

# **YOLO COUNTY JUVENILE DETENTION FACILITY**

## **Policy & Procedure Manual**

Adopted May 5, 2006

Revised: 10/23/2017

### **ARTICLE 5                      Classification and Segregation**

#### **SECTION 1357a                Chemical Agents**

**POLICY**                      Designated and trained personnel may carry and use Oleoresin Capsicum pepper spray while on-duty, within the confines of applicable law and this policy.

#### **PROCEDURE** -----

1. Who will carry:

The Chief Probation Officer shall designate those Detention Officers authorized to use Chemical Agents within the Juvenile Detention Facility. No other person, private or otherwise, is authorized to possess or use Chemical Agents within the Juvenile Detention Facility unless authorized by the Chief Probation Officer or his delegated representative in charge of the institution (12404 PC).

Although all staff will be trained on the proper use and follow-up in regard to the use of Chemical Agents, staff carrying Chemical Agents in their immediate possession will be limited to:

**Detention Officers who have successfully completed a Chemical Agent course approved by the Department of Justice (DOJ) and approved for use by the department, and Detention Officers who are current in their Management of Assaultive Behavior training, as described by the department policy and procedure manual.**

**Before using Chemical Agents, staff shall always consider use of alternatives rather than Chemical Agents and in any event shall always use the lowest level of force where they are most likely to be successful to ensure safety of staff and unnecessary injury to the minor.**

2. Justification for use:

Chemical agents may be used to control, restrain, or subdue imminent or actual violent behavior where such behavior presents a clear danger to staff, inmates, or other persons. Before using chemical agents, staff should always consider the use of alternatives rather than chemical agents and should use the least noxious alternative if that alternative does not significantly increase the risk of danger to staff or others. Chemical agents shall never be used indiscriminately, nor shall it be used in response to simple threats of violence, but may be used when there is a credible threat of violence coupled with a present ability to cause injury. Chemical agents shall not be used for punishment, retaliation, for disciplinary purposes or to achieve an administrative request. Rather its use is limited to control specific kind of unlawful behavior. The guidelines in regard to

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the possible use and/or common effects of chemical agents are posted throughout the Juvenile Detention Facility.

The shift supervisor should be consulted whenever possible before using chemical agents.

3. What type of chemical agent will be carried:

Currently, the Probation Department will recognize and authorize the use of Oleoresin Capsicum (OC) "Pepper" spray. Oleoresin Capsicum pepper spray is a known name used to describe a pepper-based resin in powder form. Canisters prescribed for peace officers are designed to be carried in a special holster with the spray head facing upward.

Additionally, the chemical agents used by this department must be certified by the DOJ as acceptable (12450 PC).

4. Guidelines regarding chemical agents

- a. Chemical agents shall not be used as an offensive weapon to persuade a person to move or act in a desired manner, nor to stop undesired conduct (examples include, but are not limited to noise, cursing, door banging, excessive room noise), which in and of itself does not amount to an immediate threat to the safety and security of the youth, staff, or the facility, or to affect an escape.
- b. Whenever conditions allow, chemical agents should be applied from a distance of three feet to ten feet to prevent injury to the eyes of the recipient.
- c. Chemical agents shall not be used when the person's violent activity is no longer likely to cause injury to another person, or escape.
- d. Only the chemical agents provided by the department and approved by the Department of Justice will be carried and/or used by staff of the Probation Department (12450 PC).

5. Common effects of OC:

- a. Inflammation to the skin similar to a burn—discoloration diminishes 10-45 minutes after decontamination.
- b. Eye tearing and involuntary closing. Eyes will be bloodshot, red for 30-60 minutes following decontamination. Contact and eyeglasses are equally affected.
- c. Temporary paralysis of the larynx, "can't talk."
- d. Uncontrollable coughing, retching and gasping for air with a gasping sensation in the throat.
- e. OC Exposure may cause a person to lose his/her balance due to the effect on their vision.

6. Maintenance:

- a. Proof of each employee's training for chemical agents will be held in the employee's training file. With this, Juvenile Detention Facility staff will NOT be authorized to carry any chemical agents off duty.

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- b. Chemical agents will be housed in a secure location within the Juvenile Detention Facility, and will be distributed at the beginning of each shift. Likewise, at the end of each shift, each Chemical Agent canister will be accounted for and visually checked for signs of damage by the shift supervisor.
- c. Juvenile Detention Facility staff will weigh the Oleoresin Capsicum pepper spray canister at least one time per month. If a canister needs to be replaced, the Supervising Detention Officer shall be notified.

### 7. Advanced Force Option use of Chemical Agents:

#### MK-9 Oleoresin Capsicum Pepper Spray

##### Use:

- The MK-9 may be assigned for use to; Supervisors, Seniors, Rovers, the Assistant Superintendent, and the Superintendent of the Facility.

##### Purpose:

- The purpose and use of the MK-9 is to control large group incidents and in any high risk safety and security situations; where the deployment and use are required to bring about control, restore order, and insure the safety and security of the facility, the Detention Officers, facility staff, visitors, and or the minors therein. Examples for use of the MK-9; will be for officer safety, control riotous behavior, escape attempts, individuals or groups with weapons, and or control group assaults.

##### Placement:

- The MK-9 will be worn at belt level, holstered, and its retention techniques will be that of the MK-4, as staff has previously trained on and found to be proficient in its retention. The unwarranted brandishing of any oleoresin capsicum spray canister will not be tolerated and will be deemed a use of excessive force.

##### Training:

- All officers assigned to carry the MK-9 will be required to complete and pass an updated training class in Chemical Agents for the MK-9. Where they will be required to train with the MK-9 and be knowledgeable of its tactical uses; along with use / don't use scenarios. The officers will be trained in the use and limits of the MK-9, space, distance, temperature, and proper area of application. Additionally, the officers will be evaluated as proficient before authorized to use and carry the MK-9.

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### 8. Training Course Outline:

- a. A two hour training course will be completed prior to authorization to carry the MK-9 canister. The training course will be facilitated by an STC and or P.O.S.T. certified Chemical Agent Instructor.
- b. The class will review the MK-4 and MK-9 canister specifications, ingredients, and components.
- c. Policy and Procedure: The Officers will review Article 5, Section 1357a of the Policy and Procedure Manual.
- d. Policy and Procedure: The Officers will review / put into practice all decontamination procedures, documentation, and notification procedures of the uses of O.C. Spray / use-of force options.
- e. The Officers will familiarize themselves and train with an inert canister of the MK-4 and MK-9. They will be tested during training to be knowledgeable; of its parts, holstering requirements, and be rated proficient, before being allowed to carry / use, this use-of-force option.
- f. Application techniques will be reviewed and tested during scenario training. The class will be trained on the policy and procedures of the use-of-force as applicable to chemical agents and the proper application techniques.
- g. Documentation of class completion and attendance will be placed in the staffs training personnel file.

### 9. OC Pepper Spray Sensitive

- a. Whenever possible, officers should avoid deploying OC Pepper Spray against youth who have the following known medical histories or profiles:
  - New intake without knowledge of OC protocol
  - Documented medical history of respiratory problems
  - Documented medical history of heart disease or related problems
  - Taking any psychotropic stimulant medication
  - Under the influence of stimulant narcotics (cocaine; methamphetamine, PCP, etc.)
  - Documented medial history of seizures
  - Medically obese
  - Pregnant

### 10. Medical Alert Tag, Yellow Wristband

Youth who admit to any of the above or are recognized as having the aforementioned characteristics shall be identified upon booking and tagged "medical alert" on the medical chart. In addition, the youth shall be issued a yellow wristband, to be worn at all times.



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### **ARTICLE 5                      Classification and Segregation**

#### **SECTION 1353                Orientation**

##### **POLICY**

All youths shall receive orientation to the facility prior to being placed in a housing pod. Arrangements shall be made to clearly communicate with those who are impaired, illiterate, or do not speak English. Both written and verbal information shall be provided.

##### **PROCEDURE**

Each youth detained in the Yolo County Juvenile Detention facility will be advised of the following:

1. The significant Rules of Conduct the youth will be expected to obey while detained in the facility and the disciplinary measures available to detention officers if the youth should violate any of those rules.
2. The following will be explained by the booking officer during the booking process in booking area:
  - a. Facility rules and disciplinary procedures
  - b. Grievance procedures
  - c. Access to legal services
  - d. Access to health care services
  - e. Access to counseling services
  - f. Access to religious services
  - g. Access to educational services
  - h. Information on the court process – At the time a youth is booked into the JDF following a lawful arrest, the booking officer shall inform the youth that an Intake Probation Officer will contact and interview him/her within twenty-four (24) hours of being booked into the facility. During the interview, the Probation Officer will assess the youth for release and determine if the youth will be taken before a Judge for a detention hearing.
  - i. Housing assignments
  - j. Availability of personal care items and opportunity for personal hygiene
  - k. Correspondence, visiting, and telephone use
  - l. Availability of reading materials, programs, and activities
  - m. Use of restraints and chemical agents
  - n. Use of Force
  - o. Emergency and evacuations procedures

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- p. Fair and equal access to all available services, placement, care, treatment, and benefits regardless of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.

3. Pregnant Youths – The pregnancy and abortion rights of female youths pursuant to Penal Code 4023.6 and Penal Code 4028 shall be posted on any unit and booking/intake that houses female youths in at least one conspicuous place to which female youths have access.

4. Any female youth who is currently breast feeding their newborn may continue while at this facility. A breast pump will be issued by the JDF Medical staff and milk stored appropriately. A family member or designated individual must make arrangements to retrieve the milk from this facility and transport it to the infant.

5. After the orientation has been completed, the youth will sign that he/she understands the information provided to them during orientation.

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### ARTICLE 7                      Discipline

### SECTION 1390                Discipline

**POLICY**                      Discipline shall be imposed at the least restrictive level necessary to promote acceptable behavior. Corporal punishment, group punishment, denial of basic rights, and cruel and degrading punishment, either physical or psychological, shall not be permitted.

### PROCEDURE-----

- A. Discipline shall only be used as a consequence of a youth's negative behavior and shall be imposed at the least restrictive level which promotes the desired behavior.
  
- B. Disciplinary measures shall not include corporal punishment, group punishment, physical or psychological degradation, or deprivation of such basic rights is not permitted. Deprivation of the following is not permitted:
  - 1. Bed and appropriate bedding
  - 2. Daily shower, access to drinking fountain, toilet and personal hygiene items, and clean clothing
  - 3. Full meals
  - 4. Contact with parents and attorney
  - 5. Items needed for personal hygiene
  - 6. Exercise
  - 7. Medical services and counseling
  - 8. Religious services
  - 9. Clean and sanitary living conditions
  - 10. The right to send and receive mail
  - 11. Education
  - 12. Rehabilitative programming.
  
- C. Rules of conduct and consequences for violations of minor and major rule violations shall be posted for all youths in each housing unit. This information shall be expressed simply and will be accessible to all youth, including youth with disabilities/special needs, limited English proficiency, and/or limited literacy regarding the discipline process.

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**Yolo County Detention Facility**

**2780E. Gibson Road**

**Woodland, Ca 95776**

**530-406-5300**



**Youth Handbook**

**Chief Probation Officer  
Brent Cardall**



## **Introduction**

This book contains information about rules, day to day operations, and services that are provided to you while you are in the Yolo County Juvenile Detention Facility. Our intent is to maintain a safe and secure living environment for you. We want you to understand what is expected of you and what you can expect from the staff and the program.

While you are here, you will be provided with clean clothing and bedding, receive three meal and one snack per day, participate in recreational and exercise programs, and receive daily showers and hygiene. Your parents and /or guardians may schedule visits with you and you can send and receive unlimited mail. Mental health and medical care are available, as well as religious services. You will receive educational services and are required to attend school Monday through Friday.

If you are unsure about the daily unit program or your future court dates, visits, public defender interviews, etc., **ask a staff member!**

### **Vision**

To provide effective and innovative services while improving lives and creating a healthier and safer community.

### **Mission**

To provide public safety and foster behavioral change.

### **Our Values**

- Commitment to community protection and service
- Commitment to supporting the needs of families
- Commitment to staff development, training and support
- Diversity
- Integrity
- Empowerment of staff to promote respectful and forthright communication
- Recognition of the potential for positive change in all people
- Recognition that staff are the department's most valuable resource
- Respect and support the dignity of all individuals

## **1. Your Rights**

In the JDF, you have basic rights that you cannot be deprived of. They are:

- A place to sleep. This includes a clean and useable bed or mattress, blankets, sheets, etc.
- Full meals of a balanced diet and scheduled snacks.
- Full complement of clean clothes and shoes.
- Items necessary for personal hygiene (soap, toothpaste, toothbrush, comb, etc.)
- Minimum exercise (an opportunity to exercise large muscles daily)
- Visits with your parents/guardians.
- Visits/telephone contact with your attorney
- The opportunity to send and receive mail
- The opportunity for a daily shower and access to a toilet and water as needed.
- The opportunity to attend religious services and or religious counseling of choice.
- Clean and sanitary living conditions.
- Medical care and mental health assistance.
- Access to reading materials.
- Advisement of the rules of the institution and your assigned living unit.

## **2. Grievances**

If you have a complaint about any condition of your confinement, including education, medical or probations care, you may resolve it informally by speaking to a staff member, or formally through written grievance process. While at the JDF, you will be treated with respect and dignity by all staff members. If you experience any staff interacting with you in an unprofessional manner, including using profane or derogatory language towards you, you can file a written grievance.

Grievance forms are available to you in your assigned pod. When you fill out a grievance form try to be as clear as you can about the problem and make sure that you include your name and date of the occurrence.

After you complete your grievance, place it in the grievance box provided in your unit. Grievances are collected daily. Someone may meet with you to discuss your grievance and you will receive a copy of your grievance that includes a response explaining the outcome.

## **3. PREA Prison Rape Elimination Act of 2003 (Public Law 108-79)**

PREA applies to all you and all staff who work at the JDF. The Probation Department is committed to providing a safe, humane, secure environment, free from sexual misconduct. There is a zero tolerance for sexual misconduct in the JDF. All sexual misconduct is a strictly prohibited. Retaliatory measures against someone who reports an incident of sexual abuse shall not be tolerated and will result in disciplinary action and/or criminal prosecution. Retaliatory measures included, but are not limited to,

coercion, threat of punishment, or any other activities intended to discourage or prevent an employee or youth from reporting any sexual misconduct.

#### 4. Visits

A. Visiting times: All visits are non-contact visits unless authorized by Supervising Detention Officer or Court-ordered.

1. A pod from 2:15pm to 4:30pm on Saturdays and Sundays.
2. B pod from 11:30am to 1:45pm on Saturdays and Sundays.
3. C pod from 9:15am to 11:15am on Saturdays and Sundays.

B. The visiting schedule for B and C pod shall be utilized when only two pods are in operation or occupied. Any visit that cannot be accommodated during the allocated time frames due to max capacity may be scheduled with the A pod visiting time schedule. All visits shall be non-contact unless authorized by a Supervising Detention Officer or Court-ordered.

C. Visitors consisting of lawyers, clergy, and court appointed visits will be allowed to visit from 8:00am to 9:00pm, seven days per week. Visits can be scheduled the same day, as long as openings are available.

D. Parents /Legal guardian/Court Authorized family visitors shall be required to schedule visits in advance with the youth by calling the facility during the week at 530-406-5300 Option 2, Monday through Friday between the hours of 8:00am and 4:30 pm. The scheduling office is closed for lunch between 12 pm and 1:00 pm.

E. Visiting guidelines for non-contact visits:

1. Visitors must have valid identification before being allowed to visit.
2. Authorized visitors include parents, legal guardians, and court-authorized individuals. Any other individuals authorized by a Probation Officer will require approval from the Supervising Detention Officer, Assistant Superintendent or Superintendent.
3. Visitors must adhere to the visiting rules and regulations of the juvenile detention facility. Visitors' behaviors and attire shall be appropriate to the standards of the juvenile detention facility's policies. Visiting rules and regulations will be clearly posted.
4. No siblings or other minors will be allowed unless authorized by a Court order or a Supervising Detention Officer.
5. During regularly-scheduled visiting hours, only authorized visitors will be permitted to enter the building, and only after being scanned via metal detector. If others are present, they must wait outside. The front lobby doors will remain locked from the outside, in order to ensure that only authorized visitors are permitted inside the facility. Central Control will maintain supervision of the front door/lobby area via camera, in order to ensure no unauthorized parties enter the facility. If someone does attempt access, Central Control will notify the Rover or shift supervisor who will address the issue as necessary.
6. Any person who knowingly brings items described below into a juvenile facility may be prosecuted under Welfare and Institutions Code, Section 871.5, and will have their visiting privileges revoked.

- a. Controlled substance (i.e., alcohol beverages, narcotics, drugs, etc.)
  - b. Fire arms, weapons, explosives, tear gas or tear gas weapons.
7. Any visitor suspected of being under the influence of alcohol or a controlled substance will not be admitted in to the facility and will be asked to leave the premises.
  8. The shift supervisor may deny or terminate a visit if it is in the best interest of the minor or the safety and security of the institution.

#### 5. Telephone Use

Each unit has pay phones for your use unless you're on discipline then it will be at the discretion of the Supervising Detention Officer. You may use the phone during open recreation periods or other times with staff approval. The phones are not available during school, showers, or meals. The amount of time for phone calls is controlled by staff. If several youth want to use the phones it will be limited to 15 minute calls each. Using the payphone in the unit is a privilege. You may lose that privilege for misuse of the phone. Misuse includes, using the phone without permission; not hanging up when you are told to; using another person's turn on the phone; damaging the phone; excessive disrespectful language; or making threatening or annoying phone calls.

#### 6. Mail

You will be given the opportunity to write and receive an unlimited amount of mail. (Mail includes letters and cards). All incoming and outgoing mail will be opened in front of you and inspected for contraband this can include threatening or inappropriate content. JDF will provide you with paper, envelope, and a pencil for writing letters. We will mail all your letters for you and you may write as many as you wish.

**There are some rules you must follow about letter writing:** You may not write to people in this facility or anyone incarcerated in another Juvenile or Adult institution. This includes note passing. You may not decorate envelopes. You may not communicate with anyone with whom you have been court ordered to have no contact. You must have your full name and return address on the envelope. The return address will be listed as follows:

**2880 E. Gibson Rd  
Woodland, Ca 95776**

If we receive information from anyone you have written to that you have threatened them, are planning an escape, are planning to commit a crime, are planning to be involved in a riot or otherwise endanger the safety of the facility, all your mail will be read completely. If your mail is being read, you will be informed, in writing, of the reason.



## 7. Haircut

You may receive haircuts while at the JDF. Your unit will have a signup sheet where you can request to be on the haircut list. The haircuts cost \$12 for each youth. In order for you to receive a haircut the cost will have to be received by administrative staff before the last Monday of each month. The haircuts will be done with an electric razor so no stylist or faddish cuts will be provided or allowed. Youths who are serving discipline on their designated haircut day will not receive a haircut and will need to sign up again to reschedule.

## 8. Clothing

You will be given JDF clothing to wear while you are here. You will receive clean underwear, shirt, socks, and towel each day. You will receive clean outer pants and shorts one (1) time per week. Pants are to be worn properly and shirts are to be tucked in at all times. No sagging will be allowed. No tight fitting or oversized clothing. All clothing will be worn properly fitted to your size.

All minors will receive the following clothing:

- 1 brown shirt
- 1 pair of white socks
- 1 pair of underwear to include a sports bra for females
- 1 pair of tan shorts
- 1 pair of long tan pants
- 1 gray sweatshirt
- 1 pair of shower shoes
- 1 pair of tennis shoes

The only exception to this dress code will be if you have been a Level 3 for 7 days you can choose to wear a green or pink shirt that will be provided to you by JDF staff.

Any excess clothing found in your room or on your person will be considered contraband and is prohibited.

## 9. Personal Square Space

All Youth shall be given the opportunity to [post personal pictures/paper items in their rooms. In each room by your bunk there is a personal square outline that you will use to post pictures/paper. All pictures/paper items must first be pre-screened and approved by staff prior to posting in your personal square. Youth will be provided with glue dots to post items on wall, these will be provided by staff within the unit.

Approved Items you may post are:

- Family
- Nature

- Education
- Art work
- Religious themes
- Inspirational Messages

Non Approved items you may not post are:

- Gang affiliated information such as art/numbers/are codes/hoods etc...
- Gang affiliated lyrics/poems/colors
- Any kind of Drugs, Alcohol and Sexually related items
- Weapons
- Violence
- Profane Language or cuss words
- Degrading/inappropriate themes against gender/race/ethnicity or sexual orientation

Disrespectful/inappropriate information of any kind will not be tolerated and you may receive a discipline if you post anything on the wall that a staff member did not approve of or would be considered a violation of JDF regulations. Furthermore, you are not to draw on the walls at any time or to use approved tape to stick items to walls this is considered damaging government property and will result in a discipline.

We encourage you to post items that will inspire you and encourage you to proceed into a successful. If you have one picture or fill the entire box we welcome any kind of material that creates hope and inspiration.

#### **10. Recreation and Exercise**

While at the JDF, you will have the opportunity to participate in recreational activities and exercise. On weekdays staff will attempt to provide you with 3 hours of recreation time. On the weekends staff will attempt to provide you with 5 hours of recreation time.

Each unit has a variety of board games, cards, dominoes, reading material and writing material. One hour of large muscle exercise will be provided on the recreation yard each day unless inclement weather in which case staff will conduct one hour of large muscle exercise inside. You will be expected to use the provided equipment properly. Your participation in the recreational activities may be restricted because of poor behavior or for security reasons.

#### **11. Programming**

Aside from school the JDF programs include:

- Victor Treatment
- Phoenix House
- Communicare
- Alateen

- YIIN
- YEP
- Boys Council
- Mi Presente Mi futuro
- Yoga
- Yolo Arts
- Church Services/Bible Study
- Teen Parenting
- Literacy Group
- Alcohol Anonymous
- Narcotics Anonymous

If you are interested in participating in any of the above programs, please let the staff know in your unit. A monthly program calendar is also posted in the living unit.

## **12. Medical/ Dental Care**

Medical care is available from 8 A.M. to 4 P.M. on weekdays and from 8 A. M. to 12 P.M. If you need to see a nurse or doctor, you will need to fill out a Medical/ Mental Health, they are the gold sheets located on the wall next to the medical station. Fill out these sheets with as much information as possible and place in the box. The nurse will see when she conducts sick call. If you are in need of an AIDS, STD, or pregnancy test fill out the medical slip and the nurse will direct your request. If you have a medical emergency please let JDF staff know immediately. Dental care will need to be arranged with an outside source either by your guardian or the facility. If you have a dental emergency please let JDF staff know immediately. Needed medication is dispensed through "Pill Pass" twice a day unless otherwise designated by medical staff. Rules of "Pill Pass" are as follows:

- You will be called by staff to go to the nursing station window to receive your medication one at a time.
- Your arms will be free of sleeves and hands free of any and all items.
- You will take your medication in front of medical and JDF staff then show them the inside of your mouth to insure the medication was swallowed.

Any minor that tries to "cheek" or take medication back to their rooms will be considered a safety risk and a behavioral reprimand will be conducted.

## **13. Mental Health**

We have Mental Health professionals available to help you deal with any crisis you may be experiencing. If you wish to speak to a Mental Health professional fill out the golden form

located on the wall next to the medical station. Check the box for Mental Health and the medical staff will put you on the list to see a professional. If you are currently taking medication or have taken medication in the past for mental health please let the nursing staff know and they can assist with having you evaluated by a Psychiatrist. All Mental Health records are confidential; but may be released by a Court Order or by a signed release of information by a parent or guardian.

#### **14. School**

The Yolo County Officer of Education operates Dan Jacobs School in the JDF. School is Monday through Friday from 8 A. M. to 2 P.M. You will be assigned to a program based on your individual needs. While at the JDF, you will earn school credits for participating in classes. If you do not have a high school diploma or GED you are required to attend school. If you do not attend school you will not receive your school points for the time frame you did not attend which are 0800-1100 hours or 1200-1400 hours. These

If you do not follow school rules you may be given a timeout or a school suspension. During a timeout you will be sent to your room for approximately 15 minutes. If you receive 3 timeouts this will be considered a missed period which will result in you not receiving any school points and you will be given an early bedtime. If you are suspended from class you will go directly to your room, you will not receive any school points for the day and could result in a discipline.

Between class periods JDF staff will allow you one at a time to go to the bathroom and get a drink of water. In the event of an unexpected need for a bathroom break during class you may take a personal time out but more than one of these during a class period without a medical condition approved by the nurse will result in a missed period.

#### **15. Religious Services**

Group religious services are offered on a weekly basis by Holy Rosary and Gideon's Army, services are optional and you are not required to attend. All youths are eligible to attend group services unless safety is an issue. If your behavior in the unit is poor and a supervisor does not allow you to attend group services, you can request to see the volunteer standing at your room door.

#### **16. Access to Legal Services**

You have a constitutional right to access your attorney and your attorney's representatives. Access includes: unlimited postage fees, legal correspondence and cost free telephone access as appropriate. Mail sent to and received from your attorney is considered privileged and confidential mail. Telephone calls and interviews with your attorney are also confidential. You



may gain access to your attorney by asking staff to call and leave a message or if available to talk to them directly when appropriate time allows.

#### **17. Voting Rights of Youths**

While in custody at the JDF, eligible youths may register and vote in local, state, and federal elections, via an absentee ballot. Eligible youths must be at least 18 years of age at the time of the election; a citizen of the United States; a youth of California; not in a prison or on parole for the conviction of a felony; and not be legally incompetent. Prior to an upcoming election, Supervising JDF staff will provide you with a voter registration form. Eligible youths may request assistance with completing the Voter registration form. Two weeks before the election, absentee ballots will be available to youths who have registered and are confirmed eligible to vote. Upon your release you should submit a change of address form to the Office of Voter Registration & Elections.

#### **18. Non-Discrimination**

Non-discrimination provisions that provide that all youths within the facility shall have fair and equal access to all available services, placement, care, treatment and benefits, and provides that no person shall be subject to discrimination or harassment on basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability, or HIV status including restrictive housing or classification decisions based solely on any of the above mentioned categories.

#### **19. ADA Accommodations**

Youth requesting ADA accommodations shall request accommodation by any of the following:

- a. Reasonable Modification or Accommodation Request Form (located in each pod)
- b. Verbal Request
- c. Third Party Request (requests from staff, family, friends, advocates, and etc.)
- d. Grievance (located in each pod)

Staff is available, upon request, to assist all facility youth in completing Request Forms. Staff shall be responsible to ensure all ADA requests are elevated to a Supervisor, Assistant Superintendent and the Institutional Service Director as required.

#### **20. Behavior Support Program**

1. Upon entering the facility youth will begin their stay on the Gold Tier and receive Gold Tier incentives from the time of their booking through the remainder of their first day in custody if behavior is acceptable. BSP tracking runs from 2200-2200 hours, spanning mid, day and swing shifts. The BSP is based on each youths behaviors being scored by staff and the end of

the each shift. Scores are determined on a daily bases. Youth may earn points but points are not taken away. Youths exhibiting unacceptable behaviors may not be eligible to receive points based on their behavior, or accumulation of behaviors, in each corresponding categories. Youth will be scored on nine pro-social categories.

**The Mid-Shift (2200-0600) consist of one category:**

- **Review of Behavioral Violations** for the past 24 hour period (2200-2200).
  - No rule violation- 2 points
  - Level 1 rule violations- 1 points
  - Level 2 rule violations-0 points
- Any level 2 rule violation will result in immediate removal from program and youth will be placed on Program separation/Special Program and will forfeit the opportunity to earn points for the remainder of the review period (ending at 2200 hours).

**Day-Shift (0600-1400) consist of four categories:**

- Room Inspection/Cleaning 0-1 point
- Participation in Breakfast and Lunch in Dayroom 0-1 point
- Attend morning period of school (morning recreation on the weekends) 0-1 point
- Attend afternoon periods of school (afternoon recreation on the weekends) 0-1 point

**Swing –Shift (1400-2200)**

- Participation in Mandatory Program time 0-1 point
- Participates in dinner in the dayroom 0-1 point
- Showers/hygiene 0-1 point
- Recreation/line movement 0-1 point

Each of the categories are evaluated and staff members work as team to assign a pint value that reflects if the youth met or did not meet criteria for each behavior category/task. Staff shall fairly evaluate each youth based on their actual behavior and participation in each category on the BSP Record. Youth achieve Gold (9-10 Points), Silver (7-8 points), and Purple (6 or less Points) tier status based on the BSP point allocations met each day.

**Gold (9-10 points)**

2100 Bedtime

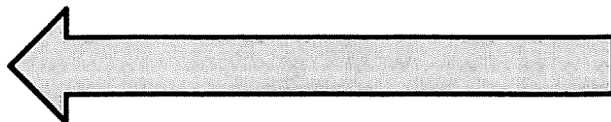
Eligible to assist with special projects

Receives extra snack with lunch

Permitted to play x-box and foosball during game/recreation time

Weekend incentives

- Participates in movie night (also receives popcorn and beverage)
- On weekend day that is not movie night, youth receives cup of noodle snack



**Silver (7-8 points)**

2000 Bedtime

Receives extra snack with lunch

Weekend incentives

- Participates in movie night (also receives popcorn and beverage)



**Purple (6 or less points)**

1900 Bedtime



\*\*\*Color tier status expires at 2200 hours at which time each youth is eligible to earn a new tier. The only exception is youth who are on Program Separation; these youth have individual plans for program reintegration

**21. General Rules of Behavior**

- Follow all directives given by staff;
- Attend school daily;
- You must keep your room clean, free of trash, food and bed made;
- You may not cover windows, vents, intercoms, and/or lights in your room;
- Do not write, draw or carve on the walls/surface of your room;
- You are not allowed any writing tools in your room if you are caught with one it will result in a discipline;
- You are required to shower and perform personal hygiene daily. Hygiene items will be provided for you after each meal and will be returned to JDF staff before school and recreation;
- Hygiene items provided are toothpaste, toothbrush with cover and if needed a comb or pick;
- Do not give away or trade food;
- During line movement there is no talking, shirts must be tucked in and hands must be placed behind your back;
- Do not leave your assigned seat in school or recreation without JDF staff permission. Raise your hand if you wish to move, get water, a book or return to your room;
- Never enter any staff areas
- Never enter another youths room
- You must address staff properly (Mr., Ms., Mrs., Etc...)

## 22. Unacceptable Behavior

- Fighting;
- Assaulting or attempting to do harm to staff or other youths;
- Using profanity;
- Making obscene gestures toward staff or other youths;
- Threatening staff or other youths;
- Making sexual comments toward staff or other youths
- Engaging in or forcing another youth to engage in sexual misconduct (i.e. inappropriate touching, exposing yourself, rape, or sexual battery);
- Attempting or planning an escape. This will result in a classification change with possible new charges.
- Possessing Contraband;
- Making or possessing weapons;
- Possessing or using drug paraphernalia this includes alcohol otherwise known as "hooch";
- Not following staff directives;
- Covering lights or windows;
- Removing or damaging paint on wall;
- Kicking your door;
- Flooding your room;
- Engaging in horseplay- pushing, shoving, wrestling, or any other physical activity that could cause bodily harm;
- Trading or stealing food;
- Refusing to return to your room;
- Refusing to go to school;
- Interfering with opening and closing doors;
- Gambling;
- Carving or tattooing self or others;
- Gang related behavior, including the use of gang hand signs, writing, drawings, and/or language;
- Agitation: Deliberately causing others to become upset by your words or actions;
- Engaging in or inciting a riot or demonstration ( this behavior could lead to possible Program Separation or criminal charges);
- Starting or attempting to start a fire;
- Destruction or theft of staff or another youths property;
- Vandalism/Destruction of County Property: graffiti on walls, carving on property, breaking or damaging windows, damage to furniture, walls or fixtures, unit phones or



damage to bedding or clothing. Your parent or guardian will be billed for damage that you cause and this could result in possible criminal charges.

### 23. Contraband

Contraband is illegal or prohibited items. Examples include:

- Money
- Writing tools (other than what is provided by JDF staff)
- Excess clothing
- Hygiene products in room after the allotted time
- Having more than 3 pictures, 3 letter, and 1 book
- Eating utensils
- Weapons: either handmade or manufactured
- Medication
- Drugs and alcohol
- Matches and lighters
- Any other item that was not provided to you by JDF staff

### 24. Discipline

If you do not follow the rules at JDF or if you engage in unacceptable behavior, you may receive discipline under the following restrictions:

- Verbal counseling;
- Failure to earn points for Tier advancement
- Loss of privileges such as phone or incentives;
- Timeout: Short periods in your room allow you to gain control over your behavior. The amount of time spent in your room , without programming, is based upon the circumstances of the incident;
- Room Adjustment Time: Depending on your hearing you could receive an hour or two of confinement in your room during recreation.
- Special Program (SP): You will be allowed to attend school and meals, and mandatory programs but you will stay in your room during recreation. Your behavior will be evaluated by a Supervisor or Lead each shift.
- Program Separation (PS): Removal from all programming to include school (if suspended) and your behavior will be evaluated by a Supervisor or Lead each shift. However, youth who do not pose an imminent threat will be afforded the opportunity to attend school if not suspended or allowed to work on alternative School work in the day space during school hours. A Supervising Detention Officer will decide when to allow youth to reintegrate back into the Program with the other youths;

- Modified Program (MP): A specific program will be set up by JDF Management. Your behavior and reintegration back into the program will be decided by your behavior and JDF Management.

## **25. Program Separation and Special Program**

These are the reasons you may be placed on Program Separation or Special Program:

- You are an immediate threat to the safety and security of the facility and staff;
- You are an immediate threat to the safety of another youth;
- You are likely to escape;
- You are involved in repetitious acts of misconduct;

## **26. Due Process Hearing**

If you don't follow the rules at JDF or if you engage in unacceptable behavior, staff will complete a Special Incident Report (SIR) and submit it to a Supervisor or Lead. The Supervisor or Lead will review the incident report and determine whether there is probable cause to give you a discipline. The Supervisor or Lead will request a due process hearing by a Hearing Officer who was not party to the incident. The Hearing Officer will listen to your side of the story, talk to any witnesses, and look at the circumstances of the incident. The Hearing Officer will determine an appropriate consequence and pass it on to a Supervising Detention Officer to be reviewed again.

## **27. New Charges While in Custody**

Any violations committed in the facility are subject to a new charge. This means that if you assault someone (either staff or another youth) you could be charged with a crime. If you destroy county property you could be charged with vandalism and your parents/guardian will be billed for the damages.

## **28. Gang Related Fights**

If you are involved in a fight that is, or thought to be gang related, you can be charged with a violation of 242 P.C. (Battery) and an additional gang enhancement [186.22 (d) P.C.] will be added to the charges. Additionally, you will be placed on Program Separation and you will not be removed until you are no longer deemed a threat to other youths inside the facility.

If the charges are sustained, the law requires the following:

1. A minimum of 180 days must be served in the County Jail/ JDF without the possibility of release, with a maximum confinement of 3 years in state prison.

2. You are required to register with the Chief as a gang member within 10 days of release from custody or within 10 days of arrival in a city/county. Failure to do so is punishable by imprisonment in the state prison for up to 3 years.
3. Once registered as a gang member, each time there is a gang related crime in your city of residence you can be detained and questioned by police.
4. You will be unable to seal your juvenile record since you will continue to be required to register as a gang member even as an adult.

### **29. Alarm Situation**

When there is a fight or other emergency situation in your unit you will hear the staff command youths to "COVER." When you hear this command you MUST immediately get on your knees on the ground, put your head down and cover it with your hands. Wait without movement and without talking until you are given instructions by a JDF staff.

Failure to "Cover" and remain in the "Cover" position until given instructions by staff may result in physical or chemical restraint. Furthermore, you will receive a discipline for not following staff directives during an emergency situation causing a safety and security risk.

### **30. Use of Force**

When encountering an emergency situation involving youths, staff may exercise the use of physical and/or chemical force upon a youth under the following circumstances:

- In his/her own self-defense;
- In the defense of another;
- To prevent escape;
- To prevent the substantial destruction of property;
- To overcome resistance;
- To stop the youth's unruly behavior which interferes with the safety operations of the facility and the safety of staff and/or other youths of the facility;
- To stop a riotous situation.

### **31. Use of Restraints**

Physical restraints shall be used only when less restrictive alternatives would be ineffective in controlling the disordered behavior. The least restrictive form of restraints shall be used to safely control the youth. Restraints are never to be used as punishment or discipline, or as a substitute for treatment. Medical conditions must be considered when using restraints such as with pregnant youths.

### **32. Court Process**

A Probable Cause Declaration (PC), form is needed when a law enforcement agency books or admin-books a youth into the Juvenile Detention Facility. Detention officers shall review these documents carefully prior to accepting custody to ensure there are no discrepancies, and verify the youth fits the criteria to be detained. It is the responsibility of the accepting intake officer to initially assess cases to determine appropriateness for release, to determine whether the case takes priority (such as Direct File cases), or to confirm whether the District Attorney will actually file charges. If it is believed the youth may be eligible for release, the case should be assessed as soon as possible and flagged accordingly to ensure the case is processed promptly. If an intake officer is not on duty at the time of the booking (i.e. after shift ends/weekends/holidays), the Supervising Detention Officer (or Senior Detention Officer/Lead if no SDO is on duty) is responsible for reviewing the arresting officer's PC Declaration/arrest report to ascertain that the offenses carry confinement time, and to verify the youth is in fact, under the age of 18 at the time of booking.

On occasion, some booked cases do not appear to have the elements needed for charges to be filed. The DA should be consulted immediately to determine if the case will be rejected and the minor released, or if further information will be needed from the arresting officer for the case to be charged.

- If the offense is a felony wobbler, it is a felony at the time of arrest for all intents and purposes. Legal timeframes for felony offenses = 72 hours for a detention hearing / 48 hours for misdemeanor offenses.

### **33. Emergencies**

In the event of a fire, or other emergency, you will follow all staff directions. Fire drills are practiced on a monthly basis. In the case of a fire or emergency you will be escorted in an organized manner to the recreation yard where all youths will be accounted for and treated for any medical needs.

## Yolo County Juvenile Detention Facility

### "NO VIOLENCE FACILITY"

The JDF has a no tolerance" for violence. This means any violent act, or threat of violent act, including fighting, trying to fight, saying you are going to fight, touching someone in an attempt to harm them, or spitting on them, will result in report being written and discipline given. The report will also be given to the court, and may affect your court case.

### What Happens If I Fight/Assault/Hurt Someone?

Within the JDF, you will be given a discipline.

Discipline can include:

- Lose of Level
- Program Separation
- Special Program
- Modified Program
- A Violation of Probation (VOP)
- New Charges of Battery or Assault may be filed requesting that you stay additional time in the JDF
- Court can impose more sanctions such as Group Home Placement or possible placement in the Division of Juvenile Facilities (DJJ)
- Visitation privileges may be suspended or reduced.

The Court will be notified of your behavior

Reports of gang behavior will also be forwarded to the Juvenile Court/Adult Court District Attorney's Office, and local law enforcement agencies to include Gang Task Force.

# **YOLO COUNTY JUVENILE DETENTION FACILITY**

## **Policy & Procedure Manual**

Adopted: May 5, 2006

Revised: 4/16/2016

### **ARTICLE 7                      Discipline**

### **SECTION 1390                Discipline**

**POLICY**                      Discipline shall be imposed at the least restrictive level necessary to promote the desired behavior. Corporal punishment, denial of basic rights, and cruel and degrading punishment, either physical or psychological, shall not be permitted.

### **PROCEDURE**-----

A. Discipline shall only be used as a consequence of a youth's negative behavior and shall be imposed at the least restrictive level which promotes the desired behavior.

B. Disciplinary measures shall not include corporal punishment, physical or psychological degradation, or deprivation of such basic rights as follows is not permitted:

1. Bed and appropriate bedding
2. Full meals
3. Clean clothes
4. Parent and attorney visits and contacts
5. Items needed for personal hygiene
6. Minimum exercise
7. Mail
8. Daily shower
9. Access to toilet and water fountain
10. Clean and sanitary living conditions
11. Medical care
12. Religious services
13. Counseling
14. Education

C. Expected rules of conduct shall be posted for all youths in each housing unit. Accessible and understandable information shall be provided to youth with disabilities/special needs, limited English proficiency, and/or limited literacy regarding the discipline process. Included in this posting shall be the consequences for violations of minor and major rule violations.



# YOLO COUNTY JUVENILE DETENTION FACILITY

## Policy & Procedure Manual

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### ARTICLE 7                      **Discipline**

#### SECTION 1391                **Discipline Process**

**POLICY**                      Discipline shall be imposed at the least restrictive level necessary to promote the desired behavior. Corporal punishment, denial of basic rights, and cruel and degrading punishment, either physical or psychological, and delegating discipline to any youth shall not be permitted.

#### **PROCEDURE**-----

A. Definitions:

1. Discipline is to apply corrective means by providing counseling, instruction, and consequences for inappropriate behavior the youth display while in custody.
2. Punishment is to impose a penalty or restrictions, as fairly as possible that shall promote a desired behavior from the youth.
3. Corporal punishment is to deprive or degrade the youth from or for any physical or psychological reasons.

B. Detention officers shall utilize and make every effort to maintain control of youth in custody through positive re-enforcement methods, such as incentive programs that reward positive behavior from the youth. Detention officers shall use the reward system fairly and equitably for all youth.

C. Detention officers shall be objective in establishing mutual respect and cooperation with the youth in custody. Detention officers shall lead by example in courtesy and consideration when interacting with youth and others.

D. Detention officers shall not use derogatory remarks that would belittle youth psychologically, such as sarcasm, ridicule, threats, or public criticism while in the facility.

E. Detention Officers are prohibited from delegating discipline to any youth.

F. Early intervention and counseling can be a form of discipline and should be used whenever possible.

G. Detention officers reprimanding a youth for inappropriate behavior should be imposed privately whenever possible without emotional overtones but objectively with an expectation for the youth to improve.

# YOLO COUNTY JUVENILE DETENTION FACILITY

## Policy & Procedure Manual

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- H. When disciplining a youth, detention officers should be objective and clearly communicate the youth's inappropriate behavior. Detention officers should be cognitive to the youth's age and maturity when counseling the youth regarding his/her inappropriate behavior. The discipline a youth receives should demonstrate a clear and direct relationship between the inappropriate behavior and the consequences for the negative behavior.
- I. Group discipline/restriction shall not be permitted. Detention officers shall investigate the situations then determine which youth is responsible for the inappropriate behavior within the group. It would be unfair for the youths who were behaving appropriately to lose their privileges because of one or two youths who were misbehaving during group session.
- J. Any disciplinary action imposing more than fifteen (15) minutes of restriction on a youth requires a Special Incident Report to be written and due process hearing performed by a Senior/Lead detention officer along with an impartial Detention Officer as a witness.
- K. Minor violations are Level One violations that youth choose not to follow or neglect to follow at a certain time and place that staff observes. A level one violation seldom creates chaos or disrupts institutional program. Normally the violation can be corrected through prompts and counseling. A Level One (1) violation requires a written SIR but does not require a due process hearing as it does not involve group restriction/separation. Examples of Level One (1) violations include but are not limited to:
1. Minor Defiance after one prompt
    - o *Youth does not respond to second correction/re-direction for incidental violations*
    - o *Youth does not follow specific directions for line movement/facility movement*
  2. Youth does not follow protocol for room inspection (e.g., extra items in room, bed not made, or any other items that do not pose a destruction or hazard to staff, self, or facility).
    - o *Youth hides food in their room*
  3. Minor Disrespect after one prompt
    - o *Verbal arguing/engagement-with staff/youth*
    - o *Minor Intent to irritate/annoy another youth/staff*
  4. Minor Disruption after one prompt
  5. Minor Dress Code Violation after one prompt
  6. Minor Inappropriate language after one prompt:
    - o *Name-calling, swearing at others, gang or drug references*
  7. Minor Physical Contact after one prompt:
    - o *Examples: bumping into another youth in line, horse playing (may also be a Level Two (2) Violation), touching or sitting too close in day room*

# YOLO COUNTY JUVENILE DETENTION FACILITY

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8. Minor Property Misuse:
    - o *Example: damaging a textbook, carving, tagging, unplugging computers, damaging county property, hygiene items, toilet paper and lost or misplaced facility property*
  9. Minor Tardy Violation:
    - o *Example: not being ready at the final school, recreation, meal, program time, Shower time*
  10. Minor Technology Violation:
    - o *Example: three-way calls, unauthorized use of internet*
  11. Lying: Intentionally deceiving staff.
  12. Sharing food: Food not provided by Detention Officers to a youth during mealtimes, snack times, and movie nights after one prompt.
  13. Staff Manipulation: A youth plots or attempts to gain a favor through deception of a staff member.
  14. Looking out of/standing in room door window: Remaining in front of the cell window without any apparent reason or instruction after one prompt.
  15. Refusal to attend school: Declined to attend school without medical reasons.
  16. Refusal to participate in program: Declined to participate in daily program offered by the institution to include personal hygiene requirement, maintain a clean room, attend mandatory group sessions, and physical education without medical or other approved reason.
  17. Passing Notes: Written interaction between two or more youths without authorization or prior consent.
  18. Possession of non-dangerous Contraband i.e. extra clothing, toilet tissue etc. Possession of unauthorized items that do not pose a destruction or hazard to staff, self, or facility.
  19. Disrespectful Behavior: Inappropriate behavior displayed by a youth that is intended to humiliate or degrade a Detention Officer or another youth.
  20. Excessive Room Noise: Any type of distraction that produces sound made by the youth to disturb staff or youths, such as banging, yelling, kicking on the cell door or walls.
  21. Failure to follow Detention Officer Instructions: Youth refuses to follow instruction directed toward him/her by staff to discontinue inappropriate behavior, activity, or perform detail appropriately.
- L. Consequences for minor/level 1 violations shall be applied to the applicable discipline of the youth. The example listed below can be used together or individually, based on the youth's inappropriate behavior.
1. Verbal warning or Prompts
  2. Counseling/redirection
  3. Time Out
  4. Loss of eligibility to earn points for that particular category
  5. Loss of Tier

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M. Major violations are Level Two violations that youths commit intentionally or unintentionally that create chaos, and disruption to the facility environment. Examples of major violations include but are not limited to:

1. Use or Possession of Dangerous Contraband: Any item on the youth, or in their assigned room (or temporary area in which the youth is identified as the sole possessor of the contraband) that can be used as a weapon or for the purpose of escape; battery, attempted battery, assault, destruction of county property or delinquent conduct.
2. Sub-cultural Group Activity: Any youth(s) supporting a group or organization against another group or organization with the intent to create violence, fear, or harm with the use of gestures, symbols, and writings.
3. Riotous Behavior: Any youth(s) who instigate or support group violence or rebellion to the institution or staff.
4. Sexual Misconduct/Assault: Physical sexual contact whether consensual or not.
5. Tattooing: The use of any type of instrument for carving, engraving, marking of symbols on self or other minor.
6. Stealing: The knowing and unauthorized taking of an item belonging to another.
7. Destruction of County Property: Intentional or malicious destruction of County Property.
8. Mutual Combat: Mutual physical confrontation between two (2) or more minors.
9. Youths who establish a pattern or repetitive rule violations: Youths who continually choose or are unwilling to participate in the structured program and rules that govern the institution.
10. Threatening Behavior: When the youth verbally communicates or shows an aggressive posture that intimidates or invokes fear in the recipient.
11. Refusing to go to room when instructed: When a youth clearly demonstrates, either physically or verbally, his/her intention of not following staff instructions to return to his/her room.
12. Flooding Sleeping Quarters: The youth(s) intentionally obstruct, clog, or block water flow from its normal drainage travel.
13. Attempted Battery on Staff or Peers: A willful and unlawful attempt to use force or violence upon the person of another.
14. Assaultive Behavior: Is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.
15. Battery on Detention Officer or Peers: A battery is any willful and unlawful use of force or violence upon the person of another.
16. Passing Prescribed/Un-prescribed Medication to Another Youth: Any youth(s) who obtain any controlled substance that is not legal or legally authorized (prescribed) for the youth.
17. Escape: Any youth(s) who abscond from another locked facility.



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18. Talking about Escape, Planning Escape, or Attempted Escape: Any youth(s) who covertly attempt or plan an escape from the institution.
19. Suspension from school: Removal from school for failure to follow school rules.

N. Consequences for major violations shall be awarded with the appropriate level of discipline. The example listed below can be used together or individually based on the youth's inappropriate behavior.

1. Loss of tier and room confinement time up to two-hours (2). Any room confinement time in excess of fifteen (15) minutes will require a Special Incident Report and Due Process Hearing.
2. Removal from Behavioral Support Program Tier Status.
3. Special Program
4. Program Separation – See Section “R”: Youth withdrawn from group activities for a period within twenty-four (24) hours. The P/S Program will be reviewed daily on a shift by shift basis for reintegration back into program by the shift supervisor.

O. Detention Officer(s) observing the violation shall:

1. Prepare a Special Incident Report (SIR). The SIR shall contain the following information: the youth's name, the violation, the date and time, the location of incident, the involved staff, the narrative of the incident, the recommendation of discipline and who prepared and reviewed the SIR.
2. Document the youth's behavior in his/her Behavior Support Program record.
3. Once the SIR is completed, the Duty Supervisor will review the SIR and then forward the SIR to the Senior/Lead to conduct the due process hearing along with an impartial Detention Officer as a witness. To ensure the due process hearing is offered properly and fairly, all minors shall have staff representation if requested, and staff shall ensure they receive:
  - a. An Interpreter, if needed
  - b. Right to appeal.
  - c. The decision of the disciplinary hearing (verbally and in writing).
  - d. Be advised that he/she has the right to make a statement and bring forth witnesses.
  - e. The Senior Detention Officer may dismiss any accusation(s) if, during his/her review that indicate the youth did not commit the act alleged.
  - f. The decision of the Senior Detention Officer is final and is subject only to review by the Supervising Detention Officer, Assistant Superintendent or the Superintendent/Institutional Services Director. Appeals to the Assistant Superintendent or Superintendent/Institutional Services Director of the institution conducting the hearing may be approved, modified, reversed, or sent back with direction including ordering a rehearing, but may not increase sanction to be imposed

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Revised: 1/27/2017

- g. Violations that result in a removal from a commitment program, but not a return to court, will follow the due process provisions in sub-section (P).
- h. The Senior/Lead Detention Officer conducting the hearing shall follow the procedures listed below:
  - Review the SIR information to gain all facts that pertain to the violation.
  - Senior Detention Officers shall request the minor to sign the Due Processes Hearing form either requesting a hearing or waiving his/her right to a hearing.
  - If the youth chooses to have a hearing the youth shall sign his/her name requesting the hearing within twenty-four (24) hour period.
  - Senior Detention Officers shall advise the youth that he/she has right to call witnesses and give mitigating circumstance leading to the violation.
  - Senior Detention Officers shall remain objective and evaluate all mitigating circumstances from the youth and witness statements. Before considering and imposing a lesser disciplinary action on the youth.
  - If the youth elects not to have a hearing, the youth shall sign the waiver section of the due processing hearing form.
  - When the youth signs the waiver section of the Due Hearing Process, it does not indicate whether the youth committed the violation or not it may show some responsibility for the violation.

### P. The appeal process:

1. An appeal by a youth for a Major/Level 2 Disciplinary action must fit into one of the following criteria:
  - a. New evidence available that will affect the findings.
  - b. Procedural errors (i.e. youth not given within twenty-four (24) hour notice, not given opportunity to call witnesses, etc.)
2. In order to appeal, the youth must state specific reasons for his/her appeal.

### Q. Special Program Review by Supervisors:

1. Minor/Level 1 rule violations or accumulation of room times that result in Special Program shall be reviewed for re-integration or removal within twenty-four (24) hours. Overall good behavior is required from the youth for possible removal from Special Program.
2. The Supervisors shall be required to review the youth's daily behavior each shift in the BSP Log and make a log note to determine the possibility of re-integration of the youth back into the program within the guidelines behavior permitting.



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3. Youth placed on Special Program shall adhere to the following:
  - a. Youth will be removed from the Behavioral Support Program.
  - b. Youth will not participate in the regular Juvenile Detention Facility recreation program.
  - c. Youth will be offered his one hour large muscle activity with his/her peers.
  - d. Youth will be allowed to eat with his/her peers.
  - e. Youth will be allowed to attend school with his/her peers.
  - f. Youth will shower with his/her peers.

As with all Special Programs, the goal is to integrate the youth back into the Juvenile Detention Facility program as quickly as possible without jeopardizing the safety and security of the youth(s), staff, and institution therein.

### R. Program Separation Review by Supervisors:

1. Youths who are placed on Program Separation shall remain on Program Separation for a maximum of twenty-four hours (24). Youths involved in riotous and assaultive incidents shall be extended as deemed necessary. Several factors shall be taken into consideration prior to the placing of a youth on Program Separation such as:
  - a. Sophistication and or planning of incident.
  - b. Scale of Incident.
  - c. Number of youths involved.
  - d. Actions of youths involved (failure to follow staff instructions etc.)
  - e. Behavior after the incident.
  - f. Number and type of previous incidents the minor involved has been in while in custody.
  - g. Motivation of Incident (gang related, hate crime, etc.)
2. Within the twenty-four hours (24) of a youth being placed on Program Separation the shift Supervisor shall be required to review the youth's daily behavior each shift in the BSP log and make log notes.
3. After the twenty-four hour (24) separation period the Supervisor on duty shall discuss the removal of the youth off of Program Separation (PS) with another Supervisor in order to come to a conclusion regarding the PS status. The discussion shall be documented in the youth's BSP log with reasoning regarding the change in status or lack thereof.
4. After a youth is determined eligible to be removed from Program Separation they shall then sign a behavioral agreement and be placed on Special Program.
5. If a youth is then placed on Program Separation (PS) once again following the placement of Special Program (SP), the review of the youth shall commence once again as stated above.

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Revised: 7/1/2010  
Revised: 6/22/2012  
Revised: 4/16/2016  
Revised: 1/27/2017

6. Youths placed on Program Separation shall adhere to the following:
7.
  - a. Youth will be removed from the Behavioral Support Program Tier Status.
  - b. Youth will not participate in the regular Juvenile Detention Facility recreation program.
  - c. Youth will attend school if eligible. However, if youth is not eligible to attend school youth will be offered an alternative assignment to be completed in the day room if not an imminent threat in which case an alternative assignment would be completed in his/her room.
  - d. Youth will be offered his/her one hour large muscle activity alone unless youth is eligible to attend school.
  - e. Youth will not attend meals with his/her peers. Youth will eat in his/her room.
  - f. Youth will not shower with his/her peers.
  - g. Youth will be reviewed by the shift Supervisor each shift.

As with all Program Separation's, the goal is to reintegrate the youth back into the Juvenile Detention Facility program following his/her twenty-four hour (24) separation period without jeopardizing the safety and security of the youth, staff, and facility therein.

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Adopted: May 5, 2006

Revised: 4/16/2016

### ARTICLE 5                      Classification and Segregation

#### SECTION 1357                Use of Force

##### POLICY

Yolo County Juvenile Detention Facility will ensure the physical safety and security of youths, detention officers and visitors within the facility, as well as the public. When dealing with aggressive youths, Detention Officers will use only the level of authorized defensive force needed to stop aggressive behavior and ensure safety. Force shall never be applied as punishment, discipline or treatment.

Pregnant Youths – Use of force will be the last method of intervention on a pregnant youth.

##### PROCEDURE

1. Use of force is an immediate means of overcoming resistance to control the threat of imminent harm.
2. Pregnant Youths - Use of force will be a last method of intervention on a pregnant youth. Any use of force and restraints on a pregnant youth will be in the least restrictive way for the security and safety of the female youth, as described by this policy and procedures and established codes, and documented in a Special Incident Report (SIR). JDF Medical and Mental Health will be immediately notified to assess the youth's condition, which will be documented in the SIR. If the use of physical and/or mechanical restraints is deemed necessary, approval must be obtained from the Superintendent/Designee and an SIR must be written documenting, as to why restraints were used.

If there is a legitimate security concern, a two-staff transportation team may be arranged with permission from the on duty Supervising Detention Officer or Senior Detention Officer. Any handcuffing of the pregnant youth must be done so in the front and it is **strictly prohibited** that she be handcuffed behind her back.

3. A physically aggressive youth should be first ordered to stop the behavior before physical force is used.
4. Physical force shall never be utilized in retaliation for something a youth has done, nor to punish or discipline a youth. When using physical force, Detention Officers must not allow anger or emotions to cause a loss of control.
5. Physical force shall only be used to ensure safety of youths, Detention Officers or others, prevent escapes and ensure the safe and secure operations of the facility.
6. When a control hold is required, only sufficient force shall be used to restrain or move the youth.

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7. When a control hold is implemented, it shall be used only as long as absolutely necessary.
8. Detention Officers may only use those control holds/Oleoresin Capsicum pepper spray techniques and devices, which are approved by the Probation Department and in which the employee has received approved training. All Detention Officers will be required to meet the Department-approved training requirements. Training will consist of discussion of applicable policy, instruction in de-escalation of aggressive behavior and demonstration of proficiency in approved empty-hand control/Oleoresin Capsicum pepper spray techniques.
9. Control holds/Oleoresin Capsicum pepper spray will not be used in situations where control can be gained through the use of non-physical techniques.
10. Whenever a youth refuses to cooperate and it appears the control holds/ Oleoresin Capsicum pepper spray may be necessary, a show-of-force should be utilized. A show-of-force involves several Detention Officers confronting the youth to impress upon him/her the fact that continued physical resistance is futile. Detention Officers should be conscious of the fine line between a physical show-of-force and intimidation.
11. Whenever possible, more than one Detention Officer shall participate in a physical restraint and Oleoresin Capsicum pepper spray incident to minimize the possibility of injury to the youth as well as staff.
12. The shift supervisor shall be notified prior to the use of control holds/ Oleoresin Capsicum pepper spray, absent imminent danger. If prior notification is not possible, notification shall be made immediately after the incident has occurred.
13. Immediately after a physical restraint or use of Oleoresin Capsicum pepper spray, medical staff shall examine the youth. If the nurse is not on duty, the on-call medical provider shall be notified. If further medical treatment is necessary, the youth shall be transported to the hospital for medical treatment as deemed necessary, upon approval from medical staff. In any case wherein medical staff is not on-site, staff shall complete a written referral to medical staff, for the youth.
14. In all cases where a use of physical force is necessary, staff shall complete a written mental health referral form.
15. All Detention Officers that participate in or witness a use of control holds/ Oleoresin Capsicum pepper spray shall write an independent incident report documenting the incident. This report is to be completed prior to the end of the Detention Officer's shift.



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16. The shift supervisor shall review the reports by the close of the shift in order to ensure complete and error-free reporting.
17. The next available Supervising Detention Officer shall initiate an Event Analysis of the incident. The Supervising Detention Officer shall provide a brief critique of the incident which shall include a discussion of the following:
  - Compliance with policies and procedures
  - Appropriateness of level of physical force used.

The written results of the Analysis shall be forwarded to the Superintendent and Assistant Superintendents of the facility.

18. All forms of physical punishment, psychological abuse and/or verbal duress, including, but not limited to spanking, hitting, pinching, slapping, yelling, swearing, threatening, intimidating or ridiculing are prohibited.
19. Under no circumstances shall a chokehold be used.
20. Under no circumstances shall a "hog-tie" position be used to control a youth.
21. Detention officers shall not use any item to restrain a youth other than those items that are intended for such purposes.
22. Detention officers shall never strike a youth with a closed fist.
23. In any incident involving the use of physical force, every attempt shall be made to preserve the integrity, respect, dignity and safety of all individuals involved in or near the incident.
24. **CONTINUUM OF FORCE:** The following is an ascending order of force options available to Detention Officers. The level of physical force is always based on what is reasonable and appropriate given the behavior of the youth and the circumstances faced by the Detention Officer at the time of the incident. The appropriate level of force used by Detention Officers will move up or down on the continuum, countering changing circumstances and/or changes in behavior. Staff shall use the least force necessary to overcome resistance. It is noted that it may be justifiable, based on the facts at hand, that an officer initiate force at any level in the continuum. The Use of Force Continuum for this institution consists of the following:
  1. Non-Physical Options: Presence, Authority, and Rapport-Command Presence: This is the lowest level of force on the continuum. The Detention Officers' demonstration of honesty; professionalism, integrity, pride, respect and reputation for fairness affect youth's behavior.

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2. Verbal- Voice Control: Counseling/negotiation; give youths clear, concise and simple instructions. Make sure the youths are able to understand the instructions. Make sure the instructions are reasonable, and the youth has the capability of following through with your request. Mean what you say and say what you mean. Never make an idle threat.
  3. Allow another Detention Officer to handle the youth: Youths frequently respond positively to another Detention Officer not involved in the situation or with whom they are not angry.
  4. Separation of youth from group: Request that the youth accompany Detention Officer(s) to a location separate from other youths. This reduces the pressures on the youth to act out so as to save face in the presence of other youths.
  5. Touch-The lowest level of Physical Control: In addition to verbal commands/direction, the use of an escort hold to separate the youth from the group or reinforce verbal directives for the youth to move to another location.
  6. Present a Show-of-Force: A show-of-force is a face-saving technique for gaining the cooperation of a problem youth. It also facilitates the process of getting Detention Officers in place for a potential use of force.
  7. Controlling Force-Control Holds and Nerve Stimulators: Use control holds (twist lock, arm bar, rear wrist lock, etc.) to motivate the youth to comply with Detention Officers' directions. Continue with verbal instructions during this process. This level of force includes nerve stimulators, passive resistors and diffusers.
  8. Intermediate Force-Take Downs and Oleoresin Capsicum pepper spray: When a youth continues to resist all lower levels of force, take downs or chemical agents can be used to bring an assaultive or violent youth under control.
25. Ideally, confrontation will be controlled in levels a-d of the Force Continuum; however, there are times when a higher level of force is necessary to bring a youth or group of youths under physical control. At all times, it is acceptable for Detention Officers to enter the Use of Force Continuum at the lowest level where they are most likely to be successful.



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26. O.C. Pepper Spray: Oleoresin Capsicum pepper spray may be used by authorized Detention Officers to control, restrain, or subdue imminent or actual violent behavior, if such behavior presents a clear danger to people.

1. Chemical Agents shall not be used as an offensive weapon to persuade a person to move or act in a desired manner, nor to stop undesired conduct (examples includes; but are not limited to noise, cursing, door banging, excessive room noise), which in itself, does not amount to an immediate threat to the safety and security of the youths, detention officers or the facility, or to affect an escape.
2. Whenever conditions allow, Oleoresin Capsicum pepper spray should be applied from a distance of three feet to ten feet to prevent injury to the eyes of the recipient.
3. Oleoresin Capsicum pepper spray shall not be used when the person's violent activity is no longer likely to cause injury to another person, or escape.
4. Only the Chemical Agents provided by the department and approved by the Department of Justice will be carried and/or used by the Probation Department.
5. Officers designated to carry Oleoresin Capsicum pepper spray on duty must:
  - Have completed the approved STC chemical agent course;
  - Be on duty and authorized to possess and utilize Oleoresin Capsicum pepper spray;
  - Carry and use only department issued Oleoresin Capsicum pepper spray products;
6. Oleoresin Capsicum pepper spray should be used only after making a reasonable effort to verbally persuade voluntary compliance and after giving a clear warning that Oleoresin Capsicum pepper spray will be used if such voluntary compliance is not made. A verbal warning of "OC Cover" will be given prior to deployment of Oleoresin Capsicum pepper spray. The only exception to this is when the behavior exhibited is of such nature that even a momentary delay would result in injury to a person. Then, Oleoresin Capsicum pepper spray may be applied without warning.
7. Youths entering detention facilities will be notified of, and sign a warning form that Oleoresin Capsicum pepper spray pepper spray may be used to control behavior that is hazardous to others.

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8. An Oleoresin Capsicum pepper spray warning sign will be posted in all living areas.
9. Common Effects of Chemical Agents:
  - Burning sensation to skin. Diminishes 10-45 minutes after decontamination.
  - Profuse tearing. Eyes will be bloodshot, red for 30-60 minutes following decontamination.
  - Tightness in lungs-hard to breathe. Respiratory function will return to normal in 10-45 minutes. Uncontrollable coughing, retching and gasping for air with a gasping sensation in the throat.
  - Oleoresin Capsicum pepper spray exposure may cause person to lose their balance due to the effect on their vision. Nausea and vomiting with very heavy concentrations.

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### 27. Oleoresin Capsicum pepper spray Aftercare Procedures:

- Avoid contamination whenever possible.
- Leave the contaminated area.
- If outside, face into the wind, breathe fresh air.
- Avoid rubbing irritated areas, especially the eyes.
- Flush eyes and face with cool water for at least 15 minutes.
- Shower in cool water.
- Remove contaminated clothing/bedding and issue new, clean items.
- If the affected person feels it is effective, allow him/her to sit in front of a blowing fan.
- Never use salves, Vaseline, First Aid crèmes or oil-based soaps.
- When assisting contaminated youths or Detention Officer, wear gloves.
- Refer the youth to medical staff for follow-up.
- If a rash appears on the affected area or if the chemical agent has adverse effect on the youth, contact CFMG immediately. This is generally an indication that the youth may be having an allergic or asthmatic reaction to the chemical agent.
- All contaminated areas including floors, counter tops, mattresses, etc., shall be thoroughly cleaned with soap and water to prevent continued contamination.

Example of **Unapproved Use of Force or Oleoresin Capsicum** pepper spray Include, But Are Not Limited To:

1. Choke hold: At no time may a detention officer apply a hand, arm or other object to the throat or carotid artery area (commonly referred to as a "choke hold") of a youth. **USE OF FORCE TO THE NECK AREA IS NOT PERMITTED).**
2. Taking Oleoresin Capsicum pepper spray from the facility off duty.

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3. Playing with or unsafe handling of Oleoresin Capsicum pepper spray canister.
  4. Leaving Oleoresin Capsicum pepper spray unsecured.
  5. Threatening youths or others with Oleoresin Capsicum pepper spray to obtain compliance in non-threatening situations
  6. Application of Oleoresin Capsicum pepper spray on youths or objects in non-threatening situations where there exists no clear and present danger to any human being.
  7. Wearing Oleoresin Capsicum pepper spray in a manner other than in the approved holder.
28. Detention Officers' responsibility in respect to violations of policy: If at any time a Detention Officer observes or becomes aware that a detained youth is being subjected to any form of abusive treatment, including physical, psychological or verbal abuse; the Detention Officer shall make every reasonable effort to ensure the abusive behavior is discontinued.
29. Inappropriate Use of Force by Detention Officers:
1. Detention officers who violate this policy may be subjected to disciplinary action and/or criminal complaints.
  2. Youths who have complaints regarding the Use of Force by Detention Officers may express their concerns to a shift Supervising Detention Officer, use the Grievance Process, or complete a citizen's complaint form.
30. Reasonable Force to Collect DNA: Collection, Specimens, Samples, Impressions Pursuant to California Penal Code Section 298.1, - Reasonable force may be used for the collection of DNA samples from individuals who are required to provide such samples, specimens or impressions and who refuse to follow written and/or verbal instructions.

Staff shall use all reasonable efforts to collect DNA sample, specimen and or impression with voluntary compliance, and document. Staff shall also follow all steps in the Chain of Command and notify and gain authorization before any reasonable force is used.

- Staff shall document efforts to secure voluntary compliance, including an advisement of the legal obligation to provide the requisite specimen, sample or impression and the consequences of refusal.
- Documentation of supervisory knowledge of the above and authorization to the use of reasonable force

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**Authority:** The Penal Code mandates the collection of DNA samples and palm prints from any currently confined juvenile:

- If he/she has a past felony adjudication or conviction in California (PC 296.1(a)(2)(A))
- If he/she has a past felony adjudication or conviction outside of California, if the offense would qualify as a felony in California (PC 296.1(a)(2)(A))
- If he/she has been required to register as a sex or arson offender pursuant to Penal Code Sections 290 or 457.1 for the commission of any offense, including misdemeanors (PC 296.1(a)(1) & 296(a)(3))

### **Prompt Collection after Adjudication**

DNA Samples shall be collected from qualifying detainees as soon as reasonably possible after their adjudication or conviction for a felony offense. DNA collection shall occur prior to the release from custody of any qualifying detainee.

### **Refusal to Supply DNA a Misdemeanor**

A qualifying detainee who refuses to supply a buccal DNA sample is guilty of a misdemeanor, pursuant to Penal Code Section 298.1(a). Any detainees who refuse to provide a DNA sample may instead be referred to the Juvenile Court for action, and/or District Attorney for prosecution, at the discretion of each facility's superintendent. At the order of the Juvenile Court, any youth who refuses to submit a buccal DNA sample may be required to submit a blood DNA sample.

### **No Use of Force**

When a detainee refuses to submit to DNA sample collection, staff **shall not** use force to obtain the DNA sample. Any detainees who refuse to provide a DNA sample shall instead be referred to the Juvenile Court for action, and/or to the District Attorney for prosecution, pursuant to Penal Code Section 298.1(a).

### **False DNA Sample & DNA Tampering a Felony**

- A qualifying detainee who knowingly facilitates the collection of a wrongfully attributed DNA sample is guilty of a felony, pursuant to Penal Code Section 298.2(a). Examples of these behaviors include: Detainees giving false names during DNA collection
- Detainees claiming to be someone else during DNA collection
- Biting the buccal DNA collector during collection
- Wiping off the buccal DNA collector after collection
- Concealing a substance inside the mouth in an attempt to block collection of DNA

These incidents may be referred to the District Attorney for prosecution at the discretion of each facility's superintendent.



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Adopted: May 5, 2006

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### ARTICLE 5                      Classification and Segregation

#### SECTION 1358                Use of Physical Restraints

**POLICY**                      Physical restraints shall be used only when less restrictive alternatives would be ineffective in controlling the disordered behavior. The least restrictive form of restraints shall be used to safely control the youth. Restraints are never to be used as punishment or discipline, or as a substitute for treatment. Medical conditions must be considered when using restraints such as with pregnant youths.

#### PROCEDURE -----

##### GENERAL GUIDELINES:

1. Only authorized restraint procedures and restraint devices shall be used, and utilized only when it appears less restrictive alternatives would be ineffective. If a youth is beyond verbal control and a threat to others, only then will physical restraint be deemed appropriate. Acceptable restraint devices shall be used when the youth has failed to follow staff instruction as to the safety and security of the facility.

Approved restraint devices include and are limited to the following: Handcuffs, leg restraints, disposable restraints, or waist/belly chains/belts when transporting a youth. No other device, apparatus or substance is authorized.

2. Physical Restraint- Is the partial or total immobilization of a person by the use of hands or restraining device. Restraining devices may include either soft or hard restraints.
3. The youth should be under control of staff before staff attempt to apply mechanical restraints. Authorization for the use of restraints (beyond for transportation or movement from one location to another) shall be provided by the Superintendent or Assistant Superintendent, on a case by case basis.
4. Staff may use physical force to restrain a youth who becomes violent or displays signs of imminent violence or to prevent injury, escape or suicide. In situations requiring restraint and control, staff may use only those techniques and devices approved by the department. When restraint is used, staff shall use only the minimum force necessary to gain and maintain control of the youth.
5. Physical or mechanical restraints will not be used as discipline or punishment or as substitution for treatment.

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6. In the event it is determined that the use of physical restraints is necessary for a period of 15-minutes or more, a *Use of Restraining Devices Report* Form will be filled out by the on-shift Supervisor.
7. The use of restraints is a necessary measure to affect control in select situations. The application and use of restraints must be done safely and properly. The application of restraint devices shall be reviewed by the shift supervisor, in conjunction with consultation with the Superintendent or Assistant Superintendent, at a minimum of every hour.
8. Prior to use of physical restraints, known medical conditions that would contraindicate physical restraints and /or techniques shall be taken into consideration:
  1. Pregnant youths being transported for appointments / court / required visits / appearances. The pregnant youth shall be transported in the least restrictive way possible, consistent with the legitimate security needs of each situation and institutional needs / requirements. A female youth, who is in any phase of labor, or while in recovery after giving birth, shall not be secured in any type of restraint unless deemed absolutely necessary for the safety and security of the youth, medical staff and/or the public. If a pregnant youth in labor is secured with any type of restraint, the facility Superintendent is to be notified at the earliest opportunity followed by written documentation.
  2. Physical and Chemical Restraints – JDF Staff should AVOID PHYSICAL RESTRAINT of any youth known to be pregnant whenever possible. However, staff may be required to restrain if there is imminent risk of injury to youths or staff. For more information on restraint of pregnant youths, see Use of Force Policy.
9. Juvenile Hall staff will notify medical and mental health upon placement. Initial medical evaluation will occur as soon as possible but not later than two hours of placement and at least every three hours thereafter.. Mental Health attention will be provided to youths within four hours if restraint becomes necessary. In the event that the youth experiences severe medical symptoms due to physical restraints, Medical staff will be notified immediately.

Severe medical symptoms include but are not limited to:

  - Inappropriate and/or bizarre behavior
  - Discoloration of the extremities (i.e. hands and feet)
10. Cardiopulmonary resuscitation equipment (AED) is available and located in the Juvenile Detention Facility Medical Office, the JDF Booking area, and the Administrative offices area, should a medical condition require the use of such devices.



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11. The youth will be provided with means for hydration and sanitation needs.
12. All youths having a need for restraints shall be housed alone or in a specific housing area to protect them from abuse.
13. Youths placed in physical restraints in excess of 15-minutes shall be provided with the opportunity to exercise extremities.
14. Continuous direct visual supervision shall be maintained as to ensure that the restraints are properly employed and to ensure the safety and well-being of the youth.
15. Observation of the youth's behavior and any staff interventions shall be documented at least every 15 minute, with actual time of the documentation recorded.
16. Mechanically restraining a youth shall be done only if necessary and under the following conditions:
  1. A medical opinion on the safety of placement and continuation of restraint is obtained as soon as possible, but no later than two hours from the time the youth was placed in restraints. Within three hours after initial medical opinion, the youth(s) must be medically cleared for continued restraint.
  2. A Mental Health consultation to assess the need for Mental Health treatment must be secured as soon as possible, but in no case longer than four hours from the time of placement of restraints.
  3. When a youth is transported while in custody, either on or off grounds.
  4. As a temporary emergency measure.
  5. Under these prohibitions:
    - Mechanical restraints shall not be placed around the neck of a youth, nor shall restraint equipment be applied in any way that inflicts physical pain or restricts blood circulation or breathing.
    - The affixing of hands and feet together behind the back (hog-tying) is prohibited.
    - Physical restraints on youths with known medical conditions that would contraindicate certain restraint devices or techniques.

NOTE: When medical conditions are known and have been considered that would contraindicate the use of mechanical restraint medical staff will be consulted as to determine the application of mechanical restraints.

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17. Out-of-Control Youths (restraining)/Immediate Danger to Themselves or Others:
- Before using mechanical restraints, staff must obtain the approval of the Superintendent or Assistant Superintendent for that action. At least two staff members should be present when restraints are applied. Any staff member or members applying restraints on a youth shall have a staff witness present. Direct visual supervision shall be provided to ensure the well-being of the youth.
  - Restraints shall be removed immediately upon the youth regaining self-control. Written reports shall be maintained on all physical contacts and incidents where mechanical restraints were used. Medical checks on youths who have been restrained shall be given as soon as practicable.
  - When a youth must be restrained and placed in a room, an administrative review of that action must be conducted immediately.
  - Employees observing any violation of this policy shall immediately report the violation to the Superintendent or Assistant Superintendent.
18. Application of Restraints: Applying Hand Cuffs
- Do not strike the wrist or ankle. Place the swing arm firmly against the wrist or ankle and push through to engage.
  - The handcuff should fit between the wrist and hand.
  - The cuff should be snug but not overly tight. An index finger should fit between the cuff and wrist.
  - Be sure to double-lock the restraint for the youth's safety.

### Application of Restraints: Applying Leg Irons

- Never bend over in front of a youth to apply leg irons.
- The youth should kneel on a chair. Do not kneel behind the youth. Place shackle on far leg first, then near leg.
- Remaining behind the youth, two fingers (one on top of the other) should fit between the shackle and ankle.
- Double lock for the youth's safety.
- Youth should then stand.

19. Additional Guidelines:

- Restraint equipment will not be used to secure a youth to any part of a vehicle during transport, with the exception of properly used vehicle seatbelts.
- Employees observing improper restraints should immediately try to correct the situation, and then report the occurrence to the Superintendent or Assistant Superintendent.

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- Written reports should be prepared and maintained on all physical contacts and incidents involving the use of physical restraints. The names of those present, time, date, reason, means, duration, and the condition of the youth while in restraints should be recorded. Additionally, the person responsible for approving the application of physical restraints will be documented.
- Juvenile Hall staff will have an initial and ongoing training program before issuing or using any restraint equipment.
- There shall be an administrative review procedure for all cases of the use of physical restraints.
- Continued retention in restraints is reviewed a minimum of every hour by the shift supervisor and will be documented in the unit logbook.
- At no time shall a pregnant youth who is in labor be shackled by the wrists, ankles, or both including during transport to a hospital, normal medical appointment, during delivery and while in recovery after giving birth, except as consistent with the legitimate security needs of each female youth, which must be accomplished in the least restrictive way to prevent an escape, harm to the female youth or her baby or to protect the community. (Penal Code 6030 (f), Penal Code 5007.7 and Welfare and Institutions Code Section 222 (b)).
- Once the youth has been declared by either the JDF medical staff and/or upon arrival at the hospital, the attending physician to be in active labor, the youth shall not be shackled by the wrists, ankles or both, unless deemed necessary for the safety and security of the youth, the staff and public to prevent an escape, harm to the resident or her baby or to protect the community. (Penal Code 6030 (f), Penal Code 5007.7 and Welfare and Institutions Code Section 222 (b))

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### **ARTICLE 5                      Classification and Segregation**

#### **SECTION 1357a                Chemical Agents**

**POLICY**                      Designated and trained personnel may carry and use Oleoresin Capsicum pepper spray while on-duty, within the confines of applicable law and this policy.

#### **PROCEDURE** -----

1. Who will carry:

The Chief Probation Officer shall designate those Detention Officers authorized to use Chemical Agents within the Juvenile Detention Facility. No other person, private or otherwise, is authorized to possess or use Chemical Agents within the Juvenile Detention Facility unless authorized by the Chief Probation Officer or his delegated representative in charge of the institution (12404 PC).

Although all staff will be trained on the proper use and follow-up in regard to the use of Chemical Agents, staff carrying Chemical Agents in their immediate possession will be limited to:

**Detention Officers who have successfully completed a Chemical Agent course approved by the Department of Justice (DOJ) and approved for use by the department, and Detention Officers who are current in their Management of Assaultive Behavior training, as described by the department policy and procedure manual.**

**Before using Chemical Agents, staff shall always consider use of alternatives rather than Chemical Agents and in any event shall always use the lowest level of force where they are most likely to be successful to ensure safety of staff and unnecessary injury to the minor.**

2. Justification for use:

Chemical agents may be used to control, restrain, or subdue imminent or actual violent behavior where such behavior presents a clear danger to staff, inmates, or other persons. Before using chemical agents, staff should always consider the use of alternatives rather than chemical agents and should use the least noxious alternative if that alternative does not significantly increase the risk of danger to staff or others. Chemical agents shall never be used indiscriminately, nor shall it be used in response to simple threats of violence, but may be used when there is a credible threat of violence coupled with a present ability to cause injury. Chemical agents shall not be used for punishment, retaliation, for disciplinary purposes or to achieve an administrative request. Rather its use is limited to control specific kind of unlawful behavior. The guidelines in regard to



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the possible use and/or common effects of chemical agents are posted throughout the Juvenile Detention Facility.

The shift supervisor should be consulted whenever possible before using chemical agents.

3. What type of chemical agent will be carried:  
Currently, the Probation Department will recognize and authorize the use of Oleoresin Capsicum (OC) "Pepper" spray. Oleoresin Capsicum pepper spray is a known name used to describe a pepper-based resin in powder form. Canisters prescribed for peace officers are designed to be carried in a special holster with the spray head facing upward. Additionally, the chemical agents used by this department must be certified by the DOJ as acceptable (12450 PC).
4. Guidelines regarding chemical agents
  - a. Chemical agents shall not be used as an offensive weapon to persuade a person to move or act in a desired manner, nor to stop undesired conduct (examples include, but are not limited to noise, cursing, door banging, excessive room noise), which in and of itself does not amount to an immediate threat to the safety and security of the youth, staff, or the facility, or to affect an escape.
  - b. Whenever conditions allow, chemical agents should be applied from a distance of three feet to ten feet to prevent injury to the eyes of the recipient.
  - c. Chemical agents shall not be used when the person's violent activity is no longer likely to cause injury to another person, or escape.
  - d. Only the chemical agents provided by the department and approved by the Department of Justice will be carried and/or used by staff of the Probation Department (12450 PC).
5. Common effects of OC:
  - a. Inflammation to the skin similar to a burn—discoloration diminishes 10-45 minutes after decontamination.
  - b. Eye tearing and involuntary closing. Eyes will be bloodshot, red for 30-60 minutes following decontamination. Contact and eyeglasses are equally affected.
  - c. Temporary paralysis of the larynx, "can't talk."
  - d. Uncontrollable coughing, retching and gasping for air with a gasping sensation in the throat.
  - e. OC Exposure may cause a person to lose his/her balance due to the effect on their vision.
6. Maintenance:
  - a. Proof of each employee's training for chemical agents will be held in the employee's training file. With this, Juvenile Detention Facility staff will NOT be authorized to carry any chemical agents off duty.



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Adopted May 5, 2006

Revised: 10/23/2017

- b. Chemical agents will be housed in a secure location within the Juvenile Detention Facility, and will be distributed at the beginning of each shift. Likewise, at the end of each shift, each Chemical Agent canister will be accounted for and visually checked for signs of damage by the shift supervisor.
- c. Juvenile Detention Facility staff will weigh the Oleoresin Capsicum pepper spray canister at least one time per month. If a canister needs to be replaced, the Supervising Detention Officer shall be notified.

### 7. Advanced Force Option use of Chemical Agents:

#### MK-9 Oleoresin Capsicum Pepper Spray

##### Use:

- The MK-9 may be assigned for use to; Supervisors, Seniors, Rovers, the Assistant Superintendent, and the Superintendent of the Facility.

##### Purpose:

- The purpose and use of the MK-9 is to control large group incidents and in any high risk safety and security situations; where the deployment and use are required to bring about control, restore order, and insure the safety and security of the facility, the Detention Officers, facility staff, visitors, and or the minors therein. Examples for use of the MK-9; will be for officer safety, control riotous behavior, escape attempts, individuals or groups with weapons, and or control group assaults.

##### Placement:

- The MK-9 will be worn at belt level, holstered, and its retention techniques will be that of the MK-4, as staff has previously trained on and found to be proficient in its retention. The unwarranted brandishing of any oleoresin capsicum spray canister will not be tolerated and will be deemed a use of excessive force.

##### Training:

- All officers assigned to carry the MK-9 will be required to complete and pass an updated training class in Chemical Agents for the MK-9. Where they will be required to train with the MK-9 and be knowledgeable of its tactical uses; along with use / don't use scenarios. The officers will be trained in the use and limits of the MK-9, space, distance, temperature, and proper area of application. Additionally, the officers will be evaluated as proficient before authorized to use and carry the MK-9.

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### 8. Training Course Outline:

- a. A two hour training course will be completed prior to authorization to carry the MK-9 canister. The training course will be facilitated by an STC and or P.O.S.T. certified Chemical Agent Instructor.
- b. The class will review the MK-4 and MK-9 canister specifications, ingredients, and components.
- c. Policy and Procedure: The Officers will review Article 5, Section 1357a of the Policy and Procedure Manual.
- d. Policy and Procedure: The Officers will review / put into practice all decontamination procedures, documentation, and notification procedures of the uses of O.C. Spray / use-of force options.
- e. The Officers will familiarize themselves and train with an inert canister of the MK-4 and MK-9. They will be tested during training to be knowledgeable; of its parts, holstering requirements, and be rated proficient, before being allowed to carry / use, this use-of-force option.
- f. Application techniques will be reviewed and tested during scenario training. The class will be trained on the policy and procedures of the use-of-force as applicable to chemical agents and the proper application techniques.
- g. Documentation of class completion and attendance will be placed in the staffs training personnel file.

### 9. OC Pepper Spray Sensitive

- a. Whenever possible, officers should avoid deploying OC Pepper Spray against youth who have the following known medical histories or profiles:
  - New intake without knowledge of OC protocol
  - Documented medical history of respiratory problems
  - Documented medical history of heart disease or related problems
  - Taking any psychotropic stimulant medication
  - Under the influence of stimulant narcotics (cocaine; methamphetamine, PCP, etc.)
  - Documented medial history of seizures
  - Medically obese
  - Pregnant

### 10. Medical Alert Tag, Yellow Wristband

Youth who admit to any of the above or are recognized as having the aforementioned characteristics shall be identified upon booking and tagged "medical alert" on the medical chart. In addition, the youth shall be issued a yellow wristband, to be worn at all times.

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### ARTICLE 7                      Discipline

### SECTION 1390                Discipline

**POLICY**                      Discipline shall be imposed at the least restrictive level necessary to promote acceptable behavior. Corporal punishment, group punishment, denial of basic rights, and cruel and degrading punishment, either physical or psychological, shall not be permitted.

### PROCEDURE

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- A. Discipline shall only be used as a consequence of a youth's negative behavior and shall be imposed at the least restrictive level which promotes the desired behavior.
  
- B. Disciplinary measures shall not include corporal punishment, group punishment, physical or psychological degradation, or deprivation of such basic rights is not permitted. Deprivation of the following is not permitted:
  - 1. Bed and appropriate bedding
  - 2. Daily shower, access to drinking fountain, toilet and personal hygiene items, and clean clothing
  - 3. Full meals
  - 4. Contact with parents and attorney
  - 5. Items needed for personal hygiene
  - 6. Exercise
  - 7. Medical services and counseling
  - 8. Religious services
  - 9. Clean and sanitary living conditions
  - 10. The right to send and receive mail
  - 11. Education
  - 12. Rehabilitative programming.
  
- C. Rules of conduct and consequences for violations of minor and major rule violations shall be posted for all youths in each housing unit. This information shall be expressed simply and will be accessible to all youth, including youth with disabilities/special needs, limited English proficiency, and/or limited literacy regarding the discipline process.