



Alabama Disabilities Advocacy Program
 Box 870395
 Tuscaloosa, Alabama 35487
 O (205) 348-4928
 F (205) 348-3909
 (800) 826-1675
adap@adap.ua.edu
<http://adap.ua.edu>

VIA EMAIL & U.S. MAIL

July 2, 2020

Mr. Jason Scrivner, Executive Director
 Sequel Youth and Family Services of Courtland
 349 Madison Street
 Courtland, Alabama 35618

Dear Mr. Scrivner:

As you are aware, the Alabama Disabilities Advocacy Program (ADAP) conducted a monitoring of Sequel Youth and Family Services of Courtland (Courtland) in February and March 2020. As will be discussed more fully below, our monitoring found children, some of whom are as young as twelve years old, housed in deplorable living conditions, subjected to physical and emotional harm, and deprived of meaningful therapeutic opportunities. In our monitoring we encountered a leadership staff which cavalierly downplays allegations of abuse or neglect and ignores basic health, safety, and environmental considerations.

I. INTRODUCTION

Courtland is a psychiatric residential treatment facility (PRTF) that serves some of the most vulnerable children in the state, almost all of whom are in the care of the Alabama Department of Human Resources (DHR). These are children who, having been abused or neglected, have been placed at Courtland for the treatment of mental health conditions which, purportedly, cannot be treated in the community.

Sequel Courtland is certified by the Alabama Department of Mental Health (DMH) and is under contract with DHR. The facility serves boys, between ages 12 and 18, who have significant emotional and behavioral needs and/or inappropriate sexual behaviors, many resulting from sexual abuse suffered before being removed from their families. Among the standards to which Courtland must adhere are DHR's Minimum Standards for Residential Child-Care Facilities (Minimum Standards)¹ and the Centers for Medicare and Medicaid Services (CMS) Conditions of Participation (CoP)². This monitoring report will detail multiple instances where Courtland violated various provisions of both sets of standards.

Four ADAP staff made multiple daylong monitoring visits to Courtland. ADAP staff toured the facility, met with Courtland staff, and interviewed almost all of the 41 youth residents. Each interview was conducted in private and, on average, the visits lasted for approximately 45

¹Ala. Admin. Code §660-5-37.

²42 C.F.R. Part 483 Subpart G Condition of Participation for the Use of Restraint or Seclusion in Psychiatric Residential Treatment Facilities Providing Inpatient Psychiatric Services for Individuals Under Age 21.

minutes. ADAP's monitoring is made pursuant to its federal authority to monitor programs serving individuals with mental illness as found at 42 C.F.R. §51.42(c).

Courtland is in a residential neighborhood in the town of Courtland, Alabama. The facility's buildings are run-down and inadequately maintained. (See Figure 1.) In the facility's administration building, a dismal entrance leads visitors into a small waiting area with only one dedicated private meeting room. On several occasions during our visit, we observed visitors, including DHR social workers, meeting with children in the open lobby or in an adjacent staff breakroom, a practice that violates the privacy rights of residents and is not permissible by DHR.³



Figure 1 Sequel Courtland entrance

II. CHILDREN'S CONCERNS

ADAP staff met with nearly all of the 41 boys residing at Courtland during our visits. Almost every boy reported numerous egregious concerns about safety (including physical and verbal abuse by Courtland staff), a lack of access to needed medical care, inadequate school services, horrible living and environmental conditions, and a lack of meaningful programming. Below, we highlight broad concerns and themes raised by the children in our interviews and provide detailed accounts shared by certain children.⁴

A. Safety – Physical and Verbal Abuse

Numerous reports from children reveal a systemic practice of Sequel staff unnecessarily and illegally restraining children, often violently.

- Multiple children reported being slammed to the ground by Courtland staff and held facedown.
- One boy described his head being caught on a nail in the wall during a violent restraint.
- One boy said he was picked up and slammed on his stomach onto the concrete.
- One boy who sat down with ADAP had visible gashes to his head. When asked what happened, the boy said staff slammed him against a wall the previous night.⁵
- One boy reported being "football tackled" by a staff after kicking a door.
- One boy said he saw too many injuries to recall them, all from restraints, like black eyes, broken hands, and a broken foot.

Over and over, boys told us,

"I don't feel safe here."

The above-described restraints strictly violate the CMS CoP. The CoP allow facilities to use restraint only as an intervention of last resort, and only in an emergency safety situation to prevent

³ Ala. Admin. Code § 660-5-37-.04 (15)(a).

⁴ Given the volume of information provided to and collected by ADAP monitors during their visits, this report is supplemented by Appendix 1, which contains additional children's statements and concerns.

⁵ ADAP initiated an investigation into this incident while on-site.

a resident from harming himself or others.⁶ Further, any restraint must be “performed in a manner that is safe, proportionate, and appropriate to the severity of the behavior, and the resident's chronological and developmental age; size; gender; physical, medical, and psychiatric condition; and personal history (including any history of physical or sexual abuse).”⁷ It prohibits any form of restraint used as a means of coercion, discipline, convenience, or retaliation.⁸ Further, a restraint must not result in harm or injury to the resident.⁹

Children also described being taunted by Courtland staff, being called names, and threatened. Boys reported Courtland staff making comments like:

“That’s why your stupid ass gonna get an ROL.”¹⁰

“You think you’re tough? Hit me! Hit me!”

“You ain’t never gonna be nothing, you gonna go to jail.”

A boy told staff, “I’m going to kill myself,” and staff responded, “go ahead.”

Staff reportedly made fun of a boy, who has a horrific history of sexual abuse, nicknaming him “Shitty.” Tearfully, a boy recalled staff making fun of his name, which is his deceased father’s name. Another boy said he cries in his room at night because he feels so unsafe. A number of children also reported feeling unsafe because they were being sexually harassed or targeted by other boys. For instance, one boy reported that “one of the boys shows his stuff and touches me inappropriately when we are in line. Staff do not believe me.” DHR’s Minimum Standards specifically prohibit verbal abuse and derogatory remarks about a child’s family.¹¹

B. Medical Care

Children reported numerous medical concerns including: 1) lack of access to medical treatment, 2) lack of access to dental treatment, 3) lack of access to eye care, and 4) lack of access to clean and adequate drinking water. The concerns reported by the boys indicate Sequel has failed to provide basic medical care to its residents as required by DHR.¹²

ADAP interviewed one resident who could barely see because his glasses were so badly scratched. Another resident reported needing dental treatment for an abscess in his mouth which had been causing him a great deal of pain. Another boy reported needing medical treatment for painful hemorrhoids. According to the boy, other residents bullied him saying that “he lets people rape him because he has hemorrhoids.”

⁶ 42 CFR § 483.356.

⁷ 42 CFR § 483.356 (b).

⁸ 42 CFR § 483.356(a)(1).

⁹ 42 CFR § 483.356(a)(3).

¹⁰ ROL is reorientation level. The staff is threatening the youth that he will be moved back to the first level of the facility’s behavior modification levels system.

¹¹ Ala. Admin. Code § 660-5-37-.04(9).

¹² Ala. Admin. Code § 660-5-37-.04(2), (3).

C. Education

Children shared concerns about school at Courtland, including: 1) lack of tutoring and or other help with school work when needed, 2) lack of grade-level school work and instruction, 3) lack of any school services when a teacher is absent, 4) lack of credit recovery to remain on grade level, 5) lack of computer access for school work, and 6) lack of job and/or career training. The concerns shared by the boys indicate a clear and profound failure by Courtland to provide appropriate education services. Multiple children discussed how students on different grade levels are in the same classroom; yet, they all do the exact same work and worksheets. One boy had already earned his GED and had a welding job before coming to Sequel; he now just attends school with no clear goal or purpose. Older students expressed a fear of what their future holds because there is no career or job training available. In describing Courtland's school, one resident stated,

"[i]t ain't real school."

