CHIEF'S PREFACE

The responsibilities conferred upon us by the California Penal Code and the Welfare and Institutions Code, as well as the obligations of our mission, require that we conduct the business of the Stanislaus County Probation Department in a manner that ensures effectiveness, consistency and professionalism. To that end, this manual contains policies and procedures designed to provide guidance and establish requirements for staff as we perform the business of the agency.

The policies included in this manual are based on applicable sections of law, best practices and sound judgment. Adherence to the policies serves not only to facilitate department operations, but also to protect individual members, the Department and the county from exposures to liability.

While policies contained in this manual are intended to cover all aspects of department operations, it is possible that staff may encounter some situations that may not be covered by a specific policy or procedure. On those occasions staff are expected to seek supervisory or management direction when practicable and exercise sound judgment that reflects compliance with all ethical, legal and mission obligations on the Department.

All staff have an affirmative responsibility to remain knowledgeable of and compliant with the contents of this manual, and to keep abreast of additions and revisions as they are completed and distributed.

Nothing in this manual supersedes the Stanislaus County personnel policies.

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MISSION, VISION AND VALUES

MISSION STATEMENT

As an integral part of the criminal justice system, Probation protects our community by:

- Promoting responsible behavior and offender accountability
- Providing objective information and recommendations to the Court
- Operating safe and secure juvenile facilities and programs
- Partnering with the community to provide direct services to offenders, families and victims

VISION STATEMENT

The Stanislaus County Probation Department provides community safety and services with professional integrity.

VALUES STATEMENT

The Stanislaus County Probation Department ascribes to the following values as core business principles:

- Deliver services with integrity, professionalism and competence
- Treat all individuals with dignity and respect
- Commit to innovation, creativity, and collaborative partnerships
- Encourage leadership, professional development and positive work environment

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GENERAL FUNCTIONS OF THE DEPARTMENT

- Working closely with the Juvenile Justice Commission, service providers and the community at large for the prevention of crime and delinquency.
- Screening and processing all juvenile referrals made to the department by law enforcement, appropriate agencies and individuals.
- Investigating, preparing written reports and making recommendations on all cases referred to the department by the Courts.
- Establishing and executing programs of supervision for persons placed under the jurisdiction of the department.
- Supporting Evidence Based Practices by implementing programs and practices proven to work in reducing recidivism.
- Operating safe and secure juvenile detention and commitment facilities.
- Establishing and performing such other services or programs as directed by law, the Courts, County Administration and the Chief Probation Officer.

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Chapter 1 - Role and Authority

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Organizational Structure, Appointment, and Responsibility

100.1 PURPOSE AND SCOPE

This policy identifies the authority and responsibility of the Stanislaus County Probation Department and probation corrections officers. All probation corrections officers employed within the State of California are required to meet specific requirements for appointment. The organizational structure of the Department is designed to create an efficient means to accomplish its mission and goals, and to provide for the best possible service to the public (15 CCR 1324).

100.2 POLICY

It is the policy of the Stanislaus County Probation Department that the Chief Probation Officer meets the minimum standards for exercising the authority granted by law. This department recognizes the power of probation corrections officers to use discretion in the exercise of the authority granted to them. Probation corrections officers are encouraged to use sound discretion in the exercise of their duties. This department does not tolerate abuse of authority.

The Stanislaus County Probation Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control, and guidance of the Department.

100.3 APPOINTMENT REQUIREMENTS

The Chief Probation Officer of the Department who operates the Juvenile Institutions, as a condition of employment, shall be appointed in accordance with Government Code § 27770 (Welfare and Institutions Code § 270; Welfare and Institutions Code § 271). There are fourdivisions in the Department:

- Adult Field Services
- Re-alignment Services
- Juvenile Field Services
- Institution Services

100.4 FACILITY SUPERINTENDENT AND MANAGER RESPONSIBILITIES

The Facility Superintendent, with the support of Facility Manager(s), shall have charge of the Juvenile Institutions (Welfare and Institutions Code § 853). Detention Operations may include Investigations, Medical/Mental Health Services, Educational Services, Programs, and Transportation. Support Services may include the general management direction and control for Food Services, Facility Infrastructure and Maintenance, Laundry Services, Fleet Services, and Procurement/Warehouse Services.

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100.5 PROBATION CORRECTIONS OFFICER RESPONSIBILITIES

Probation corrections officers are authorized to supervise youth as provided in this manual, applicable court orders, and state law (Government Code § 27770 et seq.; Penal Code § 830.5; Penal Code § 1202.8; Penal Code § 1203.5; Penal Code § 1203.71; Welfare and Institutions Code § 271).

Every supervising probation corrections officer, probation corrections officer and deputy probation officer shall have the powers and authority conferred by law upon peace officers listed in Section 830.5 of the Penal Code (Welfare and Institutions Code § 283; Government Code § 1029 et seq.). In addition, every probation corrections officer will meet the minimum selection standards set forth in 15 CCR 184 and successfully complete the core training requirements for each applicable classification.

100.6 ARREST AND OTHER POWERS

Section 283 of the Welfare and Institution Code, and Section 830.5 of the California Penal Code designate the Peace Officers with limited powers of arrest. Department policy states that Probation Corrections Officers may
exercise their arrest powers, only when such action is in the direct line of duty concerning persons under departmental jurisdiction. For Probation Corrections Officers, this includes:

(a) Maintaining custody and control of youth in the both facilities;

(b) Apprehending fleeing youth from the facility;

(c) Apprehending youth being transported by an officer under departmental jurisdiction; and

(d) The enforcement of court orders.

Supervising Probation Corrections Officers and Probation Corrections Officers observing or receiving information about youth who are within the provisions of the Juvenile Court Law in an unofficial capacity or during off-duty
hours, may not exercise the arrest powers of a Peace Officer. Such information is to be either:

(a) Referred to the appropriate law enforcement agency, or

(b) Referred to the Juvenile Field Services Division.

100.7 CHAIN OF COMMAND

To maintain continuity, order, and effectiveness in the Department, a chain of command has been established and should be respected. All staff members should adhere to the chain of command in all official actions. However, nothing shall prohibit a staff member from initiating immediate action outside of the chain of command if it is necessitated by a complaint of discrimination, sexual harassment, gross malfeasance, or a violation of the law (15 CCR 1324).

See Procedures Manual on Juvenile Detention Policy Manual- Organizational Structure, Appointment and Responsibility for further information.

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Stanislaus County Probation Dept. Procedures Manual: 100.1 JUVENILE DETENTION PROCEDURE MANUAL-ORGANIZATIONAL STRUCTURE, APPOINTMENT AND RESPONSIBILITY

100.7.1 ORGANIZATIONAL CHART

The Facility Superintendent should ensure the development and update of an organizational chart identifying the chain of command (15 CCR 1324).

See the https://scprobation.sharepoint.com/:b:/s/pronet/EZmQgukIEhRMpBYGyCx3H7EBswHKO74pjG139h2J9FRMog?e=ddw0yU

100.7.2 GENERAL AGENCY RESPONSIBILITIES

The Stanislaus County Probation Department is one of several agencies that comprise the juvenile justice system and our facilities address an important role of keeping youth safe when they cannot be placed in a non-secure setting. The Stanislaus County Probation Department serves as an arm of the court in this role, as our staff provides a variety of services, such as mental health, education, family support, and mentoring.The Stanislaus County Probation Department is in a unique position to assist youth toward positive change. The role of the Juvenile Justice Commission is to inquire into the administration of juvenile law within Stanislaus, including inspecting juvenile facilities and programs offered to youth (Welfare and Institutions Code § 225; 15 CCR 1324).

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Authority and Legal Assistance

101.1 PURPOSE AND SCOPE

This policy acknowledges and reflects the legal authority under which the Stanislaus County Probation Department shall operate and maintain a secure detention facility in this state. In addition to the authority vested by state law, the juvenile institutions operates in accordance with these laws, constitutional mandates, regulations, and local ordinances, including the federal Juvenile Justice Delinquency and Prevention Act (Welfare and Institutions Code § 850; 15 CCR 1324).

101.2 POLICY

It is the policy of this department that the secure detention facility will be maintained by all lawful means for the detention of juvenile offenders suspected of violating the law or who have been adjudicated as delinquent for committing a crime or civil offense by a competent legal authority, as prescribed by law.

101.3 LEGAL FOUNDATION

Juvenile Institutions staff at every level must have an understanding and true appreciation of their authority and limitations in operating a secure detention facility. The Stanislaus County Probation Department recognizes and respects the value of all human life and the expectation of dignity without prejudice toward anyone. It is also understood that vesting law enforcement, detention, and probation personnel with the authority to maintain lawful detention of youth suspected of criminal activity to protect the public and prevent individuals from fleeing justice requires a careful balancing of individual rights and legitimate government interests (15 CCR 1324).

The Juvenile Institutions shall be under the management and control of the Chief Probation Officer (Welfare and Institutions Code § 852).

101.4 LEGAL ASSISTANCE

The following are examples of areas where the services of the County Counsel and legal specialists can benefit the Department:

(a) Analyze and alert the juvenile institutions executive and management team to juvenile institutions-related case law

(b) Serve as a legal consultant in the construction and review of new juvenile institutions policies and procedures

(c) Serve as a legal consultant on issues related to but not limited to:

1. Use of force
2. Faith-based requests

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3. Complaints and grievances
4. Allegations of abuse by staff

(d) Serve as legal counsel in legal matters brought against this department and the Chief Probation Officer

101.4.1 LEGAL LIAISON

The Chief Probation Officer will designate one or more officers (Superintendent/Assistant Chief Probation Officer) to act as a liaison between the Department and the County Counsel's office. The legal liaison officer will provide an orientation of the facility and detention facility policies to representatives of the County Counsel's office as needed.

The liaison officer will arrange for regularly scheduled meetings to provide an ongoing status report of facility issues to the legal counsel. The liaison officer will maintain an open relationship with legal counsel to move quickly on emerging facility issues that could have significant legal implications for the Department.

101.5 STATE REPORTING REQUIREMENTS

The Chief Probation Officer will ensure a letter is submitted to the Board of State and Community Corrections briefly describing each legal action pertaining to conditions of confinement filed against persons or legal entities responsible for Juvenile Institutions operations (15 CCR 1340).

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Annual Review and Performance-Based Goals and Objectives

102.1 PURPOSE AND SCOPE

This policy establishes minimum review criteria to measure and evaluate the success of achieving established goals and objectives (15 CCR 1324).

102.2 POLICY

The Stanislaus County Probation Department is dedicated to continuous improvement in the services provided on behalf of the public and in accordance with applicable laws, regulations, and best practices in the operation of this facility. To this end, the Department shall conduct an annual review to evaluate its progress in meeting stated goals and objectives.

102.3 ANNUAL REVIEW

The Facility Superintendent should ensure that the detention management team conducts an annual management review of, at a minimum:

(a) Statutory, regulatory, and other requirements applicable to the operation of the facilities.

(b) Lawsuits and/or court orders/consent decrees.

(c) Department policies, procedures, directives, and post orders that guide the operation of the facilities.

1. The review should ensure that policies and procedures for admitting youth into the facility emphasize respectful and humane engagement with youth, reflect that the admission process may be traumatic to youth who may already have experienced trauma, and be trauma-informed, culturally relevant, and responsive to the language and literacy needs of youth (15 CCR 1350).

(d) Fiscal operations and accounting procedures.

(e) Personnel issues/actions that include but are not limited to on-the-job injuries, internal affairs investigations, employee grievances, employee discipline, selection, and recruitment.

(f) Compliance with internal/external inspections of the facilities.

(g) Condition of the physical plant, infrastructure, and maintenance efforts.

(h) Cleanliness of the facilities.

(i) Youth profiles and trends, such as the Juvenile Detention Profile Survey, that measure:

1. Youth population (average daily population).
2. Youth population by gender.
3. Highest one-day count.
4. Discharge.

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5. Percentage of male youth.
6. Percentage of female youth.
7. Pre-adjudicated youth in detention (Pre Disposition).
8. Adjudicated youth in detention (Post Disposition).
9. Medical beds.
10. Meal counts (regular, medical, court meals).
11. Alternative-to-detention youth.
12. Special needs youth.
13. Classification issues.
14. Youth grievances (founded/denied).
15. Demographics (age, race, gang affiliation).
16. Court movement.
17. Certified to stand trial as an adult.
18. Committed to state detention.
19. Status of offenders detained.

(j) Security issues that include:

1. Youth-on-youth assaults.
2. Youth-on-staff assaults.
3. Deaths in detention facility (natural/suicide/homicide/accidents).
4. Suicide attempts.

(k) Youth programs including:

1. Educational and vocational.
2. Drug and alcohol programs (e.g., substance abuse education, counseling, support groups, Alcoholics Anonymous, Narcotics Anonymous).
3. Faith-based services.
4. Behavior modification programming (e.g., anger reduction).

102.4 CRITERIA TO MEASURE PERFORMANCE

The following items will be used to measure and evaluate the level of success in achieving the Department's stated goals:

(a) Fiscal year budget surpluses or successful operations even with budget reductions.

(b) Findings from independent financial audits.

(c) Youth grievances.

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(d) Documentation that department investigators have completed the required specialized training in conducting sexual abuse investigations (28 CFR 115.334).

(e) Documented training hours received by staff.

(f) Completed audits of the policy and procedures manuals.

(g) Incident report.

(h) Parent/guardian complaints.

102.5 MANAGEMENT REVIEW PROCESS

The management team may employ several methods to assess performance, including:

(a) **Performance analysis** - Performance analysis attempts to discover discrepancies between the expected and actual levels of performance. This analysis should focus on whether the practices in the facilities are meeting the mission of the Department and whether department policies and procedures align with statutes, regulations, and court orders.

(b) **One-to-one interviews** - Scheduled interviews with detention staff held in private to encourage candid responses and help identify issues or conditions that should be targeted for review or correction.

(c) **Questionnaires** - Questionnaires should be used as a group method to solicit suggestions and information about what operations need adjustment or where program resources should be directed.

(d) **Staff debriefing** - Staff should be periodically debriefed, especially after an emergency operation or incident, to identify aspects of facility operations that may need to be addressed by the Facility Superintendent/Managers and supervisors.

(e) **Inspection findings** - The Department is subject to a variety of administrative inspections (e.g., by the Board of State and Community Corrections, the Juvenile Justice Commission, command staff, a grand jury, detention advocates, health inspectors). These annual inspections should be used to identify ongoing issues in the operation of the facilities.

(f) **Security reviews -** The Facility Superintendent/Manager shall develop policies and procedures to annually review, evaluate, and document the security of the facilities. The review and evaluation shall include internal and external security, including but not limited to key control, equipment, and staff training (15 CCR 1326).

102.6 MANAGEMENT REVIEW RESULTS

To the extent reasonably practicable, the individuals responsible for developing a management review should follow the guidelines established in the Administrative Communications and Annual Facility Inspection policies to document and support the findings. A complete report of the review results should be submitted to the appropriate level in the chain of command for final approval.

The results of management reviews should be used in the ongoing process of continuous improvement. They should be used to direct changes in the operation of the facilities or to identify

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successful operations that might be replicated in other areas of the facilities. They should not, however, include specific identifying information of incidents or involved individuals.

The results of management reviews also may be used in full or in part to respond to inquiries from interested groups, such as the local legislative body, courts, grand jury, or others, and to provide information on issues concerning the operation of the facilities, including action planning whenever appropriate.

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Detention Manual

103.1 PURPOSE AND SCOPE

The Detention Manual is a statement of the current policies, rules, and guidelines of this department.

All prior and existing manuals and orders, and regulations that conflict with this manual are revoked, except to the extent that portions of existing manuals, orders, and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

Unless otherwise expressly stated, the provisions of this manual shall be considered guidelines. It is recognized that work in the detention environment is not always predictable, and circumstances may arise that warrant departure from these guidelines. This manual should be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably known to them at the time of any incident (15 CCR 1324).

103.2 POLICY

The manual of the Stanislaus County Probation Department juvenile institutions is hereby established and shall be referred to as the Detention Manual. All members are to conform to the provisions of this manual.

103.2.1 DISCLAIMER

The provisions contained in the Detention Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies in this manual are for the internal use of the Stanislaus County Probation Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the county, its officials, or members. Violations of any provision of any policy in this manual shall only form the basis for department administrative action, training, or discipline. The Stanislaus County Probation Department reserves the right to revise any policy content, in whole or in part.

103.3 RESPONSIBILITIES

The Chief Probation Officer shall be considered the ultimate authority for the provisions of this manual and shall continue to issue departmental directives that shall modify the provisions to which they pertain. Departmental directives shall remain in effect until they are permanently incorporated into the manual.

The Facility Superintendent and Facility Superintendent shall ensure that the Detention Manual is reviewed at least every two years and updated as necessary, and that staff is trained to ensure that the policies in the manual are current and reflect the mission of the Stanislaus County Probation Department (15 CCR 1324). The review shall be documented in written form sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

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103.3.1 ADMINISTRATIVE STAFF
The command staff should consist of the following:

- Chief Probation Officer
- Assistant Chief Probation Officer
- Facility Superindendent
- Facility Superintendent

103.3.2 OTHER PERSONNEL
Line and supervisory staff have a unique view of how policies and procedures influence the operation of the facility and therefore are expected to bring to the attention of their supervisors issues that might be addressed in a new or revised policy.

All members suggesting revision of the contents of the Detention Manual should forward their suggestions in writing, through the chain of command, to the Facility Superintendent via the Facility Superintendent, who will consider the recommendation.

103.4 DEFINITIONS
The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

CCR - California Code of Regulations (Example: 15 CCR 1151).

CHP - The California Highway Patrol.

County - The County of Stanislaus.

Department - The Stanislaus County Probation Department.

Detention Manual - The Department Detention Manual.

DMV - The Department of Motor Vehicles.

Employee - Any person employed by the Department.

Lead staff - A person in a position of authority (to include Probation Corrections Officer III/ Acting Probation Corrections Officer).

May - Indicates a permissive, discretionary, or conditional action.

Member - Any person employed or appointed by the Stanislaus County Probation Department, including:

- Full- and part-time employees.
- Sworn probation corrections officers.
- Nonsworn employees.

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- Volunteers.

Non-sworn - Members and volunteers who are not sworn peace officers, to include part-time (extra help) Probation Corrections Officer.

Probation corrections officer - All persons, regardless of rank, who are officers and who are selected and trained in accordance with state law as probation corrections officers of the Stanislaus County Probation Department.

On-duty employee - Status during the period when the person is actually engaged in the performance of assigned duties or when called back for a work-related situation by the Chief Probation Officer or designee.

Order - A written or verbal instruction issued by a superior.

POST - The California Commission on Peace Officer Standards and Training.

Shall, must or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

STC- Standards and Training for Corrections.

Supervisor- A person in a position of authority (to include Supervising Probation Corrections Officer/ Acting Probation Corrections Officer) whose primary responsibility includes accomplishment of unit operations; direct supervision responsibility over all subordinate line staff assigned to unit or area of responsibility; implementation and enforcement of all department policies; and primary responsibility for communication between administration and line staff assigned to unit or area of responsibility.

Youth - Any person who is in the detention of the Stanislaus County Probation Department. This person may be a minor under the age of 18 whose cases are under the jurisdiction of either juvenile or adult court or a person over 18 years of age whose case is under the jurisdiction of the juvenile court (15 CCR 1302).

103.5 DISTRIBUTION OF MANUAL

Copies of the Detention Manual shall be made available to all members. An electronic version of the Detention Manual will be made available to all members on the Department network (15 CCR 1324).

No changes shall be made to the electronic version without authorization from the Facility Superintendent or Facility Superintendent.

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103.6 MANUAL ACCEPTANCE

As a condition of employment, all members are required to read and obtain necessary clarification of this department's policies. All members must sign a statement of receipt acknowledging that they have received a copy or have been provided access to the Detention Manual (15 CCR 1324).

103.7 REVISIONS TO POLICIES

All members are responsible for keeping abreast of all Detention Manual revisions (15 CCR 1324). All changes to the Detention Manual will be posted on the network for review prior to implementation. The Training Director will forward revisions to the Detention Manual as needed to all personnel via electronic mail. Each member shall acknowledge receipt by return email or online acknowledgement, review the revisions, and seek clarification as needed.

Supervisors will ensure that members under their command are familiar with and understand all revisions.

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Post Orders

104.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for developing post orders and the training of members assigned to each post/unit.

104.2 POLICY

It is the policy of this department to develop comprehensive post orders for every position. Copies of the orders should be maintained at each post/unitor be available electronically. Members shall be familiar with the post orders before working a position.

104.3 DEVELOPMENT

Clear procedures should be incorporated into post orders for all regular daily activities, including but not limited to safety checks, head counts, meals, sick call, recreation, clothing exchange, mail distribution, and response to emergencies, such as fires, natural disasters, and criminal acts.

104.4 REVIEW AND UPDATE

Post orders shall be reviewed at least annually and updated whenever necessary by the Facility Superintendent or the authorized designee.

104.5 TRAINING

The Facility Training Officer shall ensure that all staff members assigned to posts/units are properly trained to perform the duties and responsibilities described in the post orders. This is particularly true in fire, life-safety, and the emergency response procedures implemented by the Facility Superintendent (15 CCR 1322). All training should be documented in each member's training file and retained in accordance with established records retention schedules.

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Administrative Communications

105.1 PURPOSE AND SCOPE

Effective communications within the Department are critical to the accomplishment of the mission of the Department and the effective operation of the juvenile institutions. Administrative communications of this department are governed by the following policy (15 CCR 1324).

105.2 POLICY

The Stanislaus County Probation Department will appropriately communicate significant events within the organization to its members.

105.3 MEMORANDUMS

Memorandums or emails may be issued periodically by the Chief Probation Officer to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, and other changes in status.

105.4 CORRESPONDENCE

All department correspondence is to be written in a clear, concise manner, consistent with the report formats and guidelines prescribed in this policy and reflecting the highest possible quality in organization, grammar, punctuation, and spelling.

105.5 SURVEYS

All surveys made in the name of the Department shall be authorized in advance by the Chief Probation Officer or the authorized designee.

105.6 COMPLETED STAFF WORK

All staff reports (i.e., reports assigned to a specific person to respond to a problem or issue) shall incorporate the principle of completed staff work, which requires the person to whom a task has been delegated to complete and document the delegated work to such an extent that the only thing left for the decision-maker to do is to approve or decline the recommendation. Staff reports that only point out weaknesses or merely suggest needed actions are not completed staff work and are not acceptable.

The writer of the staff report should document the efforts made to have the report reviewed by or acted upon by those individuals representing work units or other entities likely to be affected by any proposed changes.

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Departmental Directives

106.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing departmental directives (15 CCR 1324).

106.2 POLICY

Departmental directives establish a communication practice that may be used by the Chief Probation Officer to make immediate changes to policy and procedure in accordance with and as permitted by statutes, regulations, or negotiated contracts. Departmental directives will immediately modify or change and supersede the sections of this manual to which they pertain. Departmental Directives and/or changes to policy/procedures may be subject to the meet and confer process.

106.3 DEPARTMENTAL DIRECTIVES PROTOCOL

Departmental directives will be incorporated into the manual as required upon approval of the Chief Probation Officer. Departmental directives will modify existing policies/procedures or create a new policy/procedure as appropriate. The previous policy/procedure will be rescinded upon incorporation of the new or updated policy/procedure into the manual.

Any departmental directives issued after publication of the manual should be numbered consecutively, starting with the last two digits of the year, followed by the number “01” as in yy-01.

106.4 RESPONSIBILITIES

106.4.1 CHIEF PROBATION OFFICER

The Chief Probation Officer, with the assistance of department staff, shall issue and be responsible for all departmental directives, including their publication and dissemination throughout the Department.

106.4.2 SUPERINTENDENT/MANAGERS AND SUPERVISORS

Superintendent/Managers and supervisors are responsible for ensuring that staff under their command receive training on all new departmental directives.

Training documentation shall be placed into the member’s training file.

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Annual Facility Inspection

107.1 PURPOSE AND SCOPE

Annual facility inspections are the collections of data designed to assist administrators, managers, and supervisors in the management of the facility by establishing a systematic inspection and review of its operation. This policy provides guidelines for conducting the annual facility inspection (15 CCR 1324; 15 CCR 1326).

107.2 POLICY

This department will use a formal annual inspection process of its facilities to ensure that practices and operations comply with statutes, regulations, policies and procedures, and best practice standards. Inspections will be used to help identify the need for new or revised policies and procedures, administrative needs, funding requirements, evaluation of service providers, and changes in laws and regulations.

107.3 FACILITY FACILITY SUPERINTENDENT RESPONSIBILITIES

The Facility Facility Superintendent is responsible for collecting performance indicators and other relevant data necessary for an annual inspection of all facilities. The Facility Facility Superintendent will ensure that annual inspections are conducted as outlined below for each facility type.

Annual inspections may be used in preparation for inspections by outside entities, such as a government inspection authority, a professional organization, or an accreditation body. In this case, the self-inspection will serve as a pre-inspection review that will prepare the facilities for the outside or third-party evaluator.

107.3.1 NONCOMPLIANCE REPORTING

The Facility Superintendent shall report as requested by the Board of State and Community Corrections the reasons for the noncompliance with the minimum standards or the corrective measures taken within the time prescribed in the notice of noncompliance as described in Welfare and Institutions Code § 209.

107.3.2 STATE REQUIREMENTS

Annually, the Facility Facility Superintendent shall obtain a documented inspection and evaluation from (15 CCR 1313):

(a) The county building inspector or a person designated by the Board of Supervisors to approve building safety.

(b) The fire authority having jurisdiction, including a fire clearance as required by the Health and Safety Code § 13146.1 (a) and (b) (see the Fire Safety Policy).

(c) The local health officer's inspection in accordance with Health and Safety Code § 101045.

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(d) The county superintendent of schools on the adequacy of educational services and facilities as required in 15 CCR 1370.

(e) The juvenile court as required by Welfare and Institutions Code § 209.

(f) The Juvenile Justice Commission as required in Welfare and Institutions Code § 229 or the Probation Commission as required by Welfare and Institutions Code § 240.

107.4 INSPECTION AREAS

The annual inspection should include the following areas in the assessment process:

(a) **Pre-assessment briefing** - The pre-assessment briefing should begin with a meeting of the Facility Superintendent, Facility Superintendent, key program staff, and service providers. The individual conducting the assessment will need to advise key personnel what areas the individual will be inspecting so the appropriate materials can be brought up to date and provided to the assessment team.

(b) **Policy review** - A review of all juvenile institutions policies and procedures should be conducted to ensure that those policies are up to date and accurately reflect the requirements and activities related to the juvenile institutions operation.

(c) **Record review** - A review of the records that support juvenile institutions activities, medical records, food services, and the facility's financial records should be conducted to ensure that contractual benchmarks are being met and any discrepancies are documented and reported as part of the assessment report in an effort to mitigate harm from improper access to or release of records.

(d) **Benchmark review** - A review of the Department-stated goals and objectives should be discussed with the Facility Superintendent, Facility Superintendent, program managers, and other key providers of programs. This will provide the opportunity to identify any areas that require correction or additional resources or that reflect a successful performance that should be acknowledged and possibly replicated.

(e) **On-site inspections** - The assessment team should inspect the facilities to verify that activities in the facilityies align with goals and objectives and comply with policies and procedures. Any discrepancies, as well as exceptional efforts on the part of management and members, should be reported as a part of the juvenile institutions assessment. An inspection checklist should be used to guide the inspection process and to ensure consistency. It is important that the juvenile institutions assessments be viewed as a credible measurement instrument because many issues identified in the assessment may require significant funding.

(f) **Develop an action plan** - After the fact-finding described in the previous sections has been accomplished, notes, records, and recommendations should be analyzed and an action plan developed to initiate any needed correction. Documenting successful practices is important to determine if they can be replicated in other areas.

(g) **Reporting** - The results of the inspection should be compiled into a report and should include recommendations and action plans necessary to ensure continuous improvement in the operation and management of the juvenile institutions system. The completed report and any analysis and documentation required to justify costs, policy

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revisions, or any other administrative requirements should be submitted to the Chief Probation Officer.

(h) **Monitor progress** - The Facility Superintendent and Facility Superintendent should ensure that approved recommendations are being instituted by the responsible program providers.

107.5 FOCAL POINTS FOR INSPECTIONS

Inspections of facilities used for detaining youth pending pre-adjudication and adjudication, held during trial, and held upon a lawful court commitment should include inspection of the policies, procedures, and performance by management and members to ensure compliance and timely updates. Inspections should include but are not limited to the following inspection points:

- Member training
- Number of personnel
- Policy and procedures manual
- Fire suppression pre-planning
- Incident reports
- Critical incidents (e.g., major injuries, deaths)
- Documented suicide attempts
- In-custody deaths
- Classification plan
- Admissions
- Communicable disease prevention plan
- Youth with mental disorders
- Developmentally disabled youth
- Use of force and restraint devices
- Contraband control
- Perimeter security (15 CCR 1326)
- Searches
- Access to telephones
- Access to courts and counsel
- Youth visiting
- Youth mail
- Religious access

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- Health care services
- Intake medical screening
- Pest control
- Suicide prevention program
- First-aid kit
- Meals, frequency of serving
- Minimum diet
- Food services plan
- Food serving and supervision
- Facility sanitation, safety, and maintenance
- Tools, key, and lock control (15 CCR 1326)
- Use of safety and camera rooms and medical isolation areas
- Plan for youth discipline, including rules and disciplinary penalties, forms of discipline, limitations on discipline, and disciplinary records
- Standard bedding and linen use
- Mattresses
- Programming (e.g., education, vocational)
- Clothing and laundry

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Chapter 2 - Organization and Administration

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Financial Practices

200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish financially sound practices to ensure the development and management of a budget plan, conduct appropriate audits, and manage the staffing plan and personnel costs for the facility.

200.2 POLICY

It is the policy of the Stanislaus County Probation Department to properly manage financial matters by developing a budget plan and monitoring income and expenditures based on established accounting procedures.

200.3 RESPONSIBILITIES

The Chief Probation Officer shall prepare and present an annual budget request identifying the resources and costs associated with the judicious operation of the facility. Budget requests shall be prepared in the manner and detail prescribed by the Department. Service goals and objectives should be delineated in the budget plan.

The Department's responsibilities include developing a budget plan, submitting the plan to the Chief Executive Office, and monitoring the facility's progress toward meeting its budget objectives throughout the fiscal year.

A fiscal system based on established accounting procedures shall be used to monitor ongoing income and expenditures.

200.4 BUDGET PLAN

The Facility Superintendent will establish a system of quarterly projections of expenditures for personnel, operating expenses, equipment, and capital projects. A record of a historical pattern of expenditures along with a justification for new expenditures should be used as the supporting documentation in the development of the budget plan.

Once completed, the budget plan will be submitted to the Chief Executive Office for review and approval and/or returned to the Department for additional development. Once the budget plan has been approved by the Chief Executive Office or the authorized designee, the Department may initiate expenditures in accordance with the plan.

200.5 FISCAL ACCOUNTING AND MANAGEMENT OF APPROVED BUDGET

The Chief Executive Office is responsible for monitoring the facility's progress toward meeting its budget objectives throughout the fiscal year. Data on key performance indicators should be collected and evaluated at regular intervals and reviewed by the Chief Probation Officer, budget officials, and other policy-makers. Reports should contain, at a minimum:

- The budget amount.

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- The amount expended for the month.
- The year-to-date amount expended.
- Any outstanding encumbrances.
- The cumulative total year-to-date expenditures plus outstanding encumbrances.

When the Facility Superintendent receives the monthly budget report, all expenditure accounts should be reviewed for risk indicators, such as:

(a) Significant variations in expenditures in an account used consistently, where the amounts charged are expected to vary little from month to month.

(b) Expenditures that are significantly beyond the forecasted amounts or whether the year-to-date percentages expended are significantly higher than the percentage of time elapsed.

(c) Large outstanding balances and/or long-term outstanding encumbrances.

Fiscal data collected during the year should be used to formulate a budget for the following year.

200.6 TRANSFERRING FUNDS AMONG BUDGET CATEGORIES

Unless otherwise specified, transferring funds among budget categories may require the approval of the Chief Executive Office.

200.7 FINANCIAL AUDITS

The Chief Probation Officer should ensure that a financial audit of the facility is conducted annually.

200.7.1 FINANCIAL AUDITS OF THE WARD WELFARE FUND

An annual financial audit of the Ward Welfare Fund shall be conducted on any monies placed into the fund.

200.7.2 POSITION CONTROL

To exercise control of payroll expenditures, the Department will utilize a system of position control as part of its ongoing budget process. Position control is the process used by the Department to exercise control over the size and cost of its workforce. It ensures that any new, regular member added to an agency's payroll basis is filling a position that has been approved and budgeted, and that the pay rate for the position is within the salary range for the job classification in which the position resides.

200.8 STAFFING PLAN

The Facility Superintendent should maintain a current staffing plan for the purpose of exercising position control. The staffing plan should include a comprehensive list of all positions in this facility. Each position has a descriptive job title that is associated with a description of the position's duties and responsibilities. Each position will have a written job description for all position classifications and post assignments that define responsibilities, duties, and qualifications (15 CCR 1324).

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The Facility Superintendent should adhere to these strategies for the management of position control and personnel costs:

(a) Ensure this facility is staffed with the appropriate number and type of staff. The proper allocation and deployment of staff across shifts and functional units is essential. In addition, the availability of the right classification of staff (e.g., detention staff supervising youth, maintenance staff performing maintenance, food services staff preparing meals) with the appropriate job skills and training enhances efficiency.

(b) Strategically time the filling of newly authorized positions or vacancies in current positions. Strategic timing is important throughout the budget year to create vacancy savings that can be used to address current budget year shortfalls.

(c) Manage the use of overtime carefully. The historical use of overtime should be tracked to make the case for additional staff and/or to provide sufficient funding in an overtime line item. The use of overtime should also be monitored at regular intervals to verify that it is being used within projected levels.

(d) Manage the use of part-time staff. The number of hours worked by part-time staff should be monitored to ensure that part-time members are not working in excess of what has been authorized.

(e) Establish and maintain procedures to ensure the accuracy and integrity of payroll documentation. Time cards, time sheets, and related documentation should reflect actual hours worked.

(f) Consider the impact of position upgrades on the entire job classification. An upgrade for one position may set the stage for upgrades of similar positions within the same job classification.

200.8.1 INSURANCE REQUIREMENTS

The Chief Probation Officer shall ensure the Department has adequate liability coverage for its facility operations, including the following:

- Civil liability
- Public employee blanket bond
- Vehicle
- Workers' compensation

Coverage may include self-insurance if authorized by the county.

200.8.2 PERFORMANCE MONITORING

Performance monitoring necessitates the establishment of benchmarks and performance targets. The Chief Executive Office may develop budget benchmarks so actual performance output can be compared with these targets to determine whether this facility is meeting the goals and objectives articulated in the budget.

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Supervision of Youth

201.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure the safety and security of the facilitiesthrough appropriate supervision activities.

201.2 POLICY

It is the policy of this Stanislaus County Probation Department to provide for the safety and security of citizens, staff, and youth through supervision sufficient to safely and securely operate the facilities and its programs.

201.3 SUPERVISION OF YOUTH

When youth are not in their rooms, they shall be directly supervised. Youth are not to be left in any area of the building or grounds without a staff member in attendance. Continual supervision provides opportunity for staff to intervene in attempts to damage property, escape, assault others, or commit suicide.

At all times, there shall be sufficient wide-awake staff in the facility for the supervision and welfare of youth, to ensure the implementation and operation of all programs and activities as required by the Minimum Standards for Juvenile Facilities in Title 15 of the California Code of Regulations, and to respond to emergencies when needed. Staff on duty must not leave the facility while youth are present and should not be assigned duties that could conflict with supervising youth (15 CCR 1321). Staff ratios within the Stanislaus County Probation Department shall be one staff member for every 10 youth during resident waking hours and one staff member for every 30 youth during youth sleeping hours, except during exigent circumstances, which shall be fully documented. For Stanislaus County Probation Department camps, staff ratios shall be one staff member for every 15 youth during youth waking hours and one staff member for every 30 youth when asleep (15 CCR 1321). Only security staff shall be included in these ratios (28 CFR 115.313).

The facilities shall have at least two wide-awake Probation Corrections Officers on duty at all times, regardless of the number of youth in detention, unless an arrangement has been made for the immediate backup support services in emergencies.

At least one staff member who is the same gender as the youth housed in the facility shall be on duty (15 CCR 1321). When both male and female youth are held at a facility, at least one male and one female probation corrections officer should be on-duty in the juvenile institutions at all times. At least two wide-awake youth supervision staff members shall be on duty at all times, regardless of the number of youth in the juvenile institutions (15 CCR 1321).

Staff members should not be placed in positions of responsibility for the supervision and welfare of youth of the opposite sex in circumstances that could be described as an invasion of privacy or that may be degrading or humiliating to the youth.

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To the extent reasonably practicable, youth bathrooms will contain modesty screens that preserve privacy without creating areas that cannot be properly supervised (24 CCR 1230.2.2; 24 CCR 1230.2.4).

The Facility Superintendent or the authorized designee shall be responsible for developing staffing plans to comply with this policy. Records of staff deployment should be maintained in accordance with established records retention schedules.

201.3.1 OTHER STAFF POSITIONS

Staff members whose primary responsibilities do not involve youth supervision (e.g., administration, supervision of personnel, academic or trade instruction, clerical, kitchen, maintenance) shall not be classified as youth supervision staff (15 CCR 1321).

201.4 STAFF POSITIONING

At least one staff member shall be present on each living unit whenever there is a youth in the housing unit (15 CCR 1321). Members should be aware of the physical location of the youth who are out of their rooms and should conduct frequent population counts of the youth (see the Youth Counts Policy). Safety checks shall be conducted on youth who remain in their rooms or on their assigned beds, under the Youth Safety Checks Policy.

When a youth is in the youth's room, members shall not enter the youth's room without having another staff member within eyesight at all times, except as needed to respond to an emergency in the room. Youth are not allowed to enter any other youth's room.

Staff members should be within continuous eyesight and hearing of other staff members.

Stanislaus County Probation Dept. Procedures Manual: 200.1 JUVENILE DETENTION PROCEDURE MANUAL- SUPERVISION OF YOUTH, and Stanislaus County Probation Dept. JD Procedures Manual: 200.1.1 RADIO USAGE for further information.

201.5 SEPARATION OF DUTIES

The juvenile institutions shall have sufficient administrative, clerical, recreational, medical, dental, mental health, building maintenance, transportation, control room, institutional security, and other support staff for the efficient management of the facility, and to ensure that youth supervision staff shall not be diverted from supervising youth. Maintenance personnel are employed to perform preventive, routine, and emergency maintenance functions. Detention staff will not be given physical plant maintenance or other duties that distract from their primary responsibility of supervising youth (15 CCR 1321).

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Prohibition on Youth Control

202.1 PURPOSE AND SCOPE

The purpose of this policy is to define the requirement that staff should at all times exercise control of the youth population under their supervision and should prevent youth from supervising, controlling, or exerting any authority over other youth within the facilities(15 CCR 1391).

202.2 POLICY

All staff, including support staff, service providers, and volunteers, should exercise control and supervision of all youth under their control. It is the policy of this department to prohibit any staff member from implicitly allowing, or by dereliction of duty allowing, any youth to exercise authority, control, discipline, or rule over any other youth.

202.3 EDUCATION, DRUG, OR ALCOHOL PROGRAM ASSISTANTS

Nothing in this policy is intended to restrict the legitimate use of youth to assist in the instruction of educational or drug and alcohol programs. Any use of youth in this manner will be expressly authorized by the Facility Superintendent in a legally prescribed manner. Any program that uses youth to assist in legitimate program activities will be closely supervised by facility employees or vocational instructors. Nothing in this section is intended to authorize a youth program assistant to engage in disciplining other youth.

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Equipment Inventory and Supplies

203.1 PURPOSE AND SCOPE

This facility must have the materials, supplies, and equipment necessary to maintain effective and efficient operations. This policy establishes responsibilities and requirements for the purchase, storage, and inventory of those items.

203.2 POLICY

It is the policy of the Stanislaus County Probation Department to properly manage the acquisition and disposition of equipment and supplies to operate a safe and secure facility. The Department will maintain accurate records of inventory control to protect the integrity of department operations and build public trust.

203.3 RESPONSIBILITIES

The Facility Superintendent shall ensure that all juvenile institutions property and fixed assets are inventoried annually and that all supplies purchased are reconciled with the invoice prior to payment.

The Juvenile Institutions maintains a secure storage area for the purpose of storing supplies and equipment. The Facility Superintendent shall maintain oversight of the area.

With the exception of medical supplies, which are ordered by the medical staff, the Facility Superintendent or designeeis responsible for the purchasing and acquisition of materials and equipment for this facility. Supplies and equipment not needed for immediate use should be stored in a secure storage area.

203.4 PURCHASING

The Facility Superintendent, along with the Administrative Services Manager, is responsible for managing the purchasing process to ensure that amounts and types of purchases fall within budget parameters. The Facility Superintendent must also ensure that this facility's purchasing process complies with applicable laws, regulations, and department policies.

Personnel with spending authority should adhere to these strategies:

(a) Be knowledgeable about the county's requirements and procedures for purchasing goods and services.

(b) Establish a working relationship with this facility’s purchasing agent.

(c) Provide the purchasing agent with information describing the goods and services required to operate the facility.

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(d) Ensure that staff with spending authority follow procedures that outline the process for submission and approval of purchase requisitions.

(e) Review purchase requisitions to verify the need, urgency, and priority.

(f) Monitor service contracts to ensure this facility is receiving the scope and quality of services specified in the contract.

(g) Regularly monitor expenditures to make certain the purchase of goods and services is charged to the appropriate accounts and within budget limits.

(h) Keep purchase records to maintain the integrity and availability of purchasing documents, including requisitions, purchase orders, receiving reports, and invoices.

(i) Maintain inventory records of disposal in accordance with county requirements and procedures.

203.5 EQUIPMENT INVENTORY

The Facility Superintendent or the authorized designee will conduct an audit on all supplies and equipment annually. All losses will be reported by the Chief Probation Officer. The Department may also conduct an interim audit on all fixed assets to maintain a complete and accurate accounting of equipment and its location.

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Tools and Culinary Equipment Control

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a tightly controlled process for the use of tools and culinary equipment in order to reduce the risk of such items becoming weapons for the youth population. While sometimes specific youth workers may need to possess tools or equipment for legitimate daily operations, the possession and use of those tools must be carefully monitored and controlled by staff (15 CCR 1326; 15 CCR 1467).

204.2 POLICY

It is the policy of theJuvenile Institutions to securely store, inventory, control, and monitor the use of tools and culinary equipment to ensure accountability and the secure use of these items.

204.3 TOOLS

Tools include all implements maintained within the secure perimeter of the juvenile institutions to complete specific tasks. These tools include but are not limited to mops, brooms, dustpans, and floor polishers.

All tools, culinary items, and medical equipment shall be locked in secure cabinets or storage rooms when not in use.

Any time tools are brought into a secure area where youth are present, staff supervising the area shall count the tools brought in to ensure that the same number of tools are taken out.

Any tool used within the secure perimeter of the juvenile institutions must be closely monitored and controlled by the staff supervising the area so it cannot be used as a weapon (15 CCR 1326). Youth who are assigned tasks that require these tools shall be closely supervised.

An inventory of all tools used and stored within the secure perimeter of the Juvenile Institutions shall be developed and maintained by the Facility Superintendent. Tools will be inventoried by an assigned staff member at least once every 24 hours and inspected immediately after use. The loss of any tool will be immediately reported to the on-duty supervisor, who shall initiate immediate action to locate or account for the missing tool, including:

(a) Detaining and searching any youth who had access to the tool.

(b) Conducting a thorough search of the immediate area for the missing item.

(c) Initiating a facility-wide search.

The staff member responsible for the supervision of the use of a missing tool will prepare and submit an incident report to the Supervisor documenting the specific missing tool and the circumstances of the disappearance. The report will be forwarded to the Facility Superintendent. An incident report identifying all members involved in the search should be submitted to the on-duty supervisor documenting the findings.

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204.4 MAINTENANCE AND CONSTRUCTION TOOLS

Maintenance and construction tools are those tools and equipment brought into and out of the secure perimeter of the juvenile institutions by employees or service providers to facilitate repairs or construction of the physical plant. Only the tools and equipment needed specifically for the intended work will be permitted into the juvenile institutions.

