sixth, the vindictive and intimidating behavior of the Chief Social Worker must be brought under control by the administration. This influence has been the single most serious impediment to the progress of the institutional program. I rarely find personalities to be significant influences on environment. Environments are generally more powerful and resilient than any single personality. Unfortunately, this is not the case at YCAA. The negative influence of the Chief Social Worker far outweighs her importance as a department head. I am glad that this committee has offered assurances that employees will not be harrassed by the administration, but I do not perceive administrative harrassment as a problem. What I do perceive is continued harrassment, intimidation and threats from the Chief Social Worker towards the administrators and Youth Service Workers of the institution. I regret that it was necessary to say this but my experience leads me to no other possible conclusion.

As a native Kansan I am both proud and embarrassed, Proud that Kansas has such an illustrious history of child advocacy, that this institution has both a progressive and unique career and training system for YSW's; embarrassed that the state chose to neglect this institution for so many years and that the product of this neglect is now being aired in every newspaper and news station in this region.

In summary, what is most needed at this institution is healing of old wounds, encouragement of staff by those in charge of programming and training, and support of the administration by the legislature. With this accomplished, we can get on with the business of helping disturbed youth.

I sincerely hope that these comments will be of help to this committee

February 27, 1980

Rep. Mike Hayden, Chmn.
House Ways and Means Committee
State Capitol, Rm 514-S
Topeka KS 66612

Dear Representative Hayden,

This letter is an appeal to the House Ways and Means committee to carefully consider the action taken by the Senate Ways and Means committee which deleted the funds for an activity building at Norton State Hospital from the governor's budget.

I am a parent of a mentally retarded son who is a resident of Norton State Hospital, and I know only too well how urgent this need has become.

Year after year, legislation to improve conditions at NSH is by-passed, perhaps because the philosophy of community placement would indicate a reduction in institutionalized population--a good philosophy, and one I heartily support.

But year after year, the 200 residents at NSH are asked to "make do" with inadequate facilities, while the knowledgeable and caring staff there are severely limited in their efforts to provide a training program aimed at making these residents candidates for community living.

Time doesn't stand still for the residents of Norton while the legislature pursues its studies and investigations. Most of these residents have greater need for physical activities than the average person, even considering the current emphasis placed on physical fitness in the "normal world." Their limitations in coordination and motor skills could be alleviated with an improved intensive year-round program in adaptive physical education. In addition, these are young adults who would also enjoy, as their contemporaries anywhere do, winter schedules of volleyball, basketball, or other gymnasium sports.

I deplore the fact that my son must live in a hospital. (He is seldom ill.) No matter how gaily the walls are painted in an attempt to make surroundings pleasant, NSH remains a hospital. His frustrations which underly his aggressive behavior(which makes community placement for him only a dream in the distant future, if we are realistic) are surely amplified by the confinements of those walls.

As I understand it, the proposed building is the sort that would be adaptable to any use to which the state might choose to put Norton State Hospital, if, indeed, it should be phased out as a facility for the mentally retarded. It would not be wasted money, even if used by the present population for only three to five years(the time it would probably take to phase it out), because it would lend itself to, and probably be an important asset to any other program.

So, respectfully, I ask you to support the plan for an investigation with an eye to providing a "less restrictive environment" for the Norton residents. But let it not be an excuse for delaying any action to improve immediate conditions there. An activity building and increased direct services staff have been needed for many years, and to postpone these provisions once again would add another year's limitations in the training and general living conditions at the institution.

I hope that as individuals you will strive to set aside political alignments when considering this matter. The cost of this building will probably increase as another year passes. Money spent now for it would be an investment in program, with returns measurable by the enhanced quality of living of these handicapped individuals, and, perhaps, ultimately, even in dollars, as some of them become eligible for placement elsewhere, and the building, along with the entire facility, may be put to another use.

Sincerely,

Mrs. Page Benson

Mrs. Page Benson
Rte. 4
El Dorado KS 67042

cc: Gov. John Carlin
Members, House Ways and Means Committee