D. Environment

Every single resident who spoke to ADAP discussed the squalid physical conditions of the Courtland facility. Complaints from the children included: 1) filthy conditions, 2) nasty bathrooms, 3) concrete slabs used as resident beds, 4) the lack of chairs on the units for the boys to sit in, 5) having to sit on the dirty floors on the unit, 6) being allotted only seven minutes to take a shower and perform hygiene (i.e. brushing teeth, combing hair, applying deodorant, etc.) or risk being punished, 7) having to drink water out of the sink, 8) mold in the bathroom showers, 9) roaches and rodents on the units and in the gym, 10) bedroom windows lacking proper seals to keep out the cold and heat, 11) inadequate lighting, and 12) noisy staff preventing residents from being able to sleep. The conditions of the facility, both as discussed by the children, and as observed by ADAP, violate numerous standards set forth by DHR.¹³ Many of these conditions, observed by ADAP, are documented in Section III of this report. A more exhaustive collection of Courtland facility pictures is documented in Appendix 2.

E. Personal Care and Programming

Many boys discussed how they feel unsafe and how the facility makes them feel worse. Residents spoke of: 1) feeling uncomfortable being around some of the other boys, 2) feeling degraded by being placed on the S-Track, 3) discomfort at having individual therapy sessions with another resident present, 4) the lack of activities and outings, 5) the lack of adequate food portions, 7) the facility's failure to honor a resident's food preferences, 7) staff talking negatively about residents among themselves where residents can hear, 8) the overall depressing and prison-like quality of the facility, 9) the lack of adequate clothing, and 10) staff vaping in the facility including in residents' rooms. Again, these concerns violate a number of DHR standards.¹⁴ One resident's overall description captures well the sentiments of both ADAP's observations and the majority of children living in this facility:

"It [Courtland] feels sad and broken down. I don't think any kids are safe here."

¹³ Ala. Admin. Code § 650-5-37-.05(1), (5), (6), (7), and (9).

¹⁴ See generally, Ala. Admin. Code § 650-5-37.

III. LIVING CONDITIONS

Children are housed in a single building that is in hazardous and poor condition. They are placed into one of two units located in separate parts of the building. Shared bedrooms provide each child with a single bed which is comprised of a concrete slab and surrounded by an old wood frame.¹⁵ (See Figure 2.) Almost all mattresses are thin and the bedding is very worn and dirty. Aside from the beds, there is no other furniture in the rooms; children either sit on their concrete beds or on dirty floors. There is no space to relax or hang out in the units. If staff bring a TV onto the unit, children are forced to sit on the floor or assigned tile squares in the hallway to watch.



Figure 2 Concrete bed slab

ADAP observed filth and safety hazards in almost every single child's bedroom, including protruding nails, broken wooden bed frames and window frames, broken floor tiles and broken hardware. One child showed ADAP how he intentionally cut himself with a broken window frame, using his own blood to draw on a window. (See Figure 3.) Another child left feces on the bedroom floor, smeared it on his walls and stuck it inside a window and broken door frame. (See Figure 4.) ADAP pointed out the children's blood and feces to Sequel staff; they were both still present during the follow-up visit.



Figure 3 Blood smeared on window



Figure 4 Feces on bedroom floor

¹⁵ Most children complained of back pain or the inability to get a good night's rest.

ADAP observed very few toys, and those seen were scattered about on dirty floors, (e.g., puzzles and Legos). Children's bedrooms are dimly lit and walls are barren. Dirty frosted windows shut out children from seeing the world. (See Figure 5.) These conditions exist, despite DHR requiring that children must be provided comfortable and attractive living spaces, with a comfortable mattress, appropriate linens, and personal possessions.¹⁶



Figure 5 Dirty bedding



Figure 6 Typical bedroom



Figure 7 Toys on dirty floor



Figure 8 Puzzles line wall on dirty floor

IV. RECREATION

Courtland's dedicated recreation spaces are unsafe and not adequately maintained. Indoor lounges are sparsely furnished and located in a building adjacent to the residential unit. No protective covering is provided between buildings – ADAP observed children walking in the rain wearing no rain jackets. The gymnasium is in poor condition, not air conditioned or heated, and glassless windows are covered with bars. Courtland's outdoor recreation spaces are not well-

¹⁶ Ala. Admin. Code § 660-5-37-.05 (6)(b).

maintained and offer no equipment or functionality. (See Figure 6.) DHR requires facilities to provide well-kept grounds and equipment that is safe and functional for play.¹⁷



Figure 9 Lounge



Figure 10 Gymnasium



Figure 11 Outdoor recreation space



Figure 12 Outdoor recreation space

V. SCHOOL SERVICES

All children attend an on-campus school in a small and mostly inaccessible building.¹⁸ It was reported to ADAP that 18 students receive special education services through an Individualized Education Plan (IEP).¹⁹ No transitional or vocational opportunities are available, as reported by staff and children. As noted above, numerous children described struggling in school and many

¹⁷ Ala. Admin. Code § 660-5-37-.05 (5).

¹⁸ Ala. Admin. Code § 660-5-37-.05 (1) (requiring that buildings be accessible to persons with disabilities in accordance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) or Uniform Federal Accessibility Standards (UFAS)).

¹⁹ The scope of ADAP's monitoring precluded any in-depth look at the sufficiency of the education provided students with disabilities who are entitled, under federal and state law, to a "free appropriate public education" which, among other things, requires that their programming be aligned with state academic content standards for the grade in which they are enrolled and that they are educated in their least restrictive environment.

said they receive limited direct instruction and are provided worksheets that are not on grade level. The school reportedly offers a web-based learning program with grade appropriate activities; however, children said access is frequently interrupted or denied. The deteriorating school entrance is dismal and inaccessible. (See Figure 7.) Inside, hallways are dark and narrow, and classrooms are small, windowless, and some had water damage. While on-site, ADAP observed a group of students watching a movie in the cafeteria during school hours because a teacher was out sick, a common occurrence as there is reportedly no system in place to provide a substitute teacher.



Figure 13 School entrance



Figure 14 Typical small classroom

VI. CAFETERIA AND POINT STORE

The cafeteria is quite large and equipped with tables and benches. The only grievance box on campus is affixed to a wall in the cafeteria; however, no grievance forms were available when ADAP visited.²⁰

A point store is located near the cafeteria. Children are reportedly provided a \$5 weekly allowance and can earn an additional \$2 through a complicated behavioral points system. Items in the point store are limited and sold at elevated prices (e.g., \$2 Capri Sun or water; \$1.50 cupcakes; \$1 chips).

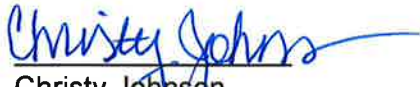
VII. CONCLUSION


ADAP's monitoring of Courtland reveals unsafe, squalid living conditions and a disturbing cultural and programmatic environment that further traumatizes extremely vulnerable children. Courtland fails to comply with many of DHR's Minimum Standards and CMS's Conditions of Participation, including its use of illegal and dangerous restraint and verbal abuse heaped on children by staff. Courtland leadership continually downplays or completely ignores its staffs' abusive practices, as reported by children and ADAP. We expect an immediate review of the concerns outlined in this

²⁰ Ala. Admin. Code § 660-5-37-.04 (20) (requiring access to a grievance system as determined by facility policy).

report and a meaningful written response, including a written plan of correction, within three business days. Please contact me if you have immediate questions about this report at 205-348-4928 or cjohnson@adap.ua.edu or Andrea Fannin at 205-348-0122 or alfannin@adap.ua.edu.