Before entering the secure perimeter of the Juvenile Institutions, the contractor shall be instructed to maintain personal possession of the tools at all times. When it is necessary to complete a task in an area where youth are present, the youth shall be locked down by staff supervising the area.

When the person has finished working in the area, a probation corrections officer will ensure that all tools are accounted for and a search of the work area has been completed. If there is a discrepancy, the on-duty supervisor shall be immediately notified and appropriate action taken to locate or account for the items. Once all tools have been accounted for, the youth may be released from lockdown.

204.5 KITCHEN EQUIPMENT

Culinary tools are stored in the kitchen and include common tools used in the preparation, service, and delivery of meals.

All kitchen knives and metal tools with sharp edges shall be stored in a locked cabinet. There shall be an outline of each tool's assigned location in the cabinet so any tool missing from the cabinet can be easily identified. When in use, all knives should be tethered to the work area. All tools shall be returned to the secure cabinet when not in use.

The probation corrections officer assigned to the kitchen shall inventory all kitchen tools at the beginning of the shift and prior to the arrival of youth workers. Kitchen tools will only be issued to youth who have been classified as youth workers. Staff will supervise youth at all times when the youth are using tools (15 CCR 1467).

Youth workers shall not be permitted to pass tools between each other except under the direct supervision of a probation corrections officer.

All tools will be returned to the kitchen tool cabinet at the end of each shift, and all tools must be accounted for prior to any youth worker being released from the work assignment.

In the event that a kitchen tool is missing, the probation corrections officer shall immediately notify the on-duty supervisor, who shall initiate immediate action to locate or account for the missing tool. A thorough search for the tool will be undertaken and an incident report shall be completed by the probation corrections officer responsible for the supervision of the use of the tool. The incident report with all relevant information shall be forwarded to the Facility Superintendent.

204.6 SERVING AND INDIVIDUAL EATING TOOLS

Serving tools and individual eating tools are those culinary tools located outside of the kitchen. Only staff workers who are assigned to serve food shall be in control of serving tools. These tools shall be assigned to kitchen staff prior to leaving the kitchen. The tool type shall be documented.

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Tools and Culinary Equipment Control

Upon returning to the kitchen from serving meals, the kitchen staff shall individually check in their tools with the kitchen probation corrections officer, who shall document each one.

If a serving tool is missing, the kitchen probation corrections officer shall notify a supervisor, and a search for the tool shall be initiated.

Eating utensils (forks/spoons/sporks) shall be counted by the probation corrections officer supervising the meal service prior to and at the completion of each meal. In the event that a utensil is missing, the housing unit shall be immediately locked down and a supervisor notified. A thorough search of the housing unit shall be initiated to locate the tool.

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Disposition of Evidence

205.1 PURPOSE AND SCOPE

The purpose of this policy is to provide direction regarding the proper handling and disposition of contraband and evidence to ensure that the chain of custody is maintained so that evidence is admissible in a court of law or disciplinary hearing.

205.2 POLICY

It is the policy of the Stanislaus County Probation Department to seize evidence and contraband in accordance with current constitutional and search-and-seizure law. Members of this department shall properly handle all contraband and evidence in order to maintain its admissibility. All contraband and evidence shall be handled in a safe manner and in a way that will maintain the chain of custody and protect the integrity of the evidence.

205.3 DEFINITIONS

See the Stanislaus County Probation Dept Policy Manual: 700.2 DEFINITIONS

205.4 INITIAL SEIZURE OF EVIDENCE

Any staff member who first comes into possession of any evidence should retain such evidence in the staff member's possession until it is properly tagged, logged, and stored for proper maintenance, safekeeping, and, if appropriate, transfer to other law enforcement agencies.

See the Stanislaus County Probation Dept Policy Manual: 700.3 PROPERTY HANDLING

When handling evidence, staff should observe the following safety precautions:

(a) Unload any firearm in the approved loading/unloading area outside of the facility. If it is a revolver, the cylinder should be left open. If it is a semi-automatic pistol, the magazine shall be removed and the slide locked back in an open position. Clear the chamber and make sure the firearm is safe. The cartridges and/or magazine will be packaged separately and booked separately from the firearm.Staff members should handle carefully to avoid destruction of any potential evidence that might be needed later. When seizing firearms, probation corrections officers shall contact a deputy probation officer so that they can book the evidence in the Sheriff's Department evidence room.

(b) Sheath any knife or other stabbing instrument in its holster (if any), or use tape to attach stiff cardboard to completely cover the blade if the item does not require further evidence processing. If the item needs processing for additional evidence recovery, it should be packaged and secured in a knife box and marked to indicate further evidence processing is necessary.

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(c) Place needles, such as syringes, into a hard plastic container that cannot be punctured by the needle.

(d) If the contraband is a suspected “home brew” alcoholic beverage, the handling probation corrections officer may place a sample of the liquid in an authorized sterile plastic container that can be safely sealed. The remainder of the liquid will be treated as a biohazard and carefully disposed of as recommended by the environmental health official.

(e) Hypodermic syringes and pipes commonly used to ingest methamphetamine or "crack" cocaine may be photographed, then placed in the biohazard box located in the temporary evidence room. A contact note shall be completed describing such evidence and where it was disposed.

See the Stanislaus County Probation Dept. Procedures Manual: 201.1 JUVENILE DETENTION PROCEDURE MANUAL- CONTROL OF CONTRABAND, Stanislaus County Probation Dept. JD Procedures Manual: 201.2 Contraband, Stanislaus County Probation Dept. JD Procedures Manual: 201.3 Procedure for Handling Contraband which may result in a Probation Violation, Stanislaus County Probation Dept. JD Procedures Manual: 201.4 Procedure for Handling Illegal Contraband which may result in Additional Criminal Charges and Stanislaus County Probation Dept. JD Procedures Manual: 201.5 Destruction of Contraband Evidence for further information.

205.5 EVIDENCE TRACKING PROCEDURES

All evidence shall be logged prior to the probation corrections officer going off-duty unless otherwise approved by a supervisor.

See the Stanislaus County Probation Dept Policy Manual: 700.3.1 PROPERTY BOOKING PROCEDURE

205.5.1 CONTROLLED SUBSTANCES

See the Stanislaus County Probation Dept Policy Manual: 700.4 PACKAGING OF PROPERTY

205.5.2 EXCEPTIONAL HANDLING

Certain evidence items, such as bodily fluids, blood, and semen stains, require a separate process and may require coordination with the lead law enforcement agency for the county.

See the Stanislaus County Probation Dept Policy Manual: 700.3.4 EXCEPTIONAL HANDLING

205.5.3 RECORDING OF EVIDENCE OR PROPERTY

See the Stanislaus County Probation Dept Policy Manual: 700.5 RECORDING OF PROPERTY

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205.5.4 EVIDENCE CONTROL
Each time the evidence officer receives property or releases property to another person, staff members shall enter this information on the master evidence log. Officers desiring property for court shall contact the evidence officer at least one day prior to the court day.

205.5.5 TRANSFER AND STATUS OF EVIDENCE
Each person receiving evidence will make the appropriate entry to document the chain of custody. Temporary release of evidence to a law enforcement authority for investigative purposes or for court shall be noted on the master evidence log, stating the date, time, and to whom it was released.

The Evidence Officer shall obtain the signature of the person to whom the evidence was released and the reason for release. Any employee receiving evidence shall be responsible for such evidence until it is returned to the department's evidence officer or released to another authorized person or entity.

The return of the evidence should be recorded on the master evidence log, indicating the date, time, and name of the person who returned the evidence.

205.6 RELEASE OR DISPOSITION OF UNCLAIMED FUNDS AND PROPERTY
The evidence officer shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

All reasonable attempts should be made to return unclaimed property, found property, and evidence not needed for an investigation.

See the Stanislaus County Probation Dept Policy Manual: 700.6 PROPERTY CONTROL and Stanislaus County Probation Dept Policy Manual: 700.7 DISPOSITION OF PROPERTY

205.7 INSPECTIONS AND AUDITS

Audits are conducted as directed by the Chief Probation Officer or the authorized designee.

Inspections and audits shall be conducted by a member of this department who is not routinely or directly connected with the Evidence Room operations.

The results of all inspections and audits shall be documented and forwarded to the Chief Probation Officer.

205.7.1 TIMING
Inspections shall occur at least quarterly. Unannounced inspections shall occur at least twice per year.

Audits shall occur at least annually.

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Disposition of Evidence

Whenever there is a change of assignment for any member with authorized access to the Evidence Room, an audit of all property shall be conducted to ensure that all property is accounted for and records are correct.

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Records Retention and Release

206.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records.

206.2 POLICY

The Stanislaus County Probation Department will adhere to all applicable laws, orders, regulations, use agreements, and training requirements related to the retention and release of its records.

The Stanislaus County Probation Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 6250 et seq.).

See the Stanislaus County Probation Department Policy Manual, Policy 702, Records Maintenance and Release Policy for further information.

206.3 CUSTODIAN OF RECORDS

The Chief Probation Officer shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:

(a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.

(b) Maintaining and updating the department records retention schedule, including:

1. Identifying the minimum length of time the Department must keep records.
2. Identifying the department division responsible for the original record.

(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records (Government Code § 6253).

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring the availability of a current schedule of fees for public records as allowed by law (Government Code § 6253).

(g) Determining how the department's website may be used to post public records in accordance with Government Code § 6253.

(h) Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10, including but not limited to posting an open format

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where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.

Stanislaus County Probation Dept. Procedures Manual: 202.1 DISSEMINATION OF INFORMATION

206.3.1 ACCESS TO RECORDS

Access to confidential paper or electronically generated records in this facility is restricted at various locations according to job function and the need to know. Members working in assigned areas will only have access to the information that is necessary for the performance of their duties. Granting access to other members or anyone outside of the work area must meet with supervisory approval. All requests for information received from outside the Department shall be forwarded to the Facility Superintendent. Detention staff, volunteers, and service providers shall not access, disclose, or permit the disclosure or use of such files, documents, reports, records, video or audio recordings, or other confidential information except as required in the performance of their official duties and in accordance with department policies, statutes, ordinances, and regulations related to data practices.

Detention staff, volunteers, and service providers who are uncertain of the confidentiality status of any record should consult with a supervisor or the Facility Superintendent to determine the status of the documents in question.

206.4 PROCESSING REQUESTS FOR RECORDS

Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

Any member of the public, including the media and elected officials, may access unrestricted records of this department during regular business hours by submitting a written and signed request that reasonably describes each record sought and paying any associated fees (Government Code § 6253).

The processing of requests for any record is subject to (Government Code § 6253):

(a) The Department is not required to create records that do not exist.

(b) Either the requested record or the reason for non-disclosure will be provided promptly, but no later than 10 days from the date of the request, unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Custodian of Records shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.

1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in identifying the records or information so that a response to the request is possible, including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records

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shall also assist in describing the information technology and physical location in which the records exist (Government Code § 6253.9).

2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.

(c) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 6253.9).

(d) When a record contains material with release restrictions and material not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(e) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure clearly outweighs the public interest served by disclosure of the record (Government Code § 6255). The written response shall also include the names, titles, or positions of each person responsible for the denial.

Stanislaus County Probation Dept. Procedures Manual: 202.2 RELEASE OF INFORMATION

206.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

(a) Social Security numbers (Government Code § 6254.29).

(b) Personnel records, medical records, and similar records which would involve an unwarranted invasion of personal privacy except where allowed by law (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).

1. Peace officer personnel records that are deemed confidential shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.

2. The identity of any probation corrections officer subject to any criminal or administrative investigation shall not be released without the consent of the involved probation corrections officer, prior approval of the Chief Probation Officer, or as required by law.

(c) Member home addresses, home and cell phone numbers, and birthdates, except as provided in Government Code § 6254.3.

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(d) Juvenile criminal history information except as provided in 15 CCR 1312.

1. This information shall be made available to the California Board of State and Community Corrections (BSCC) as necessary and for facility inspections. Such information shall be held confidential, except that published reports (e.g., the Juvenile Detention Profile Survey) may contain the information in a form that does not identify an individual.

(e) Child abuse reports (Penal Code § 11167.5).

(f) Juvenile case files except as provided in Welfare and Institutions Code § 827.

(g) Sealed autopsy and private medical information concerning a murdered child, with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants, or civil litigants under state and federal discovery laws (Code of Civil Procedure § 130).

(h) Juvenile health care records (15 CCR 1406).

(i) Any record created in anticipation of potential litigation involving this department.

(j) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 6254.25).

(k) Records relating to the security of the department electronic technology systems (Government Code § 6254.19).

(l) A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint, if the complaint is frivolous as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7 (b)(8)).

(m) Information connected with juvenile court proceedings, the detention or custody of a juvenile, or juvenile immigration status. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 831).

(n) Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including but not limited to provisions of the Evidence Code relating to privilege (Government Code § 6254).

206.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

All questions regarding compliance with any subpoena or subpoena duces tecum should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

Stanislaus County Probation Dept. Procedures Manual: 202.3 SUBPOENA DUCES TECUM

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Stanislaus County Probation Dept. Procedures Manual: 202.4 SERVICE OF SUBPOENA ON AN IN-CUSTODY YOUTH

206.7 RELEASED RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

206.8 SECURITY BREACHES

The Custodian of Records shall ensure notice is given any time there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. Notice shall be written in plain language and consistent with the format and requirements provided in Civil Code § 1798.29.

For the purposes of the notice requirement, personal information includes an individual's first name or first initial and last name in combination with any one or more of the following:

(a) Social Security number

(b) Driver's license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual

(c) Full account number or credit or debit card number in combination with any required security code, access code, or password that would permit access to an individual's financial account

(d) Medical information

(e) Health insurance information

(f) A username or email address, in combination with a password or security question and answer that permits access to an online account

(g) Unique biometric data

206.9 SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall seal such records as ordered by the court and advise the court of compliance with the order. Records may include but are not limited to a

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record of arrest, investigation, detention, or conviction. Once a record is sealed, members shall respond to any inquiry as though the record did not exist (Welfare and Institutions Code § 781).

206.10 TRAINING

Prior to being allowed to work inside this juvenile institutions, all members will receive training on department records, policies, and confidentiality requirements, including the potential criminal and civil penalties that may result from a breach of confidentiality in violation of this policy and all applicable statutes.

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Research Involving Youth

207.1 PURPOSE AND SCOPE

The purpose of this policy is to establish safeguards and guidelines to protect youth from being used as research subjects based only on their status as youth and without proper approval, review, or informed consent.

207.2 POLICY

The Stanislaus County Probation Department may conduct and support research that improves operations, enhances professional knowledge, decreases recidivism, and advances the Department's mission in accordance with existing laws and with appropriate protection of all youth. However, using youth for medical, pharmaceutical, or cosmetic experiments, or for human research study, is prohibited.

207.3 AUTHORIZATION REQUIREMENTS

Before initiating any approved research, all persons conducting research in this facility must agree to abide by all department policies relating to the security and confidentiality of youth files. Based upon the intended use of the research, guidelines will be established regarding what information shall be accessible to the researcher or the research organization.

Any requests for an exception shall include, as part of the proposed research project:

(a) Responses to these questions:

1. Who is conducting the research?
2. What is the purpose of the research?
3. What is the methodology?
4. Do the researchers or persons advocating research involving youth understand their ethical responsibilities, including considerations for the establishment of an Institutional Review Board (IRB), as described in 45 CFR 46.301 et seq. and 45 CFR 46.401 et seq.?

(b) Any other information deemed appropriate by the Chief Probation Officer or the authorized designee.

(c) Approval from:

1. Parent, lawful guardian, or custodian.
2. Appropriate state regulatory agencies.
3. The local authority having supervision jurisdiction.

Inquiries regarding proposed research projects from local, state, and federal executive and legislative bodies/agencies will be brought to the attention of the Chief Probation Officer immediately by the member who receives the request. At the direction of the Chief Probation Officer, an appropriate and timely response will be made to each legitimate inquiry.

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Research or studies involving more than the information identified as public information may require signed release/waiver forms from the involved youth and the parent/guardian. The Chief Probation Officer should consult and seek guidance from the legal counsel serving the Department or other legal experts in these matters.

Youth are not precluded from individual treatment based on the need for a specific medical procedure that is not generally available. Treatment with a new medical procedure by the youth's own physician shall be undertaken only after the youth and the parent/guardian have received a full explanation of the positive and negative features of the treatment, and only with informed consent of the youth and the parent/guardian.

207.4 LEGAL CONSIDERATIONS

Any research conducted or supported by the U.S. Department of Health and Human Services will be required to comply with applicable provisions of Code of Federal Regulations Title 45, part 46.

207.4.1 ADDITIONAL STATE REQUIREMENTS

The Medical Director, along with the Facility Facility Superintendent, shall implement guidelines to ensure ethical, medical, and legal standards for research are met and to account for youth safety, and procedures to obtain informed consent (15 CCR 1454).

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Youth Records

208.1 PURPOSE AND SCOPE

This policy establishes the procedures required to create and maintain accurate records of all youth admitted to and confined in the facilities.

208.2 POLICY

It is the policy of this department that all records shall be complete and comprehensive, resulting in reliable data that provides information about each youth's period of detention, as well as histories of previous detentions in the facilities. All youth records are official department documents and should be used for official business only. Youth records are a vital component of the criminal justice system and should only be released to authorized persons.

208.3 RECORD MAINTENANCE

It shall be the responsibility of the Records Section to maintain the following records on all youth who have been committed or assigned to this facility, including but not limited to (15 CCR 1324):

- Information gathered during the admission process as provided in the Youth Reception Policy.
- Photographs and fingerprints cross-referenced with the admission number.
- Duration of detention.
- Cash and property inventory and receipts.
- Classification records, including youth classification levels and housing restrictions.
- Housing history records.
- Reports of disciplinary events and dispositions.
- Grievances and dispositions.
- Reports of incidents or crimes committed during detention.
- Request forms.
- Special visit forms.
- Court appearances, documents, and the disposition of hearings.
- Documentation related to compliance with education requirements.
- Program documentation.
- Visitation records.
- Telephone records.
- Medical, dental, mental health, drug and alcohol screenings, assessments, treatments, and medications.

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The Facility Superintendent or the authorized designee shall establish a procedure for managing youth records.

208.4 RELEASE OF YOUTH RECORDS

Youth records are confidential and shall be used for official business only. Any release of youth records shall be made only in compliance with a lawful court order, as authorized by state and federal law, or as provided in the Records Retention and Release Policy (15 CCR 1324).

See Stanislaus County Probation Dept. JD Procedures Manual: 202.2 RELEASE OF INFORMATION for further information.

See the Stanislaus County Probation Dept Policy Manual: 702.5 RELEASE RESTRICTIONS for further information.

208.5 ELECTRONIC RECORD MAINTENANCE

All youth records and data maintained in an electronic format shall be accessible only through a login/password-protected system capable of documenting by name, date, and time any person who accesses the information. The Facility Superintendent shall be responsible for working with information technology personnel to ensure the security of the data and to develop and maintain a copy of the security plan.

208.6 RECORDS RETENTION

Youth records shall be maintained consistent with the established records retention schedule (15 CCR 1324).

The Facility Superintendent or authorized designee shall be responsible for insuring all Institutional records, documents, files and forms are destroyed after a period of five (5) years in storage. There are some exceptions where the files would be kept indefinitely, such as the death of a minor.

208.7 INFORMATION SHARING REGARDING IMMIGRATION STATUS

Absent an urgent issue of officer safety or other emergency circumstances, requests by federal immigration officials for information from this department should be directed to the Chief Probation Officer. The Chief Probation Officer, or his/her designee, is responsible for determining whether the requested information would be permitted under the California Values Act, including but not limited to:

(a) Sending information to or requesting or receiving such information from federal immigration officials

(b) Maintaining such information in department records

(c) Exchanging such information with any other federal, state, or local government entity

Nothing in this policy restricts sharing information that is permissible under the California Values Act.

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Report Preparation

209.1 PURPOSE AND SCOPE

Report preparation is a major part of each probation corrections officer's job. The purpose of these reports is to document incidents at the facilities, refresh the probation corrections officer's memory, and provide sufficient information for a follow-up investigation and successful prosecution or a disciplinary proceeding. Report writing is the subject of substantial formal and on-the-job training.

209.2 POLICY

It is the policy of the Stanislaus County Probation Department that members shall act with promptness and efficiency in the preparation and processing of all reports.

209.3 REPORT PREPARATION

Staff members should ensure that reports are sufficiently detailed and free from errors prior to submission. Reports shall be prepared by the staff member assigned to investigate or document an incident, approved by a supervisor, and submitted to the Facility Facility Superintendent or the authorized designee in a timely manner. Reports relating to any incident resulting in death, serious injury, or endangerment to staff, youth, or a visitor; an escape; a major disturbance; a facility emergency; or an unsafe condition at the facility shall be submitted to the Facility Facility Superintendent as soon as practicable, but no later than the end of the shift (15 CCR 1324; 15 CCR 1362). It is the responsibility of the assigned member to ensure that all the above-listed reports meet this requirement or that supervisory approval has been obtained to delay the report. The supervisor must determine whether the report will be available in time for appropriate action to be taken, such as administrative notifications or resolution, investigative leads, or a youth disciplinary proceeding.

Handwritten reports must be prepared legibly. If the report is not legible, the member shall be required by the reviewing supervisor to promptly correct it. Members who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken. Members shall not suppress, conceal, or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

209.4 REQUIRED REPORTING

Written reports and/or computer generated reports are required in all of the following situations on the appropriate department-approved form unless otherwise approved by a supervisor (15 CCR 1362).

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209.4.1 CRIMINAL ACTIVITY REPORTING
When a member responds to an incident, or as a result of self-initiated activity, and becomes aware of any activity where a crime or a violation of probation has occurred, the member is required to document the activity in a crime report or an incident report. The fact that a victim does not desire prosecution is not an exception to documentation.

209.4.2 INCIDENT REPORTING
Incident reports generally serve as an in-house documentation of occurrences in the facilitiesand to initiate, document, and support the youth disciplinary process. The Department shall establish a filing system that differentiates between incident reports, crime reports, and disciplinary actions. This policy does not require the duplication of information on two different forms. Where both exist, cross-referencing facilitates retrieval of one or both.

Incidents that shall be documented using the appropriate approved report include but are not limited to:

(a) Attempted suicide or suicidal ideation by a youth (15 CCR 1329).

(b) Non-criminal breaches of security or evidence of an escape attempt.

(c) Non-criminal security threats, including intelligence related to juvenile institutions activities.

(d) Incidents related to medical issues, health, or safety in the juvenile institutions.

(e) Discovery of contraband in the possession of youth or their housing areas.

(f) Detaining or handcuffing any visitor at the facility.

(g) Traffic collisions involving department vehicles.

(h) Risk management incidents, including injuries to youth and lost or damaged property.

(i) Accidental injuries of staff, youth, or the public.

(j) Unusual occurrences.

See theStanislaus County Probation Dept. JD Procedures Manual: 203.1 INSTITUTIONAL REPORTS,Stanislaus County Probation Dept. JD Procedures Manual: 203.2 INCIDENT REPORTS, Stanislaus County Probation Dept. JD Procedures Manual: 203.3 DOCUMENTING PROPERTY DAMAGE and for further information.

209.4.3 DEATHS
All deaths shall be investigated and a report completed by a qualified probation corrections officer to determine the manner of death and to gather information, including statements of youth and staff members who were in the area when the death occurred.

Reporting of youth deaths will be handled in accordance with the Reporting In-Custody Deaths Policy.

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209.4.4 INJURY OR DAMAGE BY DEPARTMENT PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a member. Reports shall be taken involving damage to department property or equipment.

209.4.5 USE OF FORCE AND PHYSICAL RESTRAINTS
Reports related to the use of force or physical restraint shall be made in accordance with the Use of Force and Restraints policies.

209.4.6 NOTIFICATION OF SERIOUS INCIDENTS
All serious incidents will be forwarded to the Chief Probation Officer for review and consideration of reporting to appropriate agencies and individuals.

209.5 GENERAL POLICY OF EXPEDITIOUS REPORTING
In general, all members and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. Incomplete reports, unorganized reports, or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

209.5.1 GENERAL POLICY OF HANDWRITTEN REPORTS
Some incidents and report forms lend themselves to block print rather than typing. In general, the long narrative portion of reports should be typed.

Supervisors may require block printing or typing of reports for department consistency.

209.5.2 GENERAL USE OF OTHER HANDWRITTEN FORMS
County, state, and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

209.5.3 ADDITIONAL STATE REQUIREMENTS
Staff members shall report incidents which result in physical harm to, serious threat of physical harm to, or the death of an employee, a youth, or any other person or persons. Reports should be made by the end of the shift unless additional time is approved by the Facility Facility Superintendent or the authorized designee (15 CCR 1362).

209.6 REPORT CORRECTIONS
Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should return it to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner. It shall be the responsibility of the supervisor rejecting the report to follow up on any report corrections not received in a timely manner.

209.7 REPORT CHANGES OR ALTERATIONS
Reports that have been submitted and approved by a Administration,shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted

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to Administration may be corrected or modified by the authoring member only with the knowledge and authorization of the reviewing supervisor. Reviewing supervisors should not alter reports. When modifications are required, these should be the responsibility of the authoring member.

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Key and Electronic Access Device Control

210.1 PURPOSE AND SCOPE

This policy outlines the methods that the Department will use in maintaining strict security of its keys and electronic access devices (15 CCR 1326). For ease of reference, the term “key” as used in this policy includes all physical means of access to or exit from the secure areas of the juvenile institutions.

210.2 POLICY

It is the policy of this department that all keys used to access or exit secure areas of the juvenile institutions are strictly controlled. Members will be held accountable for the security and safety of the juvenile institutions. All key control activities shall be accurately documented daily.

210.3 KEY IDENTIFICATION

All keys that open any doors within the facility shall be marked with unique identification codes that will allow for quick inventory. Keys that are bundled together as a set shall be numbered or coded with a tag to identify that set. The identifying numbers or code on keys shall not correspond to numbers/codes on locks.

210.4 KEY SET CONTENTS

Key sets issued to staff members for use within the secure perimeter of the facility shall not contain any key that would permit access to areas outside the secure perimeter.

210.5 KEY CONTROL

Under no circumstances shall a member pass a key or key set to another staff member. All keys must be checked out through the control process. Staff members shall not possess any key for which they have not been authorized.

Staff members shall not duplicate, mark, alter, or manufacture any key without written authorization from the Facility Facility Superintendent or the authorized designee.

The supervisor, or the authorized designee shall, at the beginning and end of their respective shifts, inventory the keys. All keys must be accounted for before the end of shift.

Under no circumstances will security keys be made available to youth regardless of their status.

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210.6 LOCK POLICY

All security perimeter entrances, Central Control doors, and housing unit doors shall be kept locked, except when used for admission or exit of staff members, youth, or visitors, and in an emergency. Sallyport operators should ensure that only one door is opened at a time for entry or exit purposes, except when the entry or exit of emergency personnel requires the operator to override the doors and allow for rapid entry or exit.

210.7 EXTERIOR DOOR AND ARMORY KEYS

Supervisors, or the authorized designee should, at the beginning and end of their shifts, inventory and account for these keys.

210.8 EMERGENCY KEY SET

At least one key set will be made accessible only to the Facility Superintendent, the Supervisor, or the authorized designee in the event of an emergency.

210.9 MISSING KEYS

Any staff member who discovers that a key or key set is missing shall immediately make a verbal report to a supervisor and shall prepare a written incident report as directed by the supervisor. The supervisor shall immediately initiate a search for the missing key. If a reasonable effort to locate the key fails, the supervisor should order a lockdown of the juvenile institutions. All youth should be locked in their housing units or held in place and a headcount conducted. Youth shall not be allowed to pass into or out of the facility without being thoroughly searched for the missing key. The supervisor shall, as soon as practicable, notify the Facility Facility Superintendent regarding the loss of the key, when it was discovered, and the circumstances involved.

A methodical and thorough search of the entire facility will be made by the on-duty staff. Additional staff may be called to assist with the search. If, after a thorough search, the key or key set is not located, the Facility Facility Superintendent will determine whether to re-key any locks that may have been compromised, and whether this should be done immediately.

The Chief Probation Officer or the authorized designee will initiate an investigation into the disappearance of the keys to re-examine the procedures for key control. Based upon the findings of the investigation and any recommendations, the procedures governing this policy may be amended.

210.10 DAMAGED KEYS OR LOCKS

Damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key shall be left in the lock. All portions of the damaged key must be turned in to the Supervisor, who will ensure duplicate keys are provided as needed. Damaged locks shall be replaced or repaired as soon as practicable. Appropriate security measures should be taken until the lock is properly restored. No

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lock to a security door or gate shall be permitted to be inoperable or left in an unsuitable condition. No youth should be secured in a sleeping room, detention room, or area that has inoperable locks.

210.11 KEY CONTROL RECORDS

An inventory key sheet will be maintained for the accounting and security of all key sets. Each shift is responsible for reporting any key malfunctions or missing key sets. Key control measures shall be documented by the on duty supervisor or assigned designee on logs and forms, and the records retained in accordance with established records retention schedules.

210.12 ELECTRONIC ACCESS DEVICES

Proximity cards, fobs, or other devices may be issued to staff members to allow access to restricted or controlled areas of the juvenile institutions. In the event of a lost or stolen device, staff members shall notify their supervisor as soon as it is known the device is missing and shall submit an incident report. The device shall be immediately deactivated to prevent unauthorized use.

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Daily Activity Logs

211.1 PURPOSE AND SCOPE

Accurate and legible records are vital to the management of the juvenile institutions. They provide a means for staff members to review events and emergency situations that have occurred within the facility.

This policy provides guidance for creating and maintaining accurate and legible records necessary for the management of the juvenile institutions.

211.2 POLICY

This policy establishes the requirement for the preparation, maintenance, and retention of permanent logs to provide a record of both routine activities and unusual events such as emergencies or other notable occurrences.

211.3 PROCEDURES

All members assigned to security posts, housing units, and other designated facility areas (e.g., dining areas, educational and vocation class rooms, medical facilities) shall prepare an accurate daily activity log. The daily activity log is a permanent record of daily activities and should reflect an accurate account of activities (15 CCR 1324). Members who fail to complete or who falsify any official document may be subject to disciplinary action, up to and including termination.

All members will adhere to the following procedures when preparing a daily activity log or report :

(a) Entries shall be in pen, using blue or black ink, unless entries are logged into an electronic record.

(b) Entries should be legible and provide sufficient detail to ensure that the log entry or report properly reflects the events of the day.

(c) Entries shall include the initials of the individual making the entry.

(d) Entries shall reflect the date and time of the event logged.

(e) Entries created and stored electronically shall not be modified. If corrections or changes become necessary, they shall be done by way of a supplemental entry, leaving the original entry unaltered and retrievable.

(f) Handwritten log entries requiring modification shall be crossed out with one line and a new entry made with the author's initials, noting that it is a correction.

211.4 SHIFT ACTIVITY LOG

All pertinent activities should be documented in the daily activity log. At a minimum this includes:

- Personnel on-duty.

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- Admissions and discharges.
- Temporary releases.
- Formal counts.
- Safety checks, security checks and inspections, and routine activities.
- All searches/shakedowns.
- Youth movement within the facility and youth received at a housing assignment.
- Meal service.
- Professional visits to the housing units, including maintenance work and tours.
- Alarms and security equipment tests.
- Medication delivery, sick call, or youth complaint of illness or injury, and the action taken.
- Disciplinary actions.
- Supervisor rounds to the housing area and/or to specific youth.
- Unusual youth behavior.
- Discovered contraband.
- Activities and programs offered and the attendees.
- Unusual occurrences.
- Use of emergency equipment.
- Any use of force.
- Key counts.
- School attendance or absence.
- Exercise.
- Visitation.
- Special incidents.
- Snacks.
- Maintenance issues.
- Religious services.
- Information that would assist the oncoming staff

The shift report will be retained in accordance with established records retention schedules.

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211.5 SUPERVISOR RESPONSIBILITIES

Supervisors shall review the daily activity logs and shift reports during each shift. Supervisors shall sign and include the date and time of review on each log or report. When appropriate, supervisors should include comments in the logbook regarding an incident or unusual occurrence in the juvenile institutions.

Whenever a major event in the facility requires a coordinated command response, the Supervisor should designate someone to keep a running log that identifies, at a minimum, the following:

- Date and time the incident began
- Specific location of the incident
- Times of significant response measures taken during the incident
- Name and time of arrival of personnel on-scene
- Orders issued by the Supervisor
- Significant events that occurred because of the incident

The above information should remain available to the Supervisor throughout the event to assist with ongoing response planning.

See the Stanislaus County Probation Dept. JD Procedures Manual: 204.1 ACTIVITY LOGS, RECORDS, FILES AND FORMS, Stanislaus County Probation Dept. JD Procedures Manual: 204.1.1 HALL MOVEMENT LOG, Stanislaus County Probation Dept. JD Procedures Manual: 204.1.2 SAFETY CHECK LOG, Stanislaus County Probation Dept. JD Procedures Manual: 204.1.3 CONTINOUS WATCH LOG, Stanislaus County Probation Dept. JD Procedures Manual: 204.1.4 SUICIDE WATCH LOG, Stanislaus County Probation Dept. JD Procedures Manual: 204.2 OBSERVATION BINDER, Stanislaus County Probation Dept. JD Procedures Manual: 204.2 OBSERVATION BINDER, Stanislaus County Probation Dept. JD Procedures Manual: 204.3 ROOM CONFINEMENT, Stanislaus County Probation Dept. JD Procedures Manual: 204.4 ROOM CHART, Stanislaus County Probation Dept. JD Procedures Manual: 204.5 UNIT ROSTER, Stanislaus County Probation Dept. JD Procedures Manual: 204.6 ESTABLISHING THE SHIFT CHANGE UNIT COUNT, Stanislaus County Probation Dept. JD Procedures Manual: 204.7 BUILDING MAP and Stanislaus County Probation Dept. JD Procedures Manual: 204.8 UNIT COUNTS for further information.

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Administrative and Supervisory Tours and Inspections

212.1 PURPOSE AND SCOPE

The purpose of this policy is to establish both regularly scheduled and unannounced tours and inspections of the facility's living and activity areas. This is to encourage contact with members and youth and to observe youth living and working conditions. Inspections may be useful in identifying deficiencies, which can be corrected, as well as processes working properly, which may be replicated elsewhere in the facility.

212.2 POLICY

Tours and inspections shall be conducted by administrative and supervisory staff throughout the juvenile institutions at least weekly to facilitate and encourage communication among administrators, managers, supervisors, members, youth, and the visiting public.

212.3 INSPECTIONS

The Facility Facility Superintendent is responsible for ensuring that scheduled and unscheduled inspections, visits, and contacts are implemented to include, at a minimum:

(a) The general conditions and overall climate of the facility.

(b) The living and working conditions of youth.

(c) Communication between administrators, managers, supervisors, members, youth, and the visiting public.

(d) Compliance with policies and regulations.

(e) Safety, security, and sanitation concerns.

(f) Youth concerns.

(g) Meal services.

212.3.1 AREAS TO BE INSPECTED

Supervisor inspections should occur daily, including weekends and holidays, in all occupied areas of the facility. Inspections should be conducted randomly, and special effort should be given to tour and informally inspect the following areas:

- Youth housing areas
- Reception, intake, and receiving areas, including detention areas
- Exercise yard and recreation areas
- Visiting areas
- Medical service areas
- Work areas (e.g., the kitchen, janitorial closets)

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- Sallyports and transportation staging areas
- Classrooms, school, and other program areas

212.4 INSPECTIONS OF SECURITY EQUIPMENT

The Facility Facility Superintendent shall ensure that inspections of all security devices are conducted and all actions taken to correct identified deficiencies are documented, including maintenance records, and shall retain those records in accordance with established records retention schedules.

212.5 DOCUMENTATION AND REPORTING

Members conducting the inspection or tour shall document the activity on the appropriate form or facility log. The log should include any significant findings that indicate remedial action or training may be needed. Significant issues of security or safety shall be addressed promptly. Commendable or successful actions that should be replicated elsewhere in the facility should also be noted in the log.

The Supervisor shall review the logs daily and ensure that any deficiencies noted are addressed or forwarded through the chain of command, as appropriate, and that commendable actions are also appropriately addressed (15 CCR 1324).

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Accessibility - ADA Compliance

214.1 PURPOSE AND SCOPE

This policy provides guidance for providing access to the facility and for communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind, in compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (29 USC § 794).

Additional guidance for addressing the needs and rights of youth detained in the Juvenile Institutions can be found in the Youth with Disabilities Policy.

214.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that limits a major life activity, including hearing or seeing, regardless of whether the person with the disability uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102; Government Code § 12926; Government Code § 12926.1).

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters, and intermediary interpreters.

214.2 POLICY

It is the policy of the Stanislaus County Probation Department to reasonably ensure that people with disabilities, including parents/guardians and visitors, have equal access to services, programs, and activities by providing reasonable accommodations and making efforts to communicate effectively with individuals with disabilities.

The Stanislaus County Probation Department will not discriminate against individuals or deny individuals access to services, rights, or programs based on disabilities (15 CCR 1324).

214.3 ADA COORDINATOR (HUMAN RESOURCES MANAGER)

The Chief Probation Officer shall delegate certain responsibilities to an Americans with Disabilities Act (ADA) coordinator (28 CFR 35.107). The coordinator shall be appointed by and directly responsible to the Facility Facility Superintendent or the authorized designee.

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The responsibilities of the coordinator include but are not limited to:

(a) Remaining familiar with:

1. The Department's structure, activities, and members, including special issues relating to the requirements of the Juvenile Institutions.
2. The ADA and other laws that address the rights of people with disabilities, such as Section 504 of the Rehabilitation Act (29 USC § 794).
3. Alternative formats and technologies that enable staff, youth, and members of the public with disabilities to communicate, participate, and perform tasks related to juvenile institutions activities.
4. Construction and remodeling requirements with respect to ADA design standards.

(b) Working with the county ADA coordinator regarding Stanislaus County Probation Department efforts to ensure equal access to services, programs, and activities.

(c) Developing reports or new procedures or recommending modifications to this policy.

(d) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs, and activities.

(e) Ensuring that a list of qualified interpreter services is maintained and available. The list should include information regarding:

- Contact information.
- Availability.

(f) Developing procedures that enable members to access auxiliary aids or services, including qualified interpreters, and ensuring the procedures are available to all members.

(g) Ensuring signage is posted in appropriate areas indicating that auxiliary aids are available free of charge to individuals with disabilities.

(h) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs, and activities.

214.3.1 MEMBER RESPONSIBILITIES

Members receiving a request for accommodation should make reasonable attempts to do so. If a request cannot be reasonably accommodated, a supervisor should be notified.

Members becoming aware of any potential ADA violation should document the issue in a memorandum and forward the memorandum to the Facility Facility Superintendent, with a copy sent to the ADA coordinator.

Members receiving a complaint of disability discrimination or inability to reasonably access the facility, or any other complaint related to the ADA, should document the complaint and refer the matter to the ADA coordinator.

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214.4 ACCESS

As part of the compliance with the ADA and the commitment to provide access to persons with disabilities, the Department will provide reasonable accommodations that include but are not limited to:

- Vehicle parking areas that accommodate cars, vans, or other vehicles with wheelchair lifts.
- Public areas that are wheelchair-accessible.
- Drinking fountains that can accommodate wheelchairs or other mobility devices.
- ADA-compliant elevators.
- Restroom areas that are wheelchair-accessible and meet ADA standards for accessibility.
- Search areas and metal detection devices, including private areas where alternative search methods may be performed.
- Visitor check-in areas.
- Visitation areas, including attorney interview rooms, that can accommodate wheelchairs and other mobility devices.

214.5 COMMUNICATIONS

Members must make efforts to communicate effectively with individuals with disabilities.

214.5.1 FACTORS TO CONSIDER

Members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people with disabilities have equal access to services, programs, and activities. These factors may include but are not limited to:

(a) The potential for miscommunication. Members should not always assume that effective communication is being achieved. The fact that an individual appears to nod in agreement does not always mean the individual completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate understanding.

(b) The nature of the disability (e.g., deafness versus hard of hearing, blindness versus low vision).

(c) The nature of the contact (e.g., emergency versus non-emergency, custodial versus consensual contact, parent or guardian, offender, victim).

(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

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214.5.2 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that some encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.

(b) The nature, length, and complexity of the communication involved.

(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

214.5.3 TYPES OF ASSISTANCE AVAILABLE

Members shall never refuse an available service to an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall it require individuals to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every effort to reasonably accommodate and provide timely assistance to individuals with disabilities through a variety of services.

Individuals with disabilities may accept department-provided auxiliary aids or services, or they may choose to provide their own.

Department-provided auxiliary aids or services may include but are not limited to the assistance methods described in this policy.

214.5.4 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members

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may read aloud from the appropriate form (e.g., a personnel complaint form) or provide forms with enlarged print.

214.5.5 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.

(b) Experienced in providing interpretation services related to law enforcement matters.

(c) Familiar with VRS and/or video remote interpreting service.

(d) Certified in either American Sign Language (ASL) or Signed English (SE).

(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. Individuals with a disability shall not be required to provide their own interpreter (28 CFR 35.160).

214.5.6 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., admission, attorney contacts), members must also provide those who are deaf, are hard of hearing, or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Because relay services translate verbatim, the conversation should be conducted as if speaking directly to the caller.

214.5.7 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

When qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with

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the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

214.5.8 FAMILY AND FRIENDS
While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered.

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

214.6 DISSEMINATION OF INFORMATION

The ADA coordinator will be responsible for the dissemination of information to staff and visitors on issues specifically related to but not limited to:

- Services available to visitors with disabilities.
- Accessing services to accommodate disabilities.
- Registering complaints or grievances relating to issues involving the ADA.

214.7 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the ADA coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this department.

214.8 TRAINING

The ADA coordinator should work with the Training Director as appropriate, developing training regarding issues specifically related to but not limited to:

- The requirements of Section 504 of the Rehabilitation Act (29 USC § 794).
- Department policies and procedures relating to ADA requirements.

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News Media Relations

215.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to this facility's incidents and general public information (15 CCR 1324).

215.2 POLICY

It is the policy of this department that the ultimate authority and responsibility for the release of information to the media shall remain with the Chief Probation Officer. However, in situations not warranting immediate notice to the Chief Probation Officer and when the Chief Probation Officer or the authorized designee has given prior approval, the Facility Superintendent, Supervisors and the designated Public Information Officer may prepare and release information to the media in accordance with this policy and applicable law.

215.3 MEDIA REQUEST

Any media request for information or access to this facility shall be made in writing and shall be referred to the designated Public Information Officer or, if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

(a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from the Chief Probation Officer or the designated Public Information Officer.

(b) In any situation involving a law enforcement agency, reasonable efforts shall be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

(c) Under no circumstance should any member of this department make any comment to the media regarding any law enforcement or detention-related incident that does not involve this department without prior approval of the Chief Probation Officer or the authorized designee.

215.4 MEDIA ACCESS

Authorized members of the media may be provided access to scenes of disasters, investigations, emergencies, and other law enforcement activities related to this facility, subject to these conditions:

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times.

(b) Media representatives should be prevented from interfering with emergency operations and investigations.

1. When media access would reasonably appear to interfere with the facility's security, emergency operations, or an investigation, every reasonable effort should be made to give media representatives information regarding the incident in a way that does not compromise the safety and security of the youth, staff

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members, or the facility itself. All information released to the media should be coordinated through the Chief Probation Officer, Public Information Officer or other designated spokesperson.

(c) No member of this department shall be subjected to media visits or interviews without the consent of the involved member.

(d) Requests for media interviews with youth detainees shall be handled on a case-by-case basis, and only with approval of the Chief Probation Officer, after consultation with the facility's legal counsel.

215.5 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of personnel working in this facility, advance information about planned actions by department personnel, such as movement of youth in detention, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief Probation Officer.

Any exceptions to the above should only be considered to further this facility's legitimate purposes. Prior to approving any exception, the Chief Probation Officer will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person, or is otherwise prohibited by law.

215.6 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily log of youth who are currently in detention or were recently admitted. Most information is confidential and shall only be released in accordance with the Records Retention and Release Policy.

Information on this facility's policies and procedures regarding non-security related matters (e.g., programs, facility rules and regulations, visitation, health care, religious services) can be released to the general public by any detention staff member. A copy of the applicable portions of this facility's policy and procedures manual can be made available for public review with the approval of the Chief Probation Officer.

