

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Programs and Activities <u>SECTION:</u> 6 <u>AUTHORITY:</u> Article 3, Section 1324, Article 5, Sections 1350, 1354 and 1360 Article 6, Sections 1370-1378, and Article 8, Section 1413, Title 15; Part 2, Section 460A.1.12, Title 24; Section 486545, et, seq.; California Education Code; Section 2105.7, Elections Code; Section 1705, Welfare and Institutions Code
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6.0 Programs and Activities

OVERVIEW

The following section sets forth policies for the various programs that are mandated by Title 15 of the California Code of Regulations, Minimum Standards for Juvenile Facilities.

All youth (WIC 601 and 602) within the facility shall have fair and equal access to all available services, placement, care, treatment, and benefits, and no person shall be subject to discrimination or harassment on the basis 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. (Section 1324(h), Title 15).

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6.1 Education Program

6.1.1 INTRODUCTION

The County Office of Education, through the Juvenile Court and Community Schools (JCCS), provides a wide range of educational services, designed to meet the needs of students of varying ages, grade levels, and academic abilities and the educational requirements set by the State of California Education Code. As part of their program, JCCS operates on a year-round schedule and has established a general course of study, designed to allow youth to resume their education (following release from detention), at their regular school.

6.1.1.1 FULLY ACCREDITED

JCCS are fully accredited by the Western Association of Schools and Colleges (WASC), which is the same accreditation agency that reviews all other California schools and Colleges. (JCCS are one of only a handful of Court Schools in the entire state that is fully accredited).

6.1.1.2 ADMINISTRATION

JCCS are staffed and administered by the San Diego County Department of Education.

6.1.1.3 ACADEMIC

The educational record of the youth shall be forwarded to the school district or educational program within 48 hours of a request by the school or parent. For those students who have been enrolled in a JCCS for less than twenty days, the student does not earn any academic credit and there may not be any records available. The school district or parent making the request shall be notified of this fact.

The County Superintendent of Schools shall provide credit for course work completed while in juvenile court school and consult with public school districts to accept credit for course work.

6.1.1.4 SPECIAL NEEDS

The JCCS Special Education program serves students with special needs or disabilities. The education program provides identification, assessment and instruction to students with special needs or disabilities in accordance with state and federal laws and regulations governing special education. Students may enter and exit the program at any time during the year.

The JCCS, located on the juvenile detention facility's grounds, have also made provision for individuals with special needs that include:

- Educational instruction for youth;
- Educational instruction for youth in high security or other special units;
- Compliance with applicable statutes for special education;
- Provisions for youth with health care restrictions;
- Provision for non-English speaking youth and those with limited English-speaking skills.

6.1.1.5 ANNUAL CERTIFICATION REQUIRED

The Facility Division Chief shall request and receive an annual certification from the Director of schools that the educational program complies with Title 15 regulations.

6.1.1.6 AB 2276 AND SB 1111

In order to maintain a positive consistency in a youth's educational experience, the State of California passed AB 1176 and SB 1111. In order to comply with the concepts put forth in AB2276 and SB1111, the San Diego County Office of Education will identify a "School Transition Liaison" to work with each San Diego County Institutional Facility. This Liaison is tasked to be the conduit of information between the institutions, casework PO, and the school/district identified that the youth will attend upon release. Institutional Service Officers will share information, in accordance with the facility procedures, with the Liaison to help facilitate the youth's transition from custody back to their school.

6.1.1.7 LIAISON OFFICER

In order to ensure effective communication and good professional/working relationships between the teaching staff and Probation Officers in the juvenile detention facilities, the Division Chief shall designate a Liaison Officer (Supervising Probation Officer or designee). The Liaison Officer (or Watch Commander in their absence) shall be the primary point of contact for problems, grievances or questions from the teaching staff. Similarly, the Principal (or other person designated by the Principal, such as a Head Teacher) shall act as the teaching staff Liaison Officer.

6.1.1.8 TEACHER SECURITY TRAINING

All teachers, teacher's assistants and non-teacher office staff assigned to the JCCS shall attend a one-time training/orientation class, to include safety and security issues, before they are allowed to be alone in any classroom setting with youth. (See Manual Section 3.6, Orientation and Security Training For Non-Sworn Staff The School Principal, or their designee, shall arrange with the Facility Training Officer for this security training, as necessary.). In addition, school staff must complete a monthly online PREA training and provide proof as required.

6.1.2 REQUIRED ELEMENTS

The school program shall comply with the State Education Code and the County Office of Education policies and provide a quality educational program to all youth that include instructional strategies designed to respond to the different learning styles and abilities of students and to prepare students to meet State academic standards. The curriculum and instruction are based on Common Core State Standards. The primary goal of Common Core State Standards (CCSS) is to teach critical thinking and problem solving.

6.1.2.1 COURSE OF STUDY

The course of study shall include, but not be limited to, the following:

- a. English/Language Arts
- b. Social Sciences
- c. Physical Education
- d. Science
- e. Health
- f. Mathematics
- g. Technology Education
- h. Electives (including career education)

6.1.2.2 HIGH SCHOOL DIPLOMA/GED/CALIFORNIA HIGH SCHOOL PROFICIENCY CERTIFICATION

General Education Development (GED) preparation shall be provided for eligible youth.. All students have the opportunity to explore career options, earn industry certifications, earn course credits toward a high school diploma and/or obtain California High School Proficiency Certificate by passing the GED and as of the 1st of January, 2015, by attaining a passing score on HiSET assessment. Additionally, students who have graduated, received their California High School Proficiency Certificate, or meet certain criteria may also pursue college credits. Supplemental instruction shall be afforded to youth who do not demonstrate sufficient progress towards passing the California High School Exit Exam (CAHSEE) as set forth in the Education Code.

6.1.3 SCHOOL ATTENDANCE

All youth in a juvenile detention facility are required to attend the school program provided by the JCCS. The only exception to this policy is if the youth has already received a High School Diploma or GED, and gets permission from the Division Chief to participate in a program such as college-prep courses or a course of self-study.

6.1.3.1 ENROLLMENT

Youth shall be enrolled in school no later than three days after admission and a preliminary education plan/school schedule shall be developed for each youth within five school days after admission.

6.1.3.2 COMPLETE SCHOOL DAY

Youth are expected to complete a school day consistent with State Education Code Requirements for juvenile court schools. Special arrangements are made for youth on UC status (see paragraph below).

6.1.3.3 SPECIAL NEEDS STUDENTS

Special arrangements are also made for youth who cannot be part of a classroom setting such as youth on Administrative Separation (AS) who cannot leave their rooms. (see Classification and Separation information in Manual Section 5.2). These youth will be seen by a teacher who visits them and assigns schoolwork to be completed in their rooms. This gives every youth the opportunity to complete their education.

6.1.3.4 LOCATION

The JCCS program may take place in the unit/dorm (e.g. in the dayroom for youth on UC, or in their rooms for AS youth), in classrooms located adjacent to the unit/dorm or in an “outside classroom” outside the housing unit/dorm, but still within the grounds of the facility. Assignments of a youth to a classroom located inside or outside a unit/dorm is predicated on:

1. A youth’s behavior
2. Ability to get along with peers
3. Their security status.

6.1.3.5 SCHOOL GROUP SIZE

The size of an outside school group is determined by each facility. However, the class size limit is based on the Board of State and Community Corrections (BSCC) requirements for space.

6.1.3.6 KEEP IN SAME SCHOOL GROUP

Once a youth is assigned to a particular school group, officers will make every effort to maintain the youth in that school group to facilitate the youth's academic progress and help the youth receive full credit for completed schoolwork.

6.1.3.7 ADJUSTING SCHOOL GROUPS

While it is generally true that youth stay in the same school group, there are occasions when adjustments are necessary (i.e. youth get released and the outside school group gets smaller, or a youth has an altercation with a teacher and gets suspended, etc.) When it is necessary to adjust the school groups, the teacher should be consulted to assess which youth are best able to handle the academic obligations of an alternate school group. Reassignments are then made by the Shift Leader, based on the teacher’s input, the youth’s behavior, peer interaction and security risk status.

6.1.4 SCHOOL GRADING SYSTEM

Students receive daily grades for each class attended. The grades reflect the student's academic performance and behavior. Daily grades are recorded by the teachers on a school grade sheet. At the completion of each school day, a copy of the grade sheet is submitted to facility officers. Release of grades to students prior to the completion of the school day is discouraged, as an unsatisfactory grade may present problems for the youth and the teacher. To receive a passing grade in school classes, students are expected to be courteous, cooperative, and work on assigned tasks.

6.1.4.1 SCHOOL RULES

During school periods, talking without permission, arguing, writing letters, drawing, profanity, making gang signs and negative comments, will result in a lower grade. Writing in books, on furniture or walls, is not permissible. Pencils, pens or markers are never allowed to be taken out of the classrooms. Teachers shall count all pencils, pens and markers after each class and inform officers if any are missing. Officers shall assist in attempts to recover the missing item(s), including a search of all youth in the school group, if necessary.

6.1.4.2 INTEGRATION OF SCHOOL AND FACILITY DISCIPLINE

The educational program shall be integrated into the facility's overall behavioral management plan and security system. JCCS staff shall be consulted on administrative decisions made by probation officers that may affect the educational programming of students. (See paragraph on Liaison Officer in Section 6.1.1.7 above.) Officers shall consult the school before making any final decisions on security or disciplinary issues that would affect any youth’s educational program.

6.1.4.3 “5 POINT” SCALE

The current school grading system is based on a five-point scale. This system and the rules governing classroom behavior are as follows:

Grade	Description
5 = Excellent	The student has performed his/her school tasks with an above standard level of effort and has maintained "model" behavior.
4 = Good	The student has performed his/her school tasks with strong, positive effort and has maintained respectable behavior.
3 = Satisfactory	The student has performed his/her school tasks adequately, with acceptable behavior.
2 = Poor	The student has not performed his/her school tasks adequately and/or has displayed some degree of unacceptable behavior. Although not a “Failing” grade, a youth detained in a locked facility, who receives a grade of two (2) is not performing his/her school tasks adequately and/or has displayed some degree of unacceptable behavior. Therefore, the youth shall dine-in for the meals on the day they receive a two (2) in school. Youth receiving a school grade score of two (2), which is considered a passing grade will be interpreted as “Needs Improvement” and the youth will be required to “Dine-In” for that day only.
1 = Very Poor	The student has failed to meet minimal classroom standards for behavior and/or performance. Youth who receive a very poor grade of one (1), are not suspended from school nor shall they be removed from class by Facility officers. However, they are subject to disciplinary action upon their return from school, by unit officers (See Section 7.5). Teachers have the option to request removal of Youth receiving a one (1) grade score from class for one (1) period with the right to return next period.
0 = Failure	The student is so disruptive and/or uncooperative that he/she must be removed from the classroom for the remainder of the day. (Also see paragraph below regarding Suspension.)

6.1.4.4 SUSPENSION

Students receiving a grade of zero (0) in a class for violent acts, fights, or severely disrespectful behavior shall be suspended from the school program for the remainder of the day and the following day as well. Any teacher making a recommendation for suspension shall file a written report (see next paragraph) with the school principal as set forth in the State Education Code Section 48900.

6.1.4.5 STUDENT INCIDENT REPORT FORM

In the case of a student suspension, the teacher is required to complete a Student Suspension Report Form (JCCS Form #227), detailing the nature of the student's behavior which caused the suspension. Disciplinary measures beyond the suspension shall be determined by officers in accordance with the disciplinary policies governing youth conduct (see Section 7.5). The Principal and the Division Chief shall review all Student Suspension Forms, and all forms are sent to the California Department of Education at the end of each year.

6.1.4.6 OFFICERS DO NOT “SUSPEND” STUDENTS

Under no circumstances shall officers “suspend” a student from school. Suspension is strictly a school function and JCCS shall comply with all Education Code requirements (see above). Officers may, however, discipline youth who are extremely disruptive and threaten the safety and security of the facility via the procedures outlined in Institutional Services Manual Section 7.

6.1.4.7 EXPULSION

Students are not “Expelled” from a JCCS . Students who would normally be expelled from a traditional school (e.g. students who attack teachers or are constantly in fights) are classified/re-classified as security risks. As such, they may be confined to their rooms for a period of time. Teachers visit such youth in their housing units and provide class assignments for them to complete in their rooms. In this manner, even students who have continuing difficulty completing a school day are provided the opportunity for daily education. If the youth refuses to complete their work on any given day, they do not receive credit for that day.

Note: Students who are committed to a Camp and are expelled may be Administratively Removed (AR’d) from the facility due to their failure to participate in the camp program..

6.1.5 SCHOOL PROCEDURES AND SECURITY ISSUES

Each facility shall establish procedures for orderly, officer supervised, youth movement, to and from school, classroom changes, and recreation. The facilities shall also establish procedures for moving youth in an orderly, officer supervised, manner to Court and Court approved interviews during the hours when school is normally in session.

6.1.6 KEY CONTROL BY TEACHERS

Teachers must have access to classrooms and storage cabinets in order to do their jobs properly. Waiting for an officer to open a door for every classroom would be an impractical hardship. However, it is equally necessary to maintain control and limit access by youth to materials and locations that could cause security problems. Therefore, key control is necessary.

6.1.6.1 KEY CONTROL

Each facility will designate an area where the classroom keys will be locked and secured. The key sets shall be individually numbered and assigned, and shall be inventoried at least twice daily by school staff. Classroom keys will never leave the Facility. Teachers who leave the Facility during the day must return their key sets to the secured area, and pick up their keys when they return to the school.

Note: Teachers at Camp are issued a permanent key to their classroom door and storage cabinet. Substitute teachers must follow the above procedures.

6.1.6.2 MISSING KEY SETS

Any key set that is discovered to be missing, lost or unaccounted for shall be reported to the principal and the Watch Commander immediately. The Watch Commander (and the school officials) shall take all steps necessary to locate the missing key set, up to and including calling staff back to the facility and/or conducting a facility-wide search.

6.1.7 DRESS CODE FOR TEACHERS

See Manual Section 2.3.11.

6.1.8 ISSUE RESOLUTION

Occasionally issues regarding Safety and Security Practices in the classrooms will arise between Probation and the School. The School Liaison Officers (or Watch Commander in their absence) shall be the primary contact for facility staff. The Principal (or other person as designated by the principal) shall be the primary school contact. When possible all issues should be submitted through the respective Liaison Officers by Probation and School staff. Personnel issues involving school staff shall be referred via the chain of command. The Division Chief of the facility will contact the Principal regarding the personnel issue.

6.1.8.1 SCHOOL NOTIFICATION PROCEDURE

The Probation Liaison Officer and the School Liaison Officer shall be in contact bi-weekly (or as frequently as required to discuss unresolved issues. The Probation Liaison Officer will present all issues to the Facility Division Chief and Unit Supervisors at the weekly Division Chief’s meeting for discussion and resolution.

The issues presented and discussed, along with the recommendation will be compiled in a report and submitted to the Facility Division Chief, with a copy to the school principal, quarterly.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Recreation and Exercise <u>SECTION:</u> 6.2 <u>AUTHORITY:</u> Article 6, Sections 1371, Title 15
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6.2 Recreation and Exercise

6.2.1 STANDARDS

Section 1371 of the California Code of Regulations, Minimum Standards for Juvenile Facilities, sets forth the guidelines for incorporating recreational and exercise activities into the facility programs. Housing units/dorms will post Recreation and Exercise Schedules visibly in the dayroom. Compliance with these guidelines mandate that each Facility housing unit/dorm adhere to the following procedures and guidelines:

Each unit/dorm program shall meet the below standards, and any deviation from the minimum standards, must be approved by the Unit/Dorm Supervisor or Watch Commander.

- a) Equivalent recreational programming shall be provided for both male and female youth.
- b) Recreation shall include the opportunity for at least one hour of daily access to unscheduled activities such as reading, television, radio, video, movies and games. Activities shall be supervised and include orientation and coaching of youth. Gambling and games of chance are prohibited.
- c) The exercise schedule shall include the opportunity for at least one (1) hour of large muscle group physical activity each day. This activity shall be conducted outdoors, weather and security concerns permitting. If weather conditions do not permit outdoor activity, then one hour of exercise involving large muscle group activity shall be provided indoors.
- d) The schedule shall provide the opportunity for recreation, programs (discussed in Section 6.10) and exercise for a minimum of three hours per day during the week, and five hours per day on Saturday, Sunday and non-school days (of which one hour shall be large muscle group exercise).
- e) Youth on disciplinary status (e.g. Administrative Separation) shall continue to have an opportunity for one hour of large muscle group exercise.

6.2.2 GENERAL PROVISIONS

Sound practices shall be adopted by all officers when organizing and supervising recreation and exercise programs. The following practices provide for the safety and security of the youth as well as the facility:

- Horseplay will not be permitted or tolerated during recreation and exercise activities.
- Recreation and exercise activities shall not take place in areas of ongoing construction, or in close proximity to equipment or tools.
- All recreation and exercise equipment must be used only for its intended purpose, and with the supervision of officers.
- Officers are prohibited from participating in any recreation and exercise activity as it compromises their ability to provide security or immediate response to an emergency situation. Officer participation is not permitted except to be used as the pitcher in a ball game or as a referee.

6.2.2.1 DOCUMENT ACTIVITIES

Each unit/dorm's Shift Leader shall record on a daily basis the period of time the youths engaged in recreation and exercise activities. This documentation shall be recorded in the unit/dorm logs and programming sheets as necessary, for informational and record keeping purposes. Minimum documentation requirements include the commencement and completion time of the activity, the type of activity engaged in, and the names of youth involved in the activity.

6.2.3 PHYSICAL RECREATION ACTIVITIES

Afternoon and weekend recreational activities shall be organized and supervised by officers. Appropriate physical recreation activities include, but are not limited to, basketball, volleyball, soccer, aerobics, and/or mat recreational games.

Wrestling and football are not permitted due to the large number of injuries resulting from these sports. Youth shall not be permitted to participate in any contact sports (i.e., football, boxing, etc.).

6.2.3.1 NON-SPORTS (NS)

Youth who are placed on non-sport status have been medically exempted from physical activity. They shall not be involved in recreational activity until clearance is received from the Medical Clinic removing them from "non-sport" status. They shall be required to sit down during the recreational program (in an area designated by the shift leader). The only exception shall be for pregnant female youth, who are assigned non-sport status but are cleared by the clinic to walk around during outdoor recreation.

6.2.3.2 OPPORTUNITY TO PARTICIPATE

Youths who have suspended privileges shall continue to participate in physical exercise and recreation programs. Youth may be suspended, for a period not to exceed 24 hours, access to recreation and programs only upon approval by the Watch Commander/Unit Supervisor. Watch Commander approval may occur when a youth represents a threat to the safety and security of the facility.

6.2.3.3 REQUIRED PARTICIPATION

Participation in scheduled recreational programs is required for all youth who are eligible. Officers are prohibited from using recreation or exercise for the purpose of disciplining or punishing a youth. Youth who refuse to participate in mandatory programs will be encouraged to do so. Continued refusal will lead to the youth not achieving points per the facility's behavior management system or further intervention.

6.2.3.4 SECURITY PRACTICES

The following practices shall be adopted by all officers when supervising recreation and exercise activities:

- Ensure appropriate officer coverage is available prior to implementing an activity. The Juvenile Detention Facilities shall maintain a 1:10 ratio (i.e., 1 officer for every 10 youth), while the Camps maintain a 1:15 ratio. If there are not enough officers, the shift leader shall contact the Watch Commander to increase the officer to youth ratio or conduct a split program.
- Always structure the group prior to the commencement of a planned activity by:
 1. Announcing and discussing the group behavioral expectations for and during the activity, especially sportsmanship;
 2. Ensuring that all participating youth are aware of the rules of the game, and that the rules are followed;
 3. Providing instruction regarding the use of any equipment associated with the scheduled activity;
 4. Requesting and answering questions pertaining to the activity, prior to commencement.
 5. Make sure that youth not participating in the activity are sitting down in an appropriate place.
- Prior to engaging in the recreational activity, assign an officer to inspect all recreational areas and equipment for potential hazards.
- When providing supervision, do not remain in one place; circulate among the group to encourage participation and to hear and see what is being said or going on between youth. Officers shall maintain a triangulate position with other officers to ensure proper supervision around the youth (see Manual Section 5.7 – Officer Positioning.)
- Watch youth to ensure safe participation and be alert for possible injuries. If youth are injured, follow first aid procedures outlined in Manual Section 8.4.
- Be alert and aware of safety and security measures. Carefully watch for the use of potentially dangerous equipment, and always maintain proper positioning to provide maximum supervision and quick response to problems (i.e., fights, escape attempts, etc.).
- When a youth/group of youth's behavior becomes disruptive or their sportsmanship deteriorates, discontinue or restructure any activity.
- Staff should evaluate the temperature of the ground prior to outdoor recreation programming to decide appropriate calisthenics. An alternative would be to perform outdoor exercises on grass. When announcing, “Cover” during outdoor recreation on hot days, youth can assume a sitting position, if the ground is hot instead of the usual “Cover Position.” During hot days, staff should be mindful to not have youth over exert themselves. Water should always be available.

6.2.3.5 PROPER CLOTHING

All youth participating in athletic recreation programs are required to wear serviceable tennis shoes, gym shorts, and safety equipment (if necessary or required) during all periods of exercise/recreation. Shoes should be inspected regularly by officers to ensure safety and cleanliness. Shoes found to be unserviceable shall be removed from unit/dorm inventory. Youth designated as non-sports will still be required to wear gym shorts and sandals outside, even though they will not be exercising.

6.2.3.6 DISINFECT TENNIS SHOES

Tennis shoes need to be disinfected with anti-fungal powder prior to being re-issued to another youth. Powder is available through supply.

6.2.3.7 INDOOR RECREATION

Outdoor recreation shall not occur during rain or periods of severe heat; one hour of exercise of large muscle group activities shall be provided indoors on these days.

6.2.3.8 WARM-UP EXERCISE

Prior to the commencement of any physical recreational activity, officers shall conduct twenty minutes of warm-up exercises for all participating youth. Warm-up exercises shall include stretching, followed by calisthenics, response drills and/or jogging.

6.2.3.9 MEDICAL RESTRICTIONS

The following medical guidelines shall apply to recreational programs involving physical activity:

- Outdoor recreation is not permitted during Stage 3 smog alerts.
- Outdoor recreation is not permitted during temperatures of over 95 degrees.
- Youth on Bed Rest shall not be permitted to engage in physical activities.
- Youth wearing a cast shall not be permitted to engage in physical activities.
- Youth on Suicide Watch status may attend recreation dressed in proper attire (unless restricted by the STAT Team).
- Youth on Close Watch status may attend recreation with the rest of the unit unless restricted by the STAT Team.

6.2.3.10 SPORTING EVENTS/ PROGRAMS

Events sponsored by the Facility represent an additional source of recreation. An example of these events is the periodically scheduled unit/dorm "Sport Challenges/Sports Saturdays" (i.e., for basketball, volleyball, etc.). Competition between units/dorms requires advance authorization from the Watch Commander.

"Sport Challenges/Sport Saturdays" shall never include only one youth from one unit/dorm challenging members of another unit/dorm.

6.2.3.11 SPORTING EVENTS BETWEEN FACILITIES

Periodic competitions are permitted between selected Facilities. Scheduling of these competitions require advance approval from the Facilities Division Chief.

6.2.3.12 SOCIAL AWARENESS PROGRAMMING

Programs designed to promote social awareness and reduce recidivism shall be provided. Programs shall include social awareness programs as outlined in Section 1378 of Title 15. Social Awareness Programs shall take into consideration the needs of male and female youth. Such programs may include: victim awareness; conflict resolution; anger management; parenting skills; juvenile justice; self-esteem; tolerance and diversity; building effective decision making skills; appropriate gender specific programming; and, other topics that suit the needs of the youth. Each unit/dorm's Shift Leader shall record on a daily basis the period of time the youths engaged in programming. This documentation shall be recorded in the unit/dorm logs and programming sheets as necessary, for informational and record keeping purposes. Minimum documentation requirements include the commencement and completion time of the activity, the type of activity engaged in, and the names of youth involved in the activity.

6.2.4 ENTERTAINMENT POLICY

Entertainment refers to television programs, movies and other forms of mental stimulation, amusement, and distraction.

6.2.4.1 ENTERTAINMENT STANDARDS

Movies with G and PG ratings may be shown to all age groups. Movies rated PG-13 are generally acceptable for age groups of 13 and older. Movies rated R, NC-17 or X shall not be shown to any group. Television programs rated TV-MA shall not be shown to any group.

6.2.4.2 GENERAL GUIDELINES

The success and benefit of an entertainment program lies in the suitability and appropriateness of the material presented. Entertainment, featuring themes which promote violence, illegal behavior, or which show explicit sex scenes or acts, are detrimental to the well-being of youth in custody and should not be shown. When considering entertainment, officers must take into account the safety and security of the facility and local community standards. All movies and television programs shown should be appropriate for the age and emotional level of the youth viewing the program.

6.2.4.3 TELEVISED SPORTS EVENTS

Televised sports events (e.g. Monday Night Football, etc.) may be shown as an incentive for good behavior (with approval of the Unit/Dorm Supervisor or Watch Commander). However, viewing is limited to one hour after the regular unit/dorm programming is completed.

6.2.4.4 VIDEO-EQUIPMENT

Generally, each Facility unit/dorm has a VCR and DVD player enabling each unit/dorm to develop their own schedule for showing video entertainment.

6.2.4.5 LIBRARY IN DUTY OFFICE

Each Facility also maintains a small library of electronic media. These media sources have been pre-approved for viewing by all the age groups. They may be checked out at any time, on a first come basis.

6.2.4.6 PRIVATELY OWNED OR RENTED MOVIES

Officers are also authorized to bring in their own movies for viewing, so long as they meet the entertainment standards as set forth above and are approved by the Watch Commander or Unit/Dorm Supervisor. Officers bringing in DVD's shall be responsible for the content and suitability for viewing. Officers are therefore encouraged to preview DVD's, prior to showing them to a group.

6.2.4.7 ONE MOVIE PER WEEK

Each unit/dorm shall show no more than one entertainment film per week without prior authorization from the Unit/Dorm Supervisor.

6.2.4.8 RADIO POLICY

Each Housing Unit/Dorm has a radio/stereo/CD player. Use of the radio will be at the discretion of the unit/dorm Shift Leader, depending on the behavior of the youth.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Religious Program <u>SECTION:</u> 6.3 <u>AUTHORITY:</u> Article 6, Sections 1372, Title 15;Section 1421; Welfare and Institutions Code, Section 1705
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6.3 Religious Program

6.3.1 STANDARDS

Section 1372 of the California Code of Regulations (Title 15), Minimum Standard for Juvenile Facilities, sets forth the basic provisions for religious programming. In establishing compliance with these standards, the following policies and provisions have been developed regarding a youth's access to, and participation in, religious programs and services .

6.3.2 GENERAL PROVISIONS

All youth shall be afforded access to religious services and/or counseling at least once per week unless it can be shown that facility security would be compromised. Attendance shall be voluntary. No sanctions or penalties shall be imposed on a youth for choosing not to attend religious programs or activities, and incentives or rewards shall not be provided to youth as an inducement to participate in religious programs or activities. All youth shall be permitted access to religious literature, unless it represents a clear and demonstrable danger to the security of the facility. Religious articles such as medallions, rosaries, prayer beads, crucifixes, etc., are not permitted in due to the potential for misuse/use as a weapon. Exceptions to this are the white rosaries given to the youth by the Catholic priest. Penitential communication between a youth and minister shall be confidential, and IS officers shall not infringe upon their right to confidentiality. Religious programs and services offered to youth shall be arranged by the Probation Department's Chaplain Coordinator. Officers are to be present during regularly scheduled religious services for youth, in a security capacity. Officer participation in the religious services is prohibited.

6.3.3 CHAPLAIN COORDINATOR

All religious programs, services, and activities offered, fall under the auspices of the Probation Department's Chaplain Coordinator, who coordinates all services for all Probation Department Detention Facilities. Office hours are between 7:00am and 4:00pm, Monday through Friday. All questions regarding the scheduling of religious programs, clergy visits and special events of a religious nature, should be directed to the Chaplain Coordinator, who can be reached through the KMJDF main office at (858) 694-4500.

6.3.3.1 RELIGIOUS VOLUNTEERS

All religious programs, services, and activities conducted are provided by volunteers, including the Chaplain Coordinator. Volunteers in Probation assists the Chaplain Coordinator in recruiting and training volunteers to provide religious services and programs. All volunteers who intend to enter a juvenile detention facility must receive training (including reading the Religious Volunteer Manual) and orientation (provided by the Chaplain Coordinator) prior to entry. Religious volunteers can be among the most helpful service providers when they have a working knowledge of the facility's policies and security concerns.

6.3.4 RELIGIOUS SERVICE

Under the supervision of the Chaplain Coordinator, facility religious services representing the Protestant and Roman Catholic faith are held on a weekly basis.

6.3.4.1 ADDITIONAL PROGRAMS

Additional religious programming includes a separate Roman Catholic service in Spanish, and a separate religious service for the high security units due to their security needs.

6.3.4.2 CHURCH SERVICES

Protestant and Catholic services are held at various times in a designated area and all youth are allowed to attend the service. Due to time limitations, it is often necessary for groups of youth from two different housing units/dorms to attend the same service. When this occurs, officers are required to enforce the security precautions and requirements in Manual Section 5.7 (Youth Group Movements.)

6.3.4.3 INDIVIDUAL SERVICES

Protestant and Catholic services, including counseling are also available for youth at their request. Scheduling for these activities is arranged through the Chaplain Coordinator.

6.3.4.4 SPECIAL PROGRAMS AND SERVICES

In addition to the above referenced scheduled programs, religious services can also be offered to a variety of other faiths that are designed to meet the particular religious needs of all youth.

Included in this special programming are opportunities for individual religious counseling, visits from local clergy and arrangements for special religious observances for religious faiths, in addition to those represented in the regular schedule. Officers who receive requests from youth for special religious programs, should contact the Chaplain Coordinator.

6.3.4.5 CLERGY VISITS

Visits to youth from local clergymen are encouraged and arranged through the Chaplain Coordinator. Youth whose faith is not represented in worship services listed above may request an individual clergy visit. Officers receiving requests from youth for clergy visits shall direct the inquiries to the Chaplain Coordinator. (Also see Manual Section 6.5.10.3, Clergy).

6.3.4.6 CHAPLAIN MESSAGE BOX

Each facility has a locked message box for youth to send communications to the Chaplain. These messages can be requests for religious materials, counseling, individual pastoral services, or complaints. It is intended that all messages placed in the message box are to be confidential communications with the Chaplain, and officers are not allowed to read or censor messages from youth. However, if an officer has reasonable cause to believe that the security of the facility or the safety of any officer or youth is at risk, that officer shall contact the Watch Commander immediately. The Watch Commander, with approval from the Division Chief, may then open and inspect the contents of the message box.

6.3.4.7 RELIGIOUS DIETS

Youth requests for religious diets are to be submitted by written request to the Chaplain Coordinator (usually via the Chaplain Message Box). After verification of the need and content of the diet, the Chaplain Coordinator shall inform the Watch Commander, Booking and the Food Service Manager. The diet will then be provided in accordance with Manual Section 9.8.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Work Program <u>SECTION:</u> 6.4 <u>AUTHORITY:</u> Article 6, Sections 1370 and 1373, Title 15
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6.4 Work Program

6.4.1 INTRODUCTION

Youth involvement in unit/dorm or facility work programs represent a significant aspect of daily Facility activities and an important tool in developing a youth's sense of responsibility, confidence and self-respect.

The primary work responsibilities assigned to youth, involve general housekeeping activities and preparation and/or service of meals. Youth who satisfactorily complete work assignments may receive special rewards and privileges.

6.4.2 GENERAL PROVISIONS AND STANDARDS

The following policy provides the standards for youth participation in Facility work programs.

- Youth shall not be required to perform non-functional, degrading or unnecessary tasks this would include any task that may endanger them or be a health hazard.
- Youth work duties shall be meaningful, constructive, and directly related to increasing a youth's sense of responsibility.
- Youth shall not be required to do maintenance, janitorial, food preparation/service, housekeeping, or other work assignments as a substitute for Assigned and Budgeted Institutional Services (IS) employees.
- Youth shall not be assigned to or engage in, any work activity without the direct supervision of an IS officer.
- Youth work assignments shall not involve security procedures or supervision responsibilities over other youth.
- Work activities may not be assigned to a youth as punishment, or for disciplinary reasons.
- Youth shall not be subject to disciplinary action for refusing to participate or perform facility work activities.. This does not include the responsibility associated with the general housekeeping and cleanliness of their own rooms. (Programming Units and camps are exempt from this provision as work is a necessary and beneficial part of their treatment program.)

6.4.3 UNIT/DORM WORK PROGRAMS

Each Facility unit/dorm shall develop work programs for its youth with general housekeeping duties assigned to a designated number of youth within each unit/dorm. Workers are given more responsibility, and in return, they may receive special privileges for their work efforts (i.e., first in line for extra food, etc.).

6.4.4 EXCEPTION

UC/Max Security Units shall not have Dayroom Clean-up Captain's (DCC's), stewards or any other designated youth in charge of other youth workers. Each group in these units may have delegated workers. This assignment should be rotated within the group.

6.4.4.1 FACILITY STEWARDS/HATS

Stewards/Hats are selected by unit officers on the basis of merit, and are assigned limited responsibility for the overall cleanliness of specific unit areas. The selection method and term of the position will be established by each facility. Staff shall be alert that the position does not result in the youth having a sense of entitlement or authority over the other youths.

6.4.4.2 EXTRA WORKERS

Extra Workers may be designated by officers at any time, to assist with a special unit/dorm cleaning task or with regularly scheduled housekeeping activities. Extra workers are typically selected to assist with the preparation of youth clothing "rolls" and to help with the general housekeeping activities.

6.4.5 UNIT FOOD SERVICE DUTIES

Youth who engage in food service work must have appropriate workers clearance from the Facility Medical Clinic. Each facility shall establish procedures for the supervision/safety checks of youth who are food service workers.

6.4.5.1 FOOD SERVICE PROCEDURES

The food service procedures are designated by each facility.

6.4.5.2 FOOD HANDLER EDUCATION

All youth who handle, serve or clean up food handling or preparation areas shall undergo food safety training. Unit/Dorm officers shall monitor compliance with food handling safety and personal hygiene requirements. The training can be in the form of a training video produced by the U.S. Department of Agriculture "Food Safety is no Mystery."

6.4.6 FACILITY WORK PROGRAM

In addition to unit/dorm work programs, youth detained in a juvenile detention facility (with the exception of GRF) are also eligible for work programs that service the facility. Youth may be utilized as kitchen workers and laundry helpers.

6.4.6.1 KITCHEN WORKERS (KP'S)

Kitchen Workers (KP's) are youth assigned on a voluntary basis to assist the facility kitchen staff with the preparation of meals for the facility. The workers are selected from a designated unit on a rotating schedule. Workers from different units are not to be intermixed. The work schedules for kitchen workers consist of a morning and afternoon shift. The duties of the kitchen workers will be established by each facility. (Also see Manual Section 9.10, for more information on youth as kitchen workers, and Section 6.4.5.2, Food Handler Education).

6.4.6.2 INELIGIBLE

Special precautions must be exercised by unit officers when selecting youth as kitchen workers. Youth who are on suicide/close watch, unit confinement, or are parolees from the California Youth Authority are never to be sent to the kitchen. Youth with assaultive histories or assigned to a high security unit are denied eligibility to work in the kitchen.

6.4.6.3 YOUTH ILLNESS

Youth who appear to be ill or display cold or flu symptoms should not be sent to the kitchen to work. The facility kitchen staff reserves the right to dismiss or refuse a youth as a kitchen worker. Workers are to miss as little school time as possible. Youth must also not have facial hair except for regulation style mustache.

6.4.6.4 PAT-DOWN SEARCH

Unit/Dorm officers shall conduct a "pat-down search" of Kitchen Workers, KP's and 80 Workers as outlined in Manual Section 5.1 whenever they return to their original units/dorm.

6.4.6.5 LAUNDRY

Youth can help staff in completing laundry.

6.4.7 WORK RESTRICTIONS

6.4.7.1 SECURITY

A youth's security, disciplinary or Kitchen Worker status may effect eligibility for participation in the Facility work programs. The various statuses which may restrict work eligibility are as follows:

6.4.7.2 NO KITCHEN PATROL (NKP)

No Kitchen Patrol (NKP) is a designation the Facility Medical Clinic assigns to a youth, and the status can only be removed by the clinic. NKP status restricts a youth's work activities to tasks which do not involve the preparation or service of food. Such youth cannot be assigned to work in the kitchen, or in any capacity as a food handler (including the washing of dishes).

NKP youth may however, assist with unit housekeeping activities, such as head and hall chores.

6.4.7.3 UNIT CONFINEMENT

Youth assigned UC status are not eligible for any work assignment outside of their housing unit, or as 80 workers assigned to Main Control, Central Control, or IBR. They also may not be utilized as "runners" (i.e., to deliver or pick up items from a unit or area outside their own unit, etc.). UC's may however, participate in work activities within their own unit.

6.4.7.4 ADMINISTRATIVE REMOVALS (AR'S)

Youth who are administrative removals from Camp Barrett, the Juvenile Ranch Facility or the Girls Rehabilitation Facility are not eligible for facility or unit work programs during the first 72 hours of their detention in KMJDF/EMJDF or when such restrictions are specifically included in the list of disciplinary sanctions imposed by their parent facility.

6.4.7.5 OTHER RESTRICTIONS

Youth with a history of assault or escape are not to be utilized as facility workers in KMJDF or EMJDF, but they may be utilized as a unit/dorm worker, at the discretion of unit/dorm officers.

6.4.8 PROGRAM FOR NON DELINQUENT AND MED-ISO YOUTH

6.4.8.1 NON DELINQUENT/MED-ISO YOUTH RIGHTS

Any non-delinquent or medical isolation youth must be provided housing arrangements and program activities that are separate from the 602 population. Therefore, all above mentioned youth, regardless of how long they are detained, shall be housed away from the general population. Any above mentioned youth shall have the same rights and privileges, and they shall receive the same treatment and programming opportunities that are afforded to all other youth.

6.4.8.2 DAILY PROGRAMMING SCHEDULE

When a non-delinquent or medical isolation youth is housed temporarily, the youth must receive, at minimum, three (3) hours on weekdays and five (5) hours on weekends and non-school days of recreational activities outside of his/her room per day. These activities should include one or more of the following activities: Literacy/Schoolwork; Chemical Dependency Education; Anger Management/Domestic Violence Education; Personal Responsibility (e.g. Character Counts).

Program time activities include, reading books, homework/literacy programs, playing games, engaging in sporting events, letter writing, telephone usage, watching television/programs/movies.

The exercise schedule shall include the opportunity for at least two (1) hour periods of physical activity each day, usually one during the AM shift and one during the PM shift. This activity shall be conducted outdoors, weather and security concerns permitting.

6.4.8.3 SCHOOL PARTICIPATION

Youth shall be enrolled in school no later than three days after admission, and a preliminary education plan/school schedule shall be developed for each youth within five school days after admission.

Special arrangements are also made for the youth who cannot be part of a classroom setting. These youth will be seen by a teacher who visits them and assigns schoolwork to be completed in their rooms. This gives every youth the opportunity to complete their education.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Visiting Program <u>SECTION:</u> 6.5 <u>AUTHORITY:</u> Article 5, Section 1360 and Article 6, Section 1374, Title 15
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6.5 Visiting Program

6.5.1 STANDARDS

Title 15, Section 1374, sets forth the guidelines for incorporating a visiting schedule into Facility programs. Compliance with these guidelines mandate that each detention facility shall allow youth a weekly visit by parents, guardians or persons standing in-loco-parentis. Opportunity for visitation shall be a minimum of two hours per week. The visiting program will consist of visiting hours and days which are determined by each facility.

6.5.2 AUTHORIZED VISITORS

The following persons are typically authorized to visit a youth during the regular Visiting Program (except when restricted by Court Order or the Facility Division Chief): Visitors must be at least 21 years old.

- Parents
- Step Parents
- Foster Parents
- Legal Guardians
- Grandparents

Persons not named as regular authorized visitors must seek approval to visit during the regular Visiting Program. Authorization and approval is obtained through the Juvenile Court, the Casework Probation Officer, the DJJ Probation Office, Social Worker, and/or Facility Division Chief or Watch Commander. Individuals not named as regular authorized visitors who are a substantial part of the youth's life must be listed on the Court Order and have Deputy Probation Officer's and Division Chief/Designees' approval. Court Orders received by Supervisors are to be sent to the Deputy Probation Officer to provide a "Record Check" on the individual prior to entry, for the safety and security of staff and youth.

6.5.3 UNAUTHORIZED VISITORS

Unauthorized visitors who appear at the Facility shall be informed of their ineligibility during the screening process. In a professional manner, staff shall notify all unauthorized persons of their ineligibility and the reasons. Additional information as to the procedures available to gain eligibility (i.e., contacting the youth's Casework Probation Officer, etc.) shall be provided. When requested, unauthorized visitors shall be provided with the Casework Probation Officer's business telephone number. The Watch Commander shall be notified and take responsibility for resolving any conflict if complications arise.

6.5.4 IDENTIFICATION REQUIREMENTS

Any authorized person visiting a youth must possess valid picture identification as proof of identity. This is for safety and security of the facility as well as for the protection of youth. To qualify, the picture identification must indicate the visitor's name, age and/or citizenship and must be valid and current. Acceptable forms of picture identification include:

1. A Driver's License (any state)
2. A Picture Identification Card (any state)
3. A Temporary ID issued by Kearny Mesa Juvenile Detention Facility
4. An Alien Registration Card
5. A valid passport
6. A U.S. Armed Services photo ID card (Dependent, Active or Retired)
7. An ID card from the Mexican Consulate (see note below)

Persons without valid picture identification shall not be permitted visitation privileges, unless specific authorization and approval is obtained in advance from the Facility Watch Commander or the Juvenile Court. Any exceptions to this policy shall be solely at the Division Chief's discretion, based on safety and security precautions.

Note: In March 2002, the Mexican Ministry of Foreign Affairs started issuing a new higher security ID, called "*Matricula Consular de Alta Seguridad*" or MCAS. The card is made of green security paper with the Mexican official seal over the bearer's picture. The card contains the bearer's name, date and place of birth, and address. The card has a digitized photograph with a magnetic strip similar to the California driver's license, and can now be accepted as a form of identification.

6.5.5 VISITOR REGISTRATION

All persons entering the facility for the purpose of visiting a youth, are required to register, by signing their name, the name of the youth being visited and their relationship to the youth. A visitor's log shall be maintained.

Officers assigned to visiting check-in shall always be courteous and refrain from eating or making personal phone calls when dealing with the public.

6.5.6 VISITOR SEARCH AND CONTRABAND

Under the authority of Title 15, Section 1360(d), and for the protection of persons within this facility, all visitors entering a juvenile detention facility are subject to a search of their person, personal belongings and any other items brought into the facility (i.e., books). Visitors are also required to pass through a metal detector. Visitors shall not be allowed to have on their persons, or bring into any facility, any items deemed to be contraband (i.e., pens, pictures, cellular phones, etc.). Visitors may only carry in their possession, one key and one Identification Card. Officers shall direct visitors to place all additional items in a secure location (i.e., vehicle, secure lockers, etc.). Institutional Services (IS), the Probation Department nor the County of San Diego will assume any responsibility or liability for the safe keeping of any items left in the lobby/reception area.

6.5.6.1 PURSES, HANDBAGS AND BRIEFCASES

With the exception of Officers of the Court (i.e., Probation Officers, etc.), or individuals on official County or Juvenile Court Business, persons entering juvenile detention facilities are not permitted to have purses, handbags, packages or briefcases on their person when visiting youth in the facility.

6.5.6.2 FOOD

Visitors shall not be permitted to bring food or beverages into any locked facilities. Camp facilities shall establish facility specific procedures for food and beverages.

6.5.6.3 BOOKS AND MAGAZINES

Each individual facility has established procedures for introducing books and/or magazines into the facility.

6.5.6.4 MEDICATIONS

Medications for youth brought into a juvenile detention facility by a parent or legal guardian must be cleared and pre-approved through the Facility Medical Clinic.

6.5.6.5 PERSONAL CARE ITEMS

All personal hygiene items, such as shampoo, soap, combs, deodorant, toothbrushes, hair products, etc., are provided to youth by the Facility. Visitors are not allowed to bring items of this nature into any facility. Staff shall not allow a youth to accept any item associated with personal care. (See Section 10.4.2). GRF is an exception to this, once the youth reaches the Journey Phase personal care items may be brought in by the youth's parent/guardian.

6.5.6.6 VISITOR STRIP SEARCHES AND PAT DOWNS

IS staff shall never strip search a visitor. Pat down searches are permissible if there is "probable cause" to suspect the visitor is in possession of contraband, drugs and/or weapons. Pat down searches of a visitor may only be conducted in the presence of the Watch Commander, and by officers of the same gender. Supervisor approval and visitor consent must be obtained prior to the pat down. Visitors who decline to be searched shall be denied access to the visiting program for that occasion. Future visiting may also be denied if the Facility Division Chief believes the safety and security of the facility is jeopardized or threatened by the visitor.

6.5.6.7 CONTRABAND

The following items are considered contraband, and under no circumstances shall a visitor give them to a youth during the visiting program:

- Tobacco (in any form)
- Liquor or any other intoxicant
- Glue, solvents or cement
- Chewing Gum
- Narcotics, drugs, medications
- Firearms, knives, or weapons of any type
- Matches or lighters
- Money
- Pencils, pens or markers
- Games, cards or dice

6.5.6.8 WEAPONS

Section 871.5 of the Welfare and Institution Code, prohibits any person from bringing a weapon of any type regardless of size into any juvenile detention facility. Any person who violates this statute is subject to punishment as prescribed by law. All visitors shall be subject to a metal detector search during the regular visiting program. Any visitor, who is suspected of being in possession of a weapon, shall be denied access to the facility. Any officer with "reasonable cause" to suspect a visitor is concealing a weapon shall immediately contact the Watch Commander, who in turn shall request that the visitor leave the premises or local law enforcement officers will be summoned. If any visitor is found to be in possession of any type of weapon, the Watch Commander shall notify local law enforcement officers to respond to the Facility to arrest the visitor.

6.5.6.9 ILLEGAL CONTRABAND

If a visitor is found to be in possession of an item or items that constitute a law violation (e.g. controlled substance, concealed weapons, etc.) the Watch Commander shall be notified immediately and shall report the incident to the appropriate Law Enforcement Agency and follow the agencies instructions on how to proceed. The illegal contraband shall be secured according to the procedures outlined in Manual Section 5.1.

6.5.7 VISITOR CONDUCT

Any visitor suspected of being under the influence of alcohol and/or drugs shall be denied access to the facility. Any IS staff member who has “reasonable cause” to suspect a visitor of being under the influence of drugs and/or alcohol shall immediately notify the Watch Commander.

Visitors who are loud, boisterous, unruly, or who engage in insulting or threatening actions, shall also be denied entry into the facility by the Watch Commander.

6.5.7.1 NO SMOKING

Youth are not allowed to smoke at any time while detained in the facility. Additionally, smoking is not permitted by any visitor during the visiting program or while on facility grounds.

6.5.7.2 VISITOR COMPLIANCE

Visitors must comply with all facility and unit rules governing visitations. Visits in progress shall be subject to immediate termination when a visitor's behavior becomes disruptive or endangers the safety and security of the facility, facility employees or youth. Failure to abide by the rules, inappropriate physical contact or disturbing visits which endanger group security and supervision are sufficient grounds for immediate termination of a visit as well as suspension of future visiting privileges. (A decision to suspend or restrict on-going visiting privileges may only be made by a Unit/Dorm Supervisor, or Watch Commander. An order to suspend future visiting privileges must be approved by the Facility Division Chief.

6.5.7.3 VISITOR CLOTHING

Visitors shall be fully clothed in appropriate attire. Visitors inappropriately dressed, wearing attire displaying obscene or offensive language, offensive drawings or attire that is too revealing shall be brought to the attention of the Watch Commander and will be asked to wear different attire for future Visiting Programs. If visitors continue to wear inappropriate clothing on subsequent visits, they shall be warned, in writing, that further non-compliance with dress code requirements may result in suspension of visiting privileges. Ultimately, and in the Watch Commander's discretion, inappropriately dressed visitors may be asked to go home and change into something more appropriate before being allowed entry into the Facility.

6.5.7.4 VISIT TERMINATION

In some instances, interaction between a visitor and a youth may become dangerous or even violent (and not always on the part of the youth). The officers must make every effort to de-escalate the situation and if necessary terminate the visit for the individuals involved. When circumstances permit, the Supervisor or the Watch Commander shall be called prior to termination of a visit. Officers shall document all terminated visits and/or noteworthy incidents in a incident report. At all times, officers shall remain alert and use their best judgment when terminating visiting privileges for that day; they may also recommend further restrictions or suspensions of future visiting privileges.

6.5.7.5 USE OF FORCE ON VISITORS

Officers may use an objectively-reasonable amount of force to restrain and gain control of an individual/situation. The policy regarding use of force on visitors is described in Manual Section 14.1.10.

6.5.7.6 VISITORS WITH CHILDREN

When a parent is visiting a youth in the locked facilities, and brings other children along, there must be a responsible adult to watch the children while the parent goes into the facility to visit. Children under the age of 16 shall not be left in the lobby while the parent visits. Neither staff, the Probation Department nor the County of San Diego will assume any responsibility or liability for the safety of any children left in the lobby/reception area.

When a parent is visiting a youth detained in the Camps, and brings other children along, they will be given notice that this is against the policy the visit will be denied. Children are not allowed to visit youth in the Camps.

6.5.8 INITIAL INTAKE VISIT

Parents and/or legal guardians are authorized for an initial visit with their child following the youth's entry and detention. This one time visit is to take place within the first 48 hours after the youth's admittance. Parents may be authorized separate initial visits when deemed necessary (i.e., parents separated, divorced, working, etc.). After the initial 48 hour period has elapsed, visiting shall be authorized only during regular visiting hours, unless otherwise approved in advance by the Juvenile Court or Watch Commander.

6.5.8.1 REQUIREMENTS

Parents or guardians arriving for an initial visit are subject to the same requirements listed above with respect to identification, possession of contraband, search, and conduct.

6.5.9 REGULAR VISITING HOURS

The regular Facility visiting program and holiday hours for authorized visitors are designated by each individual facility. The visiting schedule may be modified by the Facility Division Chief during emergency situations.

6.5.9.1 MAIN CONTROL/CENTRAL CONTROL/VISITING BOOTH RESPONSIBILITIES

Main Control (MC)/Central Control (CC)/Visiting Booth shall serve as the Information Center for all visitors entering the facility. Directions to the designated visiting area and general information shall be provided to visitors. Officers shall also arrange for special visits, which require staff supervision or other unique conditions. Authorized visitors shall be monitored to ensure they proceed directly to their designated visiting area.

MC/CC/Visiting Booth officers are also responsible for monitoring the readiness of personnel and the commencement of regular visiting hours. Any delay in commencing the visiting program shall be immediately communicated to the Watch Commander.

6.5.9.2 DETAINED SIBLING VISITS

When parents come to visit two siblings at any facility, and the youth's unit behavior is good, they can visit together with the parents in MIC or Main Control, or another designated area. This does not include UC youth; joint sibling visits when one or both youth are in a maximum security housing unit will be at the discretion of the Watch Commander or the housing unit Supervisor. The siblings can be male and female. The Watch Commander shall always be notified prior to sibling visits.

6.5.9.3 VISITOR QUESTIONS

General inquiries from parents or authorized visitors regarding a youth's behavior may be briefly addressed, if appropriate. Questions concerning a youth's health shall be directed to the Facility Medical Clinic. All other inquiries shall be directed to the Unit/Dorm Supervisor, Watch Commander or Casework Probation Officer.

6.5.9.4 OFFICER RESPONSIBILITIES

It is critical that the facilities be ready for visitors at the time scheduled. Delays should only be in case of an emergency. Officers are responsible for supervising the visitors and youth in the designated visiting area. An officer shall process the visitors. Duties shall include registering visitors in the visiting log, being alert for attempts to bring in contraband, and directing the visitors to the specific area in which they are to conduct their visit.

Only youth receiving visits shall be authorized to be in the designated visiting area, as staff needs to concentrate their attention on the youth and visitors. All staff shall display courteous behavior toward parents and refrain from eating and making personal phone calls during visiting periods.

6.5.9.5 SUPERVISION OF VISITS

While visits are in progress, officers shall observe all participants for compliance with visiting rules, but conversations shall not be monitored unless there is a security or safety need (see Section 6.5.11.1, Monitored Visits Defined). Youth receiving visits shall be dressed appropriately (i.e., in dress prescribed by staff) and they shall be informed of the behavioral standards and expectations associated with the visiting program.

6.5.9.6 VISITOR AND YOUTH REGULATIONS

All visitors and youth must obtain permission from Facility staff prior to giving or accepting anything. Staff shall not accept any items for the youth from visitors (i.e., rubber bands, mail, photographs, etc.) Visiting rules shall be available, in writing, for youth and visitors. Youth shall be informed of the visiting rules of conduct during unit/dorm orientation. The rules and regulations shall be posted in a visible area in each housing unit/dorm and in the Public lobby area (see Appendix A, page A-77 for Visiting Rules).

6.5.9.7 YOUTH MOVEMENT

During visiting, youth shall not be permitted to move about the facility without staff permission. Youth who violate the visiting rules are subject to disciplinary action and/or termination of the visit. Youth requesting to retrieve items from their rooms may only do so with permission, and under direct supervision so as to prevent contraband from being introduced into (or removed from) the facility.

6.5.9.8 COMPLETION OF VISIT

Upon completion of each visit and after all visitors have departed from the designated visiting area, officers shall conduct a thorough pat down and possible strip search, with supervisor approval of all youth for contraband. Searches must be completed prior to allowing contact with other youth, access to different areas in the facility, and prior to returning the youth to their rooms/sleeping quarters.

Upon completion of the Visiting Program, officers shall search the visiting area thoroughly, including underneath each chair, for contraband. Until the search procedure is completed, no youth shall be permitted access into the visiting area, and no new visitors shall be allowed into the unit.

6.5.10 SPECIAL VISITS

Special visits are those, which occur outside the normal Visiting Program hours. These visits include Court ordered visits and special visits arranged by the Casework Probation Officer, or those visits approved by the Facility Watch Commander.

6.5.10.1 WATCH COMMANDER APPROVAL

All special visits are granted at the discretion of the Watch Commander. As a general rule, for a special visit to be approved by the Watch Commander, there must be a strong nexus between the Casework Probation Officer's treatment plan for the youth and the visit.

Examples of special visits, which may be granted by the Watch Commander, include parents, guardians, extended family members (i.e., grandparents, aunts, uncles, etc.) teachers, employers, wives and husbands. Persons under the age of 18 can be permitted to visit only when highly exceptional circumstances exist.

6.5.10.2 CHILDREN VISITS

If a detained youth has a biological child, that child is permitted a special visit if they have an appropriate escort. The child must be escorted by an authorized visitor for the youth. Under most circumstances, the biological child will be escorted by the detained youth's mother, father, or grandparents. However, the Court may permit other individuals to bring the biological child to visit their detained parent. The child's out of custody parent (a girlfriend or boyfriend), would not be allowed to serve as an escort unless approved by the Facility Division Chief. If a Social Worker is assigned, the Social Worker should be extended an invitation to the visit.

During a child special visit, the safety of the child is the primary concern. The visit must be under the direct supervision of an officer. If the child should require medical treatment for any reason, staff should provide life saving techniques, such as CPR, and should immediately call 911.

If the youth exhibits any behavior that requires restraint of the youth, officers shall not use OC spray while the child is anywhere nearby. Intervene with physical force and get the child out of harm's way as soon as possible. Notify the Watch Commander and call for back-up as necessary. Child visits are permitted during regular business hours only.

6.5.10.3 CLERGY

Special visits for clergy are generally granted when requested following clearance from the Chaplain Coordinator and the youth's Casework Probation Officer (see Manual Section 6.5.10.3).

6.5.10.4 REGULATIONS FOR CLERGY VISITS

The following policy regulates all clergy visits to youth:

- The Chaplain Coordinator authorizes individual visits by clergy. Clergy visits are usually limited to one (1) time per week and are scheduled at the mutual convenience of the minister and the facility. In the event of an emergency (i.e., illness, death in the family, etc.) the Chaplain Coordinator shall have the discretion of increasing the number of visits and times, with the coordination and approval of the facility Division Chief.
- Professional visits are limited to ordained persons, or in the case of churches not practicing a formal ordination, a person authorized by a denomination counsel.
- Professional church workers (i.e., youth workers, pastoral counselors, etc.) who are not ordained may also be authorized by the Chaplain Coordinator to visit individual youth, who are members of their congregation.
- Ministers requesting visiting privileges shall be referred to the Chaplain Coordinator who will schedule the visit with the Facility.
- Requests by youth for an individual clergy visit shall be referred to the Chaplain Coordinator.
- Any disputes with regard to the above policies will be resolved by the Facility Division Chief.

6.5.10.5 DOCUMENTATION

Upon granting a special visit, the Watch Commander shall notify the Administration Office. Information to be provided and logged by the Administration Office includes: name and relationship of visitor(s); the name of the youth receiving the visit; the time and date of the special visit; and name of the Probation Officer or person requesting the visit, and the name of the authorizing Watch Commander/SPO.

6.5.10.6 SPECIAL VISITS LIMITATIONS

Special Visits are not to be granted during mealtimes or shift change. All special visits shall normally be conducted in the designated visiting area, under the supervision of an officer, except when the special visit is granted contingent upon the Casework Probation Officer supervising the visit.

6.5.10.7 LIMITATIONS

Special visits are granted for a maximum of thirty-minutes, unless otherwise approved by the Facility Division Chief. All special visits are authorized on a one-time-basis only. When granted, special visits may occur on any day of the week.

6.5.11 MONITORED/NON-CONTACT VISITS/TELE-VISITING

6.5.11.1 DEFINED

Monitored visits refer to visits which require IS staff to be present to monitor the visit. The Watch Commander, Unit/Dorm Supervisor, Division Chief or the Juvenile Court may direct a visit to be monitored for security and/or safety reasons. All requests for a monitored visit must specify the reason for monitoring, and the monitor's reporting requirements. All monitored visits shall be conducted in an area designated by the Facility and shall be scheduled for a maximum of thirty minutes, unless otherwise approved by the Watch Commander.

6.5.11.2 NON CONTACT VISITS/TELE-VISITING

The EMJDF Visiting Center has non-contact and tele-visiting rooms. Camp Barrett also offers tele-visiting. The respective Division Chiefs shall establish facility specific procedures for their use.

6.5.12 PROFESSIONAL VISITS

Professional visits are those, which are conducted by Police Officers, Probation Officers, attorneys and other legally authorized officials. These persons are not required to obtain special permission to conduct an authorized interview with a youth. Proper identification is required; however, prior to admitting such persons into the facility. See Section 6.8 below for additional information on Attorney Visits and Consultations, interviews and Access to Legal Services.

6.5.12.1 SUPPORT STAFF VISITS

Psychologists, professional counselors and placement officials (i.e., 24 hour school, etc.) are also authorized to conduct interviews. These visits are initiated by and subject to the approval of the youth's Casework Probation Officer. The Facility Watch Commander shall then submit approval to the Administration Office for visitor authorization.

6.5.12.2 MEDIA REQUESTS

Requests by the media to visit or interview any youth are not permitted, unless expressly authorized by the Division Chief.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Correspondence/Mail Policy <u>SECTION:</u> 6.6 <u>AUTHORITY:</u> Article 6, Sections 1375, Title 15
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6.6 Correspondence/Mail Policy

6.6.1 INTRODUCTION

This section addresses the policies regarding the sending and receiving of mail, by youth in custody. Particular focus is placed on the practices associated with privileged mail, unauthorized mail, the reading and inspection of youth correspondence, and the youth's right to exchange confidential information with their legal representative, a public official, and the Judiciary; via the mail.

6.6.2 OVERVIEW

Youth generally have the right to send and receive an unlimited amount of mail while detained. However, incoming or outgoing mail may be inspected by officers to ensure the safety and security of the facility, the public, and the other youth in the facility.

6.6.3 YOUTH NOTIFICATION OF POLICY

Youth shall be advised of the facility mail policy upon assignment to their living unit/dorm. Notification shall consist of advising the youth of the policies regarding the handling, sending and receiving of mail, privileged mail, unauthorized mail, restricting mail, and the inspection and reading of mail

6.6.3.1 DEFINITIONS

The following definitions apply to all mail or correspondence:

Privileged Mail: Youth correspondence with Federal, State or local Courts, attorneys, officials of the confining or releasing authority, officials of the Board of State and Community Corrections (BSCC) and their Casework Deputy Probation Officers or DJJ Probation Officers. (See Section 6.6.5 – 6.6.5.1.)

Unauthorized Mail: Mail containing anything outlined in Section 6.6.6 – 6.6.6.2.

Rejected Mail: Outgoing Mail that is not sent due to unauthorized content, objectionable material (e.g. graffiti, gang writing, profanity, etc.), or contraband. (See Section 6.6.7 – 6.6.7.2.)

Withheld Mail: Incoming Mail that is not delivered to the youth. (See Section 6.6.8 – 6.6.8.4.)

Restricted Mail Status: Restricted mail status means the number of letters a youth has can be limited; and /or letters from identified individuals (e.g. gang associates) are returned to the sender and not delivered. (See Section 6.6.9 – 6.6.9.5.)

Monitored Mail Status: When a youth is placed on monitored mail status, all letters received (or specific letters from identified individuals) are to be read by officers. (See Section 6.6.10 – 6.6.10.3.)

6.6.3.2 INSPECTION OF OUTGOING MAIL

Unit/Dorm officers shall inspect (but not read) all outgoing mail for contraband, objectionable material (e.g. graffiti, gang writing, profanity, etc.) or unauthorized content (e.g. escape plans, evidence of a crime, or other content outlined in Section 6.6.6.) If the outgoing mail contains unauthorized content or contraband, the document and material is classified Unauthorized Mail and shall be immediately forwarded to the Watch Commander with appropriate documentation (e.g. Incident Report) detailing the circumstances under which it was discovered. Contraband is defined as any object or substance, the possession of which constitutes a crime under the laws of the State of California, any object or substance which presents a danger to the Facility and its occupants, or any other object/substance which would interfere with the day to day operation of the Facility. (See Manual Section 6.6.4).

If the outgoing mail contains profanity, graffiti, pornographic drawings, gang writing, gang symbols or slogans, or gang related material the letter shall be returned to the youth for corrections or rewriting, with an explanation of why the letter was rejected. If the youth refuses to make the necessary corrections, the letter shall be considered Rejected Mail for objectionable material. The document shall be forwarded to the Watch Commander. (See Section 6.5.7 – 6.5.7.2 for information on handling rejected mail.)

6.6.3.3 GUIDELINES

The following guidelines structure the mail policy for youth in custody.

1. Youth shall be encouraged to maintain communication with their families and the community by sending and receiving mail.
2. Each youth shall be given the opportunity to write letters at least once per week and receive an unlimited number of letters, unless restricted by Section 6.6.9.
3. The Facility shall provide postage, pencils, paper and the opportunity to write letters. All outgoing letters by youth shall be written in pencil.
4. Mail sent to or received from public officials, judges, attorneys, psychologists, and psychotherapists, shall not be read or censored by officers, except as noted in Section 6.6.5.1 below.
5. Officers shall open and inspect, but not read, incoming mail for contraband in the presence of the youth. Outgoing mail shall be sealed by the youth in the presence of officers and given to officers for mailing. Officers shall search for contraband if the youth is present and then allow them to seal the envelope if no contraband is discovered. Following sealing, the mail must be initialed on the back flap by officers, indicating it has been inspected.
6. Youth may write and receive mail from any person; except from those in custody in any juvenile detention facility, at another correctional facility (except for parents), or any other person designated by Court Order or the Facility Division Chief.

6.5.3.4 YOUTH LETTERS TO OFFICERS

Youth are not permitted to correspond with Probation Officers (except their assigned Casework DPO) or any other officer from any other IS facility. Any such correspondence found by any officer shall be forwarded to the Watch Commander as soon as possible. See Manual Section 2.4.10.15 for additional information.

6.6.3.5 LETTERS FROM ANOTHER PROBATIONER

If an officer identifies a letter to a youth to be from another probationer, the officer is to contact the youth's Probation Officer to determine whether it is appropriate for the youth to receive the letter or if should be sent to the Probation Officer.

6.6.3.6 EXCESS MAIL

The number of letters a youth may possess in their room must fit in one envelope. Letters possessed by youth above this limit shall be considered "excess", and placed in the youth's personal property bag.

6.6.3.7 DISCIPLINARY STATUS

Youth on disciplinary status may have the number of letters in their rooms restricted or limited, depending on their behavior, by the Unit Supervisor. See Manual Section 7.7 for more information on restrictions for youth on disciplinary status.

6.6.3.8 INTER-UNIT MAIL

Exchange of correspondence between youth in separate Facility units/dorms is not permitted for Facility security reasons. Youth are also prohibited from corresponding with youth at any other County Detention Facilities. All such mail is deemed unauthorized and must be forwarded to the Watch Commander. (See Section 6.6.6 – 6.6.6.2 below for more information on unauthorized mail.)

6.6.3.9 LETTERS DURING VISITING

Institutional Services (IS) staff are prohibited from receiving mail directly from a youth, the family member of a youth, or any other person for personal delivery to a youth. All mail must be processed and delivered in accordance with Manual Section 6.6.4. Additionally, letters are not allowed to be exchanged during visiting, unless specific approval is received from a Supervisor (e.g. if a youth makes a birthday card for a visitor, delivery can be approved at the discretion of the Supervisor.).

6.6.4 PROCESSING YOUTH INCOMING MAIL

Incoming mail shall be delivered as soon as practical after it is received. Unit/Dorm Supervisors shall designate a time for mail delivery in their respective units/dorms each day, as part of the unit/dorm programming.

When mail is received by the facility, a unit/dorm officer shall retrieve the correspondence from the facility office. The officer will open and inspect the mail for contraband in the presence of the youth. The envelope that the letter came in, with the exception of the return address shall be disposed of. If the correspondence is free from contraband, the letter shall be given to the youth. If the letter contains any of the items listed in Section 6.6.6, the letter is considered "Unauthorized" and shall be withheld from the youth (see Section 6.6.8 – 6.6.8.4 for information regarding withheld mail) and forwarded to the Watch Commander for review and disposition. The youth may copy the return address from an authorized letter. However, the corner of the envelope containing the return address (or the return address label) shall not be torn off and given to the youth.

6.6.4.1 PACKAGES

Youth are not authorized to receive packages unless they have been pre-approved by the Division Chief or designee. Any package deemed "necessary" must be arranged for delivery via the youth's casework DPO.

6.6.4.2 OUTGOING MAIL SUBMITTED TO OFFICERS

Mail submitted by a youth for delivery must be given to unit/dorm officers unsealed, with the following format used on the outside of the envelope: (Note: All Bold items required.)

<p>Name of Youth, Unit/Dorm # San Diego County (Facility Name) Facility Address</p> <p style="text-align: center;">TO: Name (“Mommy” or other nicknames are not enough.) Address (Number and Street) City, CA, Zip-Code (Post Office will not deliver without Zip-Code)</p>

6.6.4.3 OUTGOING MAIL COLLECTED DAILY IN UNITS/DORMS

All outgoing mail shall be collected daily, and delivered to the Front Office for Post Office pick-up. Mail intended for delivery, must be processed within 24 hours (i.e., delivered to the Front Office for pick-up) except during a legal holiday and/or the weekend.

6.6.4.4 ACCEPTABLE MAIL

When the letter is acceptable, the inspecting officer will put the letter in the envelope and ask the youth to seal the letter. The officer will then initial the flap and put the letter in the unit/dorm mail box for collection.

6.6.5 PRIVILEGED MAIL

Youth may correspond confidentially with Federal, State or local Courts, attorneys, officials of the confining or releasing authority, officials of the Board of State and Community Corrections (BSCC) and their Casework Deputy Probation Officers or DJJ Probation Officers. This is considered privileged mail. Officers shall not limit the amount of privileged mail a youth may send.

Correspondence with a psychologist or psychotherapist is also considered privileged to an extent. If there is reasonable cause to believe the safety and security of the individual or the facility is threatened, such mail shall be subject to officer review.

6.6.5.1 INSPECT ONLY FOR CONTRABAND

Authorized facility officers may open and inspect such mail only to search for contraband and in the presence of the youth. Outgoing privileged mail shall be sealed by the youth in the presence of officers and shall not be reviewed, read or inspected by any staff member.

6.6.6 UNAUTHORIZED MAIL

Youth may not receive or send unauthorized mail. Mail is considered unauthorized if the contents of the correspondence contain one or more of the following:

- It threatens or is intended to harass another person (i.e., victim, witness, etc.);
- It advocates or encourages acts of violence or physical harm to any person(s);
- It contains contraband or concerns sending contraband into or out of the facility;
- It concerns advocates or encourages a plan to escape from the facility;
- It concerns a plan for criminal actions/activities, or contains evidence of a crime (e.g. conspiracy, location of stolen goods, etc.);
- It advocates the direct furtherance of a criminal act;
- It concerns a plan for an activity in violation of facility rules;
- It is written in code, and the format is meant to deter others from understanding (i.e., gang/satanic writing);
- It promotes gang affiliation and/or activity; or contains material that promotes or encourages gang affiliation/activity;
- It solicits gifts, goods or money from persons other than family;
- It contains information which if communicated, would create a clear and present danger of violence and/or physical harm to a human being;
- It contains material which would cause severe psychological or emotional disturbance to the youth;
- It contains explicit photographs or pictures of human genitalia, buttocks, mammary glands, etc. Pre-approved sex education literature is exempt from this prohibition;
- It contains pictures of other youth;
- It advocates and/or encourages racial/ethnic hatred, bias, or refers to people of other racial/ethnic groups in derogatory, disparaging or scurrilous terms.

Mail is also considered unauthorized under any of the following conditions:

- The letter is to or from any other youth in the same facility (even a sibling).
- The letter is to or from anyone in any other County Detention Facility or juvenile detention facility.
- The letter is to or from, any adult correctional facility, and has not been approved for receipt or dissemination (e.g. exceptions can be made for parents in custody).
- The letter is to or from any Probation Officer, other than the youth' Casework Deputy Probation Officer (DPO), or unless pre-approved by the Facility Division Chief. (See Manual Section 2.4.10.16 for additional information on correspondence with officers).

6.6.6.1 PROCESSING UNAUTHORIZED MAIL

All unauthorized mail shall be confiscated and forwarded to the Watch Commander for their review and disposition. An Incident Report, authored by the officer discovering the unauthorized mail, shall accompany all confiscated mail. Documentation shall include the date and time of confiscation, the reason for confiscation and the method of discovery. Depending on why the mail is considered unauthorized, the Watch Commander shall determine the proper disposition, in accordance with Section 6.6.30.

6.6.6.2 WATCH COMMANDER ACTIONS FOR UNAUTHORIZED MAIL

If, after review of the contents, the Watch Commander determines that the letter may be delivered even with the objectionable content, deliver the letter. Otherwise, the Watch Commander shall determine the appropriate actions in accordance with Section 6.6.8.4 below. The Watch Commander shall also comply with the 24-hour Notice rule when necessary (see "24 Hour Limit" paragraph in Section 6.6.8.2 below).

6.6.7 REJECTED OUTGOING MAIL

Rejected Mail is outgoing mail from a youth that is not sent. The rejection may be temporary or permanent. When an outgoing letter is inspected and found to contain unauthorized or objectionable material (e.g. profanity; graffiti; pornographic drawings; gang writing, gang symbols or slogans, or gang related material, etc.) that letter shall be rejected for mailing.

6.6.7.1 PROCESSING REJECTED MAIL

Mail found to contain unauthorized material, shall be addressed as described in Manual Section 6.6.6.1 – 6.6.6.2. Mail found to be objectionable (e.g. profanity; graffiti; pornographic drawings; gang writing, gang symbols or slogans, or gang related material, etc.), shall be processed as followings:

1. The letter shall be returned to the youth with an explanation of why the letter was rejected. The youth shall be offered the opportunity to erase the objectionable material and/or replace it with acceptable material (e.g. change a cuss-word to an acceptable adjective or adverb). This also applies to multiple page letters where only part of the letter is objectionable. Outgoing mail may not be rejected solely on the basis that the correspondence contains criticism of the facility or its employees.
2. After the youth corrects the letter, it shall again be inspected to ensure it is acceptable. If acceptable, follow procedures in Section 6.6.4.4. If still objectionable, point out the problem areas in detail and allow the youth another opportunity to correct the letter.
3. If the youth is unable or unwilling to make the necessary corrections, the letter shall be rejected for mailing and forwarded to the Watch Commander with appropriate documentation (e.g. Incident Report) detailing the objectionable material, and all efforts to allow the youth to correct or remove the objectionable material.

6.6.7.2 WATCH COMMANDER ACTIONS FOR REJECTED MAIL

If, after review of the contents, the Watch Commander determines that the letter may be sent even with the objectionable content, send the letter. Otherwise, place the letter in the youth's personals and comply with 24-hour Notice rule when necessary (see "24 Hour Limit" paragraph in Section 6.6.8.2 below).

Note: Youth may be subject to disciplinary action depending on the contents (see Manual Section 7.5).

6.6.8 WITHHOLDING AND PROCESSING UNAUTHORIZED INCOMING MAIL

All mail determined or suspected to be unauthorized (see Manual Section 6.6.6) must be reviewed by the Watch Commander.

6.6.8.1 WITHHELD FOR CAUSE

Mail shall not be read or withheld by IS officers unless it has been determined by the Watch Commander that there is a reasonable cause to believe facility safety and security, public safety or youth safety is jeopardized.

Unauthorized mail (see Section 6.6.6 above) may be withheld for cause based on its' contents. Any suspicion by officers that mail contains material that may jeopardize facility safety and security, public safety or youth safety, shall withhold the mail from the youth, document the circumstances and report to the Facility Watch Commander immediately.

If narcotics or contraband are found in the mail, the mail and contraband shall be confiscated, following the procedures as set forth in Manual Section 5.14.

6.6.8.2 24 HOUR LIMIT

Incoming mail cannot be withheld for more than 24 hours without written notice to the youth that his/her letter is being withheld. The Watch Commander has 24 hours to make a determination as to delivery of the mail. Mail withheld for more than 24 hours pending Watch Commander review also requires written notice even if the letter is later given to the youth.

6.6.8.3 PROCESSING WITHHELD MAIL

Mail that is withheld may be handled in one of the following ways:

If letter is:	Action
Unauthorized	1) When material is of a nature that is injurious to the safety and order of the facility (i.e., gang writing, magazines or letters inciting violence, letters to or from an inmate of another correctional facility, etc.), the youth shall be given the choice of having it returned to the sender, or placed in his/her personal property box/bag. The youth shall not have the opportunity to read or review the mail prior to making a decision. 2) When the material is of a nature that would be inappropriate for a youth (whether or not the youth is in custody) (i.e., hard core pornography) it will be returned to the sender or, if the envelope is torn and the letter cannot be returned, given to the Watch Commander for disposal/disposition. 3) When the unauthorized material can be separated from rest of the letter (e.g. a pornographic picture and an authorized letter) the letter may be given to the youth, but the unauthorized material shall be forwarded to the Watch Commander. 4) Letters that contain evidence of a crime (e.g. conspiracy, escape plans, etc.) will be confiscated, forwarded to the Watch Commander and will not be returned.
Confiscated	All illegal material, or material which could implicate anyone in a crime or illegal activity, shall be treated as evidence, and turned over to the Watch Commander. After consultation with the Division Chief or designee, and attaching an affidavit if necessary, the material may be forwarded to the Casework DPO and/or the DA as appropriate.

6.6.8.4 WATCH COMMANDER ACTIONS FOR WITHHELD MAIL

Mail that is withheld (whether because of unauthorized content, contraband, evidence of a crime or some other reason) shall be forwarded to the Watch Commander as soon as possible. The Watch Commander shall decide what to do with the mail based on the following guidelines:

If letter is:	Action
Unauthorized (see Section 6.6.6 above)	Provide the youth with “Notice” (see paragraph below) that the incoming mail is unauthorized and will not be delivered, and give him/her the option of having the letter placed in his/her personal property box/bag or returned to the sender.
Unauthorized and contains evidence of a crime	Provide the youth with “Notice” that the incoming mail is unauthorized, will not be delivered and will be forwarded to his/her Casework Probation Officer for further investigation. Forward the mail to the Division Chief or designee to attach an affidavit, then forward to Casework P.O./D.A. as appropriate.

Written notice that mail has been withheld must be given to a youth when the mail is withheld for 24 hours or more.

If letter is:	Action
Withheld, but Delivered	If, after review of the contents, the Watch Commander determines that the incoming letter may safely be delivered, it shall accompany the notice. This also applies to letters where only part of the letter is withheld or excised.
Withheld and Not Delivered	Written notice stating the reasons for withholding shall be provided within 24 hours. The youth shall have the option of having the letter placed in his/her personal property box/bag or returned to the sender.
Withheld and Confiscated	Written notice stating the reasons the letter will not be delivered shall be provided within 24 hours, and the youth shall be notified that the letter will be forwarded to the Casework P.O. for further investigation.

Example of Notice of Withholding/Rejection of Mail Form (See Appendix A, page A-78).

6.6.9 RESTRICTING MAIL

As a general rule, youth may send or receive an unlimited number of letters. However, in certain instances it may be necessary to restrict the amount of mail a youth has in his/her possession, or restrict the amount of mail he/she receives. When there is reasonable cause to believe facility safety and security, public safety, or the youth's safety may be jeopardized the Division Chief may restrict the amount of mail that a youth has or receives.

6.6.9.1 DIVISION CHIEF AUTHORIZATION REQUIRED

Youth with a history of sending or receiving unauthorized mail (see Section 6.6.6 above) may have all or part of their mail restricted, but only with the prior written authorization of the Facility Division Chief.

6.6.9.2 RESTRICTING YOUTH MAIL

When mail is restricted, the youth does not need to be notified that each individual piece of mail has been withheld. The restriction applies to all letters so restricted (e.g. letters from associates which regularly contain gang writing, plans for criminal activity, racial or ethnic slurs, encouraging youth to escape, etc.) Restricted mail status can apply to incoming mail, outgoing mail or both.

6.6.9.3 NOTICE OF RESTRICTION

A youth who has been restricted from receiving or sending mail shall be notified in writing and shall have the right to appeal the action, via the facility grievance procedure. (See Manual Section 7.4). The appeal hearing must be scheduled within 24 hours of the youth's receipt of the notice restricting the mail.

6.6.9.4 PROCESSING RESTRICTED MAIL

When a youth is placed on restricted mail status, his/her mail shall be processed in accordance with the following procedures:

If letter is:	Action
Incoming	<p>The officer assigned to deliver mail, or the Shift Leader, shall separate all mail for the restricted youth from all other unit/dorm mail. If the restriction applies to all mail, the Shift Leader shall forward all restricted mail to the Watch Commander.</p> <p>If the restriction applies only to letters from certain individuals, the Shift Leader shall forward the restricted mail to the Watch Commander and deliver the authorized mail in accordance with Section 6.6.4 above.</p> <p>If, after opening the mail, it is determined the letter is really from the restricted individual (e.g. the letter has a fake return address) the letter shall be withheld and forwarded to the Watch Commander.</p>
Outgoing	<p>If the restriction applies to all mail the Shift Leader shall forward all restricted mail to the Watch Commander.</p> <p>If the restriction applies only to outgoing mail to certain individuals the Shift Leader shall forward the restricted mail to the Watch Commander and process the authorized outgoing mail in accordance with Section 6.6.4.3 – 6.6.4.4.</p> <p>If (after inspecting the mail in accordance with Section 6.6.7 above) the unit/dorm officers discover that the mail is to a third party with instructions to forward the letter to a restricted individual, the letter shall be rejected for mailing and forwarded to the Watch Commander.</p>

6.6.9.5 WATCH COMMANDER ACTIONS

When restricted incoming mail is forwarded to the Watch Commander it shall either be returned to the sender unopened, or placed in the youth's personal property, depending on the option elected by the youth upon notification that he/she is placed on restricted mail status. When restricted outgoing mail is forwarded to the Watch Commander, it shall be placed in the youth's personal property, unless it contains evidence of a crime in which case it shall be forwarded to his/her Casework Probation Officer for further investigation in accordance with Section 6.6.8.4.

6.6.10 MONITORED MAIL STATUS

Monitored mail status may only be initiated for purposes of facility security, protection of the youth, or the public. In determining whether a youth shall be placed on a monitored mail status, the Watch Commander or Unit/Dorm Supervising Probation Officer shall consider the youth's past behavior and/or any special circumstances (i.e., gang involvement, escapes, suicide attempts, incidents of incitement of violence, amount of unauthorized mail received/sent, etc.).

6.6.10.1 READING YOUTH MAIL

Unit/Dorm officers may read youth mail only with prior written authorization of the Watch Commander. Unit officers who discover unauthorized mail (see Section 6.6.6 above) shall confiscate it and notify the Watch Commander. The Watch Commander may photocopy the letter(s) and send a copy to the youth's Casework Probation Officer and the District Attorney as appropriate. They may also keep the letter from the youth or the Post Office, for up to 24 hours, to determine if it should be sent or delivered. However, inspection of the mail cannot result in withholding the correspondence for a period of time in excess of 24 hours, without written notification to the youth as to why the mail has been withheld (see Section 6.6.8 – 6.6.8.4 for more information on withheld mail). The diversion of any youth's mail to their personal property without notification of that action shall constitute a clear violation of this rule.

Note: Under no circumstances shall line officers divert a youth's incoming or outgoing mail directly to a Casework Probation Officer. Whenever there is a question regarding mail, the Watch Commander will be contacted for direction.

6.6.10.2 APPROVAL

The Watch Commander may initially order unit/dorm officers to read and monitor a youth's mail, with final approval for long term monitoring obtained from the Division Chief or designee. If approval from the Division Chief is not received within 72 hours, the youth must be taken off monitored mail status.

6.6.10.3 NOTIFICATION

If it is determined that the youth's mail shall be monitored /read, the approving Watch Commander shall notify the affected youth in writing of his or her placement on such mail status, and the justification for monitoring/reading the youth's mail. Notification of monitored mail status shall be documented via a Notice of Monitored Mail Form (See sample blank form in Appendix A, page A-79).

A copy of this notification shall also be forwarded to the youth's Casework Probation Officer. Upon receiving notice of monitored mail status, the youth shall have the option of having all incoming mail returned to the sender unopened, rather than have it opened and read by officers. The Watch Commander shall also be charged with the responsibility of reviewing the continued need to monitor the youth's mail on a weekly basis.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Telephone Policy <u>SECTION:</u> 6.7 <u>AUTHORITY:</u> Article 5, Section 1350, and Article 6, Sections 1376, Title 15
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6.7 Telephone Policy

6.7.1 INTRODUCTION

The following policies and procedures concern a youth's access and use of the telephone, while detained in a juvenile detention facility.

6.7.2 POLICY

The major focus of these provisions is to provide guidelines and a process for youth to maintain contact with their families, Casework Probation Officer and Attorney of Record. Institutional Service (IS) facilities support and encourage regular phone contact by youth to their families, where appropriate and authorized.

6.7.3 TELEPHONE CALLS DURING THE INTAKE PROCESS

Upon intake to KMJDF or EMJDF, a youth shall be given the opportunity to place a maximum of three telephone calls at public expense. Authorized calls include one to a parent/guardian or responsible relative, one to, an Attorney and another to their employer, if the youth has verified employment. Whenever possible, these calls should be completed within one hour of arrival (see Manual Section 5.1 more information on initial phone calls).

6.7.3.1 ADMISSION TO A CAMP PHONE CALLS

Upon admission to a Camp or GRF, a youth shall be given the opportunity to place a telephone call at public expense. An authorized call is to a parent/guardian or responsible relative. Whenever possible, this call should be completed within one hour of arrival (see Manual Section 5.1 for more information on initial phone calls).

6.7.3.2 PHONE CALL NOT COMPLETED

If unusual circumstances exist, (i.e., the youth is physically or mentally unable to place a telephone call, the youth is highly agitated and safety precautions prevent the placement of a telephone call, etc.) the youth must be allowed to place their calls at the earliest possible opportunity.

6.7.3.3 DOCUMENT COMPLETED CALLS

Officers shall document the completion of an authorized telephone call during the intake process or admission into a Camp Facility. If a youth declines to make one or all of their calls to which they are entitled, the officer shall also record this fact. The youth shall also sign, indicating their decision to waive their entitlement to the initial telephone calls.

6.7.3.4 NOT TO BE DENIED

Under no circumstances other than those referenced above, may a youth be denied access to, or usage of the telephone, to make their initial calls.

6.7.4 WEEKLY FREE FIVE (5)-MINUTE PHONE CALL

Youth detained in any juvenile detention facility shall be given the opportunity to make a free weekly five (5)-minute phone call from the County telephone to their parent(s)/guardian(s). Officers shall document the completion or refusal of the phone call. A weekly free phone call shall be granted regardless of behavior. If the youth is highly agitated and safety precautions prevent the placement of a telephone call, the youth must be allowed to place their call at the earliest possible opportunity.

6.7.5 COLLECT TELEPHONE CALLS

"Collect call" telephones are installed and available in each facility for youth to make outgoing, personal calls. All authorized telephone calls not made during the intake/admission process must be placed by the youth through this system. Exception to this policy may be authorized by the Unit Shift Leader for emergency and/or hardship cases. (See Manual Section 6.7.7 – 6.7.8 below). Youth may be provided access to the "collect-call" telephones during free time, or other designated times, unless unit/dorm safety and security needs prohibit such access. Youth should not be permitted to make telephone calls during essential program hours, such as meals, school, work, or bedtime. Youth telephone usage shall be on a first-come, first-serve basis. When necessary, unit/dorm officers shall develop a system for telephone access and usage when demand exceeds available time. Such systems shall provide an equal opportunity for all youth seeking to use the telephone. All youth personal telephone calls (except those to an Attorney) are subject to monitoring and/or termination, especially if facility safety, security and court orders are being violated. Youth on Level 3 shall be permitted to make personal telephone calls on a case-by-case basis as determined by the youth's behavior and/or officer assessment if a special need exists.

6.7.5.1 PROHIBITED CALLS

Personal calls may be placed to Attorneys, friends, family or other persons chosen by the youth. However, youth shall not be allowed to telephone the following people:

- Victims of a crime committed by the youth;
- Witnesses to a crime the youth has committed, or is suspected to have committed;
- Co-defendants;
- Gang members the youth has documented affiliation with;
- Parents of a youth on placement status (i.e., 24 hour school, group home, foster home, etc.) when contact has been denied by the Casework Probation Officer or a Juvenile Court Judge;
- Any other person specifically designated or excluded via a Court Order, the Casework Probation Officer, or a Facility Supervisor.

6.7.5.2 SUSPENDING TELEPHONE CALLS

All youth telephone privileges (except for Attorney Privileges) shall be suspended for a period of time as designated by officers if a youth misuses the telephone by planning an escape attempt, contacts a victim, witness, crime partner, gang affiliation, or any other unauthorized person. Such suspensions shall be in accordance with the due process regulations and with the approval of the Watch Commander.

6.7.6 TELEPHONE CALLS TO PROBATION OFFICERS

Calls to a Probation Officer may be made by youth on the "collect-call" unit/dorm telephones (if the PO accepts collect calls) or by unit/dorm officers via the County Business phone (if approved by the Shift Leader). Monitoring of these telephone calls is prohibited.

Note: Calls to other County phones can be made by dialing “7” and then the seven digit number. This saves the county money because it bypasses the long distance phone system.

6.7.6.1 CASEWORK PO OK'S CALLS

The Casework Probation Officer can authorize (through the Unit/Dorm Supervisor/Senior P.O.) the youth's use of the County Business phone. All authorized telephone calls of this nature shall be placed/dialed by unit/dorm officers. Officers shall inform the answering party that a youth wishes to talk with them. If the call is accepted, the youth is authorized to commence the conversation.

6.7.7 EMERGENCY CALLS

Emergency telephone calls may be approved by the Unit/Dorm Shift Leader, Watch Commander or the Casework Probation Officer, due to a death in the family or hospitalization of a family member. All other situations must be cleared and approved by the Watch Commander for "emergency" determinations. Such calls may then be placed at the expense of the County.

6.7.8 HARDSHIP CALLS

Hardship telephone calls are authorized by the Watch Commander for youth and their families who are without the financial resources to pay for collect telephone calls. Youth seeking to place a hardship telephone call shall be referred to the Watch Commander. All approved hardship telephone calls will be at the expense of the County, using the County Business phone located in each unit. Hardship telephone calls may be approved only for calling the youth's immediate family members. It is not considered a "hardship" or an "emergency" when a youth cannot complete a call just because their parents have a block on the phone. Youth in this situation should be told to write a letter and request that their parents remove the block on the phone, instead of getting a free phone call on the unit/dorm business phone.

6.7.9 LONG DISTANCE COLLECT TELEPHONE CALLS

Any youth wishing to make an authorized long distance telephone call shall be permitted to do so via the "collect-call" telephone at least once per week, unless phone privileges have been revoked due to disciplinary problems. If a long distance call has been approved to be placed from the County phone, the number shall be dialed by an officer.

6.7.9.1 INTERNATIONAL CALLS

International calls are authorized by the Watch Commander on an as needed basis (usually only for Federal INS youth). International calls can only be made from designated facility phones.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Access to Legal Service <u>SECTION:</u> 6.8 <u>AUTHORITY:</u> Article 6, Section 1377, Title 15
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6.8 Access to Legal Service

6.8.1 GENERAL PROVISIONS

The following provisions structure attorney visits and consultations with youth who are detained.

1. While detained, youth shall not be denied access to licensed attorneys or their authorized representatives (i.e., interviewers, investigators, paralegal assistants, etc.) provided the attorney or their representative certifies they do not represent any other interest civilly or criminally which would conflict with the interests of the youth.
2. Attorneys may only visit with one (1) youth at a time due to space limitations and security considerations. Exceptions to this rule must be approved by the Facility Watch Commander.

6.8.2 ATTORNEY VISITS AND CONSULTATIONS

All attorneys presenting themselves for visits must provide appropriate identification, consisting of a valid picture ID and a current State Bar Card. Attorney representatives must provide a letter of authorization from an attorney with a valid State Bar Certification. See Manual Section 6.5 for additional information on visiting rules.

6.8.2.1 ATTORNEY ID

The Administrative Office staff shall verify the attorney's identification, and obtain a completed Attorney's Declaration Form (if one is not already on file). (See Appendix A, page A-80).

6.8.2.2 VISITING HOURS

Attorney visits shall be conducted at reasonable business hours, with the exception of meal times or shift change (also see Visiting Section 6.5).

If an attorney requests to visit a youth prior to the facility designated times or during meal time hours, the visit request shall be denied unless the Facility Division Chief or designee has specifically approved it.

6.8.2.3 ATTORNEY VISITS ALLOWED FOR PS

Youth shall be permitted to speak via telephone or visit with their attorneys, unless there is imminent danger to the safety of themselves or others.

6.8.2.4 CLIENT VISITS

The Facility designated officers shall be responsible for obtaining youth from their respective units/dorms for attorney visits. The procedure for obtaining youth for any visit is designated by each facility. The visitor and youth will then be assigned a visiting area for the visit.

6.8.2.5 VISITS DENIED

Attorney visits with a youth will be denied whenever the following circumstances are present:

1. The youth refuses to see the attorney;
2. The attorney lacks the approved identification required for admittance to the facility.

6.8.2.6 PHOTOGRAPHS OF YOUTH

The attorney or their designated representative may photograph their client if the youth gives consent pursuant to facility regulations. All attorney requests to photograph youth shall be referred to the Facility Division Chief (or their designee) for approval.

6.8.2.7 PRIVILEGED MAIL

Youth shall be allowed to send and receive mail to and from attorneys, which shall not be censored or read by staff. Attorney mail is recognized as privileged communication, and may only be opened and inspected for contraband in the presence of the youth (see Manual Section 6.6.5 – 6.6.5.1). The Facility Division Chief must specifically authorize any exceptions to this rule.

6.8.2.8 PHONE CALLS

In addition to the telephone calls that are authorized by law during intake and admission, each youth shall be allowed telephone calls to their attorney at reasonable times (via the collect-only or County Business telephone). These calls shall not be monitored by staff. If a youth is unable to complete a telephone call, they shall be allowed an opportunity to leave a message, submit a "Request for Contact" form if represented by the Public Defender, or to write a letter to counsel.

6.8.2.9 TELEPHONE CALLS TO ATTORNEYS

Telephone calls to an attorney by a youth shall be subject to the following provisions and/or procedures.

- IS officers shall allow a youth the opportunity to complete unmonitored telephone calls, at reasonable times, if they do not interfere with the essential activities of the program (i.e., meals, school, counseling, bedtime, etc.).
- If using the County telephone, an IS officer shall dial the number.
- Limit all telephone calls to a reasonable length of time, so as not to adversely affect the unit/dorm's activities.
- If the County Business phone is used, record the call (or attempted call) in the Unit/Dorm Message Log.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Registering Youth to Vote <u>SECTION:</u> 6.9 <u>AUTHORITY:</u> Section 2105.7, Elections Code
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6.9 Registering to Vote

6.9.1 PURPOSE

In accordance with Senate Bill (SB) 1063, this policy provides a procedure whereby the Juvenile Detention Facilities:

1. Identify individuals who are of age to register to vote.
2. Provide affidavits of registration to eligible voters.
3. Assist youth with the completion of the affidavits of registration.
4. Assist youth in returning the completed cards to the county elections official.
5. Assist youth in voting by mail.

(Section 2105.7, Elections Code)

6.9.2 BACKGROUND

Under existing law, a person is entitled to register to vote if he or she is a United States citizen, a resident of California, not in prison or parole for the conviction of a felony, and will be at least 18 years of age at the time of the next election.

6.9.3 POLICY

Qualified youth may register to vote while detained. Youth who are registered voters and who request to exercise their voting rights will be assisted by a facility staff member in obtaining a Vote-By-Mail ballot and have it lawfully returned to the Registrar of Voters.

6.9.4 PROCESS

The Administrative Supervisor (SPO) assigned to each facility shall, under the direction of the Facility Division Chief, identify all youth who are eligible to vote. Once the youth have been identified, the Administrative SPO will provide an affidavit of registration to the youth along with assistance on completing the document unless the individual declines assistance. Once the affidavit of registration has been completed, the Administrative SPO will mail the document to the following address:

Registrar of Voters
P.O. Box 85093
San Diego, CA 92186-9910

Note: The residence address listed by the youth on the voter registration form should be an address different from the facility's address. For purposes of receiving election material, the mailing address can be the address of the facility.

The completed voter registration card must be returned to the elections office no less than fifteen (15) days before an election to be eligible to vote in that election.

6.9.5 VOTE-BY-MAIL - DELIVERED VIA U.S. MAIL:

If a request for a Vote-By-Mail application can be delivered to the Registrar's Officer no later than seven (7) days before Election Day, the youth can vote by mail.

When a youth requests to vote in an upcoming election, the following shall be done:

Should a youth request to vote in an election, the youth shall complete a youth request, stating that they wish to vote. The Administrative SPO will print and provide the youth with a Vote-By-Mail Application.

Vote-By-Mail Applications can also be obtained online (60 days in advance of an election) at:
<http://www.sdvote.com/Voters/Eng/Eabsentee.shtml>.

Once completed, the Vote-By-Mail application may be mailed, emailed, faxed or delivered to the following:

Registrar of Voters
Vote-By-Mail Section
P.O. Box 85520
San Diego, CA 92186-5520

Fax: 858-694-2955
Emailed to: rovmail@sdcounty.ca.gov

The Registrar's Office will receive requests for applications or ballots no earlier than sixty (60) days before the election and no later than seven (7) days before the election.

Voted mail ballots may be returned to the Registrar of Voters' Office or dropped off on Election Day at any polling place. If returned in one of these ways, the voted mail ballot must be received by an election official by 8 p.m. Election Day. Voted mail ballots may also be returned through the USPS and must be postmarked by Election Day and received within three (3) days after, in order for the mail ballot to be accepted.

Note: If the mail ballot is delivered by U.S. Mail to a youth who is no longer in custody, the mail ballot must be returned back to the Registrar of Voters.

6.9.6 LATE VOTE-BY-MAIL APPLICATION DELIVERED BY A STAFF MEMBER

- A. On Election Day, each facility will designate a staff member, usually the transportation officer, to pick up a ballot for any youth who requests to “Vote-By-Mail.”
- B. The youth must fill out a “Late Vote-By-Mail Request Application” (sample attached), authorizing the staff member to obtain a mail ballot from the Registrar of Voters Office. The youth must sign his or her full name and his or her registered address.
- C. The designated staff member will call the Registrar of Voters Office at (858)505-7320 and advise them that a Vote-By-Mail ballot is going to be picked up for a youth and ask them to check if the youth is in fact a registered voter. If the youth is registered, then staff will proceed with the following steps. If not registered, the youth cannot vote.
- D. The authorized staff member must take the “Vote-By-Mail Application” to the Registrar of Voters Office at 5600 Overland Avenue, San Diego. Registrar employees will keep the document and give an official ballot and a return envelope to the staff member.
- E. The staff member will return to the facility with the official ballot and return envelope. The ballot is given to the youth to fill out; the youth should be given a private place to do this. When the youth completes his or her vote, he or she should tear off the numbered stub from the ballot and keep it, seal the ballot in the return envelope and sign the back of the envelope. The staff member will also sign the back of the envelope.
- F. The staff member then takes the voted ballot envelope to the Registrar of Voters or any other official poll site place, and delivers it to an authorized poll official before the polls close at 8 p.m. A Late-Vote-By-Mail ballot cannot be mailed through the USPS.
- G. At this point, the youth’s vote has been received.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Social Awareness and Special Programs <u>SECTION:</u> 6.10 <u>AUTHORITY:</u> Article 6, Section 1378, Title 15
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6.10 Social Awareness and Special Programs

6.10.1 INTRODUCTION

In addition to the daily, routinely scheduled programs outlined in the above sections, each facility shall also offer a variety of social awareness and special programs that provide additional services and activities for the youth.

6.10.2 SOCIAL AWARENESS PROGRAM

The Social Awareness Program is designed to promote social awareness and reduce recidivism. The program shall take into consideration the needs of both male and female youth. Program topics may include (but not be limited to) the following:

- Victim Awareness;
- Conflict Resolution;
- Anger Management;
- Personal Responsibility (Character Counts);
- Parenting Skills;
- Juvenile Justice;
- Self-Esteem;
- Building effective decision making skills;
- Prison Rape Eliminate Act (PREA)
- and other topics that meet the needs of youth.

The Facility Division Chief, or their designee, shall make a written annual record review of the programs to ensure that program content offered is current, consistent, and relevant to the population of the facilities, and report the findings of the review to the Deputy Chief. The record review will be documented in the facility report in January of each year.

6.10.2.1 OTHER SPECIAL PROGRAMS

Special programming is developed on an on-going basis throughout the year and features the skills, talents and time, of professional and laypersons within the community and is scheduled through the Supervisor responsible for developing and coordinating Special Programming.

6.10.2.2 SERVICES PROVIDED

Special programming services and activities provided include counseling, entertainment, and educational tutoring. The following section focuses on the specific, special programming services that are offered via the Volunteers in Probation Program and the Facility's Special Programming Coordinator.

6.10.3 SERVICES AND ACTIVITIES

Special programs provide youth in the facility with an assortment of activities focused on educational, counseling, and entertainment services. Specific programs that are offered on a regular basis throughout the year include:

- Family Planning and Sex Education (Outside Agency)
- Substance Abuse Counseling (AA, NA);
- Mediation (Provided by students attending Cal Western School of Law);
- Mental Health Counseling;
- Religious Counseling;
- Educational Tutoring;
- Group Counseling;
- Family Stress Counseling;
- Appropriate Gender Specific Programs.

In addition to programs that are provided on a regular basis, Special Programming also sponsors entertainment programs (i.e., jugglers, magic shows, holiday celebrations, festivals, variety shows, etc.), recreational events (i.e., NFL Alumni games, San Diego State University softball games, etc.) and guest speakers.

6.10.4 SPECIAL PROGRAMMING COORDINATOR

The Special Programming Coordinator arranges all special programs that take place in the Facility. Responsibilities of the Special Programming Coordinator include the authorization, development, organization, scheduling and supervision of all special events.

Community agencies, private groups and individuals who wish to provide or sponsor a special program for youth in the facility, are referred to the Special Programming Coordinator for approval of service and scheduling of the event.

Religious services and programs are referred through the Chaplain Coordinator (see Manual Section 6.3.2 – 6.3.3 above.)

6.10.5 VOLUNTEERS IN PROBATION (VIP)

Volunteers in Probation, is a County sponsored program which provides a nexus between the community and the Probation Department. Volunteers are obtained from a variety of local businesses, colleges, universities, community agencies and religious organizations. The VIP program provides counseling, tutoring, recreational assistants, entertainers and guest speakers.

The Facility Special Programming Coordinator shall supervise VIPs providing regularly scheduled programming.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Unit/Dorm Programs <u>SECTION:</u> 6.11 <u>AUTHORITY:</u> Article 6, Sections 1370-1378, Title 15 Article 3, Section 1324, Title 15
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6.11 Unit/Dorm Programs

6.11.1 INTRODUCTION

All Institutional Services (IS) officers are responsible for providing daily unit/dorm programs that incorporate activities mandated by Title 15 of the California Code of Regulations, Minimum Standards for Juvenile Facilities. (i.e., school, recreation, visiting, religious services, etc.) as well as staff developed programs, to fill the elective hours. The objective for each unit/dorm program is to provide a structured environment promoting safety and security, while maximizing youth participation in group/unit/dorm activities. All youth 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 the basis 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.

6.11.2 UNIT/DORM ACTIVITIES

A typical unit/dorm program shall provide youth with the opportunity for receiving educational instruction, attending to personal hygiene and dental needs, recreation and exercise, visiting and/or communicating with parents and family, participating in religious services and/or attending to spiritual needs, participating in the meal services, three times per day, engaging in programming, leisure, and entertainment, participating in work chores, and seeking medical care and attention.

6.11.2.1 TAILORED PROGRAMMING

Each Unit/Dorm Supervisor shall tailor the unit/dorm programming to fit the needs of the individual unit/dorm, based on the age, gender, and maturity level of the youth in their respective units/dorms. The programming schedules shall be reviewed periodically and revised/updated as necessary. These tailored schedules shall be included in the Unit/Dorm POST orders.

6.11.2.2 FOOD AND BEVERAGE INCENTIVES

Unit officers are prohibited from providing personal incentives or rewards (e.g. candy, food, soda, etc.) for any unit/dorm program or activity (also see Manual Section 2.4.10.11 – Gifts to Youth Prohibited). Food and beverage items as part of the unit/dorm program must be pre-approved by the Watch Commander (e.g. Kool-Aid and popcorn for movies, “Sports Saturday” winning dorm, etc.).

6.11.3 MANDATORY PROGRAMS

The following unit activities and programs are mandated, either by State Law or the California Code of Regulations, Title 15, Minimum Standards for Juvenile Facilities. The mandated programs set forth below, include the minimum standards attached to each. The standards adopted by San Diego County Juvenile Facilities must either meet or exceeded these minimum standards:

Education Program	A minimum school day consistent with California Education Code requirements for juvenile court schools is required for all youth. (See Manual Section 6.1)
Recreation and Exercise Program	A minimum of three (3) hours of recreation/exercise per day during the week and five (5) hours per day on Saturday, Sunday or other non-school days shall be provided for youth. (See Manual Section 6.2)
Religious Program	Each youth shall be provided access to religious services and/or religious counseling at least one (1) time per week. (See Manual Section 6.3)
Work Program	A youth shall not be required to perform non-functional, degrading or unnecessary tasks. Work assigned to a youth shall be meaningful, constructive, and directly related to vocational training and/or to increasing a youth's sense of responsibility. (See Manual Section 6.4)
Visiting Program	Opportunities for youth to visit with parents, legal guardians, or persons standing in-loco-parentis, are to be provided. (See Manual Section 6.5)
Letter Writing	Youth are to be given the opportunity to write and receive an unlimited number of letters. (See Manual Section 6.6)
Social Awareness	Each youth shall be given the opportunity to participate in programs designed to promote social awareness and reduce recidivism. (See Manual Section 6.10)
Personal Hygiene	Each youth shall be given the opportunity to shower on a daily basis, and to practice dental care following each meal program. (See Manual Section 10.3.4)

6.11.4 ELECTIVE PROGRAMS

The daily plan of each unit/dorm program contains periods of time that are free of mandated activities. This "free" time necessitates the development and scheduling of program and activities by unit/dorm officers. The time may be utilized for a wide range of activities, including Core Programming, unit/dorm program activities and/or other activities such as letter writing, phone calls, etc.

6.11.4.1 CORE ACTIVITIES

IS administration has identified a Core group of activities that officers are to provide (or arrange that an outside agency provide) during the week to fill non-mandated program hours. These activities should include: Literacy/Schoolwork (2 x per/week); Chemical Dependency Education; Anger Management/Domestic Violence Education; Personal Responsibility (e.g. Character Counts). All Core activities will be provided to all unit/dorm youth a minimum of once each week.

6.11.4.2 PROGRAM ACTIVITIES

Program time activities include, reading books, homework/literacy programs, playing games, engaging in sporting events, letter writing, telephone usage, watching television programs/movies or engaging in casual conversation with other youth. Movies are to be limited to once per unit/dorm per week.

This time may also be used for special programming, scheduled and provided by community organizations and/or private persons. Guest speakers, entertainers, religious presentations and community sponsored educational/ counseling programs are appropriate for filling elective hours.

6.11.5 YOUTH PARTICIPATION DURING SEPARATION/RESTRICTED STATUS

Youth are encouraged to participate in all unit/dorm programs and activities. However, youth may be denied or restricted in their participation for reasons relating to health and/or security or for disciplinary reasons. Youth in a restricted status (e.g. PS, Level 3) may elect to temporarily isolate themselves from the unit/dorm program, for personal reasons related to security (i.e., to avoid a fight due to an altercation with another youth that got them put on PS/Level 3 in the first place).

6.11.5.1 NORMAL PRIVILEGES

Per Title 15, Section 1354, officers are reminded that youth who are administratively separated are not to be denied normal privileges available at the facility, except to accomplish the objectives of the separation/restricted status. The following is a list of various youth statuses and program restrictions that may limit participation in the unit program.

1	Bed Rest – Youth is ill and stays in bed. (Refer to Manual Section 8.5.)
2	Non-Sport Status – This is a status conferred upon a youth by the medical staff (Refer to Manual Section 8.5 – Medical Restrictions and Limitations for Youth). This status restricts a youth from participating in physical education programs. A youth’s non-sport status may only be removed by the clinic.
3	Non Participant Status (Refer to Manual Section 7.8.)
4 (UC’s)	Unit Confinement is a security restriction placed on a youth by the Watch Commander. UC’s are not permitted to leave the confines of their unit without being accompanied by officers, or engage in unit programs or activities held outside the physical boundaries of their unit (i.e., recreation, kitchen work, school, etc.) UC’s are to be afforded the same recreational opportunities as other youth. However, outdoor recreational activities for male and female UC’s shall take place in a secure quad area.
5 (Level 3)	Level 3 is a disciplinary status conferred upon a youth by unit officers (with the approval of a Supervisor). Level 3 is for a specified period of time and acts to physically and socially restrict a youth from participating in some unit activities. Youth may be denied participation in extra-curricular recreational events, and special events. However, youth cannot be denied the opportunity to shower, eat meals, have attorney visits, religious counseling and /or parental visits unless their behavior is such that participation will threaten the safety and security of the facility. They shall also not be denied the opportunity to participate in the unit’s afternoon large muscle exercise program unless their behavior is a threat to the safety and security of the facility.

6.11.5.2 VISUAL MONITORING

Officers are responsible for maintaining direct visual monitoring of all separated and restricted status youth, to determine whether it is appropriate for them to remain in separation or restricted status. This monitoring is accomplished by the Safety Checks at a minimum of every fifteen minutes (reference Manual Section 5.6), and by counseling the youth at least once every shift.

6.11.6 DAILY PROGRAM SCHEDULE

The daily unit/dorm programming schedule occurring on weekdays, Saturdays and Sundays, is designated by each facility. Modifications in the programming may be made, when necessary, by the Unit/Dorm SPO.

6.11.7 DRUG AND ALCOHOL CONTROL

It is IS facilities policy to maintain a drug and alcohol free facility.

Drug and alcohol testing is randomly conducted on youth where reasonable cause indicates the possible use of a controlled substance. Presumptive testing “Sticks,” urine bottles, collection bags, and documentation paperwork shall be available. If a petition or court action is requested, confirmation tests are necessary, as the Juvenile Court will not proceed on presumptive testing alone. There is currently no presumptive testing available for alcohol. Testing for alcohol will be done on site using Breathalyzer and hand-held alcosenor instruments.

6.11.7.1 DRUG AND ALCOHOL TESTS

Presumptive test “Sticks” currently available for:

- THC (Marijuana)
- Cocaine
- Amphetamines
- Barbiturates
- Opiates
- PCP

6.11.7.2 TRAINING FOR DRUG/ALCOHOL TESTING

The Training Officer will provide training for staff on the following criteria;

- Officer Safety
- Collecting Samples (Presumptive and Secondary Tests)
- Documentation
- Chain of Custody
- Securing samples properly
- Positive Test/Reporting
- Privacy Issues

6.11.7.3 TESTING

The Watch Commander shall select a specified Officer to conduct drug tests. The IS Officer will use only those testing products indicated by the contract service provider. In each case, the same officer initiating the test is also responsible for ensuring the “Chain of Custody” is not broken. Test samples are to be kept in a secure refrigerated area. Positive presumptive tests are to be reported to the Watch Commander, unit, and the Casework Probation Officer. The urine sample is to be processed by the contracted service provider in their laboratory. Results from the test will be faxed directly to the Casework Probation Officer.

6.11.7.4 TESTING PROCEDURE

The designated Officer collecting the urine sample is to follow the procedures listed below:

1. Place the youth’s full name in the Urine Log along with a corresponding number, date, and the Officer’s name obtaining the specimen.
2. The Officer collecting the urine sample must directly observe the youth as he/she provides the testing sample.
3. Each urine sample is to be matched with the number on the bottle lid, which corresponds with the Urine Log.
4. After the urinalysis is collected, the same Officer is to place the sample with the completed documentation in the locked refrigerator.
5. The Officer is to ensure the sample or samples are sent to the respective location on the given day and time.
6. All tests are to be documented in the Urine Log.

6.11.7.5 STORAGE AND SPECIFIED TESTING

Urine samples are to be properly identified and placed in the locked refrigerator.

6.11.7.6 RANDOM AND SPECIFIED TESTING

Drug and alcohol testing is randomly conducted for probable cause.

6.11.8 DISCIPLINE FOR POSITIVE TESTS

In keeping with the rights of the youth, due process, and the safety and security of the facility, the Watch Commander will notify the Casework Probation Officer of a positive test.

6.11.8.1 TESTING SUPPLIES

Testing supplies are to be kept in an area where youth do not have access to them. A designated Officer will be selected to keep track of supplies. This Officer is responsible for ensuring the necessary products for drug testing are available. The following items are needed for drug testing:

- Testing Strips (Barbiturates, Cocaine, Amphetamine, Opiates, THC, PCP, and Heroine)
- Latex Gloves
- Urine Log
- Urine Bottles
- Plastic Bag Containers

6.11.9 CONTROLLED SUBSTANCES/NARCOTICS HANDLING POLICY AFTER INTAKE

The facility shall establish a procedure that will isolate and secure the suspected controlled substance/narcotic, while maintaining the chain of evidence, if court procedures should become necessary. In addition, a procedure for ultimate disposal of the substance is established.

6.11.9.1 PROCEDURE

Situations may occur when Facility staff discovers an unidentified substance believed to be a controlled substance/narcotic. If this occurs, the following procedures are to be used to establish a chain of evidence:

1. The staff who discovers the evidence shall place the substance in a dedicated envelope marked “Contraband,” seal the envelope, and inscribe his/her signature across the sealed portion, along with the date and time found.
2. All evidence must be properly identified on a Contraband form, which can be located in the Watch Commander’s office. Attach a copy of the form to the outside of the envelope with scotch tape. An Incident Report and a copy of the form are to be sent to the Watch Commander and Division Chief.
3. The contraband may be sent out for testing or secured in the Watch Commander’s Office in the contraband box. The Officer is to have another staff observe as a witness and is to date and sign off on the Chain of Custody form. The Chain of Custody must be maintained at all times. The collecting Officer shall document the findings in the Contraband Log located in the Watch Commander’s Office.
4. The discoverer will then write an Incident Report.

Caution: There have been documented cases where IS Officers have been contaminated when handling material containing PCP. Use extreme caution when handling all suspected substances. This is especially true when PCP is suspected. Officers should first secure the area and wear gloves when handling any suspected controlled.

6.11.10 PROSECUTION PROCEDURES FOR THE POSSESSION OF A CONTROLLED SUBSTANCES/NARCOTIC

Prosecution for the possession of a controlled substance at the facility may be initiated when a suspect can be identified. Institutional Services Officers must exercise caution to preserve the legality of the case and the rights of the alleged suspect.

When contraband is found and the identity of the suspect is certain enough that prosecution is a possibility, the following procedures are to be used:

1. Secure and seize the contraband by following the Chain of Evidence guidelines.
2. The Watch Commander will contact the appropriate Law Enforcement Agency dispatcher and request that an Officer come to the facility to perform a presumptive field-test for the contraband.
3. The Officer who found the contraband along will give the evidence to the responding law enforcement agency with a written copy of the Chain of Evidence form and discovery record. Have the responding officer take custody of the contraband from the contraband box. All evidence must be secured and labeled in accordance with the Chain of Evidence Procedure. Again, keep the Chain of Evidence as short as possible. Make certain to keep an account of the date, time, and name of the Officer who took custody of the material.
4. Once the test is completed, and should the contraband test positive for an illegal substance, the Chain of Evidence will be maintained and the substance will again be locked in the contraband box.
5. An Incident Report will be written.
6. The matter may be referred to the youth's Probation Officer for screening with the District Attorney or the Division Chief may elect to file an affidavit requesting new charges.
7. If a decision is made to request a petition, the Watch Commander will have the substance transported to the local jurisdiction's crime lab. The transporting Officer will need proper department identification to submit the substance to the laboratory for testing.

6.11.10.1 CONTRABAND LOG

The Watch Commander is to ensure the contraband is logged in with a second Officer acting as a witness.

A Contraband Log for illegal contraband shall be kept in a log-book in the Watch Commander's Office. The purpose of the Contraband Log is to assure that all contraband is properly handled and disposed of. The staff member who finds the contraband or the Supervisor must fill in the date the substance was found, the substance found (i.e. white powder substance, etc.), where found, by whom, and the final disposition of the evidence when known.

6.11.10.2 DESTRUCTION OF EVIDENCE

If the identity of the suspect cannot be determined, the following procedure is to be used:

1. Secure the contraband per the Facility procedure.
2. When several items have accumulated in the evidence locker, a designated Supervisor shall prepare an itemized list (two (2) copies) of all contraband to be destroyed. This list should contain the name of the suspect, if known, the description of the item, date found, and the name of the staff who found the item.
3. The designated Supervisor will contact the local jurisdiction police agency to request that a law enforcement officer come to the facility to transport and dispose of the contraband.
4. In the event the agency is unable or unwilling to come to the facility to transport and dispose of the contraband, the designated Supervisor will arrange transportation of the contraband to the local jurisdiction's crime lab.
5. Under no circumstances will staff destroy suspected controlled substances/narcotics.