With regards,


Christy Johnson
Investigation Supervisor


Andrea Fannin
Case Advocate Fellow

Enclosures

cc: Starr Stewart, ADHR Director Resource Management Division (via email only)
Kim Hammack, ADMH Director of MI Community Programs (via email only)

APPENDIX 1

Safety

- Resident 11: Reports got 2-3 bruises in February after being hit by a peer. Says, "I don't feel safe here."
- Resident 11: Says other kids make "her" feel uncomfortable. "They try to watch me dress."
- Resident 11: Says is constantly touched, smacked on the butt.
- Resident 11: Says "she" doesn't receive real therapy. "My therapist just talks about me not running away with older males when I leave here."
- Resident 29: Got into a fight with a peer last year. "I was kicked in the face and sent out for stitches near my mouth."
- Resident 15: "I got in 2-3 containments in November."
- Resident 7: "Ms. Bogus cusses at kids. She said, "That's why your stupid ass gonna get an ROL."
- Resident 2: Mr. Porter tells kids, "Go ahead and tell ADAP, they ain't gonna do nothing!"
- Resident 2: Mr. Mills said, "You think you're tough? Hit me! Hit me!"
- Resident 18: Got stomped in the face by another kid - he got something stuck in his lip - staff "Pops" called for help but is too old to help.
- Resident 18: Removed wire from his glasses and shoved it into his arm and tried to commit suicide
- Resident 9: "I've seen too many injuries from containments - black eyes, a knot on the head, a broken hand, a broken foot."
- Resident 8: "I saw a kid's head get messed up."
- Resident 18: "Staff makes vulgar comments about a resident and to the resident. They call him shitty."
- Resident 26: "I don't feel like nobody here helps me except myself." "Staff are not good. They set you up, and then write you up, and then you lose points."
- Resident 26: "See lots of kids in fights." "Have seen staff put resident down before. Resident is lying on their stomach, face down, with staff on the resident's hands and feet."
- Resident 26: "I don't feel safe here."

- Resident 26: "Staff talk down to kids all the time. Staff say 'you ain't never going to be nothing,' 'you gonna go to jail' and 'sit your stupid ass down.'"
- Resident 20: "[another resident] is scared of some people because he is small. People try to fight him."
- Resident 20: Reported that one time when contained by staff, he was contained with his head against the wall and his head was busted when his head got caught on a nail by the air went on the wall.
- Resident 20: If he could fix anything at Courtland, he would fix "people not being slammed" by staff.
- Resident 10: "If kids get upset, they just get taken down."
- Resident 10: "Lots of kids they try to kill themselves here. I'm one of them. I've tried to commit suicide 10 times here. I've tried to hang myself 10 times." Reports not seeing a therapist after suicide attempts.
- Resident 6: "Don't feel safe here." "The place is so poorly run."
- Resident 6: The staff "curse and threaten the kids. Almost every single staff, across all shifts. Happens more with the younger kids. If I was their age, I would be in a dark place."
- Resident 6: "Just a little bit ago, dip was going around. Vapes were going around. I think it is a staff. My friend got it on an outing with staff."
- Resident 6: "Some staff let you fight off camera—in resident rooms." "Run 30' means do you want to fight?"
- Resident 6: Have seen staff smack a kid.
- Resident 30: "I got restrained. I got picked up and slammed on my stomach on the concrete."
- Resident 30: "Staff curse at the residents. It is upsetting."
- Resident 12: "staff liked to snap kids. I got slammed on the floor face down and got a knot on my eye. I got slammed down a 2nd time a few days later. Those staff are still here part time. Both times happened at school and it made me feel awful because other kids watched."
- Resident 12: Staff joke about me and make fun of my name which upsets me because it is my dad's name and he passed away.
- Resident 12: "there were lots of kids cutting, trying to commit suicide, trying to escape, fights, staff making residents angry on purpose so they could contain them."

- Resident 12: "When residents have blankets outside in the hallway and are watching a movie, they cover up and they masturbate each other or give each other head under the blankets. Staff see it and don't stop it."
- Resident 19: Reports that S-track preys on the young B-track kids saying things like "You better keep that little one from over here or I'll snatch em up."
- Resident 19: Reports that S-track kids have touched the young B-track kids and that staff know.
- Resident 16: "Staff pick with you."
- Resident 16: Reporting on a fight "[Resident] started beating on [another resident] and staff did not intervene. They just stood there. Resident was crying. It was the kids that had to get [resident] off [other resident]."
- Resident 16: "Staff make me feel bad. They talk to us like we are idiots." "A kid will say 'I'm going to kill myself' and staff say 'go ahead.'"
- Resident 16: on restraints—Staff slam residents to the ground. Staff may lay on top of the resident, a staff across the resident's legs and a staff across the resident's middle. If it is a big staff, sometimes hear a resident saying "I can't breathe."
- Resident 15: "Do not feel safe."
- Resident 27: on containments—"they get you on the ground, on your stomach. 1 staff lays of the top part of your body and 1 staff is on your legs."
- Resident 14: Do not feel safe because "kids be doing sexual stuff." Reports that "1 boy shows his stuff and touches me inappropriately when we are in line. Staff do not believe me." Resident says he reported it to 1st and 2nd shift.
- Resident 14: Contained—staff put him "to the ground" in his room when he got upset after a resident had touched him.
- Resident 14: Has seen other containments with a kid put on the ground on his stomach and staff laying on top of the resident.
- Resident 4: "I've been slammed twice here."
- Resident 4: Bad staff—Ms. Jones, Coach Mills, Ms. Boggus, Dr. Walton.
- Resident 23: on containment—Coach Mills does "like a police containment." Other staff "hold you on the ground on your stomach. Some containments last an hour."
- Resident 24: Does not feel safe. He thinks about it every night. People threaten him. He as "cried so many times in his room." "Tried to commit suicide so many times here because he doesn't want to be here."

- Resident 17: "Staff cuss at us and tell us to go to our fucking room!"
- Resident 18: "I was jumped by 3 boys - hitting me. Staff didn't break it up and I got stomped in the face. I went to the emergency room to get checked for a concussion."
- Resident 28: "[resident] went in his room to use his coping skills. Staff pushed him and contained him on the floor."
- Resident 28: "I got contained for kicking doors."
- Resident 28: "Mr. Deaton used to throw us down and tackle us."
- Resident 28: "All staff cuss and are rude." Staff tell us to "Shut the fuck up! when we talk on our squares."
- Resident 8: "Some residents have sex with each other - sometimes in the shower or residents distract staff." "I hear about it and it makes me really uncomfortable."
- Resident 2: "Staff Ms. Bogus clinched her fists and told me, 'Get the fuck out of my face!' It caused me to have flashbacks from fights with my dad."
- Resident 2: "I saw Mr. Porter tackle [resident] on the unit. [Resident] was kicking a door and Porter said, 'Kick the door one more time.'"
- Resident 2: "I got slammed in the wall by Mr. Bates last night."
- Resident 1: "Staff say you ain't no leader!"
- Resident 1: "Mr. Orr choked out my roommate out of camera view." "I'm scared of him so I don't talk to him."
- Resident 1: "There used to be riots and gang fights." "I felt traumatized - I stayed out of the way." "I can't take loud noises - I would black out."
- Resident 1: "Ms. Bogus is demanding and used to scream, 'I'm gonna punch you in the mother fuckin throat!'"
- Resident 3: His roommate was upset because he couldn't talk to a therapist. Mr. Porter came and tackled him to the ground and [resident] started crying. "He couldn't breathe."
- Resident 5: "I got contained in January and had red marks on my face and neck for two weeks."
- Resident 5: Saw [resident] get stomped in the face by another kid. "He had something stuck in his lip." "Pops called for help because he's too old."
- Resident 5: "[resident] removed wire from his glasses and shoved it into his arm trying to commit suicide." "It took 8-10 staff to contain him."

- Resident 31: Says “some staff slam kids at Courtland during containments, but they let them up pretty fast”

Medical

- Resident 15: “I got the flu in January and all they did was give me Tylenol. They wouldn’t send me out and I was throwing up for like a week. I had a 102 degree fever.”
- Resident 15: “I keep asking to go to the eye doctor. I broke my glasses in 2018 and I never got new glasses.”
- Resident 22: “I’ve lost 10 pounds since I got here.”
- Resident 8: Supposed to have 4 wisdom teeth removed & 2 other teeth removed. Says it hurts to eat and he has a cyst in his mouth.
- Resident 8: Says he has stomach problems - the food causes him issues. “I had to go to the hospital for constipation.”
- Resident 2: Got slammed into the wall by Sequel staff - had knot on forehead - not assessed for concussion or provided medical care.
- Resident 3: “I have a spider bite on my leg. I saw the nurse, but she didn’t do anything. It hurts to walk and keeps oozing.”
- Resident 20: “I have cut my foot 5 times on the rusty bathroom door.”
- Resident 4: Needs glasses after his broke in January (2020).
- Resident 23: “We do meds in the bathroom to get the water out of the sink.”
- Resident 24: Reports that peers bully him, call him “fat ass”, and says he stinks. They say he lets people rape him because he has hemorrhoids. Needs a doctor appointment for hemorrhoids. Has reported the bullying to staff but the bullying does not stop.
- Resident 24: Needs new glasses, his are scratched/cracked/can’t see out of them. Has an abscess on his tooth and it hurts really bad. Has a big bubble on his gum.
- Resident 22: Says was supposed to go to the eye doctor but hasn’t yet.

Education

- Resident 1: “I have a learning disability - math is hard.” “It’s hard to focus in school - it’s hard to copy from the board. It gives me a headache.”
- Resident 2: “We’re given the same work even though we’re in different grades.”
- Resident 9: “Everyone works on the same exact worksheet. We get the same lessons every year. I’m not interested in the military, but every student has to take the test.”

- Resident 26: "I know it ain't real school." "They don't teach us stuff I think I should be learning." "Everybody (all grade levels) do the same work."
- Resident 20: "I had help in school before I was in facilities. I am not getting enough help now. Sometimes the teachers try to help but I still don't understand."
- Resident 6: Age 19, has a GED, had a welding job before Sequel, and now just sits in class.
- Resident 12: Different grades are in 1 classroom, but they are all doing the same work. There are no computers for us to use because kids keep going on porn sites and downloading music.
- Resident 5: Is 18 but has had no career prep or job training.
- Resident 24: "Don't get to use computers. They were taken up."
- Resident 17: Says he's struggling in all subjects - is behind a grade.
- Resident 28: "They teach everyone the same thing every year." Resident 28 is behind a grade.
- Resident 8: "I'm concerned about getting behind in my credits and not going to the 11th grade." "We're not allowed to use computers now because kids were watching porn."
- Resident 15: "There are 6-7 grades in one class." "I'm in 9th grade but I'm supposed to be in 10th." He thinks he was tested for special education but didn't qualify.
- Resident 2: "I'm supposed to be in 8th grade."

Environment

- Resident 8: "The bathrooms are nasty."
- Resident 8: "My bed is a slab - the mattress feels like concrete. My back and neck hurts." "Staff said that's motivation to get out of here."
- Resident 15: "We had to paint our rooms in November (2019)."
- Resident 7: "There's mold in the showers, and rats and roaches in our bedrooms and the hallway."
- Resident 13: "We don't even have chairs here. And we have a concrete slab for a bed."
- Resident 10: Has a room to himself which he likes but it "would be better if I had a desk, chair, and a lamp."
- Resident 6: "It is filthy everywhere here."

- Resident 6: Drinks water out of the sink. Have to ask staff to unlock the bathroom to drink water out of the sink.
- Resident 27: "The bed is a concrete slab. It ain't comfortable at all. And no chairs gets old."
- Resident 14: Get our drinking water out of the sink. No hand soap. Have to use toilet paper as paper towels, but they don't refill. Sit on the dirty floor in the bathroom to wait for shower.
- Resident 21: Reported that there was a gap in between the window and the wall (from previously being busted by another resident) and cold air comes when it is cold outside and hot air when it is hot. Also lights in his room had a strobing effect.
- Resident 4: "The living conditions are terrible." There is nothing to do on the weekends. We sit on the floor on the hall or sit on our concrete bed.
- Resident 23: Sometimes can't sleep at night because 3rd shift is so loud.
- Resident 23: "We have to sleep on concrete slabs. I already have back problems. I would literally give anything to have one of those purple mattresses you see on T.V."
- Resident 24: Reports that peers bully him, call him "fat ass", and says he stinks. They say he lets people rape him because he has hemorrhoids. Needs a doctor appointment for the hemorrhoids. Has reported the bullying to staff but the bullying does not stop.

Personal Care and Programming

- Resident 28: "I have anxiety attacks and they (peers) know about my past - it makes it worse."
- Resident 18: "I feel really degraded being on the S-track." "I am uncomfortable 24/7." "There is lots of sexual touching with the residents."
- Resident 23: on food: "Not enough food."
- Resident 20: Sometimes his weekly individual therapy is with another resident.
- Resident 10: on therapy--Sometimes another kid in my group goes to individual therapy with me.
- Resident 6: "Facility is a joke and a half."
- Resident 12: "I heard staff talking about me and saying I would act up and be here 2 years. It made me angry, but I didn't act up."
- Resident 12: Courtland used to have a timeout room but a kid hung himself in the timeout room and so they took the door off.

- Resident 12: Reports that the Navigators (S-track) are trying to seduce the young boys on B-track. They send them notes secretly because staff are not paying attention. S-track boys give young B-track boys candies for bribes.
- Resident 12: on grievance forms—Staff don't ever look at. Have to ask staff for grievance forms.
- Resident 19: "It [Sequel Courtland] feels sad and broken down. I don't think any kids are safe here."
- Resident 16: Reports that "the food is nasty."
- Resident 16: "Therapists don't do shit. I've been helping myself."
- Resident 16: "My depression is coming from here."
- Resident 16: There are no activities, nothing to do on the units. "Kids are bored out of their minds."
- Resident 27: reports that he does not eat pork and has communicated this to the Nurse, Dr. Walton, and the kitchen staff, but he is still served pork. He was told "to talk to dietary" but he doesn't know who that is.
- Resident 25: "Kid's don't feel safe her because of staff." Resident 25 witnessed one staff pick up a young resident by his neck and hold him up against the wall all the way up to the ceiling.
- Resident 23: Police have been out. One time, called out because a fight broke out in front of the building in the parking lot between S-track and B-track.
- Resident 32: on containments—reported that "some kids get aggressive, so staff have to gently slam them and get on top of them."
- Resident 17: Says he hasn't attended any therapy groups.
- Resident 28: "Staff don't let us play games on the unit much because there's not much walk space - it's cramped."
- Resident 28: "We don't sit in chairs on the unit." "Everything is broken, like windows and we sleep on a slab that hurts my back."
- Resident 8: "It bothers me to be in here with all these guys because they don't like what I like."
- Resident 22: "My social worker completed a clothing voucher, but it hasn't come yet. My pants don't fit."
- Resident 7: "Mr. Mills vapes at work in the office, the bathroom and other rooms."

- Resident 7: "I need shoes, underwear and socks."
- Resident 3: "I had to pass the GGI test before I could get any shoes."
- Resident 3: "The bed is like a prison bed - it's concrete."
- Resident 2: "A few times I had individual therapy with another kid."
- Resident 1: "I think Mr. Robertson got caught having sex in the janitor's closet with a nurse."
- Resident 5: "Our beds are concrete."

APPENDIX 2

I. RECREATION AREAS



Lounge

Television encased in locked wooden box



Lounge

DHR requires that buildings are equipped with sufficient, durable, attractive furnishings and appropriate to the age and size of the children using the building. See e.g., Ala. Admin. Code § 660-5-37-.05 (5)



Larger lounge

Observation camera missing



Lounge
Dirty tiles throughout



Small lounge
Sparsely furnished and not kid-friendly



Small lounge
Damaged ceiling tiles



Small lounge

Broken doorknob and missing door plate



Gymnasium

Dirty and dated

No heating or air conditioning

Glassless, screenless windows with bars

Reports of rodents, snakes & bug infestation



Gymnasium

Dirty floors and dated



Gymnasium

Glassless windows with bars

DHR requires adequate ventilation and screens for all windows unless the building is totally air-conditioned.
See e.g., Ala Admin Code 660-5-37-.05 (7)



Outdoor recreation space

Rundown, uneven and broken concrete



Outdoor recreation area

No recreation equipment, unattractive and not well-maintained

II. SEQUEL COURTLAND SCHOOL



Walkway to on-campus school
Uneven and inaccessible walkway



School building entry
Rundown, unsafe and inaccessible entrance



Typical small inaccessible school classroom



Water damage in classroom ceiling

III. SEQUEL COURTLAND CAFETERIA & POINT STORE



Cafeteria

Grievance box affixed to cafeteria wall
No grievance forms available



Cafeteria

Ceiling tiles damaged



Point Store

Few items available in store
Items sold at elevated prices

IV. SEQUEL RESIDENTIAL UNITS

Behavior Track (B-Track) Older



Typical residential hallway
Chairs for staff only



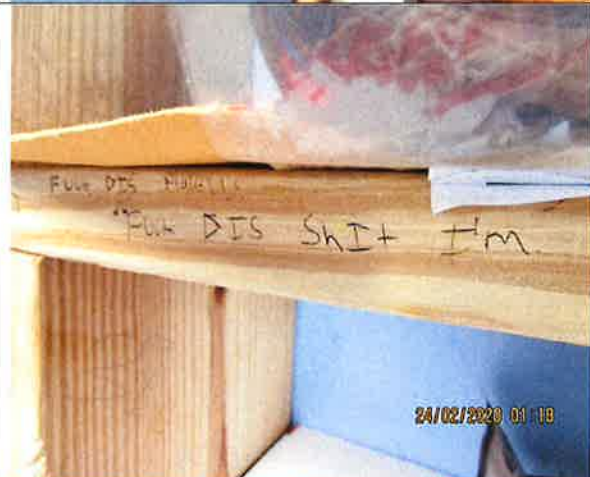
B-Track (Older)
Bedroom, 2nd Left

Entry



B-Track (Older)
Bedroom, 2nd Left

Protruding screw in old wood window frame
poses safety risk



B-Track (Older)
Bedroom, 2nd Left

Graffiti on cubby:
"Fuck Dis Place"
"Fuck Dis Shit I'm"



B-Track (Older)
Bedroom, 2nd Left

Dirty floors
Worn bedding
Thin mattress on concrete slab
Limited storage
Belongings on dirty floor



B-Track (Older)
Bedroom, 4th Left

No door; broken, dangling hinges
Worn bedding
Thin mattress on concrete slab
Limited storage
Dirty Floors



B-Track (Older)
Bedroom, 4th Left

Worn, non-personalized bedding
Thin mattress on concrete slab
Limited storage
Belongings on dirty floor

Behavior Track (B-Track) Younger



B-Track (Younger)
Bedroom, 1st Right

Worn bedding
Thin mattresses on concrete slabs
Limited storage
Dirty floors

	<p>B-Track (Younger) Bedroom, 1st Right</p> <p>Thin mattress on concrete slab</p>
	<p>B-Track (Younger) Bedroom, 1st Right</p> <p>Dirty concrete slab to support thin mattress</p>
	<p>B-Track (Younger) Bedroom, 1st Right</p> <p>Damage around windowsill</p>



B-Track (Younger)
Bedroom, 1st Right

Dirty floor and missing baseboards



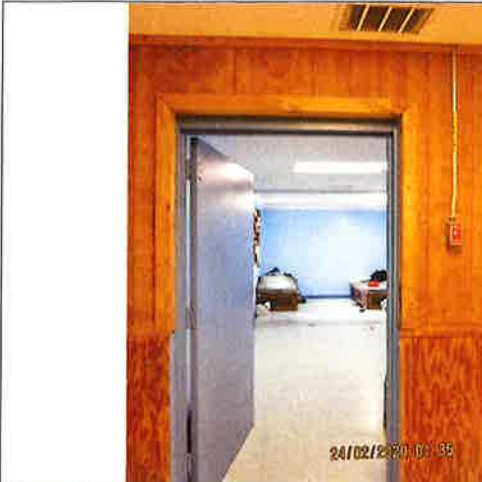
B-Track (Younger)
Bedroom, 1st Right

Glass shard, metal wire and broken pencil on
bedroom floor



B-Track (Younger)
Bedroom, 1st Right

Damaged door



B-Track (Younger)
Bedroom, 1st Left

Entry



B-Track (Younger)
Bedroom, 1st Left

Broken tiles & dirty floor



B-Track (Younger)
Bedroom 1st, Left

Belongings on dirty floor
Broken tiles
Cracked wall



B-Track (Younger)
Bedroom 1st, Left

Cards on dirty floor
Broken & missing tile



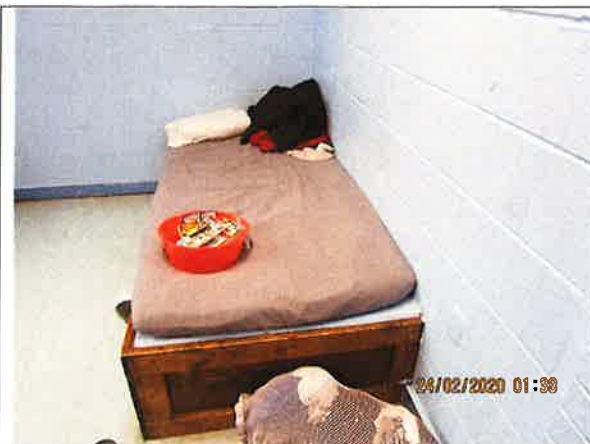
B-Track (Younger)
Bedroom 1st, Left

Pictures stuck in old wood panel



B-Track (Younger)
Bedroom, 1st Left

Graffiti on cubby



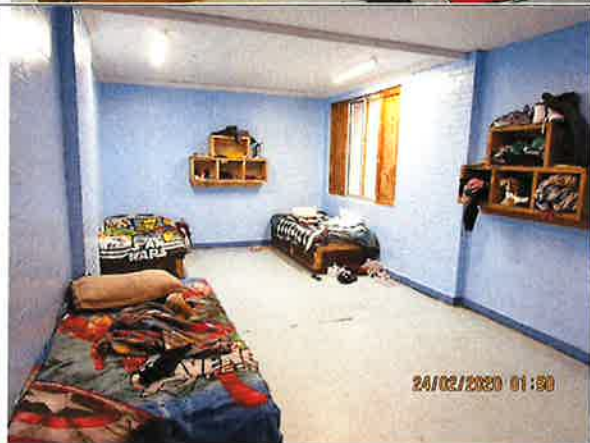
B-Track (Younger)
Bedroom, 1st Left

Non-personalized bedding
Thin mattress on concrete slab
Toys in tub on bed



B-Track (Younger)
Bedroom, 1st Left

Worn bedding
Thin mattress on concrete slab
Belongings on floor and bed
Old wood window & bed frame



B-Track (Younger)
Bedroom, 2nd Left

Dirty & worn bedding
Thin mattresses on concrete slabs
Limited storage
Personal belongings on dirty floor



B-Track (Younger)
Bedroom, 2nd Left

Exposed lighting
Dirty ceiling



B-Track (Younger)
Bedroom, 2nd Left

Dirty, worn bedding
Dirty floor



B-Track (Younger)
Bedroom, 2nd Left

Dirty pillowcase on child's bed



B-Track (Younger)
Bedroom, 2nd Left

Dirty floor with broken tiles
Child's "play area"
Toys on dirty floor



B-Track (Younger)
Bedroom, 2nd Left

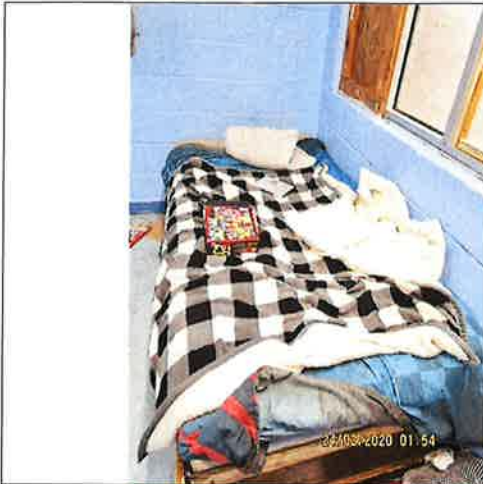
Broken wooden bedframe
Protruding, broken toothbrush



B-Track (Younger)
Bedroom, 2nd Left

Broken lock & padlocked door

	<p>B-Track (Younger) Bedroom, 2nd Left</p> <p>Dirty, frosted windows</p>
	<p>B-Track (Younger) Bedroom, 2nd Left</p> <p>Graffiti on damaged wood window frame</p>
	<p>B-Track (Younger) Bedroom, 2nd Left</p> <p>Broken/missing floor tiles</p>



B-Track (Younger)
Bedroom, 2nd Left

Dirty, worn bedding
Thin mattress on concrete slab
Old wood bed frame



B-Track (Younger)
Bedroom, 2nd Left

Missing tile and dirty floor



B-Track (Younger)
Bedroom, 2nd Right

Entry



B-Track (Younger)
Bedroom, 2nd Right

Worn bedding
Thin mattress on concrete slab
Limited storage
Personal belongings on dirty floor



B-Track (Younger)
Bedroom, 2nd Right

Graffiti:
"Fuck Sequel"



B-Track (Younger)
Bedroom, 2nd Right

Graffiti:
"Pussy Gang"
"booty gang"



B-Track (Younger)
Bedroom, 2nd Right

Broken light switch

Sexual Track (S-Track) Middle Hall



S-Track (Middle)
Bedroom, 3rd Right

Worn bedding
Limited storage
Personal belongings on bed & dirty floor
Thin mattress on concrete slab
Flickering lighting



S-Track (Middle)
Bedroom, 3rd Right

Toys in "play area" on dirty floor



S-Track (Middle)
Bedroom, 4th Left

Sparsely furnished
Mattress on concrete slab



S-Track (Middle)
Bedroom, 4th Left

Protruding nail near window



S-Track (Middle)
Bedroom, 4th Left

Graffiti and gang signs:
"666" "Folk" "bos"



S-Track (Middle)
Bedroom, 4th Left

Broken door - hole in frame



S-Track (Middle)
Bedroom, 5th Left

Entry



S-Track (Middle)
Bedroom, 5th Left

Dirty floors
Limited storage
Feces around windowsill



S-Track (Middle)
Bedroom, 5th Left

Papers and feces inside broken door






S-Track (Middle)
Bedroom, 5th Left

Feces smeared on wall

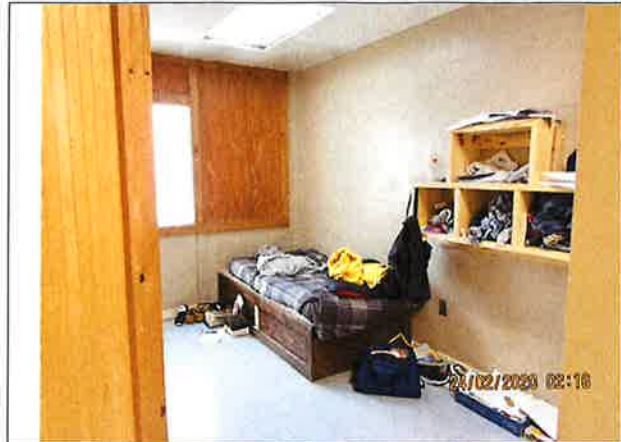


S-Track (Middle)
Bedroom, 5th Left

Feces on floor

	<p>S-Track (Middle) Bedroom, 5th Left</p> <p>Blood smeared on wall</p>
	<p>S-Track (Middle) Bedroom, 5th Right</p> <p>Resident's blood smeared on window Resident reported cutting himself with jagged wood frame and smearing blood on window</p>
	<p>S-Track (Middle) Bedroom, 5th Right</p> <p>Broken, jagged wood frame resident used to cut self and smear blood on window</p>

Sexual Track (S-Track) Older



S-Track (Older)
Bedroom, 1st Right

Worn bedding
Personal belongings on floor
Limited storage
Not personalized/institutional



S-Track (Older)
Bedroom, 1st Right

Entry
Worn bedding
Broken wood bedframe



S-Track (Older)
Bedroom 1st, Right

Dirty floors



S-Track (Older)
Bedroom, 1st Right

Missing door plate






S-Track (Older)
Bedroom, 1st Right


Damaged window frame



S-Track (Older)
Bedroom, 6th Right

Clothes on dirty floor

	<p>S-Track (Older) Bedroom, 6th Left</p> <p>Damaged door (inside)</p>
	<p>S-Track (Older) Bedroom, 6th Left</p> <p>Damaged door</p>
	<p>S-Track (Older) Bedroom, 6th Left</p> <p>Damage around windowsill</p>

 <p>02/24/2020 13:50</p>	<p>S-Track (Older) Bedroom, 6th Left</p> <p>Not insulated - light protruding through wall</p>
 <p>02/24/2020 13:57</p>	<p>S-Track (Older) Bedroom, 6th Left</p> <p>Light switch cover pulled from wall</p>
 <p>24/02/2020 13:57</p>	<p>S-Track (Older) Bedroom, 6th Right</p> <p>Entry</p>



S-Track (Older)
Bedroom, 6th Right

Missing door plate



S-Track (Older)
Bedroom, 6th Right

Writing on walls



S-Track (Older)
Bedroom, 6th Right

Broken air vent cover



S-Track (Older)
Bedroom, 6th Right

Dirty floor and missing tile



S-Track (Older)
Bedroom, 6th Right

Worn bedding
Thin mattress on concrete slab
Not personalized/institutional



S-Track (Older)
Bedroom, 6th Right

Broken and missing tiles
Personal items on dirty floor

	<p>S-Track (Older) Bedroom, 6th Right</p> <p>Inoperable light Operable light continually flickers</p>
	<p>S-Track (Older) Bedroom, 7th Right</p> <p>Entry</p>
	<p>S-Track (Older) Bedroom, 7th Right</p> <p>Worn bedding Thin mattress on concrete slab Not personalized</p>



S-Track (Older)
Bedroom, 7th Right

Missing door plate






S-Track (Older)
Bedroom, 7th Right

Patched wall



S-Track (Older)
Bedroom, 7th Right

Damage along wall

	<p>S-Track (Older) Bedroom, 7th Right</p> <p>Hole in wall</p>
	<p>S-Track (Older) Bedroom, 7th Right</p> <p>Plate cover pulled from wall</p>
	<p>S-Track (Older) Bedroom, 7th Right</p> <p>Graffiti "Fuck"</p>



S-Track (Older)
Bedroom, 7th Right

Cubby
Soap dish and papers



S-Track (Older)
Bedroom, 7th Right

Used band aides stuck on wall



S-Track (Older)
Bedroom, 8th Right

Worn bedding
Belongings on dirty floor



S-Track (Older)
Bedroom, 8th Right

Bag of clothes in corner on floor



S-Track (Older)
Bedroom, 9th Right

Worn bedding





S-Track (Older)
Bedroom, 9th Right




Damage around windowsill

	<p>S-Track (Older) Bedroom, 9th Right</p> <p>Old bedframe Dirty floors</p>
	<p>S-Track (Older) Bedroom, 9th Right</p> <p>Broken tiles, dirty floor</p>
	<p>S-Track (Older) Bedroom, 7th Right</p> <p>Entry</p>

	<p>S-Track (Older) Bedroom, 7th Right</p> <p>Dirty old wooden walls</p>
---	--

S-Track (Younger)

	<p>S-Track (Younger) Bedroom #23</p> <p>Entry</p>
	<p>S-Track (Younger) Bedroom #23</p> <p>Not personalized/institutional Personal belongings on floor</p>

	<p>S-Track (Younger) Bedroom #23</p> <p>No pillowcase Bedsheet only for bedding</p>
	<p>S-Track (Younger) Bedroom #24</p> <p>Entry</p>
	<p>S-Track (Younger) Bedroom #24</p> <p>Not Personalized/institutional Personal belongings on floor Limited storage</p>



S-Track (Younger)
Bedroom #24

Cracks in wall



S-Track (Younger)
Bedroom #24

Electric plate loose - exposed wires



S-Track (Younger)
Bedroom #25

Worn bedding
Not personalized/institutional



S-Track (Younger)
Bedroom #25

Broken door plate





S-Track (Younger)
Bedroom #26

Entry



S-Track (Younger)
Bedroom #26

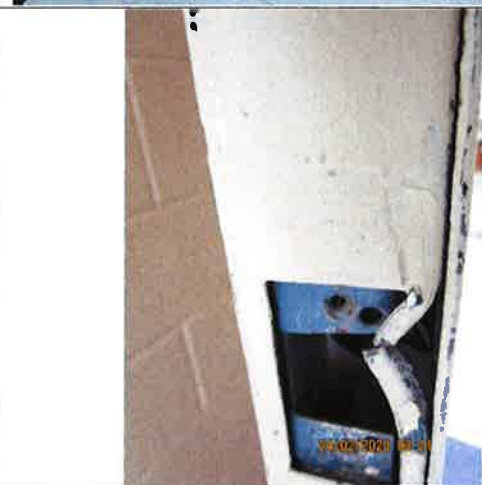
Not personalized/institutional
Limited storage

 <p>24/02/2020 03:14</p>	<p>S-Track (Younger) Bedroom #26</p> <p>Typical storage</p>
 <p>24/02/2020 03:14</p>	<p>S-Track (Younger) Bedroom #26</p> <p>Missing floor tiles School work on floor No desk or chair</p>
 <p>24/02/2020 03:20</p>	<p>S-Track (Younger) Bedroom #27</p> <p>Entry</p>



S-Track (Younger)
Bedroom #27

Worn bedding
Toys on floor
Not personalized/institutional



S-Track (Younger)
Bedroom #27

Broken metal near wall



S-Track (Younger)
Bedroom #27

Personal belongings on floor
Tile broken



S-Track (Younger)
Bedroom #27

Toys in windowsill
Frosted window






S-Track (Younger)
Bedroom #28

Entry



S-Track (Younger)
Bedroom #28

Puzzles lining wall on floor

	<p>S-Track (Younger) Bedroom #28</p> <p>Worn bedding Not personalized/institutional</p>
	<p>S-Track (Younger) Bedroom # 28</p> <p>Broken door plate</p>
	<p>S-Track (Younger) Bedroom #29</p> <p>Entry</p>



S-Track (Younger)
Bedroom #29

No door
Not personalized/institutional



S-Track (Younger)
Bedroom #29

Window with no view



S-Track (Younger)
Bedroom #30

Entry



S-Track (Younger)
Bedroom #30

Not personalized/institutional
Personal belongings on floor
Limited storage



S-Track (Younger)
Bathroom

Broken shower control
Not ligature safe

Excerpt from Sequel Montgomery's "Normative Culture/Guided Group Interaction (GGI) Manual", pages 28-29.

objective expectations that residents must complete before the Treatment Team can authorize a resident's successful completion of Sequel of Montgomery residential treatment program. It is designed to give residents guidelines for their behavior as they progress through the program. Levels in Sequel of Montgomery are based upon completion of tasks, competency (mastering an area), changes in thinking and behavior, development of victim awareness and empathy (sensitivity to others), and acceptance of responsibility. This is measured by residents completing treatment goals and objectives and as evidenced in behaviors. The length of time a resident remains on a certain level will be determined solely by their performance. Residents learn a sense of pride and accomplishment as they progress through the levels and additional privileges and responsibilities are awarded. In addition to completing listed assignments, residents are also expected to maintain the appropriate attitude and "focus" of each level. **Just because required written assignments are completed and required percentages have been obtained does not prove that a resident is ready to move to the next level.**

The Treatment Team decides level promotions each week. The Treatment Team will gather as much information as possible to make the best decision as to whether or not real change is occurring. Levels and/or privileges may be suspended or dropped depending on the type of acting out behaviors shown or lack of participation in treatment. Suspended privileges will be returned when the time of suspension expires. Dropped levels may only be re-earned by the resident after showing two consecutive weeks with no Risk Identification Report for inappropriate behavior, maintaining adequate daily expectations set by the Treatment Team, making behavioral changes recommended by the Treatment Team, and no PBR or RIR incidents.

GI GUIDELINES:

Residents are placed on and removed from GI through Treatment Team in writing, noted on Observation Sheet or notification through email by the ED, CD or UD.

1. **GI means that a resident is not approved to Interact with peers.**
 - She is expected to spend unstructured time completing supervised self-reflection activities (e.g. journaling, Re-Orientation Packets (ROL), reading, drawing, etc.).
2. **While on GI, a resident is required to remain 10-ft from all residents at all times.**
 - Exception: When doing so makes it impossible to participate in therapeutic activities or planned treatment activities, such as the following: group therapy, BLS, or guest speaker/volunteer/intern led activities.....If possible the resident should participate in activity with reasonable distance between herself and her peers.
3. **During school, residents on GI will sit where the teacher designates but is not allowed to interact with peers.**
 - Exception: As required during structured educational group activity or to meet requirements of an IEP.
4. **Residents on GI ARE NOT allowed to prompt peers or group.**
 - They can participate with peers only during direct billable services—BLS and therapist-led group therapy.
5. **While of GI, residents are only allowed to engage in therapeutic discussions with staff.**
 - In other words, **small talk with staff is not allowed**. Even therapeutic discussions must be minimal—only enough to support/encourage the resident.
6. **Residents on GI should stand and sit approximately 3-people away from the rest of the group when in line and/or on the "bus".**
7. **It is STAFF's responsibility to understand and enforce 10-Feet.**
 - Residents are encouraged to comply and to respectfully remind their peers to comply.
8. **Residents who violate GI rules will receive a Major PBR.**
 - The resident on **GI DOES NOT** receive a PBR for non-compliance with GI, but **can** receive PBR's for other rule infractions. Non-compliance can also result in extension of GI.
9. **Resident cannot make levels while on GI**
10. **Residents can only be removed from GI once Treatment Team has made a determination and if indicated in writing on Treatment Team Observation sheet or notified via email from Executive Director, Clinical Director or Unit Director.**

10 FEET GUIDELINES:

1. **It is STAFF's responsibility to understand and enforce 10-Feet.**
 - Residents are encouraged to comply and to respectfully remind their peers to comply.
2. **Residents on 10-Ft should sit approximately 2-3 people away from the person they are on 10 ft with when in line and/or on the "bus".**
 - Exception: When doing so makes it impossible to participate in therapeutic activities or planned treatment activities, such as the following: group therapy, BLS, or guest speaker/volunteer/intern led activities.....If possible the resident should with reasonable distance between herself and peers they are on 10 ft. with.
3. **During school, residents on 10ft will sit where the teacher designates but attempts should be made to separate residents who are on 10ft.**

Orientation Level

Central Focus: Assessment and Orientation

The purpose of this level is to introduce self-discipline, familiarize the resident with the program and encourage new efforts toward acceptance of responsibility. Upon the completion of the intake process the resident will be assigned a Peer Group, Primary Counselor, a Reporting Teacher and Therapist. The Peer Group will be responsible for orienting the new resident to the GGI and the group norms. The resident and her Therapist will work together to develop treatment goals.

Expectations of Orientation Level

"Compliant with staff requests and program norms"

What are the privileges on Orientation Level?

The Orientation Level Resident may:

1. Have all basic rights, including mail.
2. May make one 10-minute phone call to parent/guardian, allowed upon completion of admissions process.
3. One outgoing 8-minute phone call per week on scheduled call day. The resident may make no other calls, except in emergency and with prior approval. If a resident feels another call is urgent or necessary, she will speak with her Therapist. Collect calls are not allowed.
4. Participate in visitation with parent/guardian only as scheduled.
5. Have 10-pairs of clothing.
6. Have 1-pair of shoes.
7. Have 1-pair of shower shoes.
8. Have 1 family picture, 1 Bible, 2 personal books
9. Have 1 picture on wall.

Note: No toys, no hats/caps, no wallets, no electronics allowed on this particular level

Expected Behavior & Assignments towards Peer

The Orientation Level Resident will:

- Appropriately participate in Medical Health Care Screening.
- Appropriately participate in Psychological Testing.
- Appropriately assist in creating a personal Treatment Plan.
- Read the Resident Handbook.
- Pass the GGI test with an 80% or better grade.
- Attend school.
- Appropriately participate in all educational intake assessments.
- Take medications as prescribed
- Complete seven days of acceptable behavior, have appropriate behavior in school, and pass the GGI test with an 80% or better for advancement to the next level.



Community Level

Central Focus: Problem Awareness and Recognition



Alabama Disabilities Advocacy Program
 Box 870395
 Tuscaloosa, Alabama 35487
 O (205) 348-4928
 F (205) 348-3909
 (800) 826-1675
adap@adap.ua.edu
<http://adap.ua.edu>

VIA EMAIL & U.S. MAIL

August 21, 2019

Dr. Mahalian Boykin, LPC
 Executive Director
 Sequel at Owens Cross Roads
 318 Hamer Road
 Owens Cross Roads, Alabama 35763

RE: Sequel's Non-Compliance and Title XIX Medicaid Program

Dear Dr. Boykin:

The Alabama Disabilities Advocacy Program ("ADAP") completed monitoring visits to Sequel at Owens Cross Roads ("OCR") on 7/30, and 8/13 - 8/14. During these visits, youth reported to ADAP incidents which meet serious occurrence reporting requirements as set forth in 42 CFR § 483.374. However, ADAP's records show the most recent serious occurrence report submitted by Sequel OCR dates back to February 4, 2017.

As you are aware, in order to participate in the Title XIX Medicaid program and to receive Medicaid payment for residential psychiatric treatment services for individuals under age 21, Sequel must comply with **ALL** Conditions of Participation ("COP"), including reporting serious occurrences and the use of restraint and seclusion. Despite certifying, in writing, its compliance with the Centers for Medicare and Medicaid Services' COP standards, Sequel's failure to report serious occurrences contravenes its provider agreement. Sequel must report all serious occurrences, defined in 42 CFR § 483.352, to State Medicaid, ADHR and ADAP by no later than close of business the next business day after a serious occurrence. Failure to report precludes ADAP, the Alabama Department of Human Resources and Alabama Medicaid from providing essential oversight.

The following bulleted points summarize incidents youth reported to ADAP which meet serious occurrence reporting requirements:

Suicide Attempt

- [REDACTED] tied an object around her neck to kill herself. A peer found [REDACTED] under a bed and provided assistance; Staff transported [REDACTED] to the hospital.
- [REDACTED] slit her wrist. A peer reportedly stopped [REDACTED] from inflicting additional harm. Staff reportedly told [REDACTED] "You don't want to go to another facility because it'll be worse."

- [REDACTED] choked herself with an extension cord until a peer intervened. [REDACTED] was subsequently required to sleep in the common room on the floor at the time of ADAP's visit.
- [REDACTED] self-inflicted deep cuts on both arms, an act viewed as potentially lethal.

Serious Injury

- [REDACTED] ingested pen ink and contents of a lava lamp; Staff transported [REDACTED] to the hospital.
- [REDACTED] suffered a broken bone during a restraint in 2018.
- [REDACTED] was transported to the hospital by ambulance after suffering a seizure.
- [REDACTED] was transported to the hospital following reports of illness related to her diabetes. Staff reportedly administered [REDACTED] insulin without first obtaining glucose readings; the glucometer was reportedly inoperable and needing replacement batteries. Staff transported [REDACTED] to the hospital on June 16, 2019.
- [REDACTED] was transported to the hospital following an altercation with staff during which [REDACTED] suffered injuries. At the time [REDACTED] was voicing suicidal ideations.
- [REDACTED] was transported to the hospital following an altercation with staff during which she was struck in the head with a metal chair.
- [REDACTED] was transported to the hospital following a restraint by Staff, Mr. Rogers. Rogers reportedly told [REDACTED] "I am going to break your arm."
- [REDACTED] was transported to the hospital in response to multiple blood glucose readings over 400.

Please immediately submit to ADAP, Alabama Medicaid and the Alabama Department of Human Resources all incidents, retroactively from February of 2017, which meet the federal SOR reporting requirements. By way of this letter, ADAP is notifying Alabama Medicaid of Sequel OCR's non-compliance and thereby requesting an audit of Sequel's medical records.

Thank you for your immediate attention to this matter.

With regards,



Andrea Fannin
Case Advocate Fellow

cc: Kenny Roberts, Senior Vice President of Operations, Sequel Youth and Family Services (by email only)
Solomon Williams, Clinic Services & Mental Health Programs Associate Director, Alabama Medicaid (by email only)
Starr Stewart, Director Office of Procurement, Alabama Department of Human Resources (by email only)
Christy Johnson, Investigator Supervisor, ADAP (by email only)