Any information related to safety, security, and the orderly management of the facility should be redacted before being provided to the general public. Applicable regulations for the operation of the juvenile institutions can be made available for review by the public and youth. Youth can request a copy through the youth programs staff.

Information concerning escapes, suicides, or crimes occurring in this facility shall only be released with the approval of the Facility Facility Superintendent or the authorized designee.

Identifying information about deceased individuals shall not be released to the media until notification of next of kin or until otherwise cleared by the Coroner's office or as otherwise required by law.

See the Stanislaus County Probation Dept Policy Manual: 318.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

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215.6.1 RESTRICTED INFORMATION

It shall be the responsibility of the Facility Facility Superintendent or the authorized designee to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be consulted.

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Community Relations and Public Information

216.1 PURPOSE AND SCOPE

This policy provides guidelines to detention personnel when dealing with the public or interested groups when requests are received to share information about the operations and policies of the juvenile institutions (15 CCR 1324).

216.2 POLICY

It is the policy of the Stanislaus County Probation Department to protect the privacy rights of youth while releasing nonconfidential information to interested groups when requests are received. Information that has the potential to affect the safety and security of the Juvenile Institutions or an investigation will not be released.

216.3 RESPONSIBILITIES

The FacilityFacility Superintendent is responsible for ensuring that the following information is public and available to all who inquire about it:

(a) The Board of State and Community Corrections Minimum Standards for Juvenile Facilities

(b) Facility rules and procedures affecting youth as specified in 15 CCR 1324, including:

1. A visitation schedule that includes days and times visiting is allowed and how many visits youth may receive, as well as reasons visiting may be restricted (15 CCR 1374)
2. Telephone and correspondence rules and availability to youth (15 CCR 1375; 15 CCR 1376)
3. A brief description of the education programs (15 CCR 1370)
4. Facility rules and limits of discipline (15 CCR 1390; 15 CCR 1391)
5. Access to medical, mental health, and dental care (15 CCR 1411)
6. The process by which youth are oriented to the facility (15 CCR 1353)

This information is to be provided at the facility's front desk and assembled into a binder or clearly posted for public viewing. A copy also should be made available in this facility's library or provided by other means for use by youth. At the discretion of the Chief Probation Officer, the information may also be provided electronically. No information will be released on persons whose booking process is not completed.

216.4 PROHIBITED MATERIALS

Policies, procedures, and other information and materials related to the safety and security of youth, detention personnel, the facility, or the maintenance of order should not be provided as a part of the public information material unless directed by the Facility Facility Superintendent.

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216.5 TOURS OF THE JUVENILE INSTITUTIONS

Tours of this facility may be arranged through the FacilityFacility Superintendent. Authorized tours are subject to facility rules and restrictions:

(a) Persons who tour this facility must be of an appropriate age as determined by the Chief Probation Officer.

(b) Tour participants are subject to a screening process which may include a background check for warrants or crimes against children.

A record of all facility tours should be maintained in accordance with applicable retention requirements.

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Staffing Plan

217.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a comprehensive staffing plan and analysis to identify staffing needs sufficient to maintain the safety and security of the facility, staff members, visitors, youth, and the public and meet the programming requirements of the juvenile institutions.

217.2 POLICY

It is the policy of the Stanislaus County Probation Department to ensure the safety, security, and efficient operation of this facility by assigning detention personnel according to a detailed staffing plan.

217.3 STAFFING PLAN REQUIREMENTS

The Facility Facility Superintendent shall ensure that a staffing plan conforming to the type and size of this facilities is prepared and maintained as described in the following section. The plan should detail all detention personnel assignments, including work hours and weekly schedules, and should account for holidays, vacations, training schedules, military leave, sick time, and other atypical situations (15 CCR 1321).

At a minimum, the staffing plan will include:

- Facility administration and supervision.
- All facility programs, including programming, exercise, and recreation.
- Post positions and assignment descriptions.
- Staff break relief.
- Staff-to-youth ratios.
- Youth supervision.
- A plan for shift relief.
- Support services, including medical, food services, maintenance, and clerical.
- Other facility-related functions such as escort and transportation of youth.

217.3.1 RESPONSIBILITIES

The Facility Facility Superintendent is responsible for seeing that the facility has (15 CCR 1321):

(a) An adequate number of personnel sufficient to carry out overall operation and its programming, to provide for safety and security of youth and staff, and to meet established standards and regulations. No services should be denied because of insufficient numbers of staff on duty.

(b) Enough supervisory-level staff to ensure adequate supervision of all members.

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(c) A clearly identified person on-duty at all times who is responsible for all operations and activities who has completed the Juvenile Corrections Officer Core Course and other training as required by Penal Code § 832.

(d) At least one member on duty who is the same gender as youth housed in the facility.

(e) At least one member present on each living unit whenever there are youth present.

(f) Sufficient detention staff to provide continuous wide-awake supervision of youth.

(g) Sufficient staff to meet the staff-to-youth ratio.

1. For department camps, in addition to the minimum staff-to-youth ratio required, consideration shall be given to the size, design, and location of the camp; types of youth committed to the camp; and the function of the camp, in determining the level of supervision necessary to maintain the safety and welfare of youth and staff.

217.4 STAFFING ANALYSIS

The Chief Probation Officer or the authorized designee shall complete an annual comprehensive staffing analysis to evaluate personnel requirements and available staffing levels. The staffing analysis will be used to determine staffing needs and to develop staffing plans (15 CCR 1324).

Relief factors for each classification and position should be calculated into the staffing analysis to ensure staffing levels will consistently meet requirements. Staff members should be deployed in an efficient and cost-effective manner that provides for the safety and security of the staff members, youth, and the public.

The staffing analysis should be used to identify whether required activities are being performed competently and in compliance with current laws, regulations, and department policies. If deficiencies are noted, the staffing analysis should also include recommendations regarding what corrective measures may be needed, including:

(a) Operational and programmatic changes.

(b) Equipment requirements.

(c) Additional training.

(d) Supervisory intervention.

(e) Additional personnel.

217.4.1 DATA COLLECTION FOR ANALYSIS

Data that should be collected for the annual staffing analysis include:

- All categories of leave usage for each staff member working in the facility.
- Date of hire or assignment to a detention position for each member.
- Annual hours of authorized overtime expended during the previous year.
- Number of part-time or extra personnel hours used during the previous year.

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- Compliance with meeting required youth activity time (programs, recreation, exercise) and safety checks.
- Details of claims or litigation that were related to staffing levels and were initiated against the facility in the previous year.
- Collective bargaining agreements or memorandums of understanding relating to corrections personnel.
- Annual training requirements that affected staffing levels in the facility.
- Concerns expressed by members of the public.
- Any investigations or reports by an outside body or other government agency, detention monitor, or ombudsman.
- Other data that may influence the number of personnel available to occupy posted positions.

217.5 REPORTING

The Chief Probation Officer will cause a report of the findings of the staff analysis to be submitted to the officials responsible for funding the detention operation (15 CCR 1324).

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Information Technology Use

218.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software, and systems.

218.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented, or licensed by the Stanislaus County Probation Department that are provided for official use by its members. This includes all access to, and use of, internet service providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes but is not limited to computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems, or any other tangible computer device generally understood to comprise hardware.

Software - Includes but is not limited to all computer programs, systems, and applications including shareware. This does not include files created by the individual user.

Temporary file, permanent file, or file - Any electronic document, information, or data residing or located, in whole or in part, on the system, including but not limited to spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs, or videos.

218.2 POLICY

Stanislaus County Probation Department members shall use information technology resources, including computers, mobile devices, software, and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

See the Stanislaus County Personnel Manual, Telecommunications Policy; Tab 16. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

See the Stanislaus County Probation Dept Policy Manual: 315.2 POLICY for further information.

218.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy regarding emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department technology system.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network, or any information placed into storage on any department system or device. This includes records of all key-strokes or web-browsing history

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made at any department computer or over any department network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.

The Department shall not require a member to disclose a personal username or password for accessing a personal social media account or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

218.4 RESTRICTED USE

Members shall not access computers, devices, software, or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software, or systems by another member to the Supervisor, IT Manager and Administration.

Members shall not use another person's access passwords, logon information, and other individual security data, protocols, and procedures unless directed to do so by the IT Manager.

218.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software infection, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software on any department computer. Any files or software that a member finds necessary to install on department computers or networks shall be installed only with the approval of department information systems technology (IT) staff and with the authorization of the Chief Probation Officer or the designee and only after being properly scanned for malicious attachments.

No member shall knowingly make, acquire, or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems, or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of department or county-approved or installed programs by the original manufacturer, producer, or developer of the software. Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

218.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems

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shall only be accessed by authorized members who are engaged in an active supervision of youth, treatment reporting, disciplinary and behavior issues, or department-related purpose to access such data. Any exceptions to this policy must be approved by the Chief Probation Officer or their designee.

218.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include but are not limited to adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of the Facility Superintendent as a function of a member's assignment.

Downloaded information from the internet shall be limited to messages, mail, and data files.

218.4.4 OFF-DUTY USE

Members shall only use technological resources provided by the Department related to their job while on-duty or in conjunction with specific on-call assignments unless specifically authorized by the Supervisor. This includes the use of telephones, cell phones, texting, email, or any other off-the-clock work-related activities. This also applies to personally owned devices that are used to access department resources.

See the Stanislaus County Probation Dept Policy Manual: 601.5 PERSONALLY OWNED PCD for further information.

218.5 PROTECTION OF SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by the Supervisor and shall be changed at intervals as directed by IT staff or the Supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to the Supervisor.

218.6 INSPECTION AND REVIEW

The Facility Superintendent or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or

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devices, and any contents thereof, whether such inspection or review is in the ordinary course of the Supervisor's duties or based on cause.

Reasons for inspection or review may include but are not limited to computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the Department computer system when requested by the Facility Superintendent or during the course of regular duties that require such information.

218.7 SECURITY OF DATA

The Chief Probation Officer will select a member of the Department to oversee the security of data.

The responsibilities of this position include but are not limited to:

(a) Developing and maintaining security practices, procedures, and training.

(b) Ensuring federal and state compliance with the Criminal Justice Information Services Security Policy and the requirements of any state or local criminal history records systems.

(c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents including computer attacks.

(d) Tracking, documenting, and reporting all breach of security incidents to the Chief Probation Officer and appropriate authorities.

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Electronic Mail

219.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

See the Stanislaus County Probation Dept Policy Manual: 204.1 PURPOSE AND SCOPE for further information.

219.2 POLICY

Stanislaus County Probation Department members shall use email in a professional manner in accordance with this policy and current law (e.g., the California Open Records Act).

219.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

See the Stanislaus County Probation Dept Policy Manual: 204.2 EMAIL RIGHT OF PRIVACY for further information.

219.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration, or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, or harassing messages, or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from department management. Personal advertisements are not acceptable..

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are strongly encouraged to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name, or password. Members who believe their password has become known to another person shall change the password immediately.

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219.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the California Open Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Retention and Release Policy.

See the Stanislaus County Probation Dept Policy Manual: 204.4 EMAIL RECORD MANAGEMENT and the Stanislaus County Probation Dept Policy Manual: 204.4.1 RETENTION policies for further information.

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Supervision Staffing Levels

220.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that proper supervision is available to meet the needs of the Department and members throughout all Divisions (15 CCR 1321).

220.2 POLICY

The Stanislaus County Probation Department will ensure that proper supervision is available to meet the needs of its members and to achieve the goals of the Department. The needs of its members should be balanced with the Department's desire for flexibility and discretion in assigning members to meet supervisory requirements. While balance is desirable, the paramount concern is to meet the demands of the Department.

220.3 MINIMUM SUPERVISION STAFFING LEVELS

Minimum staffing levels should be established by the Facility Superintendent or authorized designee for each Division and work group. The supervision staffing levels should support proper supervision, span of control, compliance with any memorandum of understanding or collective bargaining agreement, and activity levels to meet the needs of members and the goals of the Department (15 CCR 1321).

See the Stanislaus County Probation Dept. JD Procedures Manual: 206.1 Staffing Shortage and Stanislaus County Probation Dept. JD Procedures Manual: 206.2 Staffing Hours for further information.

220.3.1 TEMPORARY SUPERVISORS

To accommodate training and other unforeseen circumstances, a qualified lower-ranking member may be used as a temporary supervisor in place of a regularly assigned supervisor.

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Emergency Plan

221.1 PURPOSE AND SCOPE

This policy clarifies the role of the Stanislaus County Probation Department and the responsibilities of its members pertaining to large-scale emergencies and the State of California Emergency Plan.

221.2 POLICY

The Stanislaus County Probation Department will prepare for large-scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The county Emergency Plan complies with the State of California's Emergency Services Act (Government Code § 8550 et seq.). This plan provides guidance for county emergency operations within and outside its borders as may be required.

The County and the Department have prepared a Continuity of Operations Plan (COOP) for use by all members in the event of a major disaster or other emergency event. The plan provides for a strategic response by all members and assigns specific responsibilities in the event that the plan is activated (Government Code § 8610).

See the Stanislaus County Probation Dept Policy Manual: 202.1 PURPOSE AND SCOPE and Continuity of Operations Plan for further information.

221.2.1 STANISLAUS CODES/ORDINANCES

An emergency management organization has been established by the county of Stanislaus. This ordinance has been approved by the county Council (Government Code § 8610).

221.3 ACTIVATING THE EMERGENCY PLAN

See the Stanislaus County Probation Dept Policy Manual: 202.2 ACTIVATING THE EMERGENCY PLAN for further information.

221.3.1 RECALL OF PERSONNEL

In the event that the COOP Plan is activated, all members of the Chief Probation Officer are subject to immediate recall to service. Members may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief Probation Officer or the highest-ranking on-duty supervisor.

Failure to promptly respond to an order to report for duty may result in discipline.

221.4 LOCATION OF THE EMERGENCY PLAN

Copies of the COOP Plan is available on PRONET. All supervisors should familiarize themselves with the COOP Plan and the roles members will play when the plan is implemented. The Facility Superintendent should ensure that department members are familiar with the roles they will play when the plan is implemented.

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221.5 EMERGENCY PLAN REVIEW

The Chief Probation Officer or the authorized designee shall review the Emergency Plan at least once every two years and ensure that the plan conforms to any revisions made by the National Incident Management System (NIMS). The Chief Probation Officer or the authorized designee should appropriately address any needed revisions.

221.6 TRAINING

The Department should provide annual training on the Emergency Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Plan and personnel responsibilities when the plan is implemented.

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Records Bureau

222.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Stanislaus County Probation Department Records Section. The policy addresses department file access and internal requests for youth records (15 CCR 1324).

222.2 POLICY

It is the policy of the Stanislaus County Probation Department to maintain department records securely, professionally, and efficiently.

222.3 RESPONSIBILITIES

222.3.1 RECORDS MANAGER

The Chief Probation Officer shall appoint and delegate certain responsibilities to the Facility Superintendent or authorized designee.

The responsibilities of the Facility Superintendent or authorized designee include but are not limited to:

(a) Overseeing the efficient and effective operation of the Records Section.

(b) Scheduling and maintaining Records Section time records.

(c) Supervising, training, and evaluating Records Section staff.

(d) Maintaining and updating the Records Section procedure manual.

(e) Ensuring compliance with established policies and procedures.

(f) Supervising the access, use, and release of protected information.

(g) Establishing security and access protocols for youth records, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:

1. Homicides.
2. Cases involving department members or public officials.
3. Internal investigations.
4. Any case where restricted access is prudent.

222.3.2 RECORDS BUREAU

The responsibilities of the Records Section include but are not limited to:

(a) Ensuring a process exists for maintaining a records management system for case reports and youth records (15 CCR 1324).

(b) Numbering, identifying, tracking, and retrieving youth records.

(c) Entering case report information into the records management system.

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(d) Ensuring youth records can only be modified when authorized by a supervisor.

(e) Providing members of the Department with access to youth records when needed for investigation or court proceedings.

(f) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of statistics.

1. This includes forwarding population and profile survey reports to the Board of State and Community Corrections within 10 working days after the end of each reporting period (15 CCR 1342).

(g) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.

(h) Identifying missing youth records and notifying the responsible member's supervisor.

(i) Supplying information to the juvenile court and those authorized by the court or by the law (15 CCR 1324).

(j) Retaining monthly fire and life-safety inspections required by 15 CCR 1325.

(k) Forwarding education records when a youth is moved to a new facility (15 CCR 1370).

222.4 FILE ACCESS AND SECURITY

The security of files in the Records Section must be a high priority and shall be maintained as mandated by state or federal law. All case reports, including criminal history records and publicly accessible logs, shall be maintained in a secure area within the Records Section, accessible only by authorized members of the Records Section. Access to reports or files when Records Section staff is not available may be obtained through the Facility Superintendent.

The Records Section will also maintain a secure file for case reports deemed by the Chief Probation Officer as sensitive or otherwise requiring extraordinary access restrictions.

222.4.1 ORIGINAL CASE REPORTS

Generally, original case reports shall not be removed from the Records Section. Should an original case report be needed, the requesting department member shall first obtain authorization from the Division Director. All original case reports removed from the Records Section shall be recorded on a designated check out card, this is the only authorized manner by which an original case report may be removed from the Records Section.

222.5 CONFIDENTIALITY

Records Section staff members have access to information that may be confidential or sensitive in nature. Records Section staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute, any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Retention and Release Policy.

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Professional Relationships

223.1 PROBATION DEPARTMENT

The Probation Department consists of five major divisions: Juvenile Field Services; Adult Field Services; Realignment Services; C.A.R.E.; Institutional Services. The bed-rated capacity of Juvenile Hall is 158 and the Juvenile Commitment Facility bed-rated capacity is 60. The Department's Alternative to Custody Programs includes Home Supervision and Electronic Monitoring. A close working relationship between the Institutions staff members and the Field Services divisions is focused on reducing the number of the youth in the criminal justice system.

223.2 SCHOOL PROGRAM

The Stanislaus County Juvenile Institutions School Program provides a wide range of educational services designed to meet the needs of students of varying ages, grad levels and academic abilities. The educational requirement are set by the State of California Education Code and all applicable federal statutes and regulations. The Stanislaus County Juvenile Institutions Program has established a general course of study, designed to allow youth to continue their education during detention and to resume their education in their regular school following their release. Stanislaus County Juvenile Institutions School provides individualized special education programs to those who qualify as well as programs for those students with advanced abilities. As a fully accredited school, the Stanislaus County Juvenile Institutions School Program is staffed and administered by the Stanislaus County Office of Education.

223.3 BEHAVIORAL HEALTH AND RECOVERY SERVICES (BHRS)

Behavioral Health and Recovery Services (BHRS) provides integrated mental health services to detained and committed youth with a serious mental illness and serious emotional disturbances. BHRS also provides outpatient and residential alcohol and drug treatment and prevention services. BHRS has a strong emphasis on partnering with institutional youth and their families to provide services which enable clients to recover from mental illness and alcohol and drug addiction. BHRS provides on-site clinicians as well as a range of program service specialists to serve the needs of our population.

223.4 WELLPATH

Wellpath provides medical and medication services to detained and committed youth in the facilities. These services include; but, are not limited to:

(a) On-site care, screenings, discharge planning, medication supply and management, triage and sick call, health appraisals and laboratory services.

223.5 JUVENILE JUSTICE COMMISSION

The Juvenile Justice Commission of Stanislaus County is a state-mandated, court-appointed authority. The broad purpose of the Commission is to inquire into the administration of the juvenile court law in the County. The Commission is dedicated to the promotion of an effective juvenile

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justice system operated in an environment of credibility, dignity, fairness, and respect for the youth of Stanislaus County. The Commission's responsibilities include; conducting public or closed hearings on matters relating to juvenile law in the county, advocating for needed services for youth in the justice system, and inspecting shelters, detention facilities, group homes used for the placement of any youth no less than once a year.

223.6 JUVENILE COURT

The Juvenile Division of The Superior Court of California, County of Stanislaus, is located on the Juvenile Probation campus and is responsible for handling Court related matters for individuals under the age of 18.

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Chapter 3 - Training

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Member Orientation

300.1 PURPOSE AND SCOPE

The purpose of this policy is to define the parameters for new member orientation.

300.2 POLICY

It is the policy of the Stanislaus County Probation Department to provide new members with basic information about the facility and the environment in which they will be working. Orientation is not meant to supplant other basic training required by law, ordinance, or regulation.

300.3 NEW MEMBER ORIENTATION

All new members shall participate in an orientation provided by this department prior to assuming their duties. The orientation shall include but is not limited to (15 CCR 1322; 15 CCR 1324):

- Department mission, vision, and values statement.
- Code of ethics.
- Department culture.
- Nature of population served.
- Policy, procedures, and job description resources.
- Basic requirements and competency necessary to perform in position.
- Organizational chart.
- Chain of reporting.
- Youth' rights.
- Staff rules and regulations.
- Facility tour.
- Security (including facility, perimeter, and grounds), population control, emergency preparedness, and evacuation procedures.
- Position responsibilities and decision-making protocols.

300.3.1 YOUTH SUPERVISION ORIENTATION

All staff members who are responsible for supervising youth shall participate in a minimum of 40 hours of facility-specific orientation prior to assuming youth supervision duties. The orientation shall include orientation specific to their duties, including but not limited to (15 CCR 1322; 15 CCR 1324):

- Individual and group supervision techniques.

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- Regulations and policies relating to discipline and basic rights of youth pursuant to law and the provisions of Title 15 CCR.
- Basic health, sanitation, and safety measures.
- Suicide prevention and response to suicide attempts.
- The Use of Force, Chemical Agents Training, and Restraints policies, with review of de-escalation techniques and mechanical restraints.
- Emergency procedures.
- Crisis intervention and referrals to mental health services (15 CCR 1437).
- Documentation.
- Fire and life-safety training.
- Trauma-informed approaches, as defined in 15 CCR 1302, that reflect respectful and humane engagement with youth, culturally relevant approaches, and responsivity to the language and literacy needs of youth. This should include review of policies that address trauma (e.g., the Case Management, Youth Rights-Protection from Abuse, and Counseling Services policies).
- Routine security measures.

In addition to the aforementioned training programs, the institution provides additional training to ensure continued staff member development.

300.4 MEMBER ACKNOWLEDGEMENTS

Department personnel assigned to provide the new member orientation will ensure that each new member is given copies of work rules and regulations, department ethics, and any other department documents for which the member will be held accountable.

A staff member will collect a signature page from the member, acknowledging receipt, review, and understanding of the documents, which shall be retained in the member's personnel file in accordance with established records retention schedules.

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Continuing Education and Professional Development

301.1 PURPOSE AND SCOPE

This policy supports the continuing education and professional development of department personnel at all levels.

301.2 POLICY

It is the policy of the Stanislaus County Probation Department to encourage members to participate in continuing education and professional development opportunities whenever practicable.

The Department encourages all personnel to participate in formal education on a continuing basis.

301.3 OBJECTIVES

The objective for continuing education and professional development is for all members to enhance their knowledge and skills to their fullest potential.

Members who engage in furthering their education in conjunction with skills-based training make for well-rounded members who can better serve the mission of the Department and the community.

Supervisors should accommodate, to the extent feasible and as schedules permit, requests by personnel for shift adjustments and available leave time to assist personnel with their continuing education and professional development efforts.

In the granting of such requests, the primary concern will be the efficient running of the facilities.

301.4 REQUIRED TRAINING

With the exception of any year that a staff member is participating in a core training course, all staff members shall complete the applicable annual required training specified in Section 184 of Title 15 CCR.

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Facility Training Officer

302.1 PURPOSE AND SCOPE

The Stanislaus County Probation Department facility training officer (FTO) program is intended to provide a standardized program to facilitate the probation corrections officer's transition from the academic setting to the actual performance of general juvenile institutions duties.

302.2 POLICY

It is the policy of this department to assign all new probation corrections officers to a structured juvenile institutions, FTO program that is designed to prepare the new probation corrections officer to perform in a detention assignment and to provide training on all skills needed to operate in a safe, productive, and professional manner.

302.3 FACILITY TRAINING OFFICER

The FTO is an experienced probation corrections officer trained in the art and science of training and evaluating entry-level probation corrections officers in applying their previously acquired knowledge and skills.

302.3.1 SELECTION PROCESS

FTOs will be selected based on certain requirements, including:

(a) A desire to perform the training mission.

(b) Be a permanent probation corrections officer II.

(c) A demonstrated ability to be a positive role model.

(d) Discussion and input by supervisors and current FTOs.

(e) A certificate from the state's law enforcement certifying agency, where applicable.

302.3.2 TRAINING

All FTOs shall successfully complete a 40-hour department FTO course of instruction prior to being assigned a trainee.

All FTOs must complete a FTO update course approved by this department every three years while assigned to the position of FTO.

All FTOs must meet any training mandate regarding crisis intervention behavioral health training pursuant to Penal Code § 13515.28 for those probation corrections officers.

302.4 TRAINING OFFICER RESPONSIBILITIES

The FTO's responsibilities include the following:

(a) FTOs shall submit written evaluations on the performance of their assigned trainees each day to the FTO Coordinator on a daily basis.

(b) FTOs should review the Daily Trainee Performance Evaluations (DOR's) with the trainees each day.

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(c) FTOs shall complete a detailed end-of-phase performance evaluation on the assigned trainee at the end of each phase of training.

(d) FTOs shall be responsible for signing off on all completed topics contained in the training manual, noting the methods of learning, and evaluating the performance of the assigned trainee.

(e) New members are to utilize the best professional skills and knowledge of supervision, and provide evidence-based treatment models, including gender responsive, trauma informed and strength based services. Services are to be individualized to meet the needs of youth and their families.

(f) New members will be provided a “New Employee Checklist” to be used as a guide for training. The staff member and the FTO providing the training are required to sign each area of the checklist as it is covered. The FTO will sign off each section as the staff member demonstrates on-the-job competency in the matter.

302.5 FACILITY TRAINING OFFICER PROGRAM SUPERVISOR

The FTO program supervisor will be selected by the Facility Facility Superintendentor the authorized designee and shall possess supervisory credentials from the Standards and Training for Corrections Program (STC). The supervisor's responsibilities include:

(a) Assigning trainees to FTOs.

(b) Conducting FTO meetings.

(c) Maintaining and ensuring FTO/trainee performance evaluations are completed in a timely manner.

(d) Maintaining, updating, and confirming the accuracy of the training manual.

(e) Issuing the training manual to each trainee.

(f) Monitoring individual FTO performance.

(g) Monitoring the overall FTO program.

(h) Developing ongoing training for FTOs.

(i) Review and approve the Daily Trainee Performance Evaluations and forward any concerns to the Facility Superintendent.

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Training

303.1 PURPOSE AND SCOPE

This policy establishes training requirements and guidelines for probation corrections officers, support personnel, supervisors, and managers. The policy addresses the training program and the probationary evaluation.

303.2 POLICY

It is the policy of this department to assign all new probation corrections officers to a structured juvenile institutions training program designed to prepare the new probation corrections officer to perform in a detention assignment in a safe, productive, and professional manner.

303.3 TRAINING OBJECTIVES

The objectives of the training program are to:

A. Improve the competency of staff at all levels.

B. Ensure that staff can carry out the mission of the Department through a thoroughly demonstrated knowledge of department policies and procedures.

C. Increase the technical expertise and overall effectiveness of personnel.

D. Provide for continued professional development of department personnel.

303.4 MINIMUM TRAINING REQUIREMENTS

Full-time Probation Corrections Officers, shall successfully complete the Juvenile Corrections Officer Core Course as described in 15 CCR 176 within one year from the date of assignment and prior to assuming sole supervision of youth (15 CCR 1322). Annual and advanced training shall be completed in accordance with Section 184 of Title 15 CCR.

Staff members shall successfully complete training pursuant to Penal Code § 830 et seq. prior to exercising peace officer powers (15 CCR 1322).

Probation corrections officers assigned to work in the facility prior to completing their core required training may do so only under the direct supervision of a fully trained staff member (15 CCR 1322)

303.5 TRAINING PROGRAM PHASES

The training program is designed to build on the conceptual foundation taught in the basic academy training module, whereupon the theoretical knowledge gained can be molded into a practical skill set. The training program consists of the two phases described below (15 CCR 1322).

303.5.1 FIRST PHASE, WEEK ONE - FACILITY ORIENTATION

Prior to assuming any responsibilities, the trainee will be assigned to a Facility Training Officer (FTO). The FTO will, at a minimum (15 CCR 1322):

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A. Brief the trainee on the purpose and scope of, and the trainee's responsibilities during, the training program.

B. Explain the evaluation system and acquaint the trainee with the rating forms that will be used.

C. Explain the youth supervision duties, scope of decisions the trainee will make, and persons to contact for decisions beyond the trainee's responsibility.

D. Provide the trainee with any required equipment or materials.

E. Tour the entire facility and support services with the trainee.

F. Introduce the trainee to the Facility Superintendent and key supervisory, administrative, and support personnel, and to the trainee's supervisor.

303.5.2 FIRST PHASE, WEEK TWO - INITIAL TRAINING

During the 40 hours of initial training and prior to assuming responsibility for the supervision of youth, the trainee will be exposed to the many duties at each post by observing the FTO demonstrate how each task is to be performed. The FTO should provide instruction to the trainee and encourage the trainee to ask questions.

Time should be made available during this phase to allow the trainee to study policies and procedures, directives, post orders, and any other materials deemed necessary by the FTO.

The performance of the trainee will be evaluated and recorded daily by the FTO. Areas of deficiency will be discussed and additional training provided if deemed necessary by the FTO.

303.5.3 SECOND PHASE, WEEK THREE - SUPERVISION OF YOUTH WITH CLOSE SUPERVISION

After 80 hours of initial training, the FTO will instruct the trainee in each required activity at each post. Once each task is demonstrated, the trainee will be directed to perform each activity under the close supervision of the FTO.

The FTO will provide direction as needed to the trainee during the hands-on activities.

The work performance of the trainee will be evaluated and recorded daily by the FTO.

303.5.4 SECOND PHASE, WEEK FOUR - SOLE SUPERVISION OF YOUTH WITH MONITORING

After 120 hours of initial training, the trainee will be directed to work solo in each area that training has been provided.

The solo activities of the trainee will be monitored by the FTO and the FTO Coordinator.

The work performance of the trainee will be evaluated and recorded by the FTO. Areas of deficiency will be discussed with them and additional training provided if deemed necessary by the FTO.

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303.5.5 WORKING INDEPENDENTLY WITH SUPERVISION

Upon completion of the Facilities Training Program, and provided there are no concerns about the trainee's ability, the trainee will be assigned to a shift pattern and supervised regularly by the PCO III and their assigned supervisor.

The supervisor, in consultation with the PCOIII and the Facility Superintendent, will make a recommendation to have the staff member permanently appointed as a PCO, extend their probation period, continue additional training, or terminate the trainee.

303.6 PROBATIONARY PERIOD EVALUATION

Probationary staff members will receive a written evaluation of their job skills and learning progress at the mid-point (six months). Prior to being permanently appointed, each probationary staff member will receive a final evaluation. These evaluations shall be in writing and discussed with the staff member by the employee's supervisor. The final evaluation shall be made a part of the staff member's personnel record.

All new hires who fail to satisfactorily complete the training program shall be provided additional training by the FTO, Supervising Probation Corrections Officer or the PCO III, under the auspices of the FTO Coordinator, to correct deficiencies in knowledge or work performance. However, subsequent demonstration of poor work performance, coupled with written documentation of that fact, may provide grounds for termination of employment.

See the Stanislaus County Probation Dept. JD Procedures Manual: 300.1 New Member Orientation and Training for further information.

See the Stanislaus County Probation Dept. JD Procedures Manual: 300.2 Standards and Training for Corrections (STC) Core Training for further information.

See the Stanislaus County Probation Dept. JD Procedures Manual: 300.3 Probation Corrections Officers Training Requirements for further information.

See the Stanislaus County Probation Dept. JD Procedures Manual: 300.4 Training Attendance and Employee Conduct for further information.

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Specialized Response Training

304.1 PURPOSE AND SCOPE

Probation corrections officers who are trained as specialized responders will receive adequate training to perform all job-related tasks and must be able to demonstrate proficiency in the specific skills related to their specialized functions.

304.2 POLICY

It is the policy of the Department to provide specialized training to members based on need and complexity of assignment.

304.3 QUALIFICATIONS

To be eligible for specialized response training, a probation corrections officer is required to be off probation and to meet any other qualifications established by the Chief Probation Officer or the authorized designee.

304.4 TRAINING

The FTO Training Coordinator is responsible for insuring that all personnel receiving specialized response training receives appropriate training as specified above or as part of their annual training requirements.

The Department will use courses certified by a competent government or standards-setting organization (e.g., Standards and Training for Corrections (STC) Program, Commission on Peace Officer Standards and Training (POST)) whenever practicable. All training should include testing to identify and document the member's knowledge and understanding of the subject matter presented.

It shall be the responsibility of the member to provide the FTO Training Coordinator or immediate supervisor with evidence of completed training and education in a timely manner. The FTO Training Coordinator or supervisor shall ensure that copies of training records are placed in the member's training file.

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Chemical Agents Training

305.1 PURPOSE AND SCOPE

This policy establishes the required training for probation corrections officers to be authorized to carry and use chemical agents.

305.2 POLICY

The Department authorizes the use of selected chemical agents. Chemical agents are weapons used to minimize the potential for injury to probation corrections officers, youth, and others. Chemical agents should only be used when such force reasonably appears justified and necessary.

See the Stanislaus County Probation Dept. JD Procedures Manual: 508.1 OC SPRAY PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 508.1.1 CHARACTERISTICS OF OC SPRAY, Stanislaus County Probation Dept. JD Procedures Manual: 508.1.2 GENERAL PRECAUTIONS IN THE USE OF OC SPRAY, Stanislaus County Probation Dept. JD Procedures Manual: 508.1.3 APPLICATION OF OC SPRAY, Stanislaus County Probation Dept. JD Procedures Manual: 508.1.4 AUTHORIZATION TO CARRY OC, Stanislaus County Probation Dept. JD Procedures Manual: 508.1.5 DECONTAMINATION FOR OC SPRAY, and Stanislaus County Probation Dept. JD Procedures Manual: 508.1.6 CONTROL AND STORAGE OF OC for further information.

305.3 CHEMICAL AGENT TRAINING

Only probation corrections officers who have been trained and show adequate proficiency in the use of any chemical agent and the Use of Force Policy are authorized to carry the device.

(a) The Division Director of the Professional Standards unit or their designee shall ensure that appropriate training for all chemical agents occurs at least annually.

(b) All initial and proficiency training for chemical agents will be documented in the probation corrections officer's site file ortraining file.

(c) Probation corrections officers failing to demonstrate continuing proficiency with chemical agents or knowledge of the Use of Force Policy will lose their authorization to carry or use the devices and will be provided remedial training. If, after two remedial training sessions, a probation corrections officer fails to demonstrate proficiency with chemical agents or knowledge of the Use of Force Policy, the probation corrections officer may be subject to discipline.

(d) The Division Director of the Professional Standards unit or their designee shall ensure that all personnel who are authorized to use chemical agents have also been trained in the proper medical treatment of persons affected by chemical agents. Training should include the initial treatment (e.g., providing the proper solution to cleanse the affected area) and knowing when to summon medical personnel for more severe effects.

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(e) The Division Director of the Professional Standards unit or their designee shall ensure that any additional state-mandated training (e.g., training addressing medical conditions that would contraindicate certain chemical agents, training on decontamination procedures) is provided (15 CCR 1357).

305.4 PROFICIENCY TESTING

The Division Director of the Professional Standards unit or their designee shall ensure that all training delivered to staff members should also test proficiency in order to document that the member understands the subject matter, and that proficiency training is monitored and documented by a certified weapons or tactical instructor.

305.5 TRAINING RECORDS

In accordance with the Standards and Training for Corrections (STC) Program Title 15 requirements, it shall be the responsibility of the Division Director of the Professional Standards unit or their designee to ensure that the following is maintained on file for all training provided by the Department:

- A course outline or lesson plan
- A roster signed and dated by those in attendance
- The name of the person coordinating the training

The Division Director of the Professional Standards unit or their designee shall ensure that copies of such training records are placed in the member's training file and retained in accordance with established records retention schedules.

305.6 REVIEW, INSPECTION, AND APPROVAL

Every chemical agent delivery device will be periodically inspected by the designated equipment supervisor.

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Prison Rape Elimination Act Training

306.1 PURPOSE AND SCOPE

This policy establishes an education and training process related to implementation of the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation (PREA Rule) (28 CFR 115.5 et seq.).

306.2 POLICY

The Stanislaus County Probation Department endeavors to comply with the training standards in the PREA Rule and to ensure that all staff members, volunteers, and service providers are aware of their responsibilities and that staff members, volunteers, service providers, and youth are aware of the policies and procedures of the facility as they relate to PREA.

See the Stanislaus County Probation Dept Policy Manual: 801.1 PURPOSE AND SCOPE; Prison Rape Elimination for further information.

306.3 MEMBER TRAINING

All staff members, volunteers, and service providers who may have contact with youth shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within the facilities. The Division Director of the Professional Standards unit or their designee and the PREA Coordinator shall ensure that the staff member receives training and testing in prevention and intervention techniques, that they have sufficient knowledge to answer any questionsyouth may have regarding sexual assault or abuse, and that they are familiar enough with the reporting process to take an initial report of a sexual assault or abuse. The Division Director of the Professional Standards unit or their designee and the PREA Coordinator shall be responsible for developing and administering this training, covering at a minimum (28 CFR 115.331; 28 CFR 115.332):

(a) The zero-tolerance policy for sexual abuse and sexual harassment and how to report such incidents.

(b) The dynamics of sexual abuse and sexual harassment in confinement.

(c) The common reactions of youth sexual abuse and sexual harassment victims.

(d) Prevention and intervention techniques to avoid sexual abuse and sexual harassment in the facilities.

(e) Procedures for the investigation of a report of sexual abuse and/or sexual harassment.

(f) Individual responsibilities under sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures.

(g) An individual's right to be free from sexual abuse and sexual harassment.

(h) The right of members and youth to be free from retaliation for reporting sexual abuse and sexual harassment.

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(i) How to detect and respond to signs of threatened and actual sexual abuse, and how to distinguish between sexual abuse and consensual sexual contact between youth.

(j) How to communicate effectively and professionally with youth, including lesbian, gay, bisexual, transgender, intersex, and gender non-conforming youth (15 CCR 1352.5).

(k) How to comply with relevant laws related to mandatory reporting of sexual abuse and sexual harassment to outside authorities.

(l) How to avoid inappropriate relationships with youth.

(m) Relevant laws regarding the applicable age of consent.

Training shall be tailored according to the sex of the youth at the facilities and the unique needs and attributes of youth in juvenile facilities. Staff members should receive additional training on security measures and the separation of male and female populations in the same facility if the staff member has been reassigned from a facility that houses only male or female youth.

Training should include written testing to validate knowledge and understanding of the material. The Division Director of the Professional Standards unit or their designee and the PREA Coordinator shall document, through signature or electronic verification, that staff members, volunteers, and service providers have received and understand the training. The Professional Standards Unit will maintain training records on all those receiving training in accordance with procedures developed by the Division Director of the Professional Standards unit or their designee and the PREA Coordinator.

The Division Director of the Professional Standards unit or their designee and the PREA Coordinator shall ensure that members undergo refresher training every two years that covers the department's sexual abuse and sexual harassment policies and related procedures (28 CFR 115.331).

All service providers/vendors, volunteers, and visitors who have contact with youth shall be given the pamphlet, "A Guide to the Prevention of and Reporting of Sexual Abuse and Sexual Harassment of Probation Clients," which contains information on their responsibilities regarding the prevention, detection, and reporting of sexual abuse and sexual harassment. The Compliance Officer shall maintain documentation. The documentation shall confirm the contract employees/ vendors, volunteers, and visitors understood the training they received.

306.4 SPECIALIZED MEDICAL TRAINING

All full- and part-time qualified health care and mental health professionals who work regularly in the facility shall receive all the member training listed above, as well as training that includes (28 CFR 115.335):

(a) Detecting and assessing signs of sexual abuse and sexual harassment.

(b) Preserving physical evidence of sexual abuse.

(c) Responding effectively and professionally to youth victims of sexual abuse and sexual harassment.

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(d) Reporting allegations or suspicions of sexual abuse and sexual harassment.

If the qualified health care and mental health professionals employed by the facilities conduct forensic examinations, they shall receive the appropriate training to conduct such examinations.

The Facility Superintendent or their designee and the PREA Coordinator shall maintain documentation that the facility's health care and mental health professionals have received the training referenced above, either from this department or elsewhere.

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Health Care Orientation and Training

307.1 PURPOSE AND SCOPE

The purpose of this policy is to provide a framework for orientation and training for qualified health care providers working in thejuvenile institutions.

307.2 POLICY

The Department will develop, approve, and conduct training to maintain and improve the effectiveness of the care delivered, as well as to maintain the safety and security of the juvenile institutions.

307.3 NEW HEALTH CARE PROVIDER ORIENTATION

All health care providers shall complete an orientation program prior to performing services at the juvenile institutions on behalf of the Department. At a minimum, the orientation program shall include (15 CCR 1324):

- A facility tour.
- Health Insurance Portability and Accountability Act (HIPAA) and confidentiality policies.
- Staff responsibilities.
- Youth rights and responsibilities.
- Personal safety and security.
- Emergency procedures.
- Policy, procedures, and job description resources.
- Guidelines for conduct with youth.
- Nondiscrimination policies.
- Health care delivery protocols.
- Universal precautions.
- Disposal of biohazardous waste.
- Aspects and dynamics of health services within the facilities.
- Procedures for reporting lost or stolen medical supplies and equipment.
- Key control.
- Language barriers.

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307.4 FACILITY-SPECIFIC TRAINING

The Facility Superintendent or their designee should include appropriate health care providers in training and training exercises relating to facility safety and security, including but not limited to:

- Emergency medical triage in the facility (15 CCR 1412).
- Emergency evacuation routes and procedures.
- Communication systems during facility emergencies.
- Security during facility emergencies.
- Qualified health care professional response during officer-down incidents.
- Responding to critical facility emergencies.
- Facility hostage policy and medical response tactics.
- Medical emergency transportation procedures.
- Media relations.
- Reporting requirements for suspected abuse, neglect, or exploitation.
- Prison Rape Elimination Act (PREA) compliance.

307.5 TRAINING FOR ALL MEMBERS WHO HAVE CONTACT WITH YOUTH

All members who have contact with youth should receive training in the following before they work independently and at least every other year thereafter:

(a) First aid, CPR, and the use of Automated External Defibrillators (AEDs) (15 CCR 1412)

(b) Identifying withdrawal symptoms/chemical dependency and any associated need for emergency care

(c) Recognizing life-threatening situations and the need for emergency care (e.g., stroke, allergic reaction)

(d) Recognizing mental health issues, including indications of a suicide risk

(e) The facility's suicide prevention plan (15 CCR 1329)

(f) How to initiate youth care and how to process youth requests for care

(g) Care for pregnant youth (including the Restraints Policy regarding restraint of pregnant youth)

(h) Confidentiality and appropriate documentation of health care information

(i) Log book and record-keeping entries (see the Daily Activity LogsPolicy)

(j) Chain of custody policy and procedures

307.6 INITIAL YOUTH SCREENING

A health screening shall be conducted on each youth immediately upon admission. Health care personnel or trained child supervision staff shall perform the screening (15 CCR 1430). Members

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who conduct initial youth screening should be trained before they work independently and every year thereafter. The training should include:

(a) General health care issues, including mental health issues that are likely to be encountered (15 CCR 1437).

(b) Facility procedures for screening.

(c) Use of facility forms, including the purpose of each question and the observations required.

(d) When supervisor or care liaison notification is required or appropriate.

(e) When a person should not be accepted as a youth in the facility due to a health care issue.

307.7 SPECIAL TRAINING FOR CARE LIAISONS

Members assigned to act as care liaisons should receive special training as identified by the Medical Director (see the Health Authorities Policy). Care liaisons should be trained in:

(a) Evaluating the initial screening of youth to ensure proper disposition and housing.

(b) Assessing youth requests for health care and identifying the need for emergency care.

(c) Determining available resources for youth care when regular providers may be unavailable.

(d) Addressing persons who refuse to cooperate with the screening or do not appear able to adequately answer the questions.

(e) Documenting and communicating health care issues.

307.8 MEDICATION

Members who deliver or administer medication should be trained as needed regarding (see the Medication Policy) (15 CCR 1438):

(a) Security and control of medication.

(b) Youth identification procedures.

(c) Common side effects.

(d) Delivery of medication and confirming ingestion.

(e) Monitoring the youth's response to the medication.

(f) Documentation.

307.9 TESTING

All training delivered to health care providers should include a testing component documenting an understanding of the subject material.

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307.10 APPROVAL AND TRAINING RECORDS

The Facility Superintendent or their designee, the Medical Director, and the Medical Staff shall develop or approve all health care-related training.

All training shall be documented, including names of attendees, the date of the training, the training provider, the length of the training, and the subject matter covered.

The Facility Superintendent or their designee shall maintain training records in accordance with established records retention schedules.

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Volunteers and Student Internships

308.1 PURPOSE AND SCOPE

This policy establishes guidelines for using juvenile institutions volunteers, including student interns, to supplement and assist department personnel in their duties. Trained volunteers and/ or student interns are members who can augment department personnel and help complete various tasks.

308.1.1 DEFINITIONS

Definitions related to this policy include:

Student intern - A college, university, or graduate student gaining practical experience in the intern's field while under supervision.

Volunteer - An individual who performs a service for the Department without promise, expectation, or receipt of compensation for services rendered. This may include unpaid chaplains and student interns.

308.2 POLICY

The Stanislaus County Probation Department shall ensure that volunteers and student interns are properly appointed, trained, and supervised to carry out specified tasks and duties in order to create an efficient department and improve services to the community.

See the Stanislaus County Probation Dept Policy Manual: 329.1 PURPOSE AND SCOPE; Volunteer Program Policy for further information.

308.3 ELIGIBILITY

Requirements for participation as a volunteer or student intern for the Department may include but are not limited to:

(a) Being at least 18 years of age.

(b) Possession of a valid driver's license if the position requires operating a vehicle.

(c) Possession of liability insurance for any personally owned equipment, vehicles, or animals utilized during volunteer or student intern work.

(d) No conviction of a felony, any crime of a sexual nature or against children, any crime related to assault or violence, any crime related to dishonesty, or any crime related to impersonating a law enforcement officer.

(e) No conviction of a misdemeanor or crime within the past 10 years, excluding traffic offenses.

(f) No mental illness or chemical dependency condition that may adversely affect the person’s ability to serve in the position.

(g) Ability to meet physical requirements reasonably appropriate to the assignment.

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(h) A personal background and character suitable for a person representing the Department, as validated by a background investigation.

The Chief Probation Officer or designee may allow exceptions to these eligibility requirements based on organizational needs and the qualifications of the individual.

308.4 RECRUITMENT, SELECTION, AND APPOINTMENT

The Stanislaus County Probation Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this department.

308.4.1 RECRUITMENT

Requests for volunteers and student interns should be submitted in writing by interested department members to the volunteer coordinator or student intern coordinator through the requester's immediate supervisor. A complete description of the duties and a requested time frame should be included in the request. All department members should understand that the recruitment of volunteers and student interns is enhanced by creative and interesting assignments. The volunteer coordinator or student intern coordinator may withhold assignment of any volunteers or student interns until the requester is prepared to make effective use of them.

308.4.2 SELECTION

Volunteer and student intern candidates shall successfully complete this process before appointment:

(a) Submit the appropriate written application.

(b) Interview with the volunteer coordinator or student intern coordinator.

(c) Successfully complete an appropriate-level background investigation.

308.4.3 APPOINTMENT

Service as a volunteer or student intern with the Department shall begin with an official notice of acceptance or appointment by the Chief Probation Officer or the authorized designee. Notice may only be given by an authorized representative of the Department, who will normally be the volunteer coordinator or student intern coordinator.

No volunteer or student intern should begin any assignment until the individual has been officially accepted for that position and has completed all required screening and paperwork. At the time of final acceptance, each volunteer and student intern should complete all required enrollment paperwork and will receive a copy of the position description and agreement of service with the Department.

All volunteers and student interns shall receive a copy of the orientation materials and shall be required to sign a volunteer or student intern agreement. Volunteers and student interns should

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be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities and the needs of the Department.

Volunteers and student interns serve at the discretion of the Chief Probation Officer.

308.5 IDENTIFICATION

As representatives of the Department, volunteers and student interns are responsible for presenting a professional image to the community. Volunteers and student interns shall dress appropriately for the conditions and performance of their duties. Identification symbols worn by volunteers and student interns shall be different and distinct from those worn by probation corrections officers or other members of this department.

Volunteers and student interns will be issued Stanislaus County Probation Department identification cards, which must be carried at all times while working. The identification cards will be the standard Stanislaus County Probation Department identification cards, except that "Volunteer" or "Student Intern" will be indicated on the cards.

308.6 PERSONNEL WORKING AS VOLUNTEERS

Qualified regular department personnel, when authorized, may also serve as volunteers. However, this department shall not utilize the services of volunteers in such a way that it would violate employment laws or collective bargaining agreements or memorandums of understanding (e.g., a probation corrections officer participating as a volunteer for reduced or no pay). Therefore, the program coordinator should consult with the Human Resource Department before allowing regular department personnel to serve in a volunteer capacity (29 CFR 553.30).

308.7 PROGRAM COORDINATOR FOR VOLUNTEERS AND STUDENT INTERNS

The program coordinator for volunteers and/or student interns shall be appointed by and directly responsible to the Chief Probation Officer or the authorized designee.

The function of the program coordinator is to provide a central coordinating point for effective volunteer and/or student intern management within the Department, and to direct and assist efforts to jointly provide more productive volunteer and student intern services. Under the general direction of the Chief Probation Officer or the authorized designee, volunteers and student interns shall report to the program coordinator and/or Supervisor.

The program coordinator may appoint a senior volunteer or student intern or other designee to help coordinate volunteers or student interns and their activities.

The responsibilities of the program coordinator or the authorized designee include but are not limited to:

(a) Recruiting, selecting, and training qualified volunteers and student interns.

(b) Conducting volunteer and student intern meetings.

(c) Establishing and maintaining a volunteer and student intern call-out roster.

(d) Maintaining records for each volunteer and student intern.

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(e) Tracking and evaluating the contribution of volunteers and student interns.

(f) Maintaining a record of volunteer and student intern schedules and work hours.

(g) Completing and disseminating, as appropriate, all necessary paperwork and information.

(h) Planning periodic recognition events.

(i) Maintaining a liaison with other community programs that use volunteers and student interns and assisting in community-wide efforts to recognize and promote volunteering and student internships.

(j) Maintaining volunteer and student intern orientation and training materials and outlining expectations, policies, and responsibilities for all volunteers and student interns.

308.8 DUTIES AND RESPONSIBILITIES

Volunteers and student interns assist department personnel as needed. Various group interventions are available, which include tutoring and religious services. Volunteers and student interns should be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities, and the needs of the Department.

All volunteers and student interns will be assigned to duties by the program coordinator or the authorized designee.

308.8.1 COMPLIANCE

Volunteers and student interns shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available upon appointment. Volunteers and student interns shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this Detention Manual refers to regular department personnel, it shall also apply to volunteers and student interns, unless by its nature it is inapplicable.

Volunteers and student interns are required by this department to meet department-approved training requirements as applicable to their assignments.

308.8.2 VOLUNTEER AND STUDENT INTERN MEETINGS

All volunteers and student interns are required to attend scheduled meetings. Any absences must be satisfactorily explained to the program coordinator.

308.9 TASK SPECIFIC TRAINING

Task-specific training is intended to provide the required instruction and practice for volunteers and student interns to properly and safely perform their assigned duties. Training should correspond to the assignment as determined by the program coordinator.

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Volunteers and student interns will be provided with an orientation program to acquaint them with the policies of the Department and procedures applicable to their assignments.

Volunteers and student interns should receive position-specific training to ensure they have adequate knowledge and skills to complete the required tasks. They also should receive ongoing training as deemed appropriate by their supervisors or the volunteer or student intern coordinator.

Training should reinforce to volunteers and student interns that they shall not intentionally represent themselves as, or by omission give the impression that they are, probation corrections officers or other full-time members of the Department. They shall always represent themselves as volunteers or student interns.

All volunteers and student interns shall comply with the standards of conduct and with all applicable orders and directives, whether oral or written, issued by the Department.

308.9.1 VOLUNTEER AND STUDENT INTERN TRAINING MATERIALS
All new volunteers and student interns will be issued training materials. The materials outline the subject matter and skills necessary to properly function as a volunteer or student intern with the Stanislaus County Probation Department. Volunteers and student interns shall become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.

308.9.2 STATE REQUIREMENTS
The volunteer and student intern orientation programs will include instruction on safety and security issues and nondiscrimination policies (15 CCR 1324).

308.10 SUPERVISION
Each volunteer and student intern must have a clearly identified supervisor who is responsible for the volunteer and student intern's direct management. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer or student intern and should be available for consultation and assistance.

Functional supervision of volunteers and student interns is the responsibility of the supervisor in charge of their assigned duties. The following are some considerations that supervisors should keep in mind while supervising volunteers and student interns:

(a) Take the time to introduce volunteers and student interns to members on all levels.

(b) Ensure volunteers and student interns have work space and necessary office supplies.

(c) Make sure the work is challenging. Do not hesitate to give volunteers and student interns assignments or tasks that will utilize these valuable resources.

A volunteer or student intern may be assigned as a supervisor of other volunteers or student interns, provided that the supervisor is under the direct supervision of a member of the Stanislaus County Probation Department.

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308.10.1 EVALUATIONS
While in training, volunteers and student interns should be continuously evaluated using standardized daily and weekly observation reports. A volunteer or student intern will not be considered a trainee until satisfactorily completing training. Student interns who have completed their training may be evaluated upon request.

308.10.2 FITNESS FOR DUTY
No volunteers or student interns shall report for work or be at work when their judgment or physical condition has been impaired due to illness or injury, or by alcohol or drugs, whether legal or illegal.

Volunteers and student interns shall report to their supervisors any change in status that may affect their ability to fulfill their duties. This includes but is not limited to:

(a) Driver's license.

(b) Medical condition.

(c) Arrests.

(d) Criminal investigations.

(e) All law enforcement contacts.

308.11 INFORMATION ACCESS
Volunteers and student interns should not have access to or be in the vicinity of criminal histories, investigative files, or information portals. Unless otherwise directed by a supervisor, the duties of the position, or department policy, all such information shall be considered confidential. Only that information specifically identified and approved by authorized members shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

A volunteer or student intern whose assignment requires the use of, or access to, confidential information will be required to submit fingerprints to the Criminal Information Index (CII) to obtain clearance. Volunteers and student interns working this type of assignment will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information verbally, in writing, or by any other means by a volunteer or a student intern is grounds for immediate dismissal and possible criminal prosecution.

Volunteers and student interns shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to newspapers or other periodicals, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

308.11.1 RADIO AND MOBILE DIGITAL TERMINAL USAGE
Volunteers and student interns shall successfully complete state and federal database access training and radio procedures training before using probation corrections officer radios or Mobile

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Data Terminals and shall comply with all related provisions. The program coordinator should ensure that radio and database access training is provided for them whenever necessary.

308.12 EQUIPMENT

Any property or equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer or student intern shall remain the property of the Department and shall be returned at the termination of service.

308.12.1 VEHICLE USE

Any volunteer or student intern who operates any vehicle while acting in the capacity of a volunteer or student intern shall receive training in safe driving and defensive driving. The specific training and course of study shall be determined by the program coordinator.

Volunteers and student interns assigned to duties that require the use of a vehicle must first complete:

(a) A driving safety briefing and department-approved driver safety course.

(b) Verification of a valid driver's license.

(c) Verification of current vehicle insurance.

The coordinator should ensure that all volunteers and student interns receive safety briefing updates and license and insurance verification at least once a year.

When operating department vehicles, volunteers and student interns shall obey all rules of the road, including seat belt requirements.

Volunteers and student interns are not authorized to operate department vehicles while using the vehicle's emergency equipment (e.g., emergency lights and siren).

308.13 DISCIPLINARY PROCEDURES/TERMINATION

If volunteers or student interns have a personnel complaint made against them or become involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.

Volunteers and student interns are considered at-will and may be removed from service at the discretion of the Chief Probation Officer, with or without cause. Volunteers and student interns shall have no property interest in their continued appointments. However, if volunteers or student interns are removed for alleged misconduct, they will be afforded an opportunity solely to clear their name through a hearing, which shall be limited to a single appearance before the Chief Probation Officer or the authorized designee.

Volunteers and student interns may resign from service with the Department at any time. It is requested that a volunteer or student intern who intends to resign provides advance notice and a reason for the decision.

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Briefing Training

309.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the probation corrections officer's assigned shift. Briefing training provides an opportunity for an important exchange of information between members and supervisors.

309.2 POLICY

Briefing is intended to facilitate the accurate flow of information to enhance coordination of activities, improve performance and safety, and outline the expected actions of members.

309.3 BRIEFING

Briefing training covers a wide range of topics selected by the management/supervisory and training staff.

The supervisor conducting briefing training is responsible for preparing the materials necessary for constructive training. Supervisors may delegate this responsibility to a subordinate probation corrections officer in their absence or for training purposes. The briefing training will be based on a structured program to provide topics related to but not limited to:

- Juvenile Institutions policies and procedures.
- Departmental directives not yet established into policy.
- Reviewing recent incidents for training purposes.
- In preparation or response to an unusual occurrence.
- Statutory requirements or court orders.
- Operation of new equipment, including computer software.
- Notifying the staff of changes in schedules and assignments.
- Any other topic as determined by the Chief Probation Officer or the authorized designee.

309.4 COMPUTER-BASED TRAINING OPTIONS

The Lexipol Daily Training Bulletins (DTBs) are a web-based system that provides training on the Stanislaus County Probation Department Detention Manual and other important topics. Generally, 20 training bulletins are available each month. However, the number of DTBs may be adjusted by the Facility Superintendent.

Personnel assigned to participate in DTBs should only use the passwords and login names assigned to them by the IT personnel. Personnel should not share their passwords with others and should frequently change their passwords to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

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Members assigned to participate in the DTB program should complete each DTB at the beginning of their shifts or as otherwise directed by their supervisors. Members should not allow uncompleted DTBs to build up. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any internet-active computer, members shall only take DTBs as part of their on-duty assignments as there will be no authorization for taking or viewing DTBs while off-duty.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

309.5 TRAINING RECORDS

The Facility Superintendent or designee will assist the Supervisors with identifying topics for delivery during briefing training and the Professional Standards unit will maintain all briefing training records.

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Training Plan

310.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a training plan that will provide for the professional growth and continued development of facility personnel, and to forecast annual funding needs for future training. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to professionally manage the youth population.

310.2 POLICY

The Division Director of the Professional Standards unit shall conduct an annual training needs assessment to determine the training needs of all members based on state laws, regulations, certification requirements, and continued professional training requirements.

A training plan shall be based on the assessment. It is the responsibility of the Division Director of the Professional Standards unit to develop, maintain, review, and update the training plan annually.

The annual training plan should be presented to the management staff for review. The approved training plan should include the annual funding requirements forecast by the Division Director of the Professional Standards unit. The Division Director of the Professional Standards unit should coordinate with the budgeting office to develop a funding source for all mandatory training.

The Chief Probation Officer or the authorized designee shall have final approval of the training plan and the budget to ensure that the training to be delivered is fiscally responsible and meets the mission of the Department.

The Division Director of the Professional Standards unit will execute the training plan on behalf of the Chief Probation Officer.

See the Stanislaus County Probation Dept Policy Manual: 203.1 PURPOSE AND SCOPE; Training Policy for further information.

310.3 DIVISION DIRECTOR OF THE PROFESSIONAL STANDARDS UNIT

A qualified individual shall be appointed by the Chief Probation Officer or the authorized designee to serve as the Division Director of the Professional Standards unit, who shall report to the Chief Probation Officer or the authorized designee.

Full-time members who are assigned to be trainers shall receive specialized instruction, which at a minimum shall include a train-the-trainers course.

The Division Director of the Professional Standards unit or their designee is responsible for developing an annual training plan. The plan should ensure that members meet all state law and certification requirements, any specialty training required for specialty assignments, and all continued professional training requirements. The plan should include a process to review course

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content and quality, typically by way of attendee feedback and/or a course audit by the training staff.

310.4 TRAINING RECORDS

An individual training file shall be maintained by the Division Director of the Professional Standards unit or the authorized designee for each member. Training files shall contain records of all training and education (original or photocopies of available certificates, transcripts, diplomas, and other documentation) for all members.

The maintenance of the training records shall be in sufficient detail as to comply with any outside audit requirements (28 CFR 115.334).

It shall be the responsibility of the involved members to provide their immediate supervisor or the Division Director of the Professional Standards unit or their designee with evidence of completed training or education in a timely manner.

The Division Director of the Professional Standards unit or supervisor shall ensure that copies of such training records are placed in the member's training file.

Training records shall contain:

- Name of the member.
- Date of hire.
- Education and training background (education and training received prior to hire).
- Type of training received.
- Date the training was received and successfully completed.
- Title of the training and name of the provider.
- Test scores or training benchmarks.

The Division Director of the Professional Standards unit or their designee shall also be responsible for documenting the waivers of the training requirements based on equivalent training received before employment or demonstrated competency through proficiency testing.

310.5 COURSE CERTIFICATION/QUALITY ASSURANCE

Training courses should be subject to a quality assurance process that, at a minimum, provides:

- A complete description of the course, including the number of training hours achieved.
- A curriculum including job-related topics and content and performance objectives.

Training should not only include the minimum number of hours required annually, but also instruction specific to tasks performed by members in the facility. Courses should include a testing component that shows a measurable transfer of knowledge and a mastery of topics.

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310.5.1 COURSE RECORDS

It is the responsibility of the Division Director of the Professional Standards unit or their designee to ensure that the following is maintained on file for all training provided by the Department:

- The course outline or lesson plan
- A roster signed and dated by those in attendance
- The name of the person coordinating the training
- The credentials of the instructors/trainers

310.6 TRAINING COMMITTEE

The Division Director of the Professional Stands unit or their designee should establish a training committee that will assist with identifying training needs for the Department. The training committee should be composed of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs.

The training committee should review certain incidents to determine whether training would likely improve future outcomes or would reduce or prevent the recurrence of an incident. Specific incidents the training committee should review include but are not limited to:

(a) Any incident involving the death or serious injury of a member.

(b) Incidents involving a high risk of death, serious injury, or civil liability.

(c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The training committee should convene regularly, as determined by the Division Director of the Professional Standards unit or their designee, to review the identified incidents. The committee should determine by consensus whether a training need exists and then submit a written recommendation to the Division Director of the Professional Standards unit or their designee. The recommendation should not identify specific facts of any incident, such as identities of members involved or the date, time, and location of the incident, but should focus on the type of training being recommended.

The Division Director of the Professional Standards unit or their designee will consider the recommendation of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

310.7 INDIVIDUAL RESPONSIBILITY

All members assigned to attend training should attend as scheduled, unless excused by their immediate supervisor.

(a) Excused absences from mandatory training should be limited to:

1. Court appearances.
2. Authorized vacation.

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3. Sick leave.
4. Physical limitations preventing the member's participation.
5. Emergency situations.

(b) When a member is unable to attend mandatory training, that member shall:

1. Notify the on-duty supervisor as soon as possible, but no later than one hour prior to the start of training.
2. Arrange through the supervisor and the Division Director of the Professional Standards unit or the designee to attend the required training on an alternate date.

(c) All training programs, whether in-house or outside the facility, are considered on-duty work assignments and the following should apply:

1. Uniform or business casual attire is required unless otherwise indicated.
2. Members should participate during training.
3. Members shall display a professional demeanor.
4. Members shall adhere to the Drug- and Alcohol-Free Workplace Policy.
5. Attending scheduled training classes and meeting the STC training requirements are necessary prerequisites for continued employment with the Department.
6. Members are required to be punctual in their arrival. The reading of books, magazines, and newspapers during lectures, engaging in conversation, horseplay, or making inappropriate comments to the instructor is prohibited. Staff members shall also refrain from using their personal cell phone, texting or access social media unless performing departmental business or they are on an approved break.

(d) Members who fail to meet these requirements, may be subject to discipline up to and including termination or employment,

(e) Supervisory staff, in attendance at training classes, is expected to intervene when control problems occur in classes and the instructor is unable to resolve them. Examples include member conduct problems; such as, tardiness, lack of attentiveness, departing class prior to a designated break or prior to the conclusion of class, or any other behavior which is disruptive and deemed unprofessional.

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Support Personnel Orientation and Training

311.1 PURPOSE AND SCOPE

The Department has developed an orientation and training program for support and contractor personnel, whether full- or part-time, to increase competency in their assigned tasks and to help ensure that all support personnel understand the issues that are unique to their positions as they relate to this facility (15 CCR 1324).

311.2 POLICY

It is the policy of the Stanislaus County Probation Department to establish minimum training guidelines for support, school employees, mental health and medical staff, program providers and volunteers and contract personnel.

311.3 HUMAN RESOURCES RESPONSIBILITIES

The Human Resources Department is responsible for coordinating training and will ensure that the training and orientation given to all support or contract personnel is properly documented and placed in the worker's training file. At a minimum, the record should contain the name of the individual, the assignment, the date that the orientation and training was presented, the orientation outline indicating the subject material, and the name of the instructor. To the extent applicable, copies of tests and passing scores should also be included as a part of the record.

311.3.1 STATE REQUIREMENTS

The support and service provider personnel orientation programs will include instruction on safety and security issues and nondiscrimination policies (15 CCR 1324).

311.4 PART-TIME PERSONNEL

Support personnel working part-time, including service providers, shall receive formal orientation and training commensurate with the scope of their work assignments, as determined by the Facility Facility Superintendent, before assignment to duties within the juvenile institutions. At a minimum the orientation and training should include:

- Safety and security.
- Facility regulations.
- Facility operations.
- Guidelines for conduct with youth.
- Youth and adolescent behavior.

Support and contract personnel who fail to successfully complete all required training shall not be permitted to work in the secure portions of the facility.

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311.5 PERSONNEL WITH MINIMAL CONTACT WITH YOUTH

Support personnel, including service providers, whose positions involve minimal contact with youth shall receive orientation and training commensurate with the scope of their work.

Minimal youth contact is defined as tasks that do not involve the supervision of youth, youth discipline, or specific tasks that involve detention and control of youth. Orientation and training topics shall include but are not limited to:

- Safety and security.
- Detention policies and procedures.
- Emergency procedures.
- Job-specific training.
- Zero-tolerance policy and the identification, response, and reporting requirements of sexual abuse, Prison Rape Elimination Act (PREA) compliance, and harassment.
- Reporting requirements for suspected abuse, neglect, or exploitation.

311.6 PERSONNEL WITH REGULAR YOUTH CONTACT

Support personnel, including service providers, whose positions involve regular or daily youth contact shall receive orientation and training commensurate with the scope of their work.

Regular youth contact is defined as tasks that involve the direct provision of services to youth (e.g., detention assistants, vocational supervisors, teachers, food services, chaplain) but that do not involve the supervision of youth in the areas of discipline and control. Orientation and training topics shall include but are not limited to:

- Safety and security.
- Emergency procedures.
- Staff responsibilities.
- Guidelines for conduct with youth.
- Aspects and dynamics of the detention environment.
- Restricted movement and access according to job function.
- Supervision of youth.
- Suicide awareness and dynamics (15 CCR 1329).
- Use of force.
- Youth rules and regulations.
- Youth rights and responsibilities.
- Youth and adolescent behavior.

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- Zero-tolerance policy and the identification, response, and reporting requirements of sexual abuse, PREA compliance, and harassment.
- Reporting requirements for suspected abuse, neglect, or exploitation.

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Chapter 4 - Emergency Planning

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Facility Emergencies

400.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a plan to appropriately respond to emergencies within the facilities and to ensure all affected personnel receive timely training regarding emergency response. This policy is intended to protect the community, staff members, visitors, youth, and all others who enter the juvenile institutions, while allowing the facilities to fulfill its primary purpose (15 CCR 1327).

Facility emergencies related to fire will be addressed in the Fire Safety Policy.

400.2 POLICY

It is the policy of this department to have emergency response plans in place to quickly and effectively respond to and minimize the severity of any emergency within the facilities.

400.3 PROCEDURE

The Chief Probation Officer or the authorized designee shall develop, publish, and review emergency response plans that address (15 CCR 1327):

(a) Escapes.

(b) Disturbances/riots.

(c) Hostages.

(d) Civil disturbances.

(e) Natural disasters.

(f) Periodic testing of emergency equipment.

(g) Mass arrests.

(h) Emergency evacuation of the facility (see the Emergency Evacuation Policy) (15 CCR 1325).

(i) Active shooter and terrorist attack.

(j) Other emergencies as needs are identified.

The facilities emergency response plans are intended to provide the staff members with current methods, guidelines, and training for minimizing the number and severity of emergency events that may threaten the security of the facilities or compromise the safety of staff members, youth, or the community.

The emergency response plans are intended to provide information on specific assignments and tasks for staff members. Where appropriate, the emergency response plans will include persons and emergency departments to be notified.

The emergency response plans should include procedures for continuing to house youth in the facilities, the identification of alternative facilities outside the boundaries of the disaster or threat

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and the potential capacity of those facilities, youth transportation options, and contact information for allied agencies.

The emergency response plans shall be made available to all staff members and service providers working in the facilities as needed. Confidential policies and procedures that relate to the security of the facilities may be kept in a separate manual (15 CCR 1327).

If an explosive substance or a bomb is discovered on the premises, the Sheriff's Department shall be immediately contacted to provide assistance. Under NO circumstances shall staff attempt to move or dispose of any type of explosive. This shall only be done by professionally trained personnel. See the Stanislaus County Probation Dept. JD Procedures Manual: 402.6 Bomb Threats, Stanislaus County Probation Dept. JD Procedures Manual: 402.7 Controlling Authority, Stanislaus County Probation Dept. JD Procedures Manual: 402.8 Bomb Threat Preparation, Stanislaus County Probation Dept. JD Procedures Manual: 402.9 Bomb Threat Procedures and Stanislaus County Probation Dept. JD Procedures Manual: 402.10 Letter Bomb Identification for further information.

See the Stanislaus County Probation Dept. JD Procedures Manual: 401.1 UNIT DISTURBANCES for further information.

See the Stanislaus County Probation Dept. JD Procedures Manual: 403.1 EARTHQUAKES and Stanislaus County Probation Dept. JD Procedures Manual: 403.2 INSTITUTIONAL COMMUNICATION SYSTEMS for further information.

See the Stanislaus County Probation Dept. JD Procedures Manual: 401.3 MEDICAL EMERGENCIES, Stanislaus County Probation Dept. JD Procedures Manual: 401.4 MEDICAL EMERGENCY ALERT, Stanislaus County Probation Dept. JD Procedures Manual: 401.5 UNIT AND STAFF MEMBER RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 401.6 CENTRAL CONTROL ANNOUNCING RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 401.7 CENTRAL CONTROL DUTIES, Stanislaus County Probation Dept. JD Procedures Manual: 401.8 SUPERVISING PROBATION CORRECTIONS OFFICER RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 401.9 MEDICAL STAFF RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 401.10 SUICIDE ATTEMPTS and Stanislaus County Probation Dept. JD Procedures Manual: 401.11 SUMMONING AN AMBULANCE for further information.

400.3.1 EMERGENCY SUSPENSION OF REQUIREMENTS

The Chief Probation Officer or the authorized designee shall authorize only those regulations directly affected by the emergency to be suspended. When a suspension occurs for longer than three days, the Chief Probation Officer or the authorized designee shall notify the Board of State and Community Corrections in writing. In no event shall a suspension continue for more than 15 days without the approval of the chairperson of the board for a time specified by the chairperson (15 CCR 1311).

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400.5 HUNGER STRIKE

Upon being made aware that one or more youth is engaging in a hunger strike, the staff member will notify the Supervisor, who will notify the Chief Probation Officer or the authorized designee. The Chief Probation Officer or the authorized designee should evaluate the basis for the strike and seek an appropriate resolution.

The Chief Probation Officer or the authorized designee shall notify the youth's parent/guardian, the youth's probation officer, authority having supervisory jurisdiction, and the youth's case worker of the incident and periodically provide updates on the status of the youth.

400.5.1 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

The Chief Probation Officer or the authorized designee should notify the Medical Staff to review, coordinate, and document any medical actions taken, based on protocols and/or at the direction of qualified health care professionals, in response to a hunger strike.

Qualified health care professionals should monitor the health of any youth involved in a hunger strike and make recommendations to the Chief Probation Officer or the supervisory staff responsible for oversight of the incident.

If a youth is engaging in a hunger strike due to a mental condition, the appropriate medical protocols for mental health will be followed.

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400.5.2 RESPONSE TO HUNGER STRIKES
Beginning at the line staff member level, a resolution to grievances should be sought at the lowest level. The Youth Grievances Policy shall guide staff members on resolving youth grievances.

If the hunger strike remains unresolved, the Chief Probation Officer or the authorized designee may direct the appropriate staff member to observe the room area, including trash containers, of the youth involved for evidence of food items and of food hoarding.

400.5.3 LEGAL GUIDANCE
If attempts to resolve the grievance are unsuccessful or not reasonably possible, the Chief Probation Officer should consider consulting with legal resources as appropriate to develop other steps to resolve the issues.

400.6 RESPONSE TO DISTURBANCES
Staff members should attempt to minimize the disruption to normal facility operations caused by a disturbance by attempting to isolate and contain the disturbance to the extent possible. Staff members should immediately notify the Chief Probation Officer through the chain of command of the incident.

400.6.1 NOTIFICATIONS
The Supervisor should notify the Chief Probation Officer or the authorized designee of the disturbance as soon as practicable.

The Chief Probation Officer or the authorized designee should notify the involved youth's parent/ guardian, the youth's probation officer, authority having supervisory jurisdiction, and the youth's case worker as soon as practicable.

400.6.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS
If medical action reasonably appears necessary, the Chief Probation Officer or the authorized designee should notify the appropriate qualified health care professionals to review, coordinate, and document medical actions based on protocols and/or at the direction of the Medical Staff.

400.6.3 REPORTING
The Chief Probation Officer or the authorized designee shall order that an incident report be completed with the details of the disturbance no later than the end of the shift (15 CCR 1362). If appropriate, a crime report shall be initiated and prosecution sought.

400.7 RIOTS
Riots occur when youth forcibly and/or violently take control or attempt to take control of any area within the juvenile institutions.

Members should make reasonable attempts to prevent youth-on-youth violence but should take measures to avoid aggravating the problem and making the situation worse.

See the Stanislaus County Probation Dept. JD Procedures Manual: 401.2 RIOTS for further information.

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400.7.2 QUALIFIED HEALTH CARE PROFESSIONAL RESPONSE

If necessary, a supervisor or the authorized designee should notify the qualified health care professionals and identify a staging area for medical emergency responders and for medical triage.

The Medical Staff or the authorized designee should be included in developing the response plan as it relates to the potential for a medical response, medical triage and treatment activities, and the safety and security of medical personnel during the incident.

400.7.3 NOTIFICATIONS

As soon as practicable, the Supervisor or a responsible staff member shall notify the Chief Probation Officer or the authorized designee.

The Chief Probation Officer or the authorized designee shall notify the involved youth's parent/ guardian, the youth's probation officer, authority having supervisory jurisdiction, and the youth's case worker.

400.7.4 REPORTING

The Chief Probation Officer or the authorized designee shall order that a report be written detailing the incident by the end of the shift (15 CCR 1362).

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400.8 HOSTAGES

The Department does not recognize the taking of hostages as a reason to relinquish control of the juvenile institutions. All staff members, youth, visitors, and service providers shall be informed of the "no hostage" policy prior to entering the facilities for the first time and shall sign an acknowledgement, which the facilities shall retain.

It is the policy of the Stanislaus County Probation Department to use all available resources reasonably necessary to bring about a successful end to a hostage situation.

See the Stanislaus County Probation Dept. JD Procedures Manual: 404.2 Hostage Situations, Stanislaus County Probation Dept. JD Procedures Manual: 404.2.1 Institutional Staff Members Responsibilities, Stanislaus County Probation Dept. JD Procedures Manual: 404.2.2 Controlling Authority, Stanislaus County Probation Dept. JD Procedures Manual: 404.2.3 On-Site Staff Members Procedures, Stanislaus County Probation Dept. JD Procedures Manual: 404.2.4 Central Control Procedures, and Stanislaus County Probation Dept. JD Procedures Manual: 404.2.5 Controlling Authority Responsibilities and Procedures for further information.

400.8.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

At the direction of the Supervisor or the authorized designee, the qualified health care professionals should be notified in order to identify a location and form a logistical plan for medical triage. The location also shall serve as a medical staging area for other medical emergency responders.

400.8.4 REPORTING

Following the conclusion of a hostage incident, the Chief Probation Officer or the authorized designee shall order that an incident report be completed by the end of the shift (15 CCR 1362).

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400.9.3 REPORTING

Following the conclusion of an attempted escape or an escape, the Chief Probation Officer or the authorized designee shall order that an incident report be completed by the end of the shift. The incident report should focus on events and physical plant weaknesses that contributed to the escape (15 CCR 1362). The Facility Superintendent should review the reports, interview involved parties, and develop action plans to minimize the risk of future occurrences.

400.10 CIVIL DISTURBANCES OUTSIDE OF THE DETENTION FACILITY

Upon being notified that juvenile institutions space will be needed in response to a civil disturbance involving mass arrests, the Supervisor should notify the Chief Probation Officer or the authorized designee.

See the Stanislaus County Probation Dept. JD Procedures Manual: 404.1 CIVIL DISTURBANCES for further information.

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400.11 DEBRIEFING

All responding staff members, including medical responders, shall be debriefed, as determined by the Chief Probation Officer or the authorized designee, on serious facility emergencies as soon as practicable after the conclusion of the incident. The staff members shall examine the incident from the perspective of what worked, what actions were less than optimal, and how the response to a future incident might be improved.

If appropriate, the details of the incident will be used to develop a training course for responding to facilities disturbances. The goal of any debriefing process is continuous improvement. The debriefing should be focused on the incident, an improved response, and systemic changes that may be required. A moderator should ensure that no individual or group involved in the response is publicly ridiculed.

400.12 EMERGENCY HOUSING OF YOUTH

The Chief Probation Officer or the authorized designee shall develop a plan on the emergency housing of youth in the event of a full or partial evacuation of the facilities. The plan will address when youth should be housed in place, identification of alternate facilities and the potential capacity of those facilities, youth transportation options, and contact information for allied agencies. This plan shall be reviewed at least annually and revised if necessary.

400.12.1 MUTUAL AID

The magnitude and anticipated duration of the facilities emergency may necessitate interagency cooperation and coordination. The Facility Superintendent should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated for the safe keeping and transportation of youth during the facilities emergency and evacuation process (see the Emergency Evacuation Policy). For a large-scale emergency response, see the Emergency Plan and Emergency Staffing policies.

When another agency requests assistance from this department, the Supervisor may authorize, if available, an appropriate number of personnel to assist. Staff members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

When mutual aid assistance is rendered, a report shall be prepared and submitted by the handling staff member unless otherwise directed by a supervisor.

400.13 REVIEW OF EMERGENCY PROCEDURES

The Facility Superintendent should ensure that there is a review of emergency procedures at least annually (15 CCR 1324; 15 CCR 1327). This review should be documented within 10 days of the review for approval. This review should also include the signatures or initials of the staff members responsible for the review. At a minimum, the review shall include:

- Assignment of staff members to specific tasks in emergency situations.
- Instructions for using the alarm systems and signals.

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- Systems for the notification of appropriate persons outside of the facilities.
- Information on the location and use of emergency equipment in the facilities.
- Specification of evacuation routes and procedures.

400.14 TRAINING

Staff members shall be trained at least annually on this policy (15 CCR 1327). This facilities will provide emergency preparedness training as part of orientation training for all staff members assigned to the facilities and for those who may be required to respond to the facilities in an emergency (15 CCR 1324). Staff members shall also receive refresher training at least annually in the emergency response plans. The Division Director assigned to the Professional Standards unit is responsible for developing and delivering appropriate initial training and annual refresher training.

Emergency planning training should occur in the form of classroom instruction (or roll call training), mock practical exercises, and drills. Each type of emergency covered in the emergency response plan must be included in the training.

A lesson plan, a staff training sign-up sheet with the dates and times training should be provided, and proof of competency (testing) for each participant should be maintained by the Training Director.

The Division Director assigned to the Professional Standards unit shall forward an annual report to the Chief Probation Officer or the authorized designee on the status of emergency response plan training. Any training deficiencies identified in this report should be rectified within 90 days of the report.

The facility emergency plan and all training shall be documented by the Division Director assigned to the Professional Standards unit and retained in accordance with established records retention schedules.

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Emergency Staffing

401.1 PURPOSE AND SCOPE

The facilities must operate as a safe and secure environment at all times, regardless of staffing levels. Contingency plans must be made in advance for any staffing emergency or planned job action, regardless of the length of the staffing deficit.

The purpose of this policy is to establish roles and responsibilities for creating and implementing emergency staffing plans, providing emergency staffing training to supervisory and management personnel, and identifying an updated schedule and distribution list for the plan, as identified by the Chief Probation Officer or the authorized designee.

401.2 POLICY

It is the policy of this department to continue to operate a safe and secure facilities in the event of a staffing emergency. Staffing emergencies that could negatively affect the good order of the facilities may include but are not limited to an outbreak of infectious disease, a work stoppage or strike by selected members, a natural disaster, or another disruption. The Chief Probation Officer or the authorized designee shall be responsible for ensuring that an appropriate emergency staffing plan exists.

401.3 EMERGENCY STAFFING

In the event the Chief Probation Officer or the authorized designee becomes aware that a staffing emergency exists or may occur, staff members who are present may be ordered to remain at their posts. Plans should include measures to achieve minimum staffing for the facilities within four hours of a staffing emergency and may include the following operational adjustments:

- The facilities may go on lockdown. Minimum activities, including visiting, exercise, and other programs, will be suspended only if necessary. Meals, cleaning, medical services, court transportation, and attorney visits will continue. The suspension of other activities will be assessed by the Chief Probation Officer or the authorized designee on a case-by-case basis.
- Supervisory and management personnel may have time off canceled or rescheduled during a staffing emergency.
- Core trained staff from other areas of the Department who have detention experience may fill vacancies in the facilities.
- Assistance from allied agencies may be requested to help management and supervisors in safely staffing the facilities.
- Contracting with surrounding facilities may be necessary if adequate staffing cannot be obtained to safely operate the facilities.
- In the event of a health-related staffing emergency, the department Exposure Control Officer and medical staff shall be notified in accordance with the Communicable Diseases - Members Policy.

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401.4 LEGAL ASSISTANCE

When the Chief Probation Officer or the authorized designee becomes aware that a work stoppage is planned or has occurred, legal counsel should be consulted for assistance in preparing the necessary legal action to either prevent the work stoppage or to cause it to cease. Immediate contact with the members' representatives may also be necessary to prevent or conclude the job action.

401.5 TRAINING

The Chief Probation Officer or the authorized designee should be responsible for:

(a) Establishing a distribution list for the contingency plan.

(b) Establishing a periodic review and update of the plan.

(c) Ensuring that all supervisors and managers are periodically trained on the plan.

(d) Ensuring that all supervisors and managers are provided a copy of the plan and/or a means to access it in the event of an emergency.

(e) Documenting and maintaining training records for each supervisor and manager and ensuring that those personnel periodically receive appropriate update training on the plan.

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Fire Safety

402.1 PURPOSE AND SCOPE

The threat of fire and toxic smoke in the facilities represents a significant risk to the safety and security of the community, the staff members, youth, volunteers, service providers, and visitors. The purpose of this policy is to clearly identify and conform to applicable federal, state, and/or local fire safety codes, and to establish a process for creating, disseminating, and training all individuals in the facilities on the emergency plans for fire safety and evacuation (15 CCR 1323; 15 CCR 1324; 15 CCR 1325; 15 CCR 1327).

402.2 POLICY

It is the policy of this department that fire prevention strategies are a high priority.

The Chief Probation Officer or the authorized designee shall ensure that a fire alarm and a detection and suppression system, as required by law, are installed, maintained, and periodically tested. Any variance, exception, or equivalency issues must be approved by the fire jurisdiction authorities and must not constitute a serious life-safety threat to the occupants of the facilities.

402.2.1 FIRE CODES

The Department shall comply with all federal, state, and local fire codes.

402.2.2 FIRE PREVENTION RESPONSIBILITY

All staff members who work in the facilities are responsible for the prevention of fires. They should be trained and given the tools to carry out the tasks necessary to reduce the risk of fire.

402.3 FIRE SUPPRESSION PRE-PLANNING

The Chief Probation Officer or the authorized designee shall, in consultation with the State Fire Marshal or the local fire department that has jurisdiction over the facility, develop a plan for responding to a fire. The plan shall include but is not limited to (15 CCR 1325):

(a) A fire suppression pre-plan by the local fire department, to be included as part of this policy. See the Stanislaus County Probation Dept. JD Procedures Manual: 400.2 FIRE PROCEDURE (DRILLS AND REAL), Stanislaus County Probation Dept. JD Procedures Manual: 400.12 FIRE RELOCATION PLAN and Stanislaus County Probation Dept. JD Procedures Manual: 400.11 FIRE SUPPRESSION PRE-PLAN (Fire Department Involved) for further information.

(b) Fire prevention, safety inspection plans, and record retention schedules developed by designated staff or as required by law.

(c) Documented monthly fire inspections by facility staff members (all orders to correct and all proofs of correction should be maintained for at least two years or as otherwise required by law).

(d) An evacuation plan (see the Emergency Evacuation Policy).

(e) Documented fire drills at least quarterly.

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(f) A written plan for the emergency housing of youth in case of fire.

(g) A plan for the cross-training of responders and facility staff via drills, which should occur at least quarterly, if practicable.

See the Stanislaus County Probation Dept. JD Procedures Manual: 400.1 PURPOSE AND SCOPE; FIRE SAFETY PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 400.1.1 GENERAL STAFF RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 400.2 FIRE PROCEDURE (DRILLS AND REAL), Stanislaus County Probation Dept. JD Procedures Manual: 400.3 EFFECTED UNIT: STAFF RESPONSE PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 400.4 NON-INVOLVED UNITS: STAFF RESPONSE PROCEDURES, and Stanislaus County Probation Dept. JD Procedures Manual: 400.5 CENTRAL CONTROL PROCEDURES, for further information.

See the Stanislaus County Probation Dept. JD Procedures Manual: 400.7 SCHOOL PERSONNEL RESPONSE PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 400.8 KITCHEN PERSONNEL RESPONSE PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 400.9 MEDICAL PERSONNEL RESPONSE PROCEDURE, Stanislaus County Probation Dept. JD Procedures Manual: 400.10 LATE NIGHT PERSONNEL RESPONSE PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 400.11 FIRE SUPPRESSION PRE-PLAN (Fire Department Involved) and Stanislaus County Probation Dept. JD Procedures Manual: 400.6 SPCO: RESPONSIBILITIES AND RESPONSE PROCEDURE for further information.

402.4 FIRE PREVENTION EQUIPMENT

All required fire alarms, sprinklers, and detection devices should be in good working order.

Should such a device become inoperative, the Chief Probation Officer or the authorized designee shall be responsible for ensuring that emergency repairs are undertaken as soon as practicable and that staff members are provided with an alternative emergency fire safety and evacuation plan.

Any time any fire prevention system is inoperative and poses a serious life-safety risk, that portion of the facility shall not be inhabited by youth or staff.

402.5 FIREFIGHTING EQUIPMENT

The Chief Probation Officer or the authorized designee shall ensure that the facilities have the necessary firefighting equipment (e.g., fire hoses, extinguishers) in quantities and locations as recommended by the local fire authority or other qualified entity.

While the staff members are not trained as fully qualified firefighters, the Chief Probation Officer or the authorized designee will ensure that the staff member is trained to initially respond to a fire with the purpose of facilitating the safety of the occupants, including evacuation if necessary.

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402.6 FIRE TRAINING

The Division Director assigned to the Professional Standards unit is responsible for ensuring that within the first twelve (12) months of assignment to the facility, all staff members receive training on the use of the facility's firefighting equipment sufficient to demonstrate proficiency. The staff member should receive refresher training at least annually on using firefighting equipment, the fire suppression pre-plan by the local fire department, and evacuation procedures.

Each shift will have at least one wide awake designated staff member who is trained to use and maintain the facility's firefighting equipment, the fire suppression pre-plan by the local fire department, and evacuation procedures (15 CCR 1323).

402.7 INSPECTIONS

The Department shall be inspected by an appointed staff member who is qualified to perform fire and safety inspections monthly to ensure that fire safety standards are maintained. These documented inspections will be focused on but not limited to fire prevention, staff training and proficiency, firefighting equipment availability and functionality, alarms, fire detectors, fire safety equipment, and staff familiarity with prevention and suppression techniques, suppression pre-planning, emergency response, fire safety equipment use, and the evacuation plan. Records from these monthly inspections shall be maintained for two years (15 CCR 1325).

A staff member shall be assigned to coordinate with local or state fire officials for inspections required by Health and Safety Code § 13146.1. The result of all fire inspections and fire equipment testing shall be provided to the Chief Probation Officer or the authorized designee and maintained for at least two years.

402.7.1 FURNISHINGS

All furnishings allowed in the facilities shall meet fire authority standards for fire performance characteristics.

402.7.2 FLAMMABLE, TOXIC, AND CAUSTIC MATERIALS

The Chief Probation Officer or the authorized designee, in collaboration with the local environmental health expert, will review the materials introduced into the facility to ensure that flammable, toxic, and caustic materials are controlled and used safely. All such materials will be safely stored and only used by youth under close supervision by qualified staff (15 CCR 1324).

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Emergency Power and Communications

403.1 PURPOSE AND SCOPE

The Stanislaus County Probation Department facilities must continue to operate as a safe and secure environment regardless of emergencies, including electrical outages. The purpose of this policy is to establish guidelines regarding backup power and communication systems and the inspection, preventive maintenance, and testing of the systems to ensure a seamless transition in the event of a loss of power.

403.2 POLICY

It is the policy of this department to ensure that power to critical systems and communications continues to operate within the facilities in the event of a loss of power.

403.3 EMERGENCY POWER

The facilities shall have a sufficient emergency power source to operate communications; security and alarm systems in control centers; emergency lighting in corridors, stairwells, all youth housing areas, and security control points; and audio-visual monitoring systems.

403.3.1 PREVENTIVE MAINTENANCE

It is the responsibility of the Chief Probation Officer or the authorized designee to ensure that there is sufficient emergency power to operate all essential lighting, security equipment, critical life/safety equipment, and communications systems. The emergency power system should have sufficient fuel to allow the facilities to operate continuously for a minimum of three days, if necessary, without external resources.

The emergency power system should be inspected, tested, and maintained as necessary. If the system fails, the Facility Superintendent or the Supervisor should contact the designated maintenance authority or repair company to obtain necessary repairs as soon as practicable. If the emergency power system cannot be repaired within eight hours, portable emergency generators should be secured as a temporary emergency power source until the primary system is repaired or replaced.

403.4 SAFETY AND SECURITY

Inoperable or malfunctioning safety and/or security equipment shall be immediately repaired or replaced. If safety and/or security equipment becomes inoperable or is damaged and it is not safe to operate a secure portion of the facilities, that portion should be vacated and the youth housed elsewhere. Alternately, staffing should be increased sufficiently for the area to remain safe and secure until the repair can be completed.

403.5 INSPECTION AND TESTING

The Chief Probation Officer or the authorized designee is responsible for scheduled testing of emergency power systems. The power system manufacturer should be contacted for the required

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testing intervals and load information. The emergency power system should be load-tested in accordance with the manufacturer's recommendations and in accordance with the California Building Code.

All emergency equipment and systems should be inspected by a qualified individual at least quarterly.

Power generators should be inspected and tested by a qualified individual monthly.

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Emergency Evacuation

404.1 PURPOSE AND SCOPE

The purpose of this policy is to promote planning and establish procedures, responsibilities, and training requirements for the staff of the Stanislaus County Probation Department in case of fire and other emergency evacuations (15 CCR 1325; 15 CCR 1327).

404.2 POLICY

The community, staff members, volunteers, service providers, and youth should have a well-researched and validated evacuation plan that can be implemented in the event any portion of the facilities requires evacuating due to an emergency (e.g., fire, smoke, flood, storm). All detention staff members should be knowledgeable about the evacuation plan, policy, and procedures.

404.3 EVACUATION PLAN

The Stanislaus County Probation Department maintains an evacuation plan to be implemented in the event of a fire, natural disaster, or other emergency (15 CCR 1325; 15 CCR 1327). At a minimum, the evacuation plan shall address:

- Location of facility building and floor plans.
- Population list of youth and their location in the facility.
- Procedures for releasing youth from locked areas.
- Relocation areas to be used for housing youth in the event of a full or partial evacuation.
- Notifications and communication with local law enforcement, local and state emergency management agencies, and parents/guardians (see the Emergency Housing of Youth section in the Facility Emergencies Policy).
- Training and drill requirements for staff.
- Reporting requirements.
- Continuity of operations, including chain of command, food service alternatives, medical service provision, and alternative staffing plan.

The Chief Probation Officer or the authorized designee should ensure that the evacuation plan is maintained and updated as needed and is reviewed for accuracy at least annually by the local fire authority.

See the Juvenile Detention Procedures Manual, Fire Safety Procedures for further information.

404.3.1 EXITS

All facility exits should be marked with signs that clearly indicate the direction of traffic.

Except for temporary reasons, such as maintenance or repairs, all exits to the facilities shall remain free from obstacles at all times regardless of the frequency of use. It is the duty of all staff members

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to remove any obstructions that block, either partially or completely, staff's ability to observe or use any exit.

404.3.2 EVACUATION PLANS AND ROUTES
Plans for evacuation routes will be posted in all public areas of the facility. All detention staff will be familiar with evacuation routes for youth.

404.4 TRAINING DRILLS
The Chief Probation Officer or the authorized designee should ensure that drills of the evacuation plan are conducted at least annually, or more often if required by code, for each shift and at all facility locations. Drills will include staff members and volunteers. The local fire agency may be invited to participate in one or more drills annually. Nonviolent and compliant youth may participate. Violent and/or dangerous youth or those known to be a flight risk will not be involved in the drills. During orientation and throughout their stay, youth should be informed of behavioral expectations during any drill or actual emergency.

Drills should be designed to ensure that all staff members are proficient in their duties during each type of evacuation. Each drill should be documented as to its scope and participants.

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Chapter 5 - Youth Management

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Population Management

500.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of youth population accounting that promotes the safety and security of the facilitieson a daily operational basis. It assembles data that enables the Department to forecast staffing and facility growth needs into the future and plan for the associated expenditures.

500.2 POLICY

It is the policy of the facilities that a youth population management system should be established and maintained to account for the admission, processing, providing services, transfer, and release of youth.

500.3 REPORTS

The Facility Superintendent or the authorized designee is responsible for ensuring that detailed daily reports of the facility's youth population are completed and maintained by the staff members. The reports shall reflect the average daily population of pre- and post-adjudicated youth with males and females listed separately. The Facility Superintendent shall collect and submit the required population and profile survey data to the Board of State and Community Corrections within 10 working days of the end of each month. The Chief Probation Officer or the authorized designee should maintain the data in an accessible format for historical purposes and to monitor average length of stay, analyze trends, and respond to funding opportunities (see the Crowding Policy) (15 CCR 1324; 15 CCR 1342).

When the number of youth detained in a living unit of a juvenile facility exceeds its rated capacity for more than fifteen (15) calendar days in a month, the Facility Superintendent or their designee shall provide a crowding report to the Board in a format provided by the Board.

See the Stanislaus County Probation Dept. JD Procedures Manual: 500.1 DAILY COUNT DUTIES AND RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 500.1.1 ROSTERS AND REPORTS, and Stanislaus County Probation Dept. JD Procedures Manual: 500.2 SCHEDULED COUNTS-BOOKING for further information.

500.4 DATA COLLECTION

For each reporting period, the report should include but is not limited to the following:

(a) Number of beds in:

1. General housing

(b) Average daily population (ADP) for:

1. Felony and misdemeanor by male and female
2. Pre-adjudicated and post-adjudicated by male and female

(c) Highest one-day youth population

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(d) Number per month of:

1. Total admissions
2. Status offender admissions
3. Probation violation admissions

(e) Average length of stay for those released during the month, including:

1. All releases
2. Transfers to treatment programs/residential treatment
3. Transfers to placements (e.g., group homes, foster homes)
4. Other releases

(f) Number of:

1. Youth-on-youth assaults
2. Youth-on-staff assaults
3. Escapes
4. Suicide attempts
5. Suicides

(g) One-day snapshot, on the 15th of each month, of the number of:

1. Youth awaiting adult court/certified to adult court
2. Youth under 12 (male and female)
3. Youth 12-14 (male and female)
4. Youth 15-17 (male and female)
5. Youth over 18 (male and female)

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Youth Reception

501.1 PURPOSE AND SCOPE

The Stanislaus County Probation Department has a legal and standardized process for the reception of youth into the facilities and the admittance should be conducted in a respectful, humane, trauma-sensitive, culturally cognizant manner and responsive to the language and literacy needs of the youth. This policy establishes guidelines for security needs, the classification process, identification of medical/mental health issues, and the seizure and storage of personal property (15 CCR 1350).

501.2 POLICY

This department shall use the following standardized procedures when receiving youth admitted into the juvenile institutions. This is to ensure security within the facilities and that youth are properly admitted and afforded their applicable rights.

501.3 PRE-ADMISSION SCREENING

All youth shall be screened prior to admission to ensure the youth is medically acceptable for admission (see the Youth Screening and Evaluations Policy) and that all attached paperwork is present to qualify the youth for admission. Required paperwork may include:

(a) Detention reports.

(b) Probable cause declarations.

(c) Petitions/Warrants/Indictments/Interstate Compact verification for Juveniles or court orders.

(d) Victim notification information.

(e) Special needs related to religious practices, such as diet, clothing, and appearance (see the Religious Programs Policy).

(f) Accommodation requests related to disabilities (see the Youth with Disabilities Policy).

(g) Information regarding suicidal statements or actions.

(h) Risk assessment of detention criteria that considers the least restrictive environment (15 CCR 1350.)

(i) Information regarding the reasons and conditions for temporary detention of a youth taken into custody under the provisions of Welfare and Institutions § 628.

Any discrepancies or missing paperwork should be resolved before accepting the youth for admission from the arresting or transporting probation corrections officer.

Prior to accepting detention of a youth who claims to have been arrested due to a mistake of the youth's true identity or a youth who claims that identity theft led to the issuance of a petition/ warrant/attachment/indictment in the youth's name, staff members shall make reasonable efforts

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to investigate the youth's claim of identity fraud or mistake. Staff members shall notify a supervisor when a youth makes a claim of mistaken identity or identity fraud.

See the Stanislaus County Probation Dept. JD Procedures Manual: 501.1 GENERAL DETENTION PROCEDURE, Stanislaus County Probation Dept. JD Procedures Manual: 501.2 CRITERIA FOR DETENTION IN JUVENILE HALL, AS SET FORTH IN SECTION 628 OF THE WELFARE AND INSTITUTIONS CODE, Stanislaus County Probation Dept. JD Procedures Manual: 501.3 SERIOUSNESS OF THE OFFENSE, Stanislaus County Probation Dept. JD Procedures Manual: 501.4 ADMITTANCE PROCEDURES AND UNIT ONE RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 501.4.1 PRE-SCREENING EVALUATION, Stanislaus County Probation Dept. JD Procedures Manual: 501.4.2 JUVENILE CONTACT REPORT (JCR), Stanislaus County Probation Dept. JD Procedures Manual: 501.4.3 SUICIDE ASSESSMENT, Stanislaus County Probation Dept. JD Procedures Manual: 501.4.5 VERMIN CONTROL, Stanislaus County Probation Dept. JD Procedures Manual: 501.4.6 PARENT/GUARDIAN CONTACT FORM, Stanislaus County Probation Dept. JD Procedures Manual: 501.5 GATHERING PERSONAL PROPERTY, Stanislaus County Probation Dept. JD Procedures Manual: 501.5.1 SECURITY OF YOUTH "VALUABLE PERSONAL PROPERTY", Stanislaus County Probation Dept. JD Procedures Manual: 501.6 CIVIL DISTURBANCES, Stanislaus County Probation Dept. JD Procedures Manual: 501.7 WARRANTS AND DETENTION ORDERS, Stanislaus County Probation Dept. JD Procedures Manual: 501.8 ABSENCE WITH OUT LEAVE (AWOL) AND ESCAPES, Stanislaus County Probation Dept. JD Procedures Manual: 501.9 PLACEMENT FAILURES, DISCIPLINARY AND ADMINISTRATIVE REMOVALS, Stanislaus County Probation Dept. JD Procedures Manual: 501.10 750 W & I TRANSFERS, Stanislaus County Probation Dept. JD Procedures Manual: 501.11 602 W & I VIOLATIONS, Stanislaus County Probation Dept. JD Procedures Manual: 501.12 DJJ PAROLEES, Stanislaus County Probation Dept. JD Procedures Manual: 501.13 FEDERAL YOUTH, Stanislaus County Probation Dept. JD Procedures Manual: 501.14 COURT COMMITMENTS, Stanislaus County Probation Dept. JD Procedures Manual: 501.15 SICK OR INJURED YOUTH, Stanislaus County Probation Dept. JD Procedures Manual: 501.16 BOOKING IN ABSENTIA, Stanislaus County Probation Dept. JD Procedures Manual: 501.17 LARGE NUMBER OF BOOKINGS INTO JUVENILE HALL and Stanislaus County Probation Dept. JD Procedures Manual: 501.18 COURTESY HOLDS for further information.

501.3.1 IMMIGRATION DETAINERS

No youth should be held based solely on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).

Notification to a federal authority may be made prior to release of a youth who is the subject of a notification request only when permitted by the California Values Act (Government Code § 7282.5; Government Code § 7284.6).

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Prior to providing notice to a federal authority regarding the pending release of a youth, authorization should be obtained from the Facility Superintendent.

501.3.2 INTERSTATE COMPACT FOR JUVENILES
When the admission probation corrections officer identifies a youth whose residence is in another state and the youth is wanted, the Supervisor will notify the state's Department of Justice, Interstate Compact for Juveniles Office, which will coordinate the return/transfer of the youth to the youth's home state. The Interstate Compact for Juveniles Office will provide proper supervision or return of juveniles, delinquents, and status offenders who are on probation or parole and may have absconded, escaped, or run away from supervision and control, and in doing so, endangered their own safety and/or the safety of others.

501.3.3 NOTICE TO YOUTHS
Youth in custody shall be given a copy of documentation received from ICE regarding a hold, notification, or transfer request along with information as to whether the Department intends to comply with the request (Government Code § 7283.1).

If the Department provides ICE with notification that a youth is being, or will be, released on a certain date, the same notification shall be provided in writing to the youth and to the youth's attorney or to one additional person whom the youth may designate (Government Code § 7283.1).

501.3.4 ICE INTERVIEWS
Before any interview between ICE personnel and an individual in custody for civil immigration violations, the Department shall provide the youth with a written consent form that explains the purpose of the interview, that the interview is voluntary, and that the youth may decline to be interviewed or may choose to be interviewed only with the youth's attorney present. The consent form must be available in the languages specified in Government Code § 7283.1.

501.3.5 IMMIGRATION INQUIRIES PROHIBITED
Probation corrections officers shall not inquire into a youth's immigration status for immigration enforcement purposes (Government Code § 7284.6).

501.4 SEARCHES BEFORE ADMISSION
All youth and their property shall be searched for contraband by the admitting probation corrections officer before being accepted for admission (see the Searches Policy). All contraband items will be handled according to juvenile institutions policy. Items of possible evidentiary value may be turned over to the arresting officer, or the arresting or transporting probation corrections officer for processing or processed according to the facility's rules for handling evidence. Approved personal property and clothing will be accepted. Items not approved will be returned to the arresting officer, or the arresting or transporting probation corrections officer before the youth is accepted for admission. A description of the items returned to the transporting probation corrections officer shall be documented on the youth's admission record.

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Pat down searches are a routine procedure during the booking process. Strip searches however, are permissible only with “reasonable suspicion” and the approval of the SPCO. Strip searches shall be conducted in accordance with the Searches Policy.

All booking searches shall, to the extent possible, be conducted in a manner that preserves the privacy and dignity of the person being searched and shall be performed by staff of the same gender as the youth. Opposite gender searches are not permitted except under highly unusual circumstances, which require the written authorization by the on-duty SPCO and documentation via an Incident Report.

501.5 ADMISSION PROCESS

A unique admission number shall be obtained specific to the admission. Photographs and fingerprints shall be taken.

The admission process should include an attempt to gather a comprehensive record of each youth, including:

- Identifying information, including name and any known aliases or monikers.
- Youth's gender identity, preferred name, and preferred gender pronoun (15 CCR 1352.5).
- Current or last known address and telephone number.
- Parent or guardian information and notification information.
- Date and time of the petition/warrant/attachment/indictment.
- Date and time of admission.
- Name, rank, agency, and signature of the arresting probation corrections officer and transporting probation corrections officer, if different.
- Health insurance information.
- Legal authority for confinement, including specific charges, arrest petition/warrant/ attachment/indictment information, and court of jurisdiction.
- Sex.
- Age.
- Date and place of birth.
- Race.
- Height and weight.
- Occupation and current or most recent employment.
- Education level, last grade completed, and last school attended.
- Preferred emergency contact, including name, address, telephone number, and relationship to youth.

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- Driver's license number and state where issued, state identification number, or passport number.
- Social Security number.
- Additional information about special detention requirements or special needs.
- Local, state, and federal criminal history records.
- Photographs, fingerprints, and notation of any marks or physical characteristics unique to the youth, such as scars, birthmarks, deformities, or tattoos.
- Medical, dental, and mental health screening records, including suicide risk (15 CCR 1329; 15 CCR 1350).
- Inventory of all personal property including clothing, jewelry, and money.
- A record of personal telephone calls made at the time of admission or the time the opportunity was provided to place calls if the calls were not made.

Inventoried items of rare or unusual value should be brought to the attention of a supervisor. The youth's signature should be obtained on the admission record and on any forms used to record money and property.

501.5.1 LEGAL BASIS FOR DETENTION

Youth admitted to the facility and the youth's parent/guardian shall be notified of the official charge for the detention or the legal basis for the confinement, in a language they understand.

501.5.2 PROHIBITIONS

The Supervisor is responsible for ensuring only youth who can be lawfully admitted into the facility are accepted. Those generally prohibited for admission include non-offenders transported to the juvenile institutions due to no fault of their own (e.g., abuse, neglect, abandonment). Some status offenders may not be accepted for admission unless their detention is pursuant to the core requirements of the federal Juvenile Justice and Delinquency Prevention Act (JJDPA) (see the Status Offenders and Non-Offenders Policy).

Youth under the age of 12 years will not be accepted into custody unless there are allegations of murder or certain sexual assaults (Welfare and Institutions Code § 602.1).

501.5.3 ESTIMATED LENGTH OF STAY

Youth admitted to the facility and the youth's parent/guardian shall be notified of the youth's estimated length of stay.

The Chief Probation Officer or the authorized designee shall develop program guidelines that include written screening criteria for inclusion and exclusion from Juvenile Camps and post-dispositional programs. The procedure shall include youth advisement of the program guidelines(15 CCR 1350).

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501.5.4 MEDI-CAL ELIGIBILITY AND ENROLLMENT
The Chief Probation Officer or the authorized designee shall establish procedures for collecting Medi-Cal eligibility information and enrollment of eligible youth (15 CCR 1324).

501.5.5 FOOD UPON ARRIVAL
The Supervisor or the authorized designee is responsible for ensuring youth are offered food upon arrival at the facility (15 CCR 1350; 15 CCR 1460).

501.6 TRANSITION FROM RECEPTION TO GENERAL POPULATION
The Supervisor is responsible for ensuring only youth who qualify are placed into general population or housing. Those being admitted with clearance paperwork but who are not ready for placement into general population shall be monitored for risk and needs assessment under the Youth Screening and Evaluations Policy.

Prior to the youth being placed into housing they will be provided orientation under the Youth Orientation Policy.

501.6.1 MONITORING FOR SIGNS OF INTOXICATION AND WITHDRAWAL
Staff members shall respond promptly to medical symptoms presented by youth to lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the facility.

Detention staff members should remain alert to signs of drug and alcohol overdose and withdrawal, which include but are not limited to sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing, and generalized aches and pains. Any staff member who suspects that a youth may be suffering from an overdose or experiencing withdrawal symptoms shall promptly notify the supervisor, who shall ensure that the appropriate medical staff is notified (see the Youth Screening and Evaluations Policy) (15 CCR 1431).

501.6.2 YOUTH SEPARATION
Youth should be kept separate from the general population during the admission process. Newly admitted youth should be separated according to the facility's classification plan (see the Youth Classification Policy).

501.7 YOUTH PROPERTY CONTROL
All property received from youth at the time of admission shall be inventoried. A receipt should be signed by the youth and the admitting probation corrections officer and referenced to the admitting number before the admission is completed. The original copy of the property receipt will be retained and placed in the youth's file and/or with the property (15 CCR 1350). A second copy will be presented to the youth at the time of admission.

Excess personal clothing shall be mailed to, picked up by, or transported to designated family members or to a person of the youth's choosing, or stored in containers designed for this purpose.

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501.7.1 VERIFICATION OF YOUTH'S MONEY

All money belonging to the youth and retained by the admitting probation corrections officer shall be verified in front of the youth. When possible, the youth should initial the dollar amount on the admission sheet. All money should be placed in a separate envelope and sealed.

Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. Jewelry and other small property should also be sealed in an envelope. All envelopes should clearly indicate the contents on the front. The person sealing it should initial across the sealed flap. Should any money be withdrawn or added to the cash envelope, the person making the change shall enter the new amount below the original entry and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope.

501.7.2 PROPERTY STORAGE

All youth property should be stored in a secure storage area. Only authorized personnel may access the storage area and only to deposit or retrieve property, or to conduct duly authorized work, including maintenance and other duties as directed by the Facility Superintendent.

501.8 TELEPHONE CALLS

Every person detained in the facilities shall be entitled to at least two free phone calls within one hour of admittance unless physically impossible (15 CCR 1350). The calls may be of a duration that reasonably allows the person to make necessary arrangements for matters that the person may be unable to complete as a result of being detained. The calls are not intended to be lengthy conversations, and the detention staff may use their judgment in determining the reasonable duration of the calls. If it is determined that the person is the custodial parent with responsibility for a minor child, the person shall be entitled to make such additional telephone calls as reasonably necessary to arrange care for the minor child.

Every youth shall be advised that these telephone calls include one completed call to a parent, a guardian, a person standing in loco parentis, a responsible relative, or the youth's employer, and another completed call to an attorney (Welfare and Institutions Code § 627).

See the Stanislaus County Probation Dept. JD Procedures Manual: 501.4.4 RIGHT TO TELEPHONE CALLS for further information.

501.8.1 TELEPHONE CALL PROCEDURES

The Department will pay the cost of local calls. Long-distance calls will be paid by the youth, using calling cards or by calling collect.

Calls between the youth and the youth's attorney shall be deemed confidential and shall not be monitored, eavesdropped upon, or recorded.

501.8.2 ONGOING TELEPHONE ACCESS

Ongoing telephone access for youth who are housed at the facilities will be in accordance with the Youth Telephone Access Policy.

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501.9 SHOWERING AND CLOTHING EXCHANGE

Youth should be allowed to shower before being dressed in clean juvenile institutions clothing (15 CCR 1350). Showering should occur before a youth is transferred from the temporary holding area to general population housing (see the Youth Hygiene Policy).

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Youth Classification

502.1 PURPOSE AND SCOPE

This policy describes the Stanislaus County Probation Department's classification process, which is designed to identify security and health issues so that youth may be held in such a way as to foster safe and secure facilities (15 CCR 1352).

502.2 POLICY

It is the policy of this department to properly classify youth housed in this juvenile institutions according to security and health risks so that appropriate supervision, temporary holding, and housing assignments may be made.

502.3 CLASSIFICATION PLAN

The Facility Superintendent or the authorized designee should create and maintain a classification plan to guide staff members in processing youth brought into the juvenile institutions. The plan should include an initial screening process, and a process for determining appropriate housing assignments (28 CFR 115.341; 28 CFR 115.342; 15 CCR 1352). The plan should include use of an objective screening instrument, procedures for deciding classification and housing assignments, intake and housing forms, and a process to ensure that all classification and housing records are maintained in each youth's permanent file. The plan should include an evaluation based on:

- Age.
- Sex.
- Physical size and stature.
- Current charges.
- Behavior during arrest or detention and admission process.
- Criminal, detention, and incarceration history.
- Level of emotional and cognitive development.
- Potential risk to safety of others or self.
- Special needs assessment for vulnerable youth.
- Behavioral or physical limitations or disabilities.
- Medical condition.
- Medical disability.
- Mental health history.
- Intellectual or developmental disabilities.
- Suicidal ideation (15 CCR 1329).

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- Escape history and degree of escape risk.
- Prior assaultive or violent behavior.
- The need to be separated from other classifications of youth (e.g., violent offenders, gang affiliation, confidential informants).
- Prior sexual abusiveness.
- Whether the youth is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming (see the Prison Rape Elimination Act Policy for transgender and intersex definitions).
- Previous sexual victimization.
- The youth's own perception of vulnerability.
- Any other criteria deemed appropriate by the Chief Probation Officer or the authorized designee.
- Gender or gender identity (15 CCR 1352).
- Individual Program Needs

The plan should include a methodology for evaluating the classification process and a periodic review for the purpose of continuous quality improvement.

Information obtained in response to screening questions shall be considered confidential and shall only be made available to those who have a legitimate need to know (28 CFR 115.341).

502.4 INITIAL CLASSIFICATION

The initial classification process is intended to identify predatory, violent, and at-risk youth. It should occur early in the intake process to allow for appropriate supervision while the youth is being temporarily held in this facility and until a decision is made to place the individual into a more permanent housing assignment and orientation is provided (see the Youth Orientation Policy).

Youth should be interviewed by a unit one probation corrections officer as soon as possible in the admission process. The unit one probation corrections officer shall complete the initial classification form. The initial classification form should include a place for the unit one probation corrections officer to make a housing recommendation. This recommendation should be based on the initial classification form, an assessment of the youth's condition, and the youth's interview.

The initial classification form shall be placed in the youth's file and provided to the probation corrections officer III, who will, within the limits of available resources, determine the appropriate temporary housing location.

See the Stanislaus County Probation Dept. JD Procedures Manual: 502.1 CLASSIFICATION for further information.

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502.5 CLASSIFICATION UPON HOUSING

Once it has been determined that the youth will not be released from detention, a more in-depth classification of the youth will be conducted prior to housing assignment.

502.5.1 INTERVIEW

The comprehensive classification process begins with a review of any initial classification information obtained during the reception and admission process, and an interview by the unit one probation corrections officer. The review of initial classification documents and the questions, answers, and observations from the youth's interview and risk assessment will be documented, representing the treatment plan, security level, and housing assignment appropriate for each youth. A Unit One Probation Corrections Officer III (PCO III) will determine the appropriate classification and housing unit assignment for each youth, under the discretion of the SPCO.

502.5.2 OVERRIDE

The unit one SPCO has the authority to override the results when it appears necessary to assign more appropriate housing. The override capability exists to use the supervising probation corrections officer's training and expertise in those instances when the results are not reflective of the youth's potential security or health risk. Reasons for the override must be documented and approved by the supervisor.

502.6 REVIEWS AND APPEALS

Once a youth is classified and housed, the youth may appeal the decision of the unit one probation corrections officer III. The appeal process shall begin at the first-line supervisor level. The decision by the supervisor may be appealed to the Facility Superintendent or the authorized designee. The decision by the Facility Superintendent or the authorized designee is final.

502.6.1 PERIODIC CLASSIFICATION REVIEWS

The probation corrections officer III assigned to the housing units should continually review the status of all youth who are housed in the living unit. The review should examine changes in the youth's behavior or circumstances and should either raise, lower, or maintain the classification status (15 CCR 1352).

Housing and program assignments for each transgender or intersex youth shall be reassessed at least twice each year to determine whether the youth has experienced any threats (28 CFR 115.342).

Youth risk levels shall be reassessed when required due to a referral, request, incident of sexual abuse, or receipt of additional information that increases the youth's risk of sexual victimization or abusiveness (28 CFR 115.341).

502.6.2 STAFF REQUESTED REVIEW

At any point during a youth's detention, a staff member may request a review of the youth's classification. The reason for the review, the review itself, and the outcome of the review shall be documented in the youth's permanent file. Nothing in this section shall prohibit staff from

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immediately moving a youth to another location in the facility based on exigent circumstances. Under such circumstances, the staff member moving the youth must immediately document the action and notify the Facility Superintendent or the authorized designee.

502.7 HOUSING ASSIGNMENTS

The least restrictive housing and program settings shall be assessed for the youth's safety and placement. Housing assignments shall consider the need for single, double, or dormitory placement (15 CCR 1352). Youth should be housed based upon these criteria:

- Classification level
- Age
- Sex
- Legal status (e.g., non-adjudicated, adjudicated, current charge)
- Public safety considerations
- Need for protection or separation
- Criminal sophistication
- Maturity
- Emotional stability
- Program needs
- Medical and mental health considerations
- Any other criteria identified by the Facility Superintendent

See the Stanislaus County Probation Dept. JD Procedures Manual: 502.2 CATEGORIZATION AND DESCRIPTION OF JUVENILE HALL UNITS, Stanislaus County Probation Dept. JD Procedures Manual: 502.3 CATEGORIZATION AND DESCRIPTION OF JUVENILE COMMITMENT FACILITY UNITS, Stanislaus County Probation Dept. JD Procedures Manual: 502.4 FACTORS AFFECTING UNIT ASSIGNMENTS IN JUVENILE HALL and Stanislaus County Probation Dept. JD Procedures Manual: 502.5 SECURITY CLASSIFICATION, for further information.

502.7.1 ADDITIONAL SEPARATION REQUIREMENTS

Decisions to separate youth should include consideration of positive youth development and trauma-informed care. When the objective of the separation is discipline, see the Youth Discipline Policy (15 CCR 1354).

Youth shall not be denied normal privileges during separation except when necessary to accomplish the objective of separation (15 CCR 1354).

This section does not prohibit members from placing a youth in a single-occupancy room at the youth’s specific request or in accordance with Title 15 regulations regarding separation (15 CCR 1352).

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There shall be a daily review of separated youth to determine if separation remains necessary, unless more frequent review is required (15 CCR 1354).

502.7.2 SEPARATION EXCEPTIONS
Youth not required to be in an infirmary for illness may be separated for health and safety issues, with the written approval of a licensed physician or nurse practitioner in accordance with 15 CCR 1354.5:

(a) To treat and protect against the spread of communicable disease for the shortest amount of time required to reduce the risk of infection.

(b) For required extended care after medical treatment.

502.8 CLASSIFICATION SPACE ALLOCATION
The classification plan depends on the ability of the facilities to physically separate different classes of youth. To ensure that allocated space meets the current population needs, the Facility Superintendent or the authorized designee should periodically meet with representatives of the unit one probation corrections officers to discuss the fixed resources (e.g., rooms, dorms, dayrooms) (15 CCR 1352).

The Facility Superintendent should report at least quarterly to the detention management team any space issues (see the Crowding Policy).

502.9 SINGLE-OCCUPANCY ROOMS
Single-occupancy rooms may be used to house these categories of youth:

- Maximum security
- Separation
- Medical condition or disabilities (upon consultation with medical staff and the availability of medical beds)
- Mental condition (upon consultation with mental health staff and the availability of mental health beds)
- Sexual predators
- Any youth with an elevated risk of being taken advantage of, being mistreated, or becoming a victim of sexual abuse or harassment
- Any other condition or status for single-occupancy housing

The on-duty supervisor shall notify the Facility Superintendent or the authorized designee when single-occupancy rooms are not available for housing the above described youth. In such cases, a risk assessment shall be used to identify youth in the above categories who may be safely housed together.

See the Stanislaus County Probation Dept. JD Procedures Manual: 502.6 DIRECT FILE AND 707 W&I for further information.

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502.10 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS

Housing, bed, program, education, and work assignments should be made in an effort to keep youth safe and free from sexual abuse.

Housing and program assignments of a transgender or an intersex youth shall include individualized consideration for the youth's health and safety and any related supervisory, management, or facility security concerns. A transgender youth's or an intersex youth's views regarding the youth's own safety shall be given serious consideration (15 CCR 1352.5).

Identification or status as lesbian, gay, bisexual, transgender, or intersex shall not be considered as an indicator of likelihood of being sexually abusive (28 CFR 115.342; 15 CCR 1352).

Lesbian, gay, bisexual, transgender, or intersex youth shall not be placed in particular housing, bed, or other assignments based on such identification or status (28 CFR 115.342).

Staff shall consider any recommendations from the youth's health care provider. The decision to house youth in a unit that does not match their gender identity, including any reason(s), shall be documented (15 CCR 1352.5).

502.10.1 SEPARATING YOUTH FROM THE GENERAL POPULATION

No youth should be separated from the general population unless an assessment of available alternatives has been made and the on-duty supervisor has determined that there is no available alternative means to keep the youth and other youth safe. The basis for safety concerns and the reasons why no alternative means of separation are available shall be documented.

Youth may only be separated from the general population until an alternative means to keep all youth safe can be made.

During any period of separation, youth may not be denied daily large-muscle exercise and legally required educational programming or special education services. Separated youth should not be denied access to other programs and work opportunities as reasonably possible (28 CFR 115.342).

Separated youth shall also receive daily visits from a medical or mental health care provider (28 CFR 115.342; 15 CCR 1354).

502.11 STAFF TRAINING IN CLASSIFICATION

Staff members should receive training specific to youth classification before performing classification duties. Individuals not specifically trained in youth classification may perform classification duties under the immediate supervision of a trained and qualified staff member.

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Youth Orientation

503.1 PURPOSE AND SCOPE

This policy provides for the orientation of youth admitted into the Stanislaus County Probation Department. The purpose of the orientation is to inform youth of the juvenile institutions routine, rules, youth rights, and services (15 CCR 1353).

503.2 POLICY

The Facility Superintendent should provide an effective method of orienting all incoming youth that includes a pamphlet for youth. Provision should be made to provide accessible orientation information to all youth, including those with disabilities, limited English proficiency, or limited literacy. Both written and verbal information will be provided.

503.3 ACCESS TO ORIENTATION

The orientation should take place before youth are moved to housing and should be an ongoing process in the housing area so that the information is available to youth throughout their entire time in detention.

503.4 INITIAL ORIENTATION

To assist with the youth's transition into the detention environment, the orientation shall include the following topics, supplemented by a more detailed orientation pamphlet provided to each youthand supplemented with a video orientation if feasible (15 CCR 1353):

(a) Facility rules including contraband, searches and disciplinary procedures.

(b) Behavior modification program which includes incentives for complying and consequences for violating the rules.

(c) Correspondence, visiting, and telephone rules.

(d) Availability of personal care items and opportunities for personal hygiene, to include daily showers.

(e) Youth grievance procedure, including all steps and deadlines necessary to exhaust the grievance process as well as youth's rights to be free from retaliation for reporting a grievance, and the name of the person or position designated to resolve the issue.

(f) Medical, dental, and mental health and counseling services available.

(g) Programs and activities:

1. This should include identification of any services and programs available in a language other than English.
2. Recreation and free time.
3. Visiting hours and procedure

(h) Classification/housing assignments.

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(i) Information on the Court process and access to legal services.

(j) Access to educational services.

(k) Availability of reading materials.

(l) Use of force/physical restraint.

(m) Use of restraints and chemical agents.

(n) Age-appropriate sexual abuse and sexual harassment information, including (28 CFR 115.333; 15 CCR 1353):

1. Zero-tolerance policy
2. Prevention and intervention
3. Instruction on how youth can avoid being victims of sexual abuse and sexual harassment through self-protection techniques
4. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously
5. Treatment and counseling provided for victims of sexual abuse or sexual harassment
6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations and, for persons detained solely for civil immigration purposes, immigrant services agencies (28 CFR 115.353)
7. Information regarding confidentiality, monitoring, and mandatory reporting

(o) Contacting foreign consuls and immigration legal services.

(p) Religious services.

(q) Emergency and evacuation procedures (e.g., fires).

(r) Voting, including registering to vote.

(s) An approved list of items that youth are permitted to possess.

(t) Non-discrimination policy and the right to be free from physical, verbal and harassment by other youth and staff.

(u) Identification of key staff and their roles.

(v) Room confinement.

(w) How to request different housing, education, programming, and work assignments.

(x) How parents/guardians receive information regarding the youth's stay in the facility that at a minimum includes answers to frequently asked questions and provides contact information for the facility, medical, school and mental health.

(y) A process to request access to Title 15 Minimum Standards for Juvenile Facilities.

In addition to English, orientation information will be provided in the most commonly used languages for the youth population.

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The Facility Superintendent should consider enlisting the assistance of volunteers qualified and proficient in both English and the language in which they are providing translation assistance to translate the orientation information. Use of outside translation sources may also be considered.

Interpretive services will be provided to youth who do not speak English or any of the other languages in which the orientation information is available.

A written and signed acknowledgement of the orientation and receipt of the pamphlet should be maintained in the youth's permanent file upon release (28 CFR 115.333).

See the Stanislaus County Probation Dept. JD Procedures Manual: 504.1 ORIENTATION and Stanislaus County Probation Dept. JD Procedures Manual: 504.2 RULES OF CONDUCT for further information.

503.5 ORIENTATION FOR NON-READERS, VISUALLY IMPAIRED, AND DEAF OR HARD OF HEARING YOUTHS

Youth who cannot read, are visually impaired, or have intellectual, psychiatric, or speech disabilities or limited reading skills shall have materials read to them by a staff member or presented to them using audible recorded media (28 CFR 115.316).

Youth who are deaf or are hard of hearing shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the youth in understanding the information.

503.6 AREAS OF NOTICE TO YOUTH

(a) In addition to the orientation that is provided at Intake, departmental policy requires that each youth admitted to a living unit receive prompt notification and instruction in the following areas:

1. Youth Rights;
2. Rules of Conduct;
3. Disciplinary Procedures and Sanctions;
4. Due Process
5. Grievance Procedures.

(b) Notification and orientation in the areas cited above is required and must be given prior to the imposition of any disciplinary action against a youth. To fulfill the necessities of orientation and notification, at the time of booking each youth shall be issued the Stanislaus County Juvenile Institutions Youth Orientation Pamphlet explaining the rules, rights and regulations of the Juvenile Hall and the Juvenile Commitment Facility.

(c) If the youth is not able to read and/or understand the orientation pamphlet, staff is required to verbally instruct the youth regarding the aforementioned areas. In cases where a language barrier exists, an interpreter shall be provided to instruct the youth.

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In addition to the above referenced procedure, each unit shall post this information so that it is accessible to youth.

503.7 PREA YOUTH EDUCATION

(a) During the booking process, the Unit One staff shall explain the Department's zero tolerance policy regarding sexual abuse and sexual harassment and will have the youth sign the PREA advisement form. The youth shall be advised how to report incidents or suspicions of sexual abuse or sexual harassment.

(b) During the weekly unit rule sessions, the housing unit staff shall discuss and review the Youth Orientation Checklist with the youth. This includes their right to be free from sexual abuse and sexual harassment, the procedures for reporting such incidents and the right to be free from retaliation for reporting such incidents. The unit supervisor shall ensure staff have placed a copy of the Youth Orientation Checklist sign-off sheet in the youth's facility file.

(c) The Compliance Officer shall ensure youth education materials are available in formats accessible to all youth, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to youth who have limited reading skills.

(d) The Compliance Officer shall ensure the information is continuously and readily available or visible to youth through posters or other written formats.

(e) The PREA Coordinator will provide the material referenced above to the Compliance Officers.

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Case Management

504.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure the Department uses effective case management that determines program needs for each youth while the youth is detained and implements strategies to reduce recidivism by supporting the youth's successful reintegration into the community.

504.2 POLICY

It is the policy of the Department to provide effective case management of youth while they are detained in the Stanislaus County Probation Department facilities.

504.3 ASSESSMENTS

Initial and periodic risks and needs assessments essential for developing individual case plans should be conducted in the youth's primary language and should include (15 CCR 1355):

- Documentation that supports appropriate program placement and also includes consideration of the health care treatment plan (15 CCR 1413).
- Facilitation of counseling services, contacts, and communication with parents/ guardians, families, attorneys, clergy, probation/parole officers, and others when indicated (15 CCR 1356).
- Coordination of discharge planning to link youth and families with supportive aftercare programs and other resources to continue to meet the needs of youth and/or families after youth are released into the community (see the Discharge Plan Policy (15 CCR 1413).

Trained department staff should only administer assessment and screening instruments/tools designed specifically for youth populations at admission, during orientation to the facility, and during periodic reviews to collect information related to the youth's risk factors, program needs, strengths, and challenges.

Department members shall utilize valid and reliable juvenile assessment instruments designed to address specific subject matter, including substance use, abuse, and dependency; mental health history; educational needs; vocational/employment training; work history; prior counseling and treatment experiences; behavioral health needs; trauma (e.g., physical abuse, sexual abuse); and family dynamics (e.g., strengths, needs) (15 CCR 1431).

The assessment findings shall be stored in the youth's case file and shared and coordinated with authorized recipients who have both the right to know and a need to know during case conferences to ensure proper programming placement and continuity of services consistent with the youth's individualized service plan.

504.3.1 INSTITUTIONAL PLAN

An institutional case plan, and post-adjudicated transition plan shall be developed for each youth held for at least 30 days and created within 40 days of admission. The plan should include:

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(a) Input from family, supportive adults, youth, and the Regional Center for the Developmentally Disabled, when feasible.

(b) A plan for meeting the objectives that includes a description of program resources needed and individuals responsible for assuring that the plan is implemented.

(c) Objectives and time frames for resolution of issues identified in the case plan, periodic evaluation of progress, and other requirements set forth in 15 CCR 1355.

(d) A transition or aftercare plan, subject to existing resources, that is completed prior to the youth being released.

See the Stanislaus County Probation Dept. JD Procedures Manual: 505.1 ASSESSMENT & PLAN for further information.

504.3.2 PRE-RELEASED PLANNING

Preparation for an appropriate release plan shall begin when the youth arrives. Modifications to the plan can be made as they progresses through institutional programs. The youth's need, as identified through the process outlined above, and the resources needed to meet them, should be key components of release planning. Probation Field Services Officers should liaison with institutional program staff for optimum transition back to the community. A pre-release component will also include contact with the youth's family, whose input will be utilized in developing the plan. After Care resources in the community will be identified and targeted as part of this process. Important areas to address in the release plan will include educational needs, gang involvement, family counseling and drug and alcohol issues.

504.4 CASE NOTES

Members shall document, in the youth's case file, notable behavior, including positive and negative interaction with peers, staff, and authority figures; progress toward goals and objectives outlined in the youth's treatment plan; and participation in groups, school, activities, and recreation. Documentation should occur at least weekly.

Along with documentation, staff members are responsible for reporting their observations and concerns about a youth's behavior to other staff on-duty.

504.5 COUNSELING AND CASEWORK

Any youth requesting services or believed to need counseling services shall be referred to qualified mental health staff in a timely manner (see the Mental Health Care section in the Availability and Standards of Care Policy; also see the Counseling Services Policy).

For youth in crisis, see the Counseling Services Policy.

504.6 TRAINING

The Department shall provide annual training and review of all case management policies and procedures to ensure staff remains current in their delivery of relevant programs.

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Youth Counts

505.1 PURPOSE AND SCOPE

Youth population counts are vital to the security of the facility, the safety of the staff, and the welfare of the youth. This policy establishes guidelines for the frequency of youth counts, ensuring that all youth and their status can be accounted for at any time (15 CCR 1324).

505.2 POLICY

It is the policy of this department to account for all youth within and under the control of this facility through scheduled and other counts as needed.

505.3 PROCEDURE

The Facility Superintendent or the authorized designee shall be responsible for creating and maintaining a written procedure establishing the process and frequency of counts. Youth counts shall be conducted at least once every eight hours. Emergency counts may be conducted at the direction of the Supervisor as needed. Electronic counts shall not be substituted for direct staff observation.

All counts shall be documented on the daily activity log and verified by the Supervisor. Counts shall include all youth in detention, including those on work assignments, furlough, and education release and those who are off-site, such as the hospital or court.

Any discrepancy in the count should immediately be reported to the Facility Superintendent and resolved prior to the release of the shift personnel responsible for the count. A formal count in which all youth are personally identified by a probation corrections officer should be conducted once a day at a time established by the Facility Superintendent. The result of the formal count will be used to calculate the average daily population statistics for the facility.

If an escape is discovered during the youth count, the Supervisor will initiate action to investigate the escape by promptly notifying law enforcement agencies and the Facility Superintendent, initiating a search, and complying with other procedures as needed in accordance with the Facility Emergencies Policy.

A complete report of the incident will be prepared and provided to the Chief Probation Officer or the authorized designee as soon as practicable.

All count sheets shall be signed by the Supervisor and forwarded to Clerical Records. Count sheets shall be maintained for a period prescribed by statute, ordinance, or policy.

See the Stanislaus County Probation Dept. JD Procedures Manual: 506.1 YOUTH COUNTS and Stanislaus County Probation Dept. JD Procedures Manual: 506.2 SCHEDULED COUNTS-BOOKING for further information.

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Youth Safety Checks

506.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a requirement for conducting periodic visual safety checks for all youth, and for creating and maintaining a log to document all safety checks (15 CCR 1328).

For additional requirements on safety checks, see the Room Confinement, Safety Rooms and Camera Rooms, and Suicide Prevention and Intervention policies.

See the Stanislaus County Probation Dept. Juvenile Detention Policy Manual: 601.6.5 ROOM CONFINEMENT, Stanislaus County Probation Dept. Juvenile Detention Policy Manual: 507.3 SAFETY/CAMERA ROOM GUIDELINES, and Stanislaus County Probation Dept. Juvenile Detention Policy Manual: 707.6 OBSERVATION LOGS for further information.

506.2 POLICY

It is the policy of the Stanislaus County Probation Department that all members shall conduct periodic safety checks on all youth at a frequency determined by the detention status of the youth, the youth's housing classification, and applicable state law.

506.3 SAFETY CHECKS

Members should adhere to the following procedures when conducting safety checks (15 CCR 1328):

(a) Youth shall be checked by direct visual observation at a minimum of every 15 minutes at random or varied intervals during hours when the youth are asleep or when youth are in their rooms or confined to an observation room.

(b) Safety checks shall be conducted on a random schedule so youth cannot predict when the checks will occur.

(c) Safety checks should be conducted by direct visual observation and include observation of skin, breathing, and movement to confirm that movement is not of a dangerous or emergency-related nature.

(d) Cameras and monitors may supplement the required visual observation safety checks, but they shall not replace the need for direct visual observation.

(e) Safety checks will be clearly documented on permanent logs in accordance with the Daily Activity Logs and Shift Reports Policy.

(f) Actual times of the checks and notations should be recorded on the daily activity logs by the member who conducted the check.

(g) Log entries shall never be made before the actual check. Log entries made in this manner do not represent factual information and are prohibited.

Safety check log entries are not required when youth are continually monitored under direct supervision during group settings such as education, programming, or recreation activity, or

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otherwise are within sight of staff and are not confined in holding rooms, sleeping rooms, or dorm settings (see the Supervision of Youth Policy for additional requirements on supervision).

See the Stanislaus County Probation Dept. JD Procedures Manual: 509.1 YOUTH SAFETY CHECKS PROCEDURE, Stanislaus County Probation Dept. JD Procedures Manual: 509.2 LATE NIGHT SECURITY PRACTICES and Stanislaus County Probation Dept. JD Procedures Manual: 509.3 LATE NIGHT SHIFT: SECURITY AND SUPERVISION RESPONSIBILITIES for further information.

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Safety Rooms and Camera Rooms

507.1 PURPOSE AND SCOPE

This policy establishes the requirement for placing and maintaining youth in safety and/or camera rooms (15 CCR 1359).

507.1.1 DEFINITIONS

Definitions related to this policy include:

Camera room - A room designed for enhanced continuous monitoring of a youth who may be in danger of self-harm. The camera may be placed in a room that meets the physical design requirements of a safety room or a room designed as a youth sleeping room. The use of the monitoring may supplement direct supervision but may never replace it.

Safety room - An enhanced protective/secure housing designed to minimize the risk of injury or destruction of property used for youth who display problematic behavior that may cause immediate physical harm to themselves or others or destroy facility property (24 CCR 1230.1.13).

For purposes of this policy our safety room and camera room are one of the same room.

507.2 POLICY

This facility will use safety and/or camera rooms to protect youth from injury or to prevent the destruction of property by youth in accordance with applicable law.

A safety room shall not be used as punishment, discipline or as a substitute for treatment. The Facility Superintendent or the authorized designee shall review this policy annually with the Medical Staff.

507.3 SAFETY/CAMERA ROOM GUIDELINES

The following guidelines apply when placing any youth in a safety room (15 CCR 1359):

(a) Placement of a youth into a safety room requires approval of the Facility Superintendent, the authorized designee, or the Medical Staff.

(b) An observation log shall be initiated every time a youth is placed into the safety room and should be maintained for the entire time the youth is housed in the room. Observation logs will be retained in accordance with established department retention schedules.

(c) Continuous direct visual monitoring/supervision shall be provided and the youth's behavior and any staff interventions documented at least every 10 minutes, with the actual time recorded. Supervisors shall inspect the logs for completeness every hour and document this action on the observation log.

(d) Youth should be permitted to remain normally clothed or provided a safety suit or other suitable clothing to provide privacy.

(e) Youth in a safety room shall be encouraged to have fluids (e.g., water, juice) at least hourly. Probation corrections officers shall provide the fluids in approved safety cups.

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The youth shall be given sufficient time to drink the fluids prior to the cup being removed. Each time a youth is provided the opportunity to drink fluids, it shall be documented on the observation log.

(f) Youth shall be provided meals during each meal period. Meals will be served on paper plates or in other safe containers, and the youth will be monitored while eating the meals. Youth shall be given ample time to complete their meals prior to the plate or container being removed. All meals provided to youth in safety rooms will be documented on the observation log.

(g) The Facility Superintendent or the authorized designee shall review the appropriateness of continued retention in the safety room anything beyond four hours and every four hours there after. The reason for continued retention or removal from the safety room shall be documented on the observation log.

1. If confinement extends beyond four hours, staff shall consult with medical and mental health staff and develop an individualized plan to reintegrate the youth to general population (15 CCR 1359).

(h) A medical assessment of the youth in the safety room shall occur immediately where appropriate. Continued assessment of the youth in the safety room shall be conducted by a qualified health care professional at the four hour mark and every six hours therafter. Medical assessments shall be documented. This information shall be documented on the observation log. Medical staff is to sign the observation log every time the youth is checked.

1. Medical staff shall be contacted to provide immediate medical assessment, where appropriate, or to respond within one (1) hour of placement into the Safety Room. They shall monitor the youth every 6 hours thereafter. This information shall be documented on the observation log. Medial staff is to sign the observation log every time the youth is checked.

(i) A mental health assessment shall be conducted upon the youth's placement in the safety room. The mental health professional's recommendations shall be documented.

(j) An Incident report is required for all incidents involving the Safety Room including the reason for placement, attempts to use less restrictive means of control and decisions to continue and end placement.(15 CCR 1359).

(k) Youth shall be provided reasonable access to a toilet.

(l) A safety room shall not be used as coercion, for convenience, or as retaliation by staff, and to the extent that it diminishes the mental and physical health of the youth.

See the Stanislaus County Probation Dept. JD Procedures Manual: 516.1 SAFETY ROOMS PROCEDURE for further information.

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Adult Housing

508.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the housing of adults in the facilities and for preventing contact between adults and youth.

508.1.1 DEFINITIONS

Definitions related to this policy include:

Adult - A person 18 years of age or older (Welfare and Institutions Code § 602), unless the person either:

(a) Turned 18 years of age prior to or during the period of detention and is not yet 19 years of age as set forth in Welfare and Institutions Code § 208.5.

(b) Is under 21 years of age and has been approved to remain housed with youth until 21 years of age as set forth in Welfare and Institutions Code § 208.5.

508.2 POLICY

It is the policy of this department to limit the housing of adults to only those times when it is necessary, and to ensure adults receive appropriate care while limiting their exposure to youth when they are at these facilities.

508.3 ADULT UNIT

All adults shall be housed separately from youth. Sight and sound contact between the two groups is prohibited in the housing unit. The Department will seek to provide accommodations and services to adults equivalent to those provided to youth. Significant departures from the services and programs available to youth should only be denied to adults with Facility Superintendent consent.

508.4 SUPERVISION

Adults in detention should be monitored and supervised to ensure their safety and security. Supervision should include but is not limited to:

(a) Being able to hear and respond to adult inmates.

(b) Conducting direct visual observation safety checks of all adult inmates at least once every 15 minutes at irregular intervals. Audio/video electronic surveillance systems may supplement but shall not replace direct visual observation.

(c) Observing the adult's movement during safety checks.

(d) Documenting all safety checks.

508.5 REMOVAL

The Facility Superintendent or the authorized designee should take appropriate steps to have adults removed from the facility as soon as reasonably practicable.

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508.5.1 NOTIFICATION OF RIGHT TO PETITION

Unless the juvenile court orders continued detention in the Stanislaus County Probation Department, the Facility Superintendent or the authorized designee should consider, when a youth turns 19 years of age, whether to maintain detention of the youth or, upon recommendation of the youth's probation officer, deliver the youth to the detention of the sheriff. The Facility Superintendent shall only approve retaining detention of youth 19 years of age or older but under 21 years of age if the juvenile court maintains jurisdiction of the youth and if the Board of State and Community Corrections has approved the Stanislaus County Probation Department as a suitable place for housing individuals ages 19 to 21 with others under the age of 18. Youth under 21 years of age shall be advised of their right to petition the court if housing with others under the age of 18 is denied (Welfare and Institutions Code § 208.5).

508.6 VISUAL AND AUDITORY CONTACT

Youth should have very limited visual or auditory contact with adults in detention. Any incidental or accidental visual or auditory contact should be minimal and brief. Members trained in the supervision of youth shall maintain a constant, side-by-side presence with the youth or the adult to prevent sustained contact (34 USC § 11133; 28 CFR 115.14).

508.7 RECREATION PROGRAMS

All adult inmates should be allowed reasonable recreation and programming.

Adult inmates should be provided with unstructured activities daily (e.g., watching television).

508.8 DISCIPLINARY PROCEDURE

The disciplinary procedures for the facility apply to adults in detention. However, the Facility Superintendent may approve deviations from the procedures when appropriate and lawful.

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Status Offenders and Non-Offenders

509.1 PURPOSE AND SCOPE

This policy addresses status offenders and non-offenders to ensure compliance with the Juvenile Justice Delinquency Prevention Act (JJDPA) (Welfare and Institutions Code § 207; Welfare and Institutions Code § 601).

509.1.1 DEFINITIONS

Definitions related to this policy include:

Non-offender - An abused, neglected, dependent, civil detainee, or alien juvenile in the detention of the Stanislaus County Probation Department (Welfare and Institutions Code § 300). This also includes any juvenile 11 years of age or younger being held for any reason other than those meeting the exceptions in Welfare and Institutions Code § 602.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile 12 to 17 years of age suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, and truancy. A juvenile in detention on a court order or warrant based upon a status offense is also a status offender (Welfare and Institutions Code § 601).

509.2 POLICY

It is the policy of the Stanislaus County Probation Department that youth who are non-offenders or status offenders shall not be held in secure detention, and that status offenders shall not be kept at the Juvenile Institutions in violation of the JJDPA.

509.3 STATUS OFFENDERS

A status offender may only be detained by the Department upon a court order. The Chief Probation Officer or the authorized designee should ensure the validity of the court order prior to a status offender being accepted into detention (34 USC § 11133). If the youth is a ward of the court as described in the Welfare and Institutions Code § 601, legal counsel shall be consulted before the youth is admitted to ensure compliance with Welfare and Institutions Code § 213.3.

509.4 SEPARATION

The Chief Probation Officer shall ensure required separation of youth classified as status offenders and non-offenders in accordance with Welfare and Institutions Code § 206:

(a) Separate segregated facilities may be provided in the juvenile institutions or elsewhere.

(b) The facilities required for non-offenders shall be nonsecure.

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509.5 REQUIRED REPORTING

The Facility Superintendent shall report monthly to the Board of State and Community Corrections on the appropriate form (Welfare and Institutions Code § 207). Information required shall include:

(a) Each youth detained as described in the Welfare and Institutions Code § 601.

(b) The place and length of time of the youth's detention.

(c) The reasons why the detention was necessary.

509.6 NON-OFFENDERS

Non-offenders shall not be held by the Department in any secure detention facility (34 USC § 11133).

509.6.1 EXCEPTIONS

Juveniles 11 years of age or younger may, with Facility Superintendent approval, be held by this department when taken into custody for any of the following offenses (Welfare and Institutions Code § 602):

(a) Murder.

(b) Rape by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.

(c) Sodomy by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.

(d) Oral copulation by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.

(e) Sexual penetration by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.

The Facility Superintendent should explore alternatives to custody in these cases that include the least restrictive alternatives that may be facilitated by behavioral health services or other alternative services (Welfare and Institutions Code § 602.1).

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Staff and Youth Contact

510.1 PURPOSE AND SCOPE

Member interaction with youth in detention creates opportunities for staff to demonstrate appropriate social interaction and provide positive adult role models for youth. Interaction with youth allows for continual assessment of the safety and security of the juvenile institutions and the health and welfare of the youth. However, inappropriate interaction can undermine security and order in the facilities and the integrity of the supervision process.

This policy provides guidelines for appropriate and professional interaction between members and youth and is intended to promote a positive detention environment with high ethical standards of honesty, integrity, and impartiality and increase facility safety, discipline, and morale.

Violation of this policy may result in disciplinary action up to and including dismissal. Members who seek information or clarification about the interpretation of this policy are encouraged to promptly contact their supervisor (15 CCR 1324).

510.2 POLICY

The Facility Superintendent shall ensure that youth have adequate ways to communicate with members and that the staff communicates and interacts with youth in a timely and professional manner.

510.3 GENERAL CONTACT GUIDELINES

Members are encouraged to interact with the youth under their supervision and are expected to take prompt and appropriate action to address health and safety issues discovered or brought to their attention.

All members should present a professional and command presence in their contact with youth. Members shall address youth in a civil and age-appropriate manner. Using profanity, and derogatory or discriminatory comments is strictly prohibited (see the Youth Nondiscrimination Policy) (15 CCR 1324).

Written communication (e.g., request forms, youth communication, grievances, rules infraction forms, disciplinary reports) should be answered in a timely manner, under the applicable policy. Such communication should be filed with the youth's records.

Members shall not dispense legal advice or opinions or recommend attorneys or other professional services to youth.

While profanity and harsh language are prohibited, the Department recognizes the necessity for staff to give youth direction in a firm, determined, and authoritative manner to maintain proper supervision and control. Authoritative directions to youth are particularly instructed when activities or events pose a threat to the safety or security of this facility.

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See the Stanislaus County Probation Dept. JD Procedures Manual: 510.1 STAFF AND YOUTH CONTACT PROCEDURES and Stanislaus County Probation Dept. JD Procedures Manual: 510.2 RELATING PROFESSIONALLY WITH STAFF for further information.

510.3.1 OPERATIONAL GUIDELINES
Members should not be alone with youth of the opposite sex unless no other reasonable option is available. Members should avoid situations that create the appearance of impropriety such as seclusion with a youth or inappropriate touching.

510.4 ANTI-FRATERNIZATION
Personal or other interaction not pursuant to official duties between members and current youth, youth who have been discharged within the previous year, their family members, or known associates has the potential to create conflicts of interest and security risks in the work environment.

Members shall not knowingly maintain a personal or unofficial business relationship with any persons described in this section unless written permission is received from the Facility Superintendent.

Prohibited interactions include but are not limited to:

(a) Communications of a sexual or romantic nature.

(b) Salacious exchanges.

(c) Sexual abuse, sexual assault, sexual contact, or sexual harassment.

(d) Exchanging letters, phone calls, or other similar communications, such as texting.

(e) Exchanging money or other items.

(f) Extending privileges, or giving or accepting gifts, gratuities, or favors.

(g) Bartering.

(h) Any financial transactions.

(i) Being present at the home of a youth for reasons other than an official visit without reporting the visit.

(j) Providing a youth with the staff member's personal contact information, including social media accounts.

(k) Contact through social media.

510.4.1 EXCEPTIONS
The Facility Superintendent may grant a written exception to an otherwise prohibited relationship on a case-by-case basis based upon the totality of the circumstances. In determining whether to grant an exception, the Facility Superintendent should consider factors including but not limited to:

- Whether a relationship existed prior to the detention of the youth.

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- Whether the relationship would undermine security and order in the facility and the integrity of the supervision process.
- Whether the relationship would be detrimental to the image and efficient operation of the facility.
- Whether the relationship would interfere with the proper discharge of, or impair impartiality and independence of judgment in, the performance of duty.

510.5 REPORTING

Members shall promptly report all attempts by youth to initiate sexual acts or any salacious conversations, and report any correspondence from a youth or former detained youth to the Facility Superintendent or the authorized designee.

Members shall report all attempts by youth to intimidate or instill feelings of fear to their supervisor.

Members shall promptly notify their immediate supervisor in writing if:

- A family member or close associate has been admitted to the detention of the juvenile institutions.
- The member is involved in a personal or family relationship with a current youth or with a youth who has been discharged within the previous year.

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Limited English Proficiency Services

511.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

511.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficiency (LEP) individual - Any individual whose primary language is not English and who has a limited ability to read, write, speak, or understand English. These individuals may be competent in certain types of communication (e.g., speaking, understanding) but still exhibit LEP for other purposes (e.g., reading, writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Stanislaus County Probation Department, designated by the Department, who has the ability to communicate fluently, directly, and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

511.2 POLICY

It is the policy of the Stanislaus County Probation Department to reasonably ensure that LEP individuals have meaningful access to services, programs, and activities of the Stanislaus County Probation Department while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights, or programs based on national origin or any other protected interest or right (15 CCR 1324).

Staff members shall not prohibit the speaking of any other language by youth, when English is not their primary language. Every individual has the right to converse in their primary language, without the fear of reprisal and to be provided an interpreter if necessary so communication can occur. Keep in mind, conversations in violation of institutional rules are prohibited.

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511.3 LEP COORDINATOR

The Chief Probation Officer shall delegate certain responsibilities to an LEP coordinator. The coordinator shall be appointed by, and directly responsible to, the Chief Probation Officer or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

(a) Coordinating and implementing all aspects of the Stanislaus County Probation Department's LEP services.

(b) Developing procedures that enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.

(c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available. The list should include information regarding:

1. Languages spoken.
2. Contact information.
3. Availability.

(d) Ensuring signage stating that interpreters are available free to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.

(e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.

(f) Annually assessing demographic data and other resources, including contracted language services utilization data and data from community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.

(g) Identifying standards and assessments to be used by this department to qualify individuals as qualified bilingual members or authorized interpreters.

(h) Periodically reviewing efforts of this department in providing meaningful access to LEP individuals and, as appropriate, developing reports, developing new procedures, and recommending modifications to this policy.

(i) Receiving and responding to complaints regarding department LEP services.

(j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs, and activities.

511.4 FOUR-FACTOR ANALYSIS

Because members could encounter many languages, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that circumstances will vary

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considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of the following four factors:

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of this department or a particular geographic area

(b) The frequency with which LEP individuals are likely to come in contact with department members, programs, or services

(c) The nature and importance of the contact, program, information, or service provided

(d) The cost of providing LEP assistance and the resources available

511.5 TYPES OF LEP ASSISTANCE AVAILABLE

Stanislaus County Probation Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may accept department-provided LEP services at no cost, or they may provide their own.

Department-provided LEP services may include but are not limited to the assistance methods described in this policy.

511.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP coordinator will make these translated documents available to members and other appropriate individuals, as necessary.

511.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

511.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and juvenile justice terminology and be sufficiently proficient in the non-

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English language to perform complicated tasks, such as conducting interviews, taking statements, collecting evidence, and conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other county departments identified by the Department as having the requisite skills and competence may be requested.

511.9 AUTHORIZED INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language and must understand the functions of an interpreter that allow for correct and effective translation. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP coordinator that demonstrates their skills and abilities in the following areas:

(a) The competence and ability to communicate information accurately in both English and in the target language

(b) Knowledge, in both languages, of any specialized terms or concepts specific to this department and of any specific vocabulary or phraseology used by the LEP individual

(c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser

(d) Knowledge of the ethical issues involved when acting as a language conduit

511.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other county departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

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511.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted above) and have been approved by the Department to communicate with LEP individuals.

When qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

511.10 CONTACT AND REPORTING

Although all juvenile justice contacts, services, and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so such services can be targeted where they are most needed, according to the nature and importance of the particular activity involved.

Whenever any member of this department is required to complete a report or other documentation that involves a situation in which interpretation services were provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

511.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Stanislaus County Probation Department will take reasonable steps and will work with the Human Resource Department to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served. To arrange for an interpreter, submit a request through the on-duty supervisor who will arrange for such services.

511.12 CUSTODIAL INTERROGATIONS

Miscommunication during detention interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations of LEP individuals. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

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To ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible.

511.13 INTAKE

When gathering information during the intake process, members should remain alert to the impediments that language barriers can create. In the interest of the youth's health and welfare, to protect the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and intake information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that intake instructions may not be properly understood by an LEP individual.

511.14 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during a complaint investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

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Control of Youth Movement

512.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for the safe and secure movement of youth between areas within the facility.

512.2 POLICY

The staff should be vigilant in the control and movement of youth between areas within the facility. Control may be by direct or indirect visual observation. All staff should consider all youth movement as a high-risk activity. The staff should be aware of their surroundings and take steps to prevent the possession and exchange of contraband.

512.3 CONTROL OF MOVEMENT

Staff shall not allow youth to leave their assigned area or program unless they have approved activities, which may include but are not limited to the following:

(a) Court

(b) Receiving a visit

(c) Movement to the dining hall

(d) Law enforcement interview

(e) Receiving mental health services, dental, or medical care

(f) Attending educational classes or religious services

(g) Release

(h) Facility emergency

(i) Any other reason deemed appropriate by staff

512.4 MOVEMENT OF YOUTHS

Movement of one or more youth in the facility should be done upon youth identification and in an orderly manner, with youth walking in a single-file line. Staff members should have situational awareness during the movement of youth and should consider the design of the facility, areas of poor visibility, and the presence of other youth being moved. Staff members should be aware of areas where youth may have access to contraband items.

See the Stanislaus County Probation Dept. JD Procedures Manual: 512.1 CONTROL OF YOUTH MOVEMENT PROCEDURES and Stanislaus County Probation Dept. JD Procedures Manual: 512.2 PROCEDURE FOR EXITING A UNIT for further information.

512.5 MOVEMENT SECURITY

While inside the facility, youth should be restrained during movement based on individual security classification and in accordance with the Restraints Policy.

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Control of Youth Movement

Whenever a high-security youth cannot be restrained, the staff should increase the number of staff present to ensure the safe movement of the youth.

The staff should be watchful in and around passageways and ensure that sallyport doors are secured to prevent escape.

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Management of Weapons and Control Devices

513.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons, chemical agents, and control devices.

513.2 POLICY

It is the policy of the Stanislaus County Probation Department that the presence and use of weapons in the facility will be tightly controlled and supervised to reduce the potential for injury. Staff will only carry and use department approved weapons and control devices that they are trained and qualified to use.

The regulation and control of firearms and other deadly weapons, is a paramount concern for all staff members, and a major aspect of institutional safety and security. Policy dictates that firearms are prohibited within the confines of the institution, unless authorized by the Facility Superintendent.

It is the responsibility of all staff members to ensure the enforcement of this policy and to immediately report any breaches of this security policy to the Facility Superintendent or designee, via the Supervising Probation Corrections Officer (SPCO).

A formal written notice informing all persons of the weapon prohibition shall be posted at entrances to the institution used by law enforcement.

513.3 FIREARMS AND WEAPONS LOCKER

There should be a secure weapons locker located outside of the secure facilities of the Juvenile Institutions.

Armed personnel shall secure all firearms in either a locked compartment of their patrol vehicle or in the gun lockers located at the entry points prior to entering the secure perimeter.

Parents or other visitors are prohibited from entering the premises, if they are in possession of any weapon. If a parent or other visitor is discovered to be in possession of a handgun or other deadly weapon while on the premises, the Modesto Police Department shall be immediately contacted to provide assistance.

(a) Whenever a weapon has been brought onto institutional grounds or the internal premises of an institution, an incident report shall be completed by the discovering staff member and forwarded to the SPCO. In situations where Police Officers, in the performance of their duties, bring a weapon into the facility, an incident report shall reflect that the Officer was armed, unless otherwise directed by the Facility Superintendent.

(b) Pursuant to California Penal Code Section 4574, any unauthorized person who knowingly brings a weapon onto institutional grounds shall be guilty of a felony that is punishable by imprisonment in a State Prison for two, three or four years. In addition

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to the criminal penalties prescribed by law, any staff member found violating weapon prohibition shall be subject to departmental disciplinary action and/or termination of employment.

Firearms shall only be allowed inside the secure perimeter with the approval of the Facility Superintendent or the authorized designee, or when it is necessary to protect the safety and security of staff, youth, service providers, volunteers, or the public.

513.4 INVENTORY

The Facility Superintendent should designate at least one properly trained staff member to be responsible for maintaining all chemical agents and control devices in a safe and secure manner, and to inventory and report the condition and availability of the facility's chemical agents and control devices on a monthly basis.

To facilitate the inventory, all chemical agents and control devices shall be stored in a locked and secure location. A log sheet shall be maintained in the secure location at all times, detailing the exact location of each item. The removal of any chemical agents or control device shall be documented on the log sheet, including who removed the item, the date and time of removal, and the reason for removal. An additional log entry shall be made indicating the date and time of the item's return.

The Supervisor and the Facility Superintendent or their designee shall be immediately notified if any chemical agent or control device is determined to be missing. An immediate and thorough search of the facility shall take place to locate the item and an incident report shall be completed detailing what item is missing and the efforts that have been exerted to locate the missing item (15 CCR 1324).

513.5 REVIEW, INSPECTION, AND APPROVAL

Every control device and chemical agent will be periodically inspected for serviceability and expiration dates by an authorized staff member as directed by the Facility Superintendent, Supervisor, or designee trained on the use of a particular control device or chemical agent. The Rangemaster or the designated instructor is responsible for ensuring replacement of outdated or unserviceable items (15 CCR 1324).

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Use of Force

514.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines governing application of force, limitations on the use of force, supervisor's responsibilities, and reporting requirements for incidents involving the application of force (15 CCR 1357).

514.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Any use of force which creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

Excessive force - The use of more force than is objectively reasonable under the circumstances to accomplish a lawful purpose.

Use of force - Any application of physical techniques or tactics, to include chemical agents or weapons, to another person. It is not a use of force when the youth allows others to search, escort, handcuff, or restrain the youth.

Use of force team technique - The use of force team technique ordinarily involves trained staff clothed in protective gear who enter the youth's area in tandem, each with a specific task, to achieve immediate control of the youth.

514.2 POLICY

It is the policy of the Stanislaus County Probation Department to accomplish the Department's functions with minimal reliance on the use of force.

514.3 USE OF FORCE

Probation corrections officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Probation corrections officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youth, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution's security and good order, or for other lawful purposes.

The Department provides tools, weapons, and training on techniques to use when responding to resistance and violent encounters. While various degrees of force exist, each probation corrections officer is expected to use only that degree of force that is reasonable under the circumstances to successfully accomplish the legitimate and lawful purpose in accordance with this policy.

Circumstances may arise in which staff may reasonably believe it would be impractical or ineffective to use any of the standard tools, weapons, or methods provided by the Department. Staff members may find it more effective or practical to improvise their response to rapidly unfolding conditions they are confronting. In such circumstances, the use of any improvised device

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or method must nonetheless be objectively reasonable and utilized only to the degree reasonably necessary to accomplish a legitimate government purpose.

In any review of an incident to determine whether a particular use of force conforms to this policy, the Department will evaluate the apparent need for an application of force, the relationship between that need and the amount of force used, the threat reasonably perceived, any efforts made to temper the severity of a forceful response, and the extent of any injury to the youth.

Prior to resorting to the use of force, staff should, when practicable, attempt verbal persuasion, to include dialogue/counseling and de-escalation, staff presence, verbal commands, orders, or other tactics to avoid or mitigate the need for forceful action (15 CCR 1357).

(a) Dialogue/counseling is the staff's ability to gain control of the situation through the use of verbalized statements. In all circumstances, staff must work to de-escalate situations.

(b) During volatile circumstances, dialogue/counseling may not be sufficient to control the situation. Staff members should give clear, direct orders to youth while employing command presence. Verbal commands include, Stop," "Cover or I'll spray," etc.

Force shall never be used as punishment, retaliation, discipline, or treatment (15 CCR 1357).

Medical checks will be performed by a qualified health care professional on all youth who have been subjected to force as soon as practicable regardless of apparent injury. If no qualified health care professional is available, the youth shall be transported to the designated health care facility.

Nothing in this policy is intended to require that force options be used in a particular order. However, the force option used must be objectively reasonable under the circumstances to accomplish a lawful objective.

See the Stanislaus County Probation Dept. JD Procedures Manual: 507.1 USE OF FORCE PROCEDURES for further information.

514.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a probation corrections officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

(a) The apparent immediacy and severity of the threat to probation corrections officers or others (Penal Code § 835a).

(b) The conduct of the individual being confronted, as reasonably perceived by the probation corrections officer at the time.

(c) Probation corrections officer/youth factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of probation corrections officers available versus youth).

(d) The conduct of the involved members (Penal Code § 835a).

(e) The effects of drugs or alcohol on the youth.

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(f) Youth's apparent mental state or capacity (Penal Code § 835a).

(g) The youth's apparent ability to understand and comply with probation corrections officer commands (Penal Code § 835a).

(h) Proximity of weapons or dangerous improvised devices.

(i) The degree to which the youth has been effectively restrained and the youth's ability to resist despite being restrained.

(j) The availability of other reasonable and feasible methods to resolve the situation without using force, including de-escalation (Penal Code § 835a).

(k) The seriousness of the suspected offense or reason for contact with the youth.

(l) Training and experience of the probation corrections officer.

(m) Potential for injury to probation corrections officers, youth, and others.

(n) Whether the youth appears to be resisting or is attacking the probation corrections officer.

(o) The risk and reasonably foreseeable consequences of escape.

(p) The apparent need for immediate control of the youth or a prompt resolution of the situation to maintain or restore order.

(q) Whether the conduct of the youth being confronted no longer reasonably appears to pose an imminent threat to the probation corrections officer or others.

(r) Awareness of the youth's propensity for violence.

(s) The feasibility of giving the youth a warning prior to using force.

(t) Any other exigent circumstances.

See the Stanislaus County Probation Dept. JD Procedures Manual: 507.1.2 GENERAL GUIDELINES FOR DEFENDING YOURSELF for further information.

514.3.2 DUTY TO INTERCEDE

Any probation corrections officer present and observing another staff member using force that is clearly not within this policy is expected, when reasonable to do so, to intercede to prevent the use of such force as soon as practicable and in all cases report the use promptly to a supervisor (15 CCR 1357).

514.3.3 HEALTH CARE

The Facility Superintendent should include the Medical Staff in developing policies and procedures related to the use of force.

A youth who has been the subject of a use of force should be seen by medical and mental health staff, even in cases where no emergency care appears necessary (15 CCR 1357).

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514.3.4 LIMITATIONS
Any immediate means of overcoming resistance and controlling the threat of imminent harm to any person including the youth should only be applied when deemed reasonable and necessary (15 CCR 1302; 15 CCR 1357).

514.4 USE OF CHEMICAL AGENTS
Chemical agents shall only be used in the juvenile institutions as authorized by the Facility Superintendent or the authorized designee and in accordance with the Department's Chemical Agents Training Policy. Oleoresin capsicum (OC) spray should not be used in the medical unit or other designated areas where youth are assigned to respiratory isolation or on any youth who is under control with or without restraints.

Department-approved OC spray or foam may be possessed and used only by staff members who have received department-authorized training in its use.

Youth who have been affected by chemical agents should be promptly provided with the proper solution to decontaminate the affected areas.

If the youth refuses to decontaminate, such a refusal shall be documented. If a youth has been exposed in the youth's room and not removed from the room where the exposure occurred, in-room decontamination shall be afforded to the youth, including:

(a) Appropriate staff advising the youth how to decontaminate in the youth's room.

(b) Clean clothing if the youth's clothing was contaminated.

(c) Youth who have been exposed to chemical agents shall not be left unattended until the youth is fully decontaminated or no longer suffering any effects of the chemical agent (15 CCR 1357).

See the Stanislaus County Probation Dept. JD Procedures Manual: 508.1 OC SPRAY PROCEDURES,Stanislaus County Probation Dept. JD Procedures Manual: 508.1.1 GENERAL PRECAUTIONS IN THE USE OF OC SPRAY, Stanislaus County Probation Dept. JD Procedures Manual: 508.1.2 APPLICATION OF OC SPRAY, Stanislaus County Probation Dept. JD Procedures Manual: 508.1.3 AUTHORIZATION TO CARRY OC, and Stanislaus County Probation Dept. JD Procedures Manual: 508.1.5 CONTROL AND STORAGE OF OC for further information.

514.4.1 LIMITATIONS
Chemical agents should only be used when there is an imminent threat to the youth's safety or the safety of others and only when de-escalation efforts have been unsuccessful or are not reasonably possible (15 CCR 1357).

514.4.2 FACILITY SUPERINTENDENT RESPONSIBILITIES
The Facility Superintendent will develop procedures for the use of chemical agents, including methods for decontamination, notification to parents/guardians, and documentation. The Facility Superintendent shall identify the approved types, sizes, and methods of deployment of chemical agents (15 CCR 1357).

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514.5 IMMEDIATE AND CALCULATED USE OF FORCE

An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by staff may be necessary to stop a youth from inflicting life-threatening self-injuries or to stop an assault on any other person, including other youth. The destruction of government property may require the immediate use of force by staff in some circumstances. A verbal warning should be given before an immediate use of force unless the circumstances preclude it.

If there is no need for immediate action, staff should attempt to resolve the situation through voluntary compliance or, if it reasonably appears necessary, the calculated use of force. A calculated use of force is called for when a youth's presence or conduct poses a threat to safety or security and the youth is in an area that can be controlled or isolated, or when time and circumstances permit advance planning, staffing, and organization.

The assistance of available non-custodial staff (e.g., psychologists, counselors) should be considered when attempting to resolve a situation without confrontation.

A supervisor shall be present in any situation involving the calculated use of force.

514.5.1 CONFRONTATION AVOIDANCE PROCEDURES

Prior to any calculated use of force, the supervisor shall confer with the appropriate persons to gather pertinent information about the youth and the immediate situation. Based on the supervisor’s assessment of the available information, the supervisor should direct staff to attempt to obtain the youth’s voluntary cooperation and consider other available options before determining whether force is necessary.

The supervisor should consider including the following persons and resources in the process:

(a) Mental health specialist

(b) Qualified health care professional

(c) Chaplain

(d) Any other relevant resources

Regardless of whether discussions with any of the above resources are accomplished by telephone or in person, the purpose is to gather information to assist in developing a plan of action, such as the youth's medical/mental history (e.g., asthma or other breathing related illness, hypoglycemia, diabetes), any recent incident reports, or situations that may be contributing to the youth's present condition (e.g., pending criminal prosecution or sentencing, recent death of a loved one, divorce). The assessment should include discussions with staff members who are familiar with the youth's background, criminal charges, and present status. This may provide insight into the cause of the youth's immediate agitation. It also may identify other staff members who have a rapport with the youth and could possibly resolve the incident peacefully, without the use of force.

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If force is determined to be necessary and other means of gaining control of a youth are deemed inappropriate or ineffective, then the use of force team technique should be used to control the youth and to apply restraints, if required.

Consideration should also be given to preventing exposure to communicable diseases in calculated use of force situations, and to ensuring that medical services personnel are available.

514.6 REPORTING THE USE OF FORCE

Every staff use of force is an incident that shall be reported on the appropriate report form (15 CCR 1362). Any staff member who uses force shall make a verbal report to a supervisor as soon as practicable and shall submit the appropriate documentation prior to going off-duty, unless directed otherwise by a supervisor. A supervisor may direct any staff member deemed to be involved or present during the incident to complete an incident report.

The documentation will reflect the actions and responses of each staff member participating in the incident, as witnessed by the reporting staff member.

The report should include (15 CCR 1357):

(a) A clear, detailed description of the incident, including any application of weapons or restraints.

(b) The identity of all individuals involved in the incident (e.g., youth, staff, others) to include any individuals consulted.

(c) The specific reasons for the application of force.

(d) The threat as perceived by the staff involved.

(e) Efforts made to temper the severity of a forceful response, and if there were none, the reasons why.

(f) Description of any injuries to anyone involved in the incident, including the result of any medical checks that show the presence or absence of injury.

(g) Documentation regarding the use of force including chemical agents (e.g., type of chemical agent(s) deployed, decontamination procedures, notification to medical staff and parents/guardians) (15 CCR 1357).

A video recording is required for all calculated use of force incidents and should include the introduction of all staff participating in the process. The recording and documentation will be part of the investigation package. The supervisor should ensure the recording is properly processed for retention and a copy is forwarded with the report to the Facility Superintendent.

See the Stanislaus County Probation Dept. JD Procedures Manual: 507.1.4 CELL EXTRACTION PROCEDURES for further information.

The supervisor responsible for gathering the reports may allow a reasonable delay in preparation of a report in consideration of the immediate psychological and/or physical condition of the involved probation corrections officer.

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Absent supervisor approval, written reports on the use of force should be submitted by the end of the shift (15 CCR 1362).

See the Stanislaus County Probation Dept. JD Procedures Manual: 507.1.1 REPORTING PROCEDURES and Stanislaus County Probation Dept. JD Procedures Manual: 507.1.3 REMOVAL OF A YOUTH FROM A UNIT and Stanislaus County Probation Dept. JD Procedures Manual: 507.3 PROCEDURES FOR DEBRIEFING for further information.

514.6.1 REQUIRED NOTIFICATIONS

Supervisors should ensure that a written report of all use of force incidents that resulted in an injury, a serious threat of injury, or death is prepared and submitted to the Facility Superintendent by the end of the shift (15 CCR 1362).

In addition to the notification of medical and mental health staff, the Facility Superintendent or their designee should ensure the parent or legal guardian of the youth is informed of any use of force, including the use of chemical agents (15 CCR 1357).

See the Stanislaus County Probation Dept. JD Procedures Manual: 507.2 REQUIRED NOTIFICATIONS for further information.

514.7 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported use of force, the supervisor is expected to (15 CCR 1357):

(a) Obtain the basic facts from the involved probation corrections officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) In cases involving the use of deadly force or when serious injury has resulted, obtain an oral statement from the employee. The statement should be restricted to concerns of anything that may present an ongoing threat to the security of the facility or public safety.

(c) Take appropriate measures to address safety concerns, document the essence of the oral statement in writing, and submit it to the Facility Superintendent or designee.

(d) Ensure that the appropriate investigative authority is notified, if needed.

(e) Ensure that any parties involved in a use of force situation are examined by medical staff, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.

(f) Once any initial medical assessment or first aid has been completed, ensure that photographs have been taken of any areas involving visible injury. These photographs should be retained until all potential civil litigation has expired.

(g) Identify any witnesses not already included in related reports.

(h) Review video and approve all related reports.

If the supervisor determines that any application of force was not within policy, the supervisor should detail those findings in a separate incident report. If there is an injury or complaint of an

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injury, the supervisor should also prepare an incident report and should submit all reports to the Facility Superintendent via the chain of command.

In the event that the supervisor believes the incident may give rise to civil litigation, a separate claim form should be completed and routed to the appropriate channels.

In the event that a supervisor is unable to respond to the scene of an incident involving a reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

514.8 USE OF DEADLY FORCE

If an objectively reasonable probation corrections officer would consider it safe and feasible to do so under the totality of the circumstances, probation corrections officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force (Penal Code § 835a).

A probation corrections officer may use deadly force to protect the probation corrections officer or others from what the probation corrections officer reasonably believes is an imminent threat of death or serious bodily injury to the probation corrections officer or another person (Penal Code § 835a).

Probation corrections officers shall not use deadly force against a youth based on the danger that the youth poses to themself, if an objectively reasonable probation corrections officer would believe the youth does not pose an imminent threat of death or serious bodily injury to the probation corrections officer or to another person (Penal Code § 835a).

An “imminent” threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable probation corrections officer in the same situation would believe that a youth has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the probation corrections officer or another person. A probation corrections officer’s subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

514.8.1 USE OF DEADLY FORCE - REPORTING

A staff member who intentionally or accidentally uses deadly force, whether on- or off-duty, shall ensure that a supervisor is notified of the incident without delay.

The supervisor shall ensure that the chain of command is notified and all necessary health and safety, medical, and security measures are initiated.

The Supervisor shall promptly notify the Facility Superintendent of any incident involving a staff member employing deadly force, or any incident where a death or serious bodily injury may have been caused by a staff member.

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514.9 USE OF FORCE REVIEW

The Supervisor shall review all related reports of use of force incidents occurring on the Supervisor's command. The review is to determine whether the use of force complied with policy, procedure, and applicable law, and to determine if follow-up action or investigation is necessary. The Supervisor should also ensure that a review packet containing a copy of all pertinent reports and materials is prepared and forwarded for an Administrative review. (15 CCR 1357).

514.9.1 USE OF FORCE ADMINISTRATIVE REVIEW

Administration shall review all use of force cases within 30 days of the incident. It is the responsibility of the Facility Superintendent to ensure these reviews occur. The review team will include the following staff:

(a) Unit Lead staff member

(b) On-duty supervisor

(c) Facility Manager(s)

(d) The Facility Superintendent

(e) One qualified health care professional

Any recommendations for areas identified as needing training, changes in policy, or further investigation into incidents that may lead to employee discipline shall be addressed.

514.9.2 TRAUMA MITIGATION

The on-duty supervisor should be responsible for mitigating the effects of trauma that may have been experienced by staff and/or youth involved as appropriate (15 CCR 1357).

514.10 TRAINING

The Facility Superintendent shall work with the Divisions Director assigned to the Professional Standards unit to ensure legal and facility training mandates are met. This training shall include the following (15 CCR 1322; 15 CCR 1357):

(a) Use of force

(b) Weapons training

(c) Self-defense

(d) Confrontation avoidance procedures:

1. Communication techniques
2. De-escalation techniques
3. Communicating and interacting with the mentally ill
4. Communicating and interacting with juveniles
5. Application of restraints

(e) Forced room extraction techniques

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(f) Use of force team techniques

(g) General restraint training (soft and hard restraints)

(h) Reporting procedures

(i) Any additional state-mandated training (e.g., medical conditions that would affect the application of force, instruction on constitutional limitations) (15 CCR 1357)

(j) Options when a particular use of force is ineffective

(k) Specific use of force options that may or may not be used in the facility

514.10.1 TRAINING FOR CONTROL DEVICES

The Division Director of the Professional Standards unit shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

(a) Proficiency training shall be monitored and documented by a certified control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the probation corrections officer's training file.

(c) Probation corrections officers who fail to demonstrate proficiency with the control device or knowledge of this department's Use of Force Policy will be restricted from carrying the control device until demonstrating proficiency. If a probation corrections officer cannot demonstrate proficiency with a control device or knowledge of this department's Use of Force Policy after remedial training, the probation corrections officer may be subject to discipline.

514.10.2 PERIODIC TRAINING

Supervisors should conduct and document periodic briefings concerning this policy and the storage and use of weapons and control devices. Any test sheets or documentation of performance should be forwarded to the Human Resources Manager or their designee to be included in the employee's training record.

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Restraints

515.1 PURPOSE AND SCOPE

This policy establishes guidelines for the application of, supervisory oversight of, and restrictions on the use of restraints on youth detained in this juvenile institutions (15 CCR 1358).

This policy does not apply to the use of electrical restraints.

515.1.1 DEFINITIONS

Definitions related to this policy include:

Restraints - Any device designed to restrict a person's bodily movement. Examples include handcuffs, leather restraints, and leg irons (15 CCR 1358).

515.2 POLICY

It is the policy of this department that the use of restraints should be reserved only for situations where they are reasonably necessary, and that they should be used safely.

515.3 GENERAL REQUIREMENTS

The following apply to the use of restraints (15 CCR 1358):

(a) Restraints shall only be applied by members trained and authorized to use them, and in a manner consistent with their training.

(b) Restraints used should be only those approved by the Department and should not have been altered from their original design.

(c) Restraints shall be used only to prevent self-injury or injury to others, serious property damage, or escape.

1. The danger to themselves or others should be immediate.

(d) A supervisor shall be notified as soon as practicable when restraints are used, or before they are applied if time allows. A supervisor should monitor the situation until the restraints are removed.

1. The Facility Superintendent or the authorized designee shall also be notified as soon as practicable when restraints are applied, or before they are applied if time allows.
2. The Facility Superintendent or the authorized designee shall approve the use, and continued use, of any restraints hourly.
3. The Facility Superintendent may delegate authority for the decision to place a youth in restraints or allow a youth to continue in restraints to a physician.

(e) Restraints shall generally be used as a last resort.

(f) When applying restraints, the presence of at least two staff members is recommended. Staff should not initiate placing a youth in mechanical restraints without the presence of a staff member to act as a witness and provide assistance, unless the situation is

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so unusual that an immediate response is mandated to prevent injury to the youth or others.

(g) Use of restraints shall be discontinued as soon as practicable when it is reasonably believed the need for them no longer exists.

(h) Restraints shall never be used to inflict pain, punishment, discipline, retaliation, harassment, compliance, or intimidation, or as a substitute for treatment.

(i) Plastic cuffs should be used only in unusual situations where handcuffs are not available.

(j) A supervisor should be notified of any restraints that are faulty or malfunctioning.

(k) Members shall conduct continuous visual supervision of a restrained youth. Members should also:

1. Have the youth medically evaluated as soon as practicable, but within two hours. The youth shall be medically cleared for continued restraint use every three hours.

2. Have the youth evaluated by a mental health professional as soon as practicable, but in no case longer than four hours from the time of placement to assess the need for mental health treatment.

(l) Restrained youth shall be protected from other youth, held in an area designated for restrained youth, and not left alone with other youth.

(m) Youth should not be restrained to any fixed object, such as room furnishings or fixtures, nor shall their hands and feet be bound together behind the back (hogtying).

(n) Restrained youth shall have access to water, meals, sanitation needs, and toilet facilities when they can be reasonably accommodated.

More frequent checks and further authorizations are required in other special circumstances covered under this policy. Exceptions to the above reporting and authorization requirements are covered below in Transportation Restraints.

See the Stanislaus County Probation Dept. JD Procedures Manual: 511.1 RESTRAINTS PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 511.2 PRINCIPLES GOVERNING RESTRAINT PROCEDURES and Stanislaus County Probation Dept Policy Manual: 302.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS for futher information.

515.4 SPECIFIC DUTIES OF THE FACILITY MANAGER

The Facility Superintendent should include the Medical Staff and the person assigned to direct mental health care in developing policies and procedures related to the use of restraints (15 CCR 1358).

The procedures should require an individual assessment of the need to apply restraints for movement or transportation within the Juvenile Institutions and should include consideration of less-restrictive alternatives, the youth's medical or mental health conditions (if known), and trauma-informed approaches (15 CCR 1358.5).

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515.5 TRANSPORTATION RESTRAINTS

The following applies to the use of restraints for the standard transportation or movement of youth (see the Control of [Youth] Movement and Transportation of [Youths] Outside the Secure Facility policies) (15 CCR 1358.5):

(a) Restraints may be used when moving a youth from point to point within a secure facility, but restraints should be removed upon arrival. (Restraints will not be used on pregnant youth except as indicated below in Pregnant Youth.)

(b) Restraints should be used when transporting a youth in a vehicle, but they should not be attached to anything in the vehicle or to another youth. Restraints shall only be used under the following circumstances (Welfare and Institutions Code § 210.6):

1. A probation corrections officer of the Department, in consultation with the transporting agency, has determined that restraints are necessary to prevent escape or an injury to the youth or another.
2. The least restrictive form of restraint is used based on the facts.
3. Probation corrections officers shall document the reason why a particular restraint device was selected and the circumstances leading to its application.

515.6 SUBSTANTIALLY RESTRICTIVE RESTRAINTS

The following apply to restraint applications that prevent a youth from standing upright and walking (e.g., four-point restraint, a stiff nylon or polyurethane blanket, nylon or polyurethane wrap) (15 CCR 1358):

(a) Use should be restricted to those times when a youth is showing self-injurious behavior, and only when other less restrictive interventions or other forms of restraint reasonably appear to be inappropriate or ineffective.

(b) Prior Facility Superintendent authorization is required for this level of restraint.

(c) The restraints should be applied out of sight of other youth.

(d) Restrained youth should be near medical or specially trained staff with supervisory responsibilities specific to the oversight of youth under these restraints.

(e) Any application for longer than one hour requires a written recommendation for continued retention from medical or a mental health provider.

(f) Any application for longer than two hours should be treated as a behavioral health crisis and shall result in an immediate referral to a mental health provider or a mental health facility for further assessment and possible treatment.

(g) No application should exceed three hours in a 24-hour period, either all at once or collectively.

(h) Constant visual supervision of the youth shall be maintained (may be from behind a window as long as clear audio contact is maintained, but observation should not be by video).

(i) Youth should be allowed five minutes at every 30-minute interval to move and stretch their arms and legs.

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(j) Restraints should not interfere with regularly prescribed medications, unless otherwise ordered by a physician.

(k) A properly CORE trained member should assess and document the youth's circulation, positioning, and breathing at least every 10 minutes.

(l) Any key required for release should be kept readily available.

(m) CPR-trained and equipped members should be available for immediate response.

See the Stanislaus County Probation Dept. JD Procedures Manual: 511.3 USE OF THE WRAP for further information.

515.7 DOCUMENTATION

All use of restraints other than those consistent with approved transportation protocol should be fully documented, including:

(a) The name of the youth.

(b) The member who applied the restraints.

(c) The reason for the application.

(d) The date, time, and duration of the restraint.

(e) Any less-intrusive interventions that were tried and proved unsuccessful in managing the behavior.

(f) The type of restraint.

(g) The location of the restraint.

(h) Whether any injury was involved, and a description of any injuries.

(i) The mental health evaluation and reason for restraint, if applicable.

(j) Observations of the youth's behavior.

1. These shall be logged at least every 10 minutes.

(k) Any staff or health care provider interventions or unusual events.

1. These shall be logged within 10 minutes of the intervention or event.

(l) The date and time of safety checks.

(m) The name and title of persons authorizing the restraints.

(n) Reasons for continued restraint, documented at least every hour by a SPCO or their authorized designee (15 CCR 1358).

Supervisors should review each documented use of restraints and evaluate whether policy was followed and whether training issues were raised.

515.8 ACQUISITION AND MAINTENANCE OF RESTRAINTS

The Facility Superintendent's authorized designee is responsible for:

(a) Verifying that only professionally manufactured restraints are acquired for use.

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(b) Inspecting all restraints.

(c) Documenting all inspections.

(d) Repairing or replacing faulty or malfunctioning restraints.

(e) Maintaining restraints according to manufacturer's guidelines.

515.9 PREGNANT YOUTHS

Restraints will not be used on youth who are known to be pregnant unless based on an individualized determination that restraints are reasonably necessary for the legitimate safety and security needs of the youth, the staff, or the public. Should restraints be necessary, the restraints shall be the least restrictive available and the most reasonable under the circumstances.

Youth who are known to be pregnant will not be handcuffed behind their backs, or placed in waist restraints, or leg restraints (15 CCR 1417; Penal Code § 3407; Penal Code § 6030).

When a female youth has not been evaluated yet but believes she is pregnant, she will not be restrained with a waist chain. The youth will be handcuffed with her hands to the front.

515.9.1 YOUTH IN LABOR

No youth who is in labor, delivery, or recovery from a birth shall be restrained by the use of leg restraints/irons, waist restraints/chains, or handcuffs behind the body (15 CCR 1417; Penal Code § 3407; Penal Code § 6030).

No youth who is in labor, delivering, or recovering from a birth shall be restrained except when all of the following exist (15 CCR 1417; Penal Code § 6030):

(a) There is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the youth, the staff of this juvenile institutions, the medical facility, other youth, or the public.

(b) A supervisor has made an individualized determination that such restraints are necessary to prevent escape or injury.

(c) There is no objection from the treating medical care provider.

(d) The restraints used are the least restrictive type and are used in the least restrictive manner.

Restraints shall be removed when a professional who is currently responsible for the medical care of a pregnant inmate during labor, delivery, or recovery after delivery determines that the removal of restraints is medically necessary (15 CCR 1417; Welfare and Institutions Code § 222).

The supervisor should, within 10 days, make written findings specifically describing the type of restraints used, the justification, and the underlying extraordinary circumstances.

515.10 TRAINING

The Division Director assigned to the Professional Standards unit should facilitate initial and ongoing training on the use of restraints, to include (15 CCR 1358):

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(a) Proper use of restraints that members are assigned to use.

(b) Prohibitions regarding placing restraints around a youth's neck or applying them in a way that is likely to cause undue physical discomfort or restrict blood flow or breathing (e.g., hogtying).

(c) Risks associated with restraints and restraint methods.

(d) Verifying proper application after restraints are placed on a youth and responding to complaints of pain or discomfort.

(e) Specialized training for those who may restrain a youth in a way that prevents standing upright and walking.

(f) This policy.

(g) Required authorizations for different types of restraints.

(h) Medical conditions that would affect the application of force.

(i) Approved restraint devices.

(j) Signs or symptoms that should result in immediate referral to medical or mental health staff.

(k) Availability of cardiopulmonary resuscitation equipment.

(l) How to provide for the exercising of a restrained youth's arms and legs.

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Searches

516.1 PURPOSE AND SCOPE

The purpose of this policy is to provide clear direction on maintaining the safety and security of the facility by conducting searches, in balance with protecting the rights afforded by the U.S. Constitution. Searches shall be conducted in a manner that preserves the privacy and dignity of the youth being searched (15 CCR 1360).

The introduction of contraband, intoxicants, or weapons into the Stanislaus County Probation Department facility poses a serious risk to the safety and security of staff, youth, volunteers, service providers, and the public. Any item that is not available to all youth may be used as currency by those who possess the item and allow them to have control over other youth. Any item that may be used to disengage a lock, other electronic security devices, or the physical plant itself seriously jeopardizes the safety and security of this juvenile institutions. Carefully restricting the flow of contraband into the facilities can only be achieved by thorough searches of youth and their environment.

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from a youth.

516.1.1 DEFINITIONS

Definitions related to this policy include:

Contraband - Anything unauthorized for youth to possess, or anything youth are authorized to possess, but in an unauthorized manner or quantity.

Modified strip search - A search that requires a youth to remove or rearrange some of the youth's clothing. It does not include a visual inspection of the breasts, buttocks, or genitalia of the youth but may include a thorough tactile search of the youth’s partially unclothed body. This also includes searching the youth’s clothing once it has been removed.

Pat-down search - The normal type of search used by probation corrections officers within this facility to check others, including youth, for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the probation corrections officer, the youth, or other youth.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of a youth, and the vagina of a female youth.

Strip search - A search that requires a youth to remove or rearrange some or all of the youth's clothing to permit a visual inspection of the youth's underclothing, breasts, buttocks, anus, or outer genitalia. This includes monitoring a youth while the youth is showering or changing clothes and the youth's underclothing, buttocks, genitalia, or female breasts are visible to the monitoring member.

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516.2 POLICY

It is the policy of this department to ensure the safety and security of the facilities, public, staff, youth, and visitors by conducting effective and appropriate searches of youth and areas within the facility in accordance with applicable laws.

Searches shall be conducted in a manner that preserves the privacy and dignity of the person being searched, and shall not be used for intimidation, harassment, punishment, or retaliation.

516.3 PAT-DOWN SEARCHES

Pat-down searches will be performed on all youth upon entering the secure admission area of the facility. At a minimum, the probation corrections officers should conduct pat-down searches in circumstances that include:

(a) When youth leave their housing units to participate in activities elsewhere in the facility and when they return.

(b) During physical plant searches of entire housing units.

(c) When youth come into contact with other youth housed outside of their housing units, such as on work details or while attending school.

(d) Any time the probation corrections officer believes the youth may have contraband on their persons.

Except in emergencies, male probation corrections officers may not pat down female youth and female probation corrections officers may not pat down male youth. Absent the availability of a same-sex probation corrections officer, it is recommended that a witnessing staff member be present during any pat-down search of an individual of the opposite sex. All cross-gender pat-down searches must be justified and shall be documented (28 CFR 115.315; 15 CCR 1360).

See the Stanislaus County Probation Dept. JD Procedures Manual: 513.1 BOOKING SEARCHES PROCEDURES for further information.

516.4 MODIFIED STRIP SEARCHES, STRIP SEARCHES, AND PHYSICAL BODY CAVITY SEARCHES

Probation corrections officers will generally consider the reason for the search, the scope, intrusion, manner, and location of the search, and will utilize the least invasive search method to meet the need for the search.

516.4.1 STRIP SEARCHES AND MODIFIED STRIP SEARCHES

Strip searches shall be conducted as follows:

(a) No youth shall be subjected to a modified strip search or strip search unless there is reasonable suspicion based on specific and articulable facts to believe the youth has a health condition requiring immediate medical attention or is concealing a weapon or contraband (Penal Code § 4030; Penal Code § 4031). Factors to be considered in determining reasonable suspicion include but are not limited to:

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1. The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.
2. Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
3. Detention history (e.g., past possession of contraband while in detention, assaults on staff, escape attempts).
4. The person's actions or demeanor, such as a refusal to submit to a pat-down search.
5. Criminal history (e.g., level of experience in a detention setting, including convictions for escape, possession of drugs or weapons, crimes of violence, being a fugitive or detainee for any of those offenses).
6. An alert by a metal detector or drug detection device.
7. Other reliable information that the person possesses drugs, weapons, or contraband.

(b) Except in the case of a medical emergency, no modified strip search or strip search of a youth shall be conducted without prior written authorization from the Supervisor (Penal Code § 4030).

(c) The probation corrections officer conducting the modified strip search or strip search shall (15 CCR 1360):

1. Document the name and sex of the person subjected to the strip search.
2. Document the facts that led to the decision to perform a strip search of the youth.
3. Document the reasons less intrusive methods of searching were not used or were insufficient.
4. Document the supervisor's approval.
5. Document the time, date, and location of the search.
6. Document the names, sex, and roles of any staff present.
7. Itemize in writing all contraband and weapons discovered by the search.
8. Process all contraband and weapons in accordance with the Department's current evidence procedures.
9. If appropriate, complete a crime report and/or disciplinary report.
10. Ensure the documentation is placed in the youth's file. A copy of the written authorization shall be retained and made available to the youth or the youth's authorized representative upon request (Penal Code § 4030).

See the Stanislaus County Probation Dept. JD Procedures Manual: 513.2 STRIP SEARCHES PROCEDURE for further information.

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516.4.2 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

(a) No person shall be subjected to a physical body cavity search without approval of the Facility Superintendent or the authorized designee, and only with the issuance of a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the youth or authorized representative (except for those portions of the warrant ordered sealed by a court).

(b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the youth may conduct the search (Penal Code § 4031).

(c) Except for the physician conducting the search, persons present must be of the same sex as the person being searched. Only the necessary staff needed to maintain the safety and security of the medical personnel shall be present (Penal Code § 4030; Penal Code § 4031).

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented, including:

1. The facts that led to the decision to perform a physical body cavity search of the youth.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The Facility Superintendent's approval.
4. A copy of the search warrant.
5. The time, date, and location of the search.
6. The medical personnel present.
7. The names, sex, and roles of any staff present.
8. Any contraband or weapons discovered by the search.

(f) Completed documentation should be placed in the youth's file. A copy of the written authorization shall be retained and made available to the youth or the youth's authorized representative upon request (Penal Code § 4030).

(g) All contraband and weapons should be processed in accordance with the Department's current evidence procedures.

(h) If appropriate, the staff member shall complete a crime report and/or disciplinary report.

516.4.3 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

All modified strip searches and strip searches shall be conducted in a professional manner under sanitary conditions and in a private area so that the search cannot be observed by persons not participating in the search (Penal Code § 4031).

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Unless conducted by a qualified health care professional or in case of an emergency, a modified strip search or strip search shall be conducted by probation corrections officers of the same sex as the youth being searched (Penal Code § 4030; Penal Code § 4031). Any cross-gender modified strip searches and cross-gender strip searches must be justified and shall be documented in writing (28 CFR 115.315; 15 CCR 1360).

Whenever possible, a second staff member of the same sex should be present during the search for security purposes and to witness the discovery of evidence.

The probation corrections officer conducting a strip search shall not touch the breasts, buttocks, or genitalia of the person being searched (Penal Code § 4030; Penal Code § 4031). These areas may be touched through the clothing during a modified strip search.

(a) The searching probation corrections officer will instruct the youth to:

1. Remove clothing.
2. Raise both arms above the head and turn 360 degrees.
3. Bend forward and run both hands through the hair.
4. Turn the head first to the left and then to the right so the searching probation corrections officer can inspect the youth's ear orifices.
5. Open the mouth and run a finger over the upper and lower gum areas, then raise the tongue so the probation corrections officer can inspect the interior of the youth's mouth. Remove dentures and any dental appliances if applicable.
6. Turn around and raise one foot first, then the other, so the probation corrections officer can check the bottom of each foot.
7. For a visual cavity search, turn around, bend forward, and spread the buttocks if necessary to view the anus.

(b) At the completion of the search, the youth should be instructed to dress in either the youth's street clothes or juvenile institutions-supplied clothing, as appropriate.

The searching probation corrections officer may consider whether the youth has a history of physical or sexual abuse and, when reasonable to do so, consider having the search conducted by a qualified health care professional.

516.4.4 BODY SCANNER SEARCH

When a scanner is reasonably available, a body scan should be performed on all youth upon entering the secure booking area of the juvenile institutions. If a body scanner is used, members (Penal Code § 4030):

(a) Within sight of a visual display of a body scanner depicting the body during a scan shall be of the same sex as the person being scanned, except for physicians or licensed medical personnel.

(b) Should ask female youth if they are pregnant prior to a body scan and should not knowingly use a body scanner on a female youth who is pregnant.

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The body scanner should generally be used whenever reasonably practicable in place of a modified strip search, strip search, or body cavity search of a youth in housing unless one of those searches is reasonably necessary after the scan.

516.5 TRANSGENDER SEARCHES

Probation corrections officers shall not search or physically examine a transgender or intersex youth for the sole purpose of determining genital status (see the Prison Rape Elimination Act Policy for transgender and intersex definitions)(15 CCR 1352.5). If genital status is unknown, it may be determined during conversations with the youth, by reviewing medical records, or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.315).

When it is reasonably practicable and safe to do so, staff shall respect the youth's preference regarding the gender of the staff member who conducts any search (15 CCR 1352.5).

516.6 CONTRABAND SEARCHES

The staff shall always be alert to the possible presence of contraband and shall take immediate action to seize the contraband when practicable. There are several types of searches that contribute to contraband control and maintaining a safe and secure environment.

516.7 HOUSING UNIT SEARCHES

Housing unit searches shall occur as directed by a supervisor. These searches should include all living spaces occupied by youth. Housing unit searches should be scheduled in a manner that does not create a pattern where the youth can predict such searches. During a housing unit search:

(a) All youth shall vacate their living areas and be searched by staff.

(b) Youth should be escorted to a separate holding area, such as the recreation yard.

(c) Staff shall search the living areas of the youth, including bedding, personal storage areas, bunks, and other areas with youth access.

(d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.

(e) The staff shall attempt to identify the youth who possessed the contraband and file appropriate youth discipline and/or crime reports.

(f) Any alcoholic beverage possessed by youth shall be seized and the appropriate youth disciplined and/or criminal charges filed.

(g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

At the conclusion of the housing unit search, closely supervised youth workers should clean the unit. All authorized youth personal property shall be respected, and living areas should be returned to an orderly condition.

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516.8 PHYSICAL PLANT SEARCHES

The following areas of this juvenile institutions shall be periodically searched for contraband:

(a) Exercise yards shall be searched for contraband prior to and after each youth group occupies the yard.

(b) Holding rooms shall be searched prior to and after each youth occupies the room.

(c) Program areas, such as classrooms and multipurpose rooms, shall be searched after each use by a youth or youth group.

(d) Laundry areas shall be searched before and after each youth group occupies the area.

(e) Kitchen areas shall be frequently searched for contraband and to account for tools, knives, and food items.

(f) Youth visiting and public areas shall be frequently inspected for contraband.

(g) The facility perimeter shall be searched at least once each shift for contraband.

516.8.1 CANINE-ASSISTED SEARCHES

It is the policy of this facility to use canines to assist probation corrections officers in searching for contraband. Such searches shall occur only with the approval of a supervisor. Only canines trained in the detection of contraband, such as drugs, alcohol, and weapons, will be allowed within the secure perimeter of the facility. Canines trained solely in crowd control or to assist in physically subduing individuals will not be used in the facility.

Canines will generally be used to assist probation corrections officers in general physical plant or living area searches. Contact between youth and canines should be avoided (see the Canines Policy).

Once completed, supervisors shall document the canine search in the supervisor's log.

516.9 CRIMINAL EVIDENCE SEARCHES

The Facility Superintendent or the authorized designee shall be notified, as soon as practicable, any time it is suspected that a crime has been committed in the facility or other area controlled by the facility staff, and there is a need to search for evidence related to the crime.

Any evidence collected in connection with an alleged crime shall be reported, documented, and stored to protect it from contamination, loss, or tampering, and to establish the appropriate chain of custody. A search for evidence may be conducted by staff whenever there is a need for such action.

516.10 TRAINING

The Division Director assigned to the Professional Standards unit shall provide for training for staff in how to conduct pat-down searches, modified strip searches, and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs. This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex youth (28 CFR 115.315).

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Canines

517.1 PURPOSE AND SCOPE

The canine program aids staff in locating contraband and maintaining the security of the facilities. This policy outlines requirements of the program, its staff, and the expectations of the Department.

517.2 POLICY

The Stanislaus County Probation Department is committed to ensuring its facilities are free from contraband and drugs and to maintaining facility security. This is done by employing trained canine teams to help detect drugs and other contraband, in accordance with all applicable laws, regulations, and department policies and procedures.

517.3 GUIDELINES FOR THE USE OF CANINES

Canines may assist staff in conducting searches for contraband. At no time may a canine be used to demean, punish, or psychologically torment youth. Contact between canines and youth should be minimal. Canines should not be used to search individuals. Canines may be used for:

- Searching youth housing units, including dorms, during a housing unit search, as described in the Searches Policy.
- Physical plant searches, as described in the Searches Policy.
- Searching unoccupied intake/booking areas.
- Searching unoccupied transportation vehicles before and after youth use.
- Conducting perimeter patrol, building searches, and area searches.

517.3.1 WARNINGS AND ANNOUNCEMENTS

When a canine is used to conduct a contraband or drug search, all youth and staff shall relocate to a designated area separate from the area to be searched to ensure the safety of youth and staff.

The canine handler shall not conduct a search of any area until all youth have been relocated and the search has been approved by the Facility Superintendent or their designee.

517.3.2 REPORTING CANINE USE, BITES, AND INJURIES

See the Stanislaus County Probation Dept Policy Manual: 307.7 REPORTING DEPLOYMENTS, BITES, INJURIES OR PROPERTY DAMAGE for futher information.

517.4 SELECTION AND TRAINING FOR CANINE HANDLERS

See the Stanislaus County Probation Dept Policy Manual: 307.9 HANDLER SELECTION for further information.

517.5 MEDICAL CARE OF THE CANINE

See the Stanislaus County Probation Dept Policy Manual: 307.12 CANINE INJURY AND MEDICAL CARE for further information.

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517.5.1 REPORTING CANINE INJURIES
In the event that a canine is injured, the injury will be immediately reported to the canine program supervisor. The injury will be documented on the appropriate report form.

517.6 REQUESTS FOR ASSISTANCE FROM OTHER AGENCIES
See the Stanislaus County Probation Dept Policy Manual: 307.5.1 OUTSIDE AGENCY REQUEST for further information.

517.7 REQUESTS FOR PUBLIC DEMONSTRATIONS
See the Stanislaus County Probation Dept Policy Manual: 307.5.2 PUBLIC DEMONSTRATIONS for further information.

517.8 CANINE HANDLER RESPONSIBILITIES
See the Stanislaus County Probation Dept Policy Manual: 307.10 HANDLER RESPONSIBILITIES for further information.

517.8.1 CANINES IN PUBLIC AREAS
See the Stanislaus County Probation Dept Policy Manual: 307.10.1 CANINE IN PUBLIC AREAS for further information.

517.9 CONTROLLED SUBSTANCE TRAINING AIDS
See the Stanislaus County Probation Dept Policy Manual: 307.14.5 CONTROLLED SUBSTANCE TRAINING AIDS for further information.

517.10 CANINE PROGRAM SUPERVISOR RESPONSIBILITIES
See the Stanislaus County Probation Dept Policy Manual: 307.4 SUPERVISOR RESPONSIBILITIES for further information.

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Discharge Plan

518.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for developing plans to discharge youth to ensure a smooth transition to their homes and communities.

518.2 POLICY

It is the policy of this department that all youth prior to their discharge shall be provided a release packet containing an individualized discharge plan and information on applicable community resources.

518.3 DISCHARGE PLANNING

Discharge planning is a dynamic process, not an event. Planning shall begin at admission and continue throughout the length of stay at this juvenile institutions.

Appropriate agency staff shall meet face-to-face with the youth on a routine basis to review, update, and revise the discharge plan as needed.

A qualified department staff member or designated personnel will oversee the discharge planning process, including (15 CCR 1324):

(a) Identifying and consulting with parents/guardians responsible for the youth upon discharge.

(b) Creating a written discharge plan utilizing the department-approved youth risk/needs assessment, case/progress notes, education evaluations, medical, and mental health evaluations to determine needs at the time of release (15 CCR 1413; 15 CCR 1438; 15 CCR 1437).

(c) Making recommendations for further treatment, educational services, or other transitional services to prepare the youth for discharge.

(d) Identifying sex offender registration requirements and treatment/counseling services/ requirements needed upon release.

(e) Reviewing victim's notification requirements.

(f) Identifying aftercare services available to youth and coordinating educational services, including transferring educational courses and transcripts to the appropriate school district.

(g) Notifying parents/guardians of the date and time of release.

(h) Identifying supervision agencies (e.g., probation, parole).

(i) Arranging for a limited supply of medication and prescription (15 CCR 1437; 15 CCR 1439).

(j) Taking appropriate actions to ensure the treatment needs of the youth are provided and accessible and the safety interest of the public is best served.

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(k) Documenting any additional referrals or community resources needed.

For youth being released who reside in another state, see the Interstate Compact content in the Release Procedure section of the Release Policy.

518.4 COMMUNITY RESOURCES

The information packet with community resources may contain the contact information for the following organizations and resources:

- Community health centers/family services organizations
- Employment centers/one-stop-career centers
- Registry office to obtain an identification card (e.g., DMV)
- Substance abuse and mental health providers (15 CCR 1431)
- Education/General Education Development (GED) agencies
- Temporary and transitional housing resources
- Other community-based resources (e.g., substance abuse counseling)

Subject to the approval of the Chief Probation Officer or the authorized designee, the staff or community providers may offer classes within the facility that are related to these community services.

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Transportation of Youth Outside the Secure Facility

519.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the transportation of youth outside this juvenile institutions and to ensure that the staff assigned to transportation duties is qualified and adequately trained.

This policy also provides guidelines for the Stanislaus County Probation Department to ensure compliance with the Interstate Compact for Juveniles (ICJ) when conducting the interstate movement of youth and providing supervision and safe return of youth to another state.

519.2 POLICY

It is the policy of the Stanislaus County Probation Department to provide safe, secure, and humane transportation for all youth and other persons as required by law.

During an interstate movement, this department shall provide supervision and secure transportation of youth to the appropriate airport departure terminal, bus terminal, or train station and oversee the boarding process.

519.3 PROCEDURES

Only staff members who have completed department-approved training on youth transportation should be assigned youth transportation duty. All staff members who operate transportation vehicles shall hold a valid license for the vehicle being operated.

Any member who transports a youth outside the secure confines of this facility is responsible for:

(a) Obtaining all necessary paperwork for the youth being transported (e.g., medical/ dental records, commitment documents).

(b) Completing a Leg Restraint Determination Assessment form for each youth being transported.

(c) Submitting a completed transportation plan to the transportation supervisor, **as directed**. Items that should be addressed in the plan include:

1. Type of restraints to be used on the youth being transported (Welfare and Institutions Code § 210.6).
2. The routes, including alternate routes, to be taken during the transportation assignment. Routes should be selected with security of the community in mind.
3. Emergency response procedures in the event of a collision, the breakdown of a transportation vehicle, or some other unforeseen event.
4. Site verification, unloading and reloading instructions, and parking rules at the destination.

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(d) Ensuring that all youth are thoroughly searched and appropriate restraints are properly applied.

1. Youth who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints while being transported (see the Restraints Policy).

(e) Ensuring that all vehicle security devices (e.g., window bars, inside cages, door locks) are in good repair and are operational.

(f) Thoroughly searching the transporting vehicle for contraband before any youth is placed inside, and again after removing the youth from the transporting vehicle.

(g) Ensuring youth leave all property and reading materials in their housing unit, except for authorized legal material.

(h) Managing special conditions (e.g., suicidal youth, youth wearing spit hoods) that may require closer observations or visual monitoring.

1. Members should advise a supervisor at the receiving facility of any circumstances the member reasonably believes could lead to potential safety concerns or medical risks (e.g., uncooperative or violent, prolonged struggle, extreme agitation, medical conditions) that may have occurred before or during transportation (see the Suicide Prevention and Intervention and Release, Transfers, and Continued Care policies) (15 CCR 1329).

(i) Keeping the vehicle locked except when boarding or unloading youth.

(j) Notifying Central Control upon departure and arrival at each destination of:

1. The transport team/vehicle identifiers.
2. The number of youth by gender.
3. The destination.

(k) Always verify the identity of the youth presented for transportation by the use of an ICJIS cover sheet.

See the Stanislaus County Probation Dept. JD Procedures Manual: 514.1 TRANSPORTATION OF YOUTH OUTSIDE THE SECURE FACILITY PROCEDURES for further information.

519.3.1 PROHIBITIONS

When transporting youth, members should not:

(a) Transport youth with adults.

(b) Transport females with males. When possible, transgender or intersex youth should be transported with youth of the gender they identify with the most.

(c) Transport youth together who have known hostilities toward each other, such as mutual combatants or rival gang members.

(d) Leave the vehicle unattended with a youth inside.

(e) Handcuff a youth to any part of a vehicle.

(f) Stop to conduct any personal activities.

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(g) Respond to calls or engage in other activities except in exigent circumstances.

(h) Transport a youth in a vehicle not equipped to safely transport a youth, except in an emergency. A properly equipped vehicle should be requested.

(i) Drive in a manner intentionally designed to punish or make youth uncomfortable, including allowing unreasonable environmental factors (e.g., loud or objectionable music, excessive heat or cooling).

519.3.2 DAILY INSTITUTION COUNT SHEET (LOCATED IN UNIT ONE)
The Daily Institutions Count Sheet shall be developed by the Facility Superintendent or the authorized designee and be used to log all youth transportation. The logs shall include:

- Name and identification number of the youth.
- Date and start/stop time of the transport.
- Location where the youth was transported.
- Name or identification number of the transporting probation corrections officer.
- Circumstances of any unusual events associated with the transportation should be documented in an incident report.

The logs shall be retained by the facility in accordance with established records retention schedules.

519.4 OFFICE OF INTERSTATE COMPACT FOR JUVENILES

The ICJ is a contract between the states that regulates juveniles who are under court supervision or who have run away from home and left their state of residence. States ratifying the compact are bound by federal law to observe the terms of the agreement (see the Youth Reception Policy).

This department shall coordinate through the Department of Juvenile Justice Interstate Compact for Juveniles Office (Office), in compliance with the Interstate Commission for Juveniles, the Office's coordination of movement of youth to and from sending and receiving states. The receiving state should coordinate and assume financial responsibility for all transportation arrangements for youth that include airlines, trains, and other means of ground transportation.

519.4.1 ICJ PROCEDURES
The Intake Supervisor or the authorized designee shall:

(a) Comply with all arrangements coordinated by the ICJ.

(b) Acknowledge notification of the arrangements.

(c) Coordinate safe and secure transportation of youth according to the ICJ.

(d) Coordinate a documentation packet that includes a completed Out-of-State Transportation Checklist.

(e) Notify the Transportation Security Administration (TSA) at the airport of the date and time of arrival.

(f) Prior to departure, prepare a discharge packet and include the following:

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1. Copy of the face/fact sheet
2. Youth's picture
3. Copy of all court orders
4. Copy of warrant/order to produce
5. Copy of other legal documentation from both states
6. Copy of travel information (e.g., flight itinerary, bus schedule, train schedule)
7. Airport, bus station, or train station security information/contact
8. Out-of-State Transportation Checklist, completed by social worker
9. Out-of-State Transportation Officer Summary
10. Receiving agency contact information

(g) When transporting persons of the opposite gender, arrangements should be made to provide for accompaniment by an additional individual, ideally of the same gender as the person being transported. If solo transportation becomes necessary, the officer shall:

1. Notify Stanislaus Regional 9-1-1 (Dispatch) and provide the beginning mileage and the location of where the person is being transported to. Dispatch will note/ state the time back to the officer;
2. Upon arrival, notify dispatch that the transport is complete and the end mileage. Dispatch will then note/state back the time.
3. Travel nonstop to the selected destination.

(h) The transportation officers will each sign the release slip.

(i) Prior to departure from the facility, the Supervisor or the authorized designee should meet with the transportation probation corrections officers and review all directions or special instructions concerning the transportation duty.

(j) Youth shall not to be given any information regarding their travel arrangements or port of departure.

(k) Transportation probation corrections officers assigned to transportation duty must have department identification as well as their valid driver's license. The Supervisor or the authorized designee on duty shall verify that transportation probation corrections officers have the proper identification in their possession prior to leaving the unit.

(l) Youth shall be transported and restrained according to the Restraints Policy.

(m) Upon arrival at the airport, the transporting probation corrections officers will request airport security personnel, or the law enforcement escort, to escort the transportation probation corrections officers and the youth to the departure gate.

(n) The transporting probation corrections officers will accompany the youth, without restraining devices, through airport security to the appropriate departure gate.

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(o) Once in the boarding area, one of the transportation probation corrections officers will provide identification to the gate attendant and request to board the plane last.

(p) After the youth boards the plane, the transporting probation corrections officers will remain in the boarding area until the plane departs.

(q) If at any time the transporting probation corrections officers are instructed by an outside agency to deviate from the standard operating procedures, the transporting probation corrections officers shall immediately contact the facility Supervisor or the authorized designee.

(r) The Intake Supervisor or the authorized designee will contact the OICS to confirm the departure of the youth or inform them of any deviation from the original interstate compact agreement.

519.5 TRAINING

The Division Director assigned to the Professional Standards unit shall ensure that all staff members charged with youth transportation duties receive training appropriate for the assignment.

Documentation of all training presented shall be retained in the member's training file in accordance with established records retention schedules.

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Release

520.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain procedures governing the release of youth to ensure they are not released in error (15 CCR 1351).

520.2 POLICY

It will be the policy of the Stanislaus County Probation Department to provide for the timely, efficient, and legal release of youth.

520.3 RELEASE PROCEDURE

If possible, youth who are ordered released by the court will be released at staggered times to avoid congestion in the release area.

The Supervisor or release probation corrections officer shall sign and date the release paperwork on the same day the youth is to be released.

Youth shall not be released or moved during youth count, change of shift, or at any time that would pose a potential safety threat or disrupt the orderly operation of the facility.

All youth must be positively identified by the staff prior to being released from the facility. Youth identities should be verified using intake records bearing the youth's name, photograph, and a facility identification number or a single digit fingerprint match system, if available.

Before any youth may be released, the following conditions must be met (15 CCR 1351):

(a) The identity of the youth is verified.

(b) All required paperwork for release is present. The staff shall review the active youth file to verify the validity of the documents authorizing the release. The file should also be reviewed for other release-related or pending matters, including:

1. Any pending arrangements for follow-up, such as medications needed, appointments, or referral to community or social resources.
2. Unresolved grievances, damage claims, or lost property.

(c) All youth may be cleared by a qualified medical and mental health staff member prior to release, if applicable.

(d) All personal property shall be returned to the youth during the release process. The youth must acknowledge receiving the property by signed receipt. Any discrepancies shall be promptly reported to the Supervisor.

(e) All facility property must be returned by the youth. Any missing or damaged facility property should be documented and promptly reported to the Supervisor. The youth shall remain in detention until the Supervisor determines whether additional criminal charges should be filed against the youth for the damage.

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(f) A forwarding address for the youth should be on file and verified with the youth for return of mail.

(g) Youth on probation or parole should be directed by the staff to report to the probation or parole office immediately upon release. The parole authorities having jurisdiction shall be notified of the youth's expected release date and time (15 CCR 1324).

(h) Notify the Department of Juvenile Justice, Interstate Compact for Juveniles Office (Office) of the youth's pending release if the youth was held pursuant to the agreement with the Office. Interstate movement and transportation for a youth returning to the youth's state of residence shall be coordinated by the Office.

(i) Confirm the identity of the person to whom the youth is being released.

(j) Release any medication to the person to whom the youth is being released.

(k) Obtain a signature or other documentation confirming receipt of the youth.

(l) Notify the youth's parent/guardian if the parent/guardian is not the person to whom the youth is being released.

(m) Notify the facility's medical and mental health units of the release (15 CCR 1408; 15 CCR 1437).

(n) Notify the facility's school registrar of the release.

The housing sheet, release log, and daily census log shall be updated after the youth's release. The Supervisor shall ensure all release documents are complete and properly signed by the youth and the staff where required.

See the Stanislaus County Probation Dept. JD Procedures Manual: 515.1 RELEASE PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 515.2 RELEASE OF YOUTH'S PROPERTY, and Stanislaus County Probation Dept. JD Procedures Manual: 515.3 EARLY RELEASE PROCEDURES for further information.

520.4 FURLOUGH RELEASES

The Facility Superintendent shall develop and implement written policies and procedures for the furlough of youth from detention. The Release Procedure in this policy shall apply (15 CCR 1351). Title 15 defines furlough as the conditional or temporary release of a youth from the facility.

See the Stanislaus County Probation Dept. JD Procedures Manual: 515.1 RELEASE PROCEDURES and Stanislaus County Probation Dept. JD Procedures Manual: 515.3 EARLY RELEASE PROCEDURES for further information.

520.5 POST-DISPOSITION YOUTH

The Facility Superintendent shall develop and implement policies and procedures for post-dispositional youth that coordinates transitional and reentry services including but not limited to medical and behavioral health (e.g., substance abuse, psychological distress), education, probation supervision, and community-based services (15 CCR 1302; 15 CCR 1351; 15 CCR 1355).

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520.6 TRANSFERS TO IMMIGRATION AUTHORITIES

Members shall not transfer a youth to immigration authorities unless written permission is obtained from the Chief Probation Officer or their designee.

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Over-Detention and Inadvertent Releases

521.1 PURPOSE AND SCOPE

This policy provides guidance to staff and management if over-detention or inadvertent release occurs.

521.1.1 DEFINITIONS

Definitions related to this policy include:

Inadvertent release - Any instance of a youth being mistakenly released.

Over-detention - Any instance of a youth being mistakenly detained beyond the scheduled release date.

521.2 POLICY

It is the policy of this department to reasonably ensure that over-detention and inadvertent releases do not occur. This department shall promptly review and address allegations of over-detention and inadvertent release.

521.3 INADVERTENT RELEASE

Whenever an inadvertent release is discovered, the detention staff member making the discovery shall immediately notify the Supervisor. The notification shall be documented in the daily activity log. The parent/guardian, probation personnel, and any agency having jurisdiction shall be immediately notified. Local law enforcement also shall be contacted.

521.3.1 INADVERTENT RELEASE INVESTIGATION

In the case of an inadvertent release, the Supervisor should immediately notify the Chief Probation Officer or the authorized designee and ensure a report is completed.

The Supervisor will coordinate a response based upon the seriousness of the threat the youth may pose to the community. The threat assessment should be based upon the youth's criminal history and the reason the youth is in detention, among other factors.

An appropriate evaluation of the circumstances shall be made to determine whether the inadvertent release should be classified as an escape.

521.3.2 RETURNING THE YOUTH TO CUSTODY

When the youth is located and returned to the facility, the appropriate notifications should be made as soon as possible.

521.4 OVER-DETENTION

Any detention staff member who discovers or receives information of an over-detention, or a complaint from a youth regarding over-detention (which could be discovered through a grievance), should immediately notify the Supervisor (see the Youth Grievances Policy).

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The Supervisor should direct the juvenile institutions staff to immediately investigate to determine the correct release date of the youth and to report the findings to the Chief Probation Officer or the authorized designee.

Youth who are found to be over-detained shall be processed for immediate release in accordance with the Release Policy. The youth's parent/guardian, probation personnel and any other agency with jurisdiction shall be immediately contacted by the Chief Probation Officer or the authorized designee. The Chief Probation Officer or the authorized designee shall ensure that an entry is made to the daily activity log and a report is completed.

521.4.1 OVER-DETENTION GRIEVANCES

Any detention staff member who receives information or a complaint from youth regarding over-detention should immediately notify the Supervisor (see the Youth Grievances Policy) and assist the youth with completing a grievance form. The staff member should forward the form directly to the Supervisor as soon as practicable.

The Supervisor receiving a grievance regarding an over-detention should immediately investigate to determine the correct release date of the youth and to report the findings to the Facility Superintendent or their designee.

If the Supervisor decides not to release the youth, the Supervisor should ensure the youth receives a grievance hearing as soon as practicable but within 24 hours of the grievance submission. The hearing documentation should reflect efforts made to investigate the allegation (see the Youth Grievances Policy).

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Biological Samples

522.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from youth required by California law to provide a biological sample to the Stanislaus County Probation Department as a result of being adjudicated for certain offenses (15 CCR 1363). This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation, nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

522.2 POLICY

The Stanislaus County Probation Department will assist in the expeditious collection of required biological samples from youth in accordance with the laws of this state.

522.3 PERSONS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

Youth who are in the custody of the Stanislaus County Probation Department and who have a previous adjudication for a felony offense, including an adjudication for an equivalent out of state offense, must submit a biological sample (Penal Code 296.1).

522.4 PROCEDURE

When a youth is required to provide a biological sample, a trained staff member shall attempt to obtain the sample in accordance with this policy.

522.4.1 COLLECTION

The following steps should be taken to collect a sample:

(a) Verify that the youth is required to provide a sample pursuant to Penal Code § 296.1.

1. Verification includes querying the youth's criminal history record for a DNA collection flag or, during regular business hours, contacting the California Department of Justice (DOJ) designated laboratory to determine whether a biological sample has been previously collected from the youth. There is no need to obtain a biological sample if one has been previously obtained.

(b) Arrange for a witness to be present during the collection of the sample.

(c) Use the collection kit designated by the California DOJ to perform the collection and take steps to avoid cross-contamination.

1. Collection should occur at intake, during the reception process, or as soon as administratively practicable (Penal Code § 296.1).

(d) Document in the youth’s file that the sample was taken.

(e) Forward the sample to the California DOJ as soon as practicable.

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522.5 USE OF FORCE TO OBTAIN SAMPLES

If a youth refuses to cooperate with the sample collection process, Probation corrections officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order. Methods to consider when seeking voluntary compliance include contacting (15 CCR 1363):

(a) The youth's parole or probation officer when applicable.

(b) The prosecuting attorney to seek additional charges against the youth for failure to comply or to otherwise bring the refusal before a judge (Penal Code § 298.1).

(c) The judge at the youth's next court appearance.

(d) The youth's attorney, parent/guardian, or custodian.

(e) A chaplain.

(f) A supervisor who may be able to authorize disciplinary actions to compel compliance, if any such actions are available.

The Supervising Probation Corrections Officer shall review and approve any use of force. The supervisor shall be present to supervise and document the use of force. Any refusal to submit a sample and the steps taken in an attempt to obtain voluntary compliance should be documented in the youth's file.

522.5.1 VIDEO RECORDING

A video recording shall be made any time force is used to obtain a biological sample (15 CCR 1363). The recording should be part of the youth's file. If the use of reasonable force includes a cell extraction, the extraction shall be videotaped. Video shall be directed at the cell extraction event. The videotape shall be retained by the department for the length of time required by statute. Notwithstanding the use of the video as evidence in a court proceeding, the tape shall be retained administratively.

522.5.2 DOCUMENTATION RELATED TO FORCE

The Supervisor shall prepare prior written authorization for the use of any force (Penal Code § 298.1). The written authorization shall include information that the youth was asked to provide the requisite specimen, sample, or impression and refused, as well as the related court order authorizing the force.

Efforts to secure voluntary compliance shall be documented and shall include an advisement of the legal obligation to provide the biological sample, and the consequences of refusal (15 CCR 1363).

522.6 BLOOD SAMPLES

A blood sample should only be obtained under this policy when (Penal Code § 295; Penal Code § 298):

(a) The California DOJ requests a blood sample and the subject consents.

(b) A court orders a blood sample following a refusal.

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Biological Samples

The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298).

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Reporting In-Custody Deaths

523.1 PURPOSE AND SCOPE

This policy provides direction on how in-custody deaths shall be reported.

523.2 POLICY

It is the policy of this department to follow state and local guidelines for reporting in-custody deaths.

523.3 MANDATORY REPORTING

All in-custody deaths shall be reported as required (15 CCR 1362).

If the decedent is a boarder for another agency, the Facility Superintendent shall notify that agency so it can assume responsibility for the notification of the decedent's family.

Pursuant to Article 37 of the Vienna Convention on Consular Relations 1963, in the case of the death of a foreign national, telephonic notification to the appropriate consulate post should be made without unreasonable delay and confirmatory written notification shall be made within 72 hours of the death to the appropriate consulate post. The notification shall include the youth's name, identification number, date and time of death, and the attending physician's name.

The Facility Superintendent or the authorized designee shall notify the Juvenile Court and any other court of jurisdiction and ensure notification to the youth's parent/guardian, or person standing in loco parentis (15 CCR 1341).

The Facility Superintendent shall report, in writing, to the California Attorney General, within 10 days after the death, all facts known concerning the death. The Facility Superintendent shall also provide to the California Board of State and Community Corrections a copy of the report submitted to the California Attorney General within 10 calendar days after the death. The Facility Superintendent shall also report the death to the Bureau of Justice Statistics in accordance with the Death in Custody Reporting Act.

523.4 PROCEDURE

Upon determining that a death of any youth has occurred while in the custody of this department, the Chief Probation Officer is responsible for ensuring that all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed (15 CCR 1341).

The Chief Probation Officer shall also promptly ensure any other notifications required by policy or direction are made. The Facility Superintendent shall observe all pertinent laws and allow appropriate investigating and reviewing agencies full access to all facts surrounding the death.

The Department shall establish policies and procedures for the investigation and/or review of any in-custody death (see the In-Custody Death Reviews Policy).

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The decedent's personal belongings shall be disposed of in a responsible and legal manner. All property and records shall be retained according to established records retention schedules.

The individual designated by the decedent shall be notified of all pertinent information as required by law.

During an investigation or review, all inquiries regarding the death shall be referred to the Public Information Officer. Probation corrections officers shall not make a public comment.

See the Stanislaus County Probation Dept. JD Procedures Manual: 503.1 REPORTING A DEATH IN THE INSTITUTION for further information.

523.5 IN-CUSTODY DEATH INITIAL REVIEW

The Chief Probation Officer or the authorized designee is responsible for coordinating all aspects of the incident. The Chief Probation Officer or the authorized designee will ensure that the Division Director is provided with enough information to meet the reporting requirements.

The Chief Probation Officer should identify the appropriate investigative and reviewing team qualified to conduct the administrative review of the in-custody death. The initial internal review should be conducted no later than 72 hours after the incident. The final administrative review shall be conducted in accordance with the In-Custody Death Reviews Policy.

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In-Custody Death Reviews

524.1 PURPOSE AND SCOPE

This policy provides direction on how in-custody deaths shall be reviewed to help avoid future preventable deaths.

524.1.1 DEFINITIONS

Definitions related to this policy include:

In-custody death - The death of any youth, for whatever reason (natural causes, suicide, homicide, accident), who is in detention at any facility of this department or is attending an in-custody court appearance.

Internal review (also known as **administrative review**) - An assessment of whether a facility's standards, training, and supervision are adequate, and whether changes should be made.

Provider mortality review - An assessment of the medical care, including mental health care, provided to a youth who later died in detention. It should analyze the care provided, or care that should have been provided to prevent the death. A medical provider mortality review should address areas where improvements can be made.

Psychological autopsy- Can be performed for suicide deaths to illuminate the various stressors that could have contributed to the suicide. It is usually conducted by a psychologist or other qualified mental health professional.

524.2 POLICY

It is the policy of this department to follow state and local statutes, regulations, and guidelines for reviewing in-custody deaths in order to avoid preventable deaths in the future.

524.3 MANDATORY REVIEWS

All in-custody deaths shall be reviewed as required by federal and state statutes and regulations (see the Reporting In-Custody Deaths Policy).

The Medical Director, in cooperation with the Facility Facility Superintendent, shall develop written policy and procedures to assure that there is a medical and operational review of every in-custody death (see the In-Custody Death Review Section in this policy) (15 CCR 1341).

524.4 IN-CUSTODY DEATH REVIEW

In conducting a death review, the Chief Probation Officer or the authorized designee should immediately collect all relevant information, including but not limited to:

(a) Intake records.

(b) Medical/mental health records.

(c) Youth requests, complaints, and grievances.

(d) Visitor logs.

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(e) Phone calls and any other electronic communications.

(f) Inspection logs, notes, and corrective actions.

(g) Safety check logs.

(h) Daily activity logs and shift reports.

(i) Program attendance logs.

(j) Classification records.

(k) Use of force and restraints reports.

(l) Staff rosters.

(m) Staff statements or interviews (e.g., incident reports).

(n) Witness statements or interviews.

(o) Video footage.

(p) Youth records.

(q) Court records.

(r) Information about criminal charges (more relevant for death by suicide).

(s) Toxicology report.

(t) Coroner reports, including the autopsy report.

(u) Any other relevant records, reports, or interviews.

These materials should be well-organized with a written factual overview of the relevant events in the timeline leading up to the death and the response in the timeframe after the death. The overview should be prepared with the expectation that the material will be reviewed by the Chief Probation Officer, outside agencies, lawyers, policy makers, and state court and federal court judges. In the case of suicide, this material should be provided to the medical or mental health professional who will be preparing the psychological autopsy.

Notification should be sent to all relevant individuals instructing them to preserve all records related to the decedent's detention.

524.5 IN-CUSTODY DEATH REVIEW TEAM

The Chief Probation Officer is responsible for establishing a team of qualified staff to conduct an internal review of every in-custody death. The review team can include (15 CCR 1341):

(a) Chief Probation Officer or the authorized designee.

(b) Legal counsel for the juvenile institutions.

(c) District Attorney.

(d) Investigative staff.

(e) Medical Staff, qualified medical/mental health care professionals, supervisors, or other staff who are relevant to the incident.

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(f) Internal Affairs Investigators investigators.

(g) Local law enforcement.

(h) Child welfare agency representative.

(i) Members of probation corrections officers staff.

The in-custody death review should be initiated immediately, though it may take time to obtain all the relevant information for proper analysis (see the Reporting In-Custody Deaths Policy). The mortality review should be completed within 30 days. Depending on the nature of the death, the administrative review and/or psychological autopsy may take longer than 30 days to complete; however, every effort should be made to complete the review in a timely manner so necessary improvements can be implemented as soon as possible.

The review team shall evaluate the in-custody death to determine whether laws, regulations, and policies were followed, and whether any policies or procedures should be changed. A report shall be prepared of any findings of the review.

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Chapter 6 - Youth Due Process

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Youth Discipline

600.1 PURPOSE AND SCOPE

This policy addresses the application of youth rules and disciplinary sanctions for those who fail to comply. Criminal acts may be referred to the appropriate law enforcement agency.

600.2 POLICY

It is the policy of this department to maintain written juvenile institutions rules that promote acceptable behavior, safety, security, order, and discipline and to impose disciplinary sanctions in a fair and equitable manner. Only Probation Corrections Officers are authorized to impose disciplinary sanctions.

See the Stanislaus County Probation Dept. JD Procedures Manual: 602.1 ORDER AND SECURITY and Stanislaus County Probation Dept. JD Procedures Manual: 602.2 PHILOSOPHICAL PRINCIPLES OF DISCIPLINE and Stanislaus County Probation Dept. JD Procedures Manual: 602.3 INTERVENTION TECHNIQUES FOR AVOIDING DISRUPTIVE BEHAVIOR for further information.

600.3 DUE PROCESS

Youth who are subject to discipline as a result of rule violations shall be afforded the procedural due process required by federal and state law. The required elements of due process shall be initiated prior to the imposition of any disciplinary action. In an emergency situation, where the youth is emotionally upset and out of control, or in situations where the order and security of the institution, other youth or staff are in jeopardy staff may delay due process for a reasonable amount of time. Staff has a responsibility and duty to intervene in situations which involve threats or harm to persons, property or the order and security of the institution. At the conclusion of the emergency, the due process procedures shall be implemented. All youth will be made aware of the rules of conduct for which they will be held accountable, as well as any defined penalties for rule violations. Staff will not engage in arbitrary actions against youth. All disciplinary actions will follow clearly established procedures. All disciplinary sanctions will be fairly and consistently applied.

The process for a youth accused of a major rule violation includes (15 CCR 1391)

(a) A fair hearing in which the discovering staff member or investigating supervisor presents factual evidence supporting the rule violation and the disciplinary action.

(b) Advance notice to the youth of the disciplinary hearing, to allow the youth time to prepare a defense.

(c) Assignment of an impartial hearing officer.

(d) The limited right to call witnesses and/or present evidence on the youth's behalf.

(e) The assistance of a staff member upon request of the youth.

(f) The appointment of a staff member to serve as an assistant or representative in cases where the youth may be incapable of self-representation.

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(g) A formal written decision that shows the evidence considered by the hearing officer, the reasons for any sanctions, and an explanation of the appeal process.

(h) Reasonable sanctions for violating rules that relate to the severity of the violation.

(i) The opportunity to appeal the finding.

600.3.1 YOUTH RULES AND SANCTIONS

The Facility Superintendent is responsible for ensuring that youth rules and disciplinary sanctions are developed, distributed, reviewed annually, and revised as needed. Administration of discipline shall use trauma-informed approaches and positive behavior interventions (15 CCR 1391).

Youth cannot be held accountable for rules of which they are unaware. However, it is impossible to define every possible prohibited act or rule violation that might be encountered in a detention facility. Therefore, a current list of recognized infractions that are generally prohibited should be accessible to all youth. Youth rules shall be translated into the languages that are understood by the youth (see the Youth Orientation Policy).

Disciplinary procedures governing youth rule violations should address rules, minor and major violations, criminal offenses, disciplinary reports, prehearing and post-hearing disciplinary actions, prehearing and post-hearing removal from general population, and prehearing and post-hearing separation from other youth.

See the Stanislaus County Probation Dept. JD Procedures Manual: 602.4 DISCIPLINARY OPTIONS AND SANCTIONS, Stanislaus County Probation Dept. JD Procedures Manual: 602.6 SANCTIONS FOR MINOR RULE VIOLATIONS, Stanislaus County Probation Dept. JD Procedures Manual: 602.8 SANCTIONS FOR MAJOR RULE VIOLATIONS for further information.

600.4 MINOR RULE VIOLATIONS

Probation corrections officers are authorized to recommend informal discipline for minor violations.

Any staff member imposing informal discipline should document the information in the youth's case file or observation sheets.

A youth may request that a supervisor review the imposed sanction. The supervisor should respond to the request within a reasonable time (generally within two hours) and shall have final authority as to the imposition of informal discipline.

See the Stanislaus County Probation Dept. JD Procedures Manual: 602.5 MINOR RULE VIOLATIONS and Stanislaus County Probation Dept. JD Procedures Manual: 602.6 SANCTIONS FOR MINOR RULE VIOLATIONS for further information.

600.4.1 MULTIPLE MINOR RULE VIOLATIONS

Staff may initiate a major rule violation report if a youth is charged with three or more minor rule violations within a 30-day period. Copies of all minor rule violations will be attached to the major rule violation report. A staff member shall conduct a hearing according to the procedures for a major rule violation.

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600.5 MAJOR RULE VIOLATIONS

Major rule violations are considered a threat to the safety, security, or efficiency of the juvenile institutions, its staff members, youth, or visitors. Staff members witnessing or becoming aware of a major rule violation shall take immediate steps to stabilize and manage the situation, including notification of a supervisor as soon as practicable. The supervisor shall assess the situation and initiate any emergency action, if necessary, and notify the Facility Manager if necessary.

The staff member who learned of the rule violation shall write and submit an incident report, along with all relevant evidence, to the appropriate supervisor prior to the end of the shift.

See the Stanislaus County Probation Dept. JD Procedures Manual: 602.7 MAJOR RULE VIOLATIONS and Stanislaus County Probation Dept. JD Procedures Manual: 602.8 SANCTIONS FOR MAJOR RULE VIOLATIONS for further information.

600.5.1 PREHEARING SEPARATION

Youth who are accused of a major rule violation may be removed from the general population of youth with the Supervisor's approval, if there is a threat to safety or security of other youth, staff members, or visitors.

The Chief Probation Officer or the authorized designee shall, within four hours including weekends and holidays, review the status of any youth in prehearing separation to determine whether continued separation from the general population is appropriate (Welfare and Institutions Code § 208.3).

600.5.2 INVESTIGATIONS

Investigations involving major rule violations should be initiated within 24 hours of the initial report and completed in sufficient time for the youth to have a disciplinary hearing and as soon as practicable when the youth has been removed from the general population. If additional time is needed, the investigating supervisor will request more time in writing from the Facility Superintendent or designee. The youth will be notified in writing of the delay.

If, upon completion of the investigation, the investigating supervisor finds insufficient evidence to support a major rule violation, the investigating supervisor may discuss alternative sanctions with the Facility Superintendent or designee, including handling the incident as a minor violation or recommending that charges be removed. Such alternatives shall be documented in the youth's file.

If the investigating supervisor determines that sufficient evidence exists to support a major rule violation, the investigating supervisor will act as the hearing coordinator and will be responsible for:

- Reviewing all reports for accuracy and completeness.
- Overseeing or conducting any required additional investigation.
- Determining the final charges.
- Making preliminary decisions about the appointment of a staff member to act as an assistant to the youth.
- Identifying any witnesses who may be called to the hearing.

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See the Stanislaus County Probation Dept. JD Procedures Manual: 602.9 SUPERVISOR DUTIES DURING A DISCIPLINARY REVIEW for further information.

600.5.3 NOTIFICATIONS

A youth charged with a major rule violation shall be given a written description of the incident and the rules violated before a disciplinary hearing (15 CCR 1391).

Unless waived in writing by the youth, hearings may not be held in less than 24 hours from the time of notification.

If the youth has been removed from the general population, written notice shall be given no later than two hours after the removal from the general population of youth.

600.5.4 HEARINGS

The Facility Superintendent or designee shall appoint at least one hearing officer to preside and conduct disciplinary hearings of major rule violations. The hearing officer should be a qualified supervisor or suitably trained designee who will have the responsibility and authority to rule on charges of youth rule violations. The hearing officer shall also have the power to impose sanctions. The hearing officer shall not investigate nor preside over any youth disciplinary hearing on cases where the hearing officer was a witness or was directly involved in the incident that generated the complaint.

Youth charged with major rule violations are entitled to be present at a hearing unless waived in writing or excluded because their behavior poses a threat to facility safety, security, and order. Staff shall inform the hearing officer when any youth is excluded or removed from a scheduled hearing and shall document the reasons for the exclusion or removal. A copy of the report shall be forwarded to the Facility Superintendent through the chain of command.

Hearings may be postponed or continued for a reasonable period of time for good cause. Reasons for postponement or continuance shall be documented and forwarded to the Facility Superintendent or designee.

The hearing officer shall disclose to the accused youth all witnesses who will be participating in the hearing. Youth have no right to cross-examine witnesses. However, the accused youth may be permitted to suggest questions that the hearing officer, in the hearing officer's discretion, may ask.

600.5.5 EVIDENCE

Accused youth have the right to make a statement, present evidence, and call witnesses at the hearing. Requests for witnesses shall be submitted in writing by the youth no later than 12 hours before the scheduled start of the hearing. The written request must include a brief summary of what the witness is expected to say.

The hearing officer may deny the request when it is determined that allowing the witness to testify would be unduly hazardous to institutional safety or correctional goals, or when the witness's information is not relevant or would be unnecessarily duplicative or is otherwise unnecessary. The reason for denying a youth's request for witness testimony shall be documented in the hearing

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report. The reason for denial of any documents requested by the youth shall also be documented in the hearing record.

A witness's signed written statement may be submitted by the youth as an alternative to a live appearance. The hearing officer shall review and determine whether the statement is relevant to the charges and shall document the reason for exclusion when any written statement is not considered.

Absent a safety or security concern, all staff reports and evidence, including exculpatory evidence, obtained during the disciplinary investigation shall be made available to the accused youth prior to the hearing.

600.5.6 CONFIDENTIAL INFORMANTS

If information from any confidential informant is to be presented at the hearing, information establishing the reliability and credibility of the informant shall be provided to the hearing officer prior to the hearing. The hearing officer shall review such information to determine whether the informant is reliable and credible.

600.5.7 STAFF ASSISTANCE

Upon the request of the youth, a staff member shall assist the youth at a disciplinary hearing. A staff member shall be assigned to assist a youth who is incapable of self-representation at a disciplinary hearing due to limited literacy, developmental disabilities, English language learners, language barriers, or mental status (15 CCR 1391). The scope of the duties of the assistant shall be commensurate with the reasons for the appointment. The assistant should be allowed sufficient time to confer with the youth to fulfill the assistant's obligations. In these cases, the youth does not have a right to select a person to assist in the youth's disciplinary hearing. The final decision regarding the appointment rests with the hearing officer.

Youth discipline is an administrative and not a judicial process. Youth do not have a right to an attorney in any disciplinary hearing. Additionally, disciplinary matters may be referred for criminal prosecution as there is no double jeopardy defense for an administrative process.

600.5.8 DISCIPLINARY DECISIONS

Disciplinary decisions shall be based on the preponderance of evidence presented during the disciplinary hearing.

The disciplinary process shall consider whether a youth's mental disabilities or mental illness contributed to the youth's behavior when determining what type of discipline, if any, should be imposed (28 CFR 115.378(c)).

600.5.9 REPORT OF FINDINGS

The hearing officer shall write a report regarding the decision and detailing the evidence and the reasons for the disciplinary action. A copy of the report shall be provided to the youth. All documentation related to the disciplinary process shall be retained and a copy should be placed in the youth's file.

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If it is determined that the youth's charge is not sustained at the end of the disciplinary hearing, the documentation shall be removed from the youth's file but otherwise maintained in accordance with records retention requirements.

All disciplinary hearing reports and dispositions shall be reviewed by the Facility Superintendent or the authorized designee as soon as practicable after the final disposition.

See the Stanislaus County Probation Dept. JD Procedures Manual: 602.10 LOSS OF GOOD TIME, COMMITMENT REVIEW BOARD for further information.

600.5.10 DISCIPLINARY APPEALS

Youth wishing to appeal the decision of the hearing officer must do so in writing within five days of the decision. All appeals will be forwarded to the Facility Superintendent or the authorized designee for review.

Only appeals based on the following will be considered:

(a) The disciplinary process or procedures were not followed.

(b) There was insufficient evidence to support the hearing officer's decision.

(c) The discipline imposed was not proportionate to the violation committed.

A final disposition shall be rendered as soon as practicable if the youth's appeal is granted, or discipline is reduced but no later than 10 days after the appeal. The decision of the review authority shall be final, and the result of the appeal shall be provided to the youth in writing.

600.5.11 ADMINISTRATIVE REVIEW

(a) All discipline is subject to administrative review.

600.6 LIMITATIONS ON DISCIPLINARY ACTIONS

The U.S. and California constitutions expressly prohibit all cruel or unusual punishment. Additionally, the following limitations exist (15 CCR 1390; 15 CCR 1391; 15 CCR 1371):

- In no case shall any youth or group of youth be delegated the authority to punish any other youth or group of youth.
- In no case shall a safety room be used for disciplinary purposes.
- In no case shall any restraint device be used for disciplinary purposes.
- Food shall not be withheld as a disciplinary measure.
- Correspondence privileges shall not be withheld as a disciplinary measure.
- In no case shall access to the courts and/or legal counsel be suspended as a disciplinary measure.
- No youth may be deprived of the implements necessary to maintain an acceptable level of personal hygiene, including but not limited to a daily shower; access to a drinking fountain, a toilet, personal hygiene items, and clean clothing.

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- Discipline may be imposed for sexual activity between youth. However, such activity shall not be considered sexual abuse for purposes of discipline unless the activity was coerced (28 CFR 115.378(g)).
- No discipline may be imposed for sexual contact with staff unless there is a finding that the staff member did not consent to such contact (28 CFR 115.378(e)).
- No youth may be disciplined for falsely reporting sexual abuse or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation, if the report was made in good faith based upon a reasonable belief that the alleged conduct occurred (28 CFR 115.378(f)).
- No confinement without an opportunity for at least one hour of exercise daily outside of the immediate living quarters may be imposed unless the Facility Superintendent determines and documents that this opportunity will jeopardize the physical safety of the youth or others or the security of the facility.
- No youth may be subject to a substantial change in heating, lighting, or ventilation.
- No youth may be subject to restrictions on clothing, bedding, the use of hygienic facilities, or reading or writing materials as a disciplinary measure.
- Restrictions shall not be placed on a youth's living conditions.
- Restrictions shall not be placed on medical and dental care as a disciplinary measure.
- Restrictions shall not be placed on a youth's access to government officials as a disciplinary measure.
- Restrictions shall not be placed on a youth's access to grievance proceedings as a disciplinary measure.
- No youth may be prohibited from contact with the youth's parents or guardian as a disciplinary measure.
- No youth may be deprived of education, counseling, rehabilitative programming, or religious services as a disciplinary measure.
- In no case shall any youth be subjected to corporal punishment, group punishment, or physical or psychological degradation.

Exceptions must be justified in writing and approved by the Facility Superintendent, and must be consistent with the applicable disciplinary disposition.

The discipline of youth should promote acceptable behavior. Generally, discipline should be imposed at the least restrictive level which promotes desired behavior (15 CCR 1390).

600.7 GUIDELINES FOR DISCIPLINARY SANCTIONS

The sanctions imposed for rule violations can include counseling, loss of certain privileges or "points" associated with a rewards-based behavior management system, and restitution for damaging property. To the extent that therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for sexual abuse are available, the facility

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shall consider whether to require a youth being disciplined for sexual abuse to participate in such interventions as a condition of access to programming or other benefits (28 CFR 115.378(d)).

Discipline shall be commensurate with the nature and circumstances of the offense committed, the youth's disciplinary history, and the sanctions imposed for comparable offenses by other youth with similar histories (28 CFR 115.378(b)).

Youth shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the youth engaged in youth-on-youth sexual abuse or following a criminal finding of guilt for youth-on-youth sexual abuse (28 CFR 115.378(a)).

The Chief Probation Officer or the authorized designee shall be responsible for developing and implementing a range of disciplinary sanctions for violations.

600.7.1 STATE LAW GUIDELINES FOR DISCIPLINARY SANCTIONS
Violations that result in a removal from a camp or commitment program, but not a return to court, shall follow the due process provisions in this policy (15 CCR 1391).

600.8 RECORDS

A record of all rule violations and sanctions will be made and maintained in accordance with the juvenile institutions's records retention schedule.

At a minimum, rule violation reports are required for rule violations. The staff member who observed or detected the rule violation or who was charged with investigating a rule violation is responsible for completing the rule violation report. The rule violation report shall include, at a minimum:

(a) The date, time, and location of the incident.

(b) The specific rules violated.

(c) A written description of the incident.

(d) The identity of known participants in the incident.

(e) Identity of any witnesses to the incident.

(f) Description and disposition of any physical evidence.

(g) Action taken by staff, including any use of force.

(h) Name and signature of the reporting probation corrections officer.

(i) Date and time of the report.

The supervisor investigating the violation and preparing the prehearing details for major rule violations shall ensure that documentation in the rule violation report includes:

- Date and time that the explanation and the written copy of the complaint and appeal process were provided to the youth.
- The youth's response to the charges.
- The reasons for any sanctions.

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- The identity of any staff or witnesses involved or requested by the youth.
- The findings of the hearing officer.
- The youth's appeal, if any.
- The appeal findings, if applicable.

600.9 TRAINING

The Facility Superintendent or the authorized designee is responsible for ensuring that a wide range of training and disciplinary tools are available to aid staff and that preprinted forms are available for documenting rule violations in a consistent and thorough manner (15 CCR 1322).

The Training Director is responsible for developing and delivering, or procuring, training for staff members who participate in the disciplinary hearing process. Training topics should include the legal significance of due process protections and the hearing officer's role in ensuring that those protections are provided (15 CCR 1322).

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Room Confinement

601.1 PURPOSE AND SCOPE

This policy provides guidance on removing youth from the general population for safety and security reasons (15 CCR 1354.5).

Separation of youth for housing is addressed in the Youth Classification Policy.

601.1.1 DEFINITIONS

Definitions related to this policy include:

Room confinement - The placement of a youth in a locked sleeping room or cell with minimal or no contact with persons other than juvenile institutions staff and attorneys. Room confinement does not include confinement of a youth in a single-person room or cell for brief periods of locked room confinement necessary for required institutional operations (Welfare and Institutions Code § 208.3).

601.2 POLICY

It is the policy of the Stanislaus County Probation Department to protect the rights and safety of youth removed from the general population of youth for safety and security reasons.

601.3 MEMBER RESPONSIBILITIES

Members assigned to monitor youth who have been removed from the general population should document any reasonably observed unusual behavior or failure to comply with facility rules.

601.4 SEPARATION FROM OTHER YOUTH

Separation of a youth from the general population should be done only in rare situations as a short-term response to dangerous actions of that youth if the youth poses an immediate threat of self-harm or an immediate threat to the safety of youth or staff.

The placement of a youth in room confinement shall be accomplished in accordance with the following guidelines (Welfare and Institutions Code § 208.3):

(a) Room confinement shall not be used before other less restrictive options have been attempted and exhausted, unless attempting those options poses a threat to the safety or security of any youth or staff.

(b) Room confinement shall not be used for the purposes of punishment, coercion, convenience, or retaliation by staff.

(c) Room confinement shall not be used to the extent that it compromises the mental and physical health of the youth.

See the Stanislaus County Probation Dept. JD Procedures Manual: 604.2 ADMINISTRATIVE SEPARATION for further information.

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601.4.1 INCREASED MONITORING
Safety checks of youth on room confinement should be performed by an assigned staff member at random intervals not to exceed 15 minutes unless more frequent checks have been required by a supervisor or health care professional.

Safety checks shall be documented in writing.Observed behavioral or other concerns shall be documented in an incident report (see the Youth Safety Checks Policy).

601.4.2 LOCATIONS AND ACCOMMODATIONS
Youth may be separated from other youth only in approved locations within the juvenile institutions with appropriate accommodations.

601.4.3 MATTRESSES AND BEDDING
Youth on room confinement may have their mattress or bedding removed temporarily only if the youth is either:

(a) Actively damaging the mattress or bedding.

(b) Using the mattress or bedding in a manner that presents a threat to safety or security, including but not limited to obstructing a doorway or window or folding the mattress to use as a makeshift stepstool.

The reason for a mattress or bedding removal shall be documented.

Bedding items may only be withheld from youth kept separate from other youth with supervisor approval and only during non-sleeping hours.

601.4.4 MEALS
Youth on room confinement may receive meals in their rooms. The meals should meet the same nutritional guidelines as meals served to other youth in detention, unless the youth is being served a prescribed therapeutic or religious diet.

601.4.5 ROOM CONFINEMENT
Confinement duration shall be in accordance with 15 CCR 1354.5:

(a) A youth may be held up to four hours in room confinement. After the youth has been held in room confinement for a period of four hours, staff shall do one or more of the following (Welfare and Institutions Code § 208.3):

1. Return the youth to general population.

2. Consult with mental health or medical staff.

3. Develop an individualized plan that includes the goals and objectives to be met in order to reintegrate the youth to general population.

(b) If room confinement must be extended beyond four hours, staff shall do the following:

1. Document the reason for room confinement and the basis for the extension, the date and time the youth was first placed in room confinement, and when the youth is eventually released from room confinement.

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2. Develop an individualized plan that includes the goals and objectives to be met in order to reintegrate the youth to general population.
3. Obtain documented authorization by the Facility Superintendent or the authorized designee every four hours thereafter.

(c) This section is not intended to limit the use of single-person rooms or cells for housing youth in juvenile facilities and does not apply to normal sleeping hours.

(d) This section does not apply to youth or wards in court holding facilities or adult facilities.

(e) Nothing in this section shall be construed to conflict with any law providing greater or additional protections to youth.

(f) This section does not apply during an extraordinary emergency circumstance that requires a significant departure from normal institutional operations, including a natural disaster or facility-wide threat that poses an imminent and substantial risk of harm to multiple staff or youth. This exception shall apply for the shortest amount of time needed to address this imminent and substantial risk of harm.

(g) This section does not apply when a youth is placed in a locked cell or sleeping room to treat and protect against the spread of a communicable disease for the shortest amount of time required to reduce the risk of infection, with the written approval of a licensed physician or nurse practitioner, when the youth is not required to be in an infirmary for an illness. Additionally, this section does not apply when a youth is placed in a locked cell or sleeping room for required extended care after medical treatment with the written approval of a licensed physician or nurse practitioner, when the youth is not required to be in an infirmary for illness.

See the Stanislaus County Probation Dept. JD Procedures Manual: 604.1 ROOM CONFINEMENT PROCEDURE for further information.

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Youth with Disabilities

602.1 PURPOSE AND SCOPE

This policy provides guidelines for addressing the needs and rights of youth with disabilities detained by this department in accordance with the American with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (29 USC § 794).

602.1.1 DEFINITIONS

Definitions related to this policy are found in the Accessibility - ADA Compliance Policy.

602.2 POLICY

It is the policy of the Stanislaus County Probation Department that youth with disabilities have equal access to services, programs, and activities by providing reasonable accommodations and appropriate auxiliary aids to assist with effective communications.

The Stanislaus County Probation Department will not discriminate against youth with disabilities or deny them access to services, rights, or programs based on their disabilities (15 CCR 1324).

602.3 ADA COORDINATOR

In addition to the responsibilities identified in the Accessibility - ADA Compliance Policy, the responsibilities of the ADA coordinator include coordinating with the Facility Superintendent and the Medical Staff as appropriate to (15 CCR 1324):

(a) Make reasonable modifications to policies, practices, and procedures as necessary to allow youth with disabilities to participate in the juvenile institutions's educational, vocational, recreational, and religious programs, services, and activities.

(b) Ensure the Stanislaus County Probation Department is designed or adapted to reasonably accommodate youth with disabilities, including but not limited to:

1. Providing housing areas that are equipped to meet the physical needs of youth with disabilities, such as having toilet and shower areas that allow for personal care and hygiene in a reasonably private setting (15 CCR 1413).
2. Offering dining tables that are accessible to those in wheelchairs.
3. Using a visual or other notification system so youth who have hearing disabilities do not miss announcements or alarms, including times for meals, recreation, and education.

(c) Establish classification criteria to make appropriate housing assignments for youth with disabilities. For example, youth with mobility issues may require a lower bunk and accessible toilet and shower facilities.

1. Youth should be asked if they have any accommodation requests during the intake classification process.

(d) Establish procedures to determine at intake if auxiliary aids are necessary for effective communication, and to regularly consult with the youth and reassess whether alternative or additional aids or services are necessary for effective communication.

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1. The choice of the youth should be honored unless another effective means of communication exists (28 CFR 35.160).
2. Notice of a youth's disability and preferred auxiliary aids should be provided to members who have contact with the youth so that effective communication may be achieved.

(e) Assign individuals with adequate training to assist youth with disabilities with basic life functions, as needed.

(f) Establish procedures for restraining, transporting, and moving youth with hearing or mobility disabilities, including procedures that permit effective communication, such as handcuffing in the front so the youth can sign or leaving one hand free so the youth can write, unless legitimate safety concerns dictate otherwise.

(g) Establish guidelines and procedures that afford youth with disabilities equal opportunities to participate in or benefit from all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment (28 CFR 115.316).

(h) Enlist or contract trained service personnel who have experience working with people with disabilities.

(i) Establish procedures for the request and review of accommodations.

(j) Establish guidelines for the accommodation of individuals who are deaf or hard of hearing, have common disabilities such as sight or mobility impairments and developmental disabilities, or have common medical issues such as epilepsy.

602.4 COMMUNICATIONS

Members are responsible for taking reasonable steps to ensure their communications with youth with disabilities are as effective as communications with other youth. Members should consider all information reasonably available to them when determining how to communicate with a youth with a disability including (28 CFR 35.160):

(a) The youth's preferred method of communication.

(b) The nature of the disability (e.g., deafness vs. hard of hearing, blindness vs. low vision).

(c) The nature of the contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).

(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

Members should not always assume that effective communication is being achieved, and when there is any doubt, members should ask the youth to communicate back or otherwise demonstrate understanding.

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602.4.1 INCIDENTS

In an effort to ensure that the rights of youth who are deaf or have a hearing or speech impairment are protected during any formal interview or interrogation that takes place in the juvenile institutions, this department will provide interpreter services before beginning an interview or interrogation, unless exigent circumstances exist or the youth has made a clear indication that the youth understands the process and desires to proceed without an interpreter. A video remote interpreting service should be considered, where appropriate, if a live interpreter is not available.

If *Miranda* warnings are required under the circumstances, these should be provided to the youth through a qualified interpreter or by providing a written *Miranda* warning card.

To ensure that communications during criminal investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible.

602.4.2 INTERPRETERS

When an interpreter is necessary for effective communication (28 CFR 35.160):

(a) A youth with a disability will not be required to provide an interpreter.

(b) Except in an emergency involving an imminent threat to the safety or welfare of any person and when there is no interpreter reasonably available, members shall not use another youth as an interpreter.

(c) Members should not rely on any adult other than a qualified interpreter unless the youth agrees and specifically requests assistance from the adult and reliance on that adult is appropriate under the circumstances.

602.4.3 STAFF

Except for members hired or contracted specifically to serve as qualified sign language interpreters, members should not serve as sign language interpreters except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no other interpreter reasonably available (28 CFR 35.160).

602.5 ACCOMMODATION REQUESTS

Members should assist a youth with a disability by accommodating the youth consistent with any guidelines related to the youth's disability. If there are no current guidelines in place, members receiving a request for accommodation of a disability should direct the youth to provide the request in writing or assist the youth in doing so. The written request should be brought to the on-duty supervisor as soon as practicable, but during the member's current shift.

Generally, requests should be accommodated if the accommodation would not raise a safety concern or affect the orderly function of the juvenile institutions. The formal written request should still be submitted to the on-duty supervisor.

Requests for accommodation should be reviewed by a supervisor as soon as practicable, but within 24 hours of the request being made. The reviewing supervisor should evaluate the request and, if approved, notify the Facility Superintendent, ADA coordinator, and any other

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staff as necessary to meet the accommodation. The supervisor should make a record of the accommodation in the youth's file.

A supervisor who does not grant the accommodation, either in part or in full, should forward the request to the Facility Superintendent and the ADA coordinator within 48 hours of the request being made. The Facility Superintendent, assisted by the ADA coordinator and/or legal counsel, should make a decision regarding the request within five days of the request being made.

602.6 TRAINING

The ADA coordinator should provide periodic training on such topics as:

(a) Policies, procedures, forms, and available resources for youth with disabilities.

(b) Working effectively with interpreters, telephone interpretive services, and related equipment.

Management staff, even if they do not interact regularly with individuals with disabilities, should receive training as appropriate to understand and reinforce this policy.

602.7 DOCUMENTATION

Members should document all requests for accommodations or auxiliary aids and their action taken in response to each request, including denials.

If the youth's preference of auxiliary aid is not honored, the reason why another method of communication was used should be included.

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Youth Access to Courts and Counsel

603.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the constitutional rights of youth to access the courts and legal counsel, while holding youth accountable to the rules and regulations that govern conduct in the facilities (15 CCR 1324).

603.2 POLICY

It is the policy of this department that all youth will have access to the courts and the ability to consult with legal counsel.

603.3 YOUTH ACCESS

Staff should not unreasonably interfere with youths' attempts to seek counsel, and where appropriate should assist youth with making confidential contact with attorneys and authorized representatives.

Access to courts and legal counsel may occur through court-appointed counsel, attorney, or legal assistant visits, telephone conversations, or written communication. To facilitate access, the facilities will minimally provide:

- Confidential attorney visiting areas that allow the attorney and the youth to share legal documents.
- Telephones that enable confidential attorney-client calls.
- Reasonable access to legal materials.

The Facility Superintendent shall be responsible for ensuring that information regarding access to courts and legal counsel and requesting legal materials or legal assistance is included in the youth handbook that is provided during youth orientation (15 CCR 1377).

603.4 CONFIDENTIALITY

All communication between youth and their attorneys is confidential, including telephone conversations, written communication, and video conferencing. The content of written attorney-client communication will not be reviewed or censored, but the documents may be inspected for contraband (see the Youth Mail Policy).

603.5 YOUTH REQUEST FOR ASSISTANCE

Written materials addressing how a youth can access local attorneys and key legal documents shall be available in each housing unit. Staff shall provide these materials to any youth upon request. However, staff shall not provide legal advice or assist any youth in completing any legal document.

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603.6 VISITATION RELATED TO LEGAL DEFENSE

Visits with youth that are related to legal defense, including attorneys, paralegals, and investigators, will be permitted only in the areas designated for legal visitation to ensure confidentiality (15 CCR 1377).

(a) Visits shall be of a reasonable length of time to discourage any allegation that the defense of the youth was hindered due to the length of time allowed for the legally authorized visit. These visits shall be of such a length of time that they do not interfere with the security, order, and discipline of this facility. The permissible time for visitation should be flexible but shall not substantially interfere with other facility schedules, such as medical examinations, meal service, or other required activities.

(b) Only materials brought to the facilities by an approved legal assistant shall be allowed.

(c) All materials shall be subject to security inspections by the staff members and shall be routed through the Supervisor for logging and distribution.

(d) Unlimited postage free, legal correspondence and cost-free telephone access as appropriate.

603.7 MAIL

Legal mail shall be handled in accordance with the Youth Mail Policy.

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Foreign Nationals and Diplomats

604.1 PURPOSE AND SCOPE

This policy addresses the privileges and immunities afforded to certain youth who are family members of individuals assigned to foreign diplomatic missions and consular posts.

This policy also addresses the legal requirements related to consular notifications that should occur when a foreign national is in detention.

604.2 POLICY

The Stanislaus County Probation Department will treat youth who are family members of foreign diplomatic and consular personnel with due regard for the privileges and immunities to which they are entitled under international law. The Department will investigate all claims of immunity and accept detention of the youth when appropriate.

The Stanislaus County Probation Department will also honor the laws related to foreign nationals who are detained by making proper legal guardian and consular notifications.

604.3 DIPLOMATIC AND CONSULAR IMMUNITY

604.3.1 AVAILABILITY OF RESOURCES

The Supervisor will ensure that current contact information for the U.S. Department of State and the U.S. Mission to the United Nations is readily available for department members who need to verify a claim of diplomatic or consular immunity. Relevant material for law enforcement published by the U.S. Department of State Bureau of Diplomatic Security should be readily available on line.

604.3.2 ADDRESSING CLAIMS OF DIPLOMATIC OR CONSULAR IMMUNITY

When a youth who claims diplomatic or consular immunity is brought to the Stanislaus County Probation Department, the receiving probation corrections officer shall first inform the Supervisor and then generally proceed as follows:

(a) Do not accept detention of the youth from the transporting officer. The youth should not be brought inside the Stanislaus County Probation Department unless doing so would facilitate the investigation of the claim of immunity.

(b) Do not handcuff the youth, or, if handcuffs have been applied, remove them unless there is an articulable threat that would justify their use.

(c) If the youth has already been accepted into detention, inform the youth that the youth will be detained until the youth's identity and immunity can be confirmed. Attempt to obtain a U.S. Department of State-issued identification card or other identification or documents that may relate to the claimed immunity.

(d) In all cases, verify the status and level of immunity by contacting the U.S. Department of State or the U.S. Mission to the United Nations, as appropriate.

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It will be the responsibility of the Supervisor to communicate the claim of immunity to the on-duty supervisor of the arresting agency (if not the Stanislaus County Probation Department). The Supervisor may assist another agency in determining the person's immunity status.

The Supervisor is responsible for ensuring appropriate action is taken based upon information received regarding the youth's immunity status.

604.3.3 REPORTING

If the youth's immunity status has been verified, the Supervisor should ensure a report is prepared describing the details and circumstances of any detention or custody. A copy of the report should be faxed or mailed as soon as possible to the U.S. Department of State in Washington, D.C., or to the U.S. Mission to the United Nations in New York in cases involving a member of the United Nations community.

604.4 CONSULAR NOTIFICATIONS

604.4.1 CONSULAR NOTIFICATION LIST AND CONTACTS

The U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members by visiting www.state.gov. The published list of foreign embassy and consulate telephone and fax numbers can also be found by visiting www.state.gov., a standardized notification form that can be faxed and then retained for the record can be found on:

Pronet https ://scprobation.sharepoint.com/:w:/r/sites/pronet/_layouts/15/Doc.aspx?sourcedoc=%7B9605377F-F8D9-42CC-B8ED-69DDF1F2D93E %7D&file=I-1045%20.docx&action=default&mobileredirect= true

Prominently displayed placards informing youth of rights related to consular notification should also be posted.

604.4.2 CONSULAR AND LEGAL GUARDIAN NOTIFICATION

Department members assigned to intake shall:

(a) If the youth is a foreign national, determine whether the youth's country is on the U.S. Department of State's mandatory notification list.

(b) If the country is not on the list for mandatory notification, attempt to contact the youth's parent/guardian to see if the parent/guardian wants consular officers notified of the detention. If there is reason to believe the youth may be the victim of abuse or trafficking and contacting the parent/guardian or consular officers would put the youth in danger, contact the court for a determination of whether notification should be made.

(c) If the country is not on the list for mandatory notification and the youth's parent/guardian requests that consular officers be notified, and if the Department is unable to locate the foreign national's legal guardian within 72 hours, or the court orders notification:

1. Notify the nearest embassy or consulate of the detainee's country of the arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.

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2. Forward any communication from the detainee and/or parent/guardian to the consular officers without delay.

(d) If the country is on the list for mandatory notification:

1. Notify the nearest embassy or consulate of the detainee's country, without delay, of the detainee's detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
2. Tell the youth and the parent/guardian that this notification has been made and inform the youth without delay that the youth may communicate with the youth's consular officers.
3. Forward any communication from the detainee and the detainee's parent/ guardian to the consular officers without delay.
4. Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation in the youth's file.

Members should never discuss anything with consulate personnel beyond the required notifications, such as whether the youth is requesting asylum. Requests for asylum should be forwarded to the Supervisor.

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Youth Rights - Protection from Abuse

605.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that youth are afforded a safe, healthy environment free from abuse, physical punishment, harassment, intimidation, and theft, or other loss of property (15 CCR 1324).

605.2 POLICY

It is the policy of this department to make every reasonable effort to protect youth from abuse, physical punishment, injury, harassment, intimidation, or loss or damage to personal property by other youth or staff. Staff shall take reasonable actions to safeguard vulnerable youth from others, maintaining open communication with youth, and shall use the classification policies and procedures to make housing decisions that will provide for youth safety. Abuse of youth by staff or other youth will not be tolerated.

605.3 RESPONSIBILITