

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-3C-02, 03, 04, 05, 06, 07, 08, 09, 11; 3E-01, 02, 03, 04, 05
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Discipline and Special Behavior Management		
POLICY NUMBER: DJJ 717		
TOTAL PAGES: 8		
EFFECTIVE DATE: October 5, 2018		
APPROVAL: Carey D. Cockerell		, COMMISSIONER

I. POLICY

Discipline shall be administered to create a learning experience for the juvenile and shall not be administered to degrade or humiliate a juvenile. Alternatives shall be provided for out-of-control juveniles who require special behavior management. Special behavior management programs shall be individualized. Corporal punishment, the use of mechanical restraints, abuse, assault, personal property damage, harassment, the denial of meals or snacks, and the interference with daily functions of living, such as eating, or sleeping shall be prohibited as punitive consequences.

II. APPLICABILITY

This policy shall apply to all regional juvenile detention centers.

III. DEFINITIONS

Refer to Chapter 700.

IV. PROCEDURES

- A. Each regional juvenile detention center shall develop a written set of disciplinary rules within the facilities Standard Operating Procedures. The rules shall govern juvenile major and minor rule violations and provide consequences commensurate with the seriousness of the misbehavior. The facilities Standard Operating Procedure shall be approved by the Facilities Regional Administrator and reviewed annually. Juveniles shall be informed upon admission of the facility rules and possible consequences. The rules and possible consequences shall be included in the resident handbook for staff and juveniles to review and posted in an area of public access. Juveniles shall be required to sign an acknowledgement verifying receipt of the resident handbook.
- B. The Superintendent shall be responsible for ensuring that all personnel who work with juveniles receive sufficient training regarding rules of conduct, the rationale for the rules, and the consequences available.

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- C. Restraints or isolation shall not be used as a consequence; however, it may be necessary to impose additional consequences to a juvenile for the behavior requiring isolation or restraint.
- D. An individual program plan shall be developed for juveniles with serious behavior problems. The Superintendent or designee can order immediate placement in a special program when it is necessary to protect the juvenile or others from harm. This action is reviewed within 72 hours by the Superintendent or designee.
- E. The following are examples of acceptable disciplinary interventions or consequences:
 - 1. Redirect:

Verbally redirecting the juvenile toward a more positive alternative behavior and reinforcing positive expectations for the juvenile.
 - 2. Informal Reprimand:

A verbal reprimand may be used in response to minor rule infractions without further disciplinary action. The reprimand shall communicate what the offense was and the expectation, with the understanding that, if repeated, disciplinary action may be initiated.
 - 3. Forfeit of Privilege or Privilege Suspension:

The forfeiture of privileges or privilege suspension may occur as a result of a minor rule infraction for misuse or mistreatment of these privileges, or as a disciplinary action in response to a major rule infraction.
 - 4. Activity Suspension:

Staff may exclude a juvenile from participating in an activity or activities for a period of time depending upon circumstances.
 - 5. Time Out

Timeout period may be used for minor misbehavior for a specified time not to exceed one hour. Prior to going into timeout, the reason shall be explained to the juvenile and an opportunity provided for the juvenile to explain the behavior. Staff shall make contact with the juvenile at least every 15 minutes. These contacts shall be documented. The juvenile shall participate in determining the end of the time out.
 - 6. Room Restriction:

Room Restriction may be used for juveniles who require removal from the regular program because of excessive program disruption, physical disruption, or rule infractions. Prior to going into room restriction the reason shall be explained to the juvenile and an opportunity provided for the juvenile to explain the behavior. Staff shall make contact with

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the juvenile at least every 15 minutes. These contacts shall be documented. An observation sheet shall be posted on the juvenile's door. Room restriction shall not exceed twenty-four (24) hours.

7. Unit Lockdown:

A unit may be on lockdown status for the safety and orderly maintenance of the facility. All juveniles on a living unit may be placed on Room Restriction status.

8. Facility Lockdown:

The facility may be on a lockdown status for the safety and orderly maintenance of the facility. Juveniles in all living units in the detention center may be placed on Room Restriction Status.

9. Isolation:

- a. The following situations may constitute a threat to safety or security of the facility, staff, or youth and may result in an isolation placement:
 - i. Assault or attempted assault;
 - ii. Sexual Assault or attempted sexual assault;
 - iii. Attempted escape or attempted absent without leave (AWOL);
 - iv. Escape;
 - v. AWOL;
 - vi. Riot;
 - vii. Plotting a Riot;
 - viii. Dangerous contraband;
 - ix. Extensive property damage; or
 - x. Chronic program disruption.
- b. Authorization shall be obtained from the Superintendent, Youth Services Program Supervisor (YSPS), Administrative Duty Officer (ADO), or shift supervisor prior to placing a youth into isolation. If prior authorization cannot be obtained without jeopardizing safety and security, authorization shall be obtained immediately following the safe securing of the youth. An isolation placement shall not exceed four (4) hours.
- c. The Superintendent may authorize a youth to remain in isolation beyond an initial four (4) hour period, not exceed twenty-four (24) hours.

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- d. An extension of an isolation placement beyond twenty-four (24) hours and up to thirty-six (36) hours shall require the approval of the Facilities Regional Administrator (FRA).
- e. An extension of an isolation placement beyond thirty-six (36) and up to a maximum time for an isolation placement shall not exceed (48) hours with the approval of the respective Division Director and the Chief of Mental Health Services.
- f. The purpose for any extension beyond (4) hours shall be documented in the youth's Individual Client Record (ICR).
- g. The nurse shift program supervisor or on-call nurse designee shall be notified as soon as feasible to determine if there are contra-indications for the youth being placed in isolation.
 - i. The facility nurse or health trained staff shall as soon as feasible conduct an assessment of youth placed in isolation or as soon as it is safe to do so, as dictated by the Director of Medical Services.
 - ii. Injuries, bruises, or scratches, and observations shall be noted by a minimum of two (2) staff. The nurse or designee shall document the date, time, and results of the assessment.
- h. Isolation may be utilized if requested by a juvenile and staff concur that the placement is in the best interest of the juvenile.

10. Formal Charges:

The Superintendent may refer juveniles committing acts of a criminal nature for prosecution.

F. Protocol for Isolation

- 1. A Superintendent, YSPS, or YWS, when on duty at the facility, shall visit each youth in isolation each day. The visit shall be documented in the observation log.
- 2. The Regional Psychologist or designee shall conduct interviews and assessment for disturbances in mental status for example, depression; suicidal ideation; impaired thought processes, cognition or memory; agitation; paranoia; self-injurious behavior; evidence of bruises or other signs of trauma, when the juvenile's behavior has escalated beyond the staff's ability to control the juvenile by counseling or disciplinary measures.
- 3. If a juvenile exhibits deterioration in mental status while in isolation, the Regional Psychologist shall be contacted to determine the most appropriate action based on the treatment needs of the youth.
- 4. The juvenile shall receive a daily visit from the facility nurse or health trained staff, unless medical attention is needed more frequently.

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5. If a juvenile's problem behavior lasts twenty-four (24) hours and there appears to be a need for continued intervention, qualified health personnel shall assess the youth daily. Any treatment provided shall be documented in the youth's Medical Record.
6. Isolation shall not be used for protective custody. When protective custody is required, youth shall be moved to a safe location within the facility or the Department.
7. The Juvenile in isolation shall be afforded living conditions and privileges approximating those available to the general population including modified access to recreation, educational, and treatment services taking into consideration the juvenile's safety needs.
8. The Juvenile shall be responsible for the daily cleaning of their living area while in isolation.
9. Staff shall monitor the juvenile in intervals, not to exceed fifteen (15) minutes, for the juvenile's compliance with the plan for release criteria. These checks shall involve direct visual contact with the juvenile and the time between checks shall be random. These checks shall be documented in the observation log.
10. Behavioral observation and problems with the juvenile shall be noted in the observation log and the supervisor shall be notified of any medical or behavioral health issues that would warrant immediate attention for follow up. The observations shall include comments regarding the juvenile's attitude and outlook.
11. Staff interactions with the juvenile shall be documented on a log. Staff shall record the name and title of the individual who authorized the confinement, name and title for persons visiting the juvenile, record of time checks, the person authorizing release from confinement, and the time of release.
12. Release from Isolation may occur based upon the juvenile's behavior and state of mind. An administrative review shall be conducted by a Superintendent, Youth Services Program Supervisor, Youth Counselor, or Youth Worker Supervisor, within 4 hours of placement in isolation and reassessed at each shift change, or a minimum of eight (8) hours, thereafter to continually reassess the juvenile's readiness for release. One of the reviews shall be completed by a staff member not involved in the incident every twenty-four (24) hours. When a juvenile is isolated for more than 24 hours, authorization shall be obtained from the Facility Superintendent or YSPS. The time periods in which action is necessitated by this Policy are tolled during the times that youth are scheduled to sleep at the detention center.
13. Special instances may occur where highly assaultive juveniles may require isolation for more than forty-eight (48) hours. The respective

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Division Director shall be the authority for extending isolation beyond forty-eight (48) hours. The Superintendent, the Assistant Superintendent, or Youth Service Program Supervisor (YSPS) shall contact the Director for approval of an extension. The Director shall consult with the Chief of Mental Health Services about an extension past forty-eight (48) hours.

14. Juveniles in Isolation shall be visited at least once a day by personnel from clinical, administrative, social work, religious, or medical units. All interactions with the juvenile during placement on Isolation shall be documented.
15. When a youth is placed in isolation documentation of the isolation event shall be completed as follows:
 - a. The documentation shall include:
 - i. The reason for the isolation;
 - ii. The duration of the isolation;
 - iii. The reason for the duration of the isolation;
 - iv. The name and title of the staff person authorizing isolation and the time the approval was received; and
 - v. The staff authorizing release and the time of release.
 - b. The isolation packet shall include:
 - i. The incident report;
 - ii. The isolation room checklist;
 - iii. The medical checklist;
 - iv. The observation log and addendum;
 - v. The plan for release; and
 - vi. The professional/administrative reviews.
 - c. The isolation packet shall be reviewed by the Superintendent or designee;
 - d. The isolation packet shall be placed in the youth's hard case file. A notation of the incident shall be made in the electronic record, including the date and time of release; and
 - e. A copy of the isolation packet shall be sent, via electronic transfer, to the FRA and the Regional Division Director, upon request.
16. In the absence of the Regional Psychologist, a designated QMHP shall be responsible for fulfilling isolation protocol.

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17. Each facility shall track the number of isolations, length of isolation, and reason for each isolation and be included on the Regional Directors monthly report.

H. Protocol for Suicidal Youth and Isolation

1. Isolation shall not be used as a suicide precaution.
2. If a youth is suicidal a QMHP shall conduct a mental health evaluation pursuant to DJJ Chapter 4.
3. A youth who is suicidal may only be placed in isolation if they present an immediate assault risk to staff or other youth as evidenced by physical actions and other less restrictive interventions have failed or are not appropriate.
 - a. One-to-one supervision shall be required until a Qualified Mental Health Professional (QMHP) has conducted a mental health evaluation. The QMHP shall determine if a juvenile may be observed via the use of video cameras. Staff shall follow protocol for dealing with mental health emergencies and suicide intervention and prevention for youth who have been placed in isolation and expresses suicidal ideation.
 - b. Authorization for continued confinement shall be obtained from the Superintendent, Regional Psychologist, or the Facilities Regional Administrator (FRA) immediately following the safe securing of the youth.
 - c. The Superintendent, YSPS, or ADO shall consult with the Regional Psychologist to determine the most appropriate action; this action shall be based on needs and the goal of terminating the isolation placement as of the youth.
4. For a youth who has already been placed in isolation, who threatens suicide or engages in suicidal behaviors, staff shall follow the protocol for dealing with mental health emergencies and suicide intervention and prevention. Reference Chapter 4 Suicide Prevention/Intervention.
 - a. If a youth presents an immediate assault risk to staff or other youth, continued placement in isolation may be authorized.
 - b. Authorization shall be obtained from the YSPS, Superintendent, Treatment Director or QMHP, or the FRA to allow the youth to remain in isolation.
 - c. Subsequent to the isolation, the Superintendent, Treatment Director, or QMHP shall consult with the Regional Psychologist to determine the most appropriate action based on the treatment needs of the youth.

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- d. A QMHP re-evaluation of the youth's mental status shall be required when a youth in isolation exhibits new suicidal, assaultive, or homicidal behavior.
- I. Juveniles requiring protection from others may be placed in protective custody until alternative permanent housing is found within the facility or as a result of a transfer. The facility develops a protective custody plan to assure safety and continuous services and programming. Continued placement on protective custody status after 72 hours is approved by the FRA.
- J. Forfeit of privilege or privilege suspension, activity suspension, group restriction, room restriction, and isolation shall be documented for inclusion in the juvenile's record.

V. MONITORING MECHANISM

The Superintendent and Facilities Regional Administrator shall be responsible for monitoring these activities. The Quality Assurance Branch shall conduct annual program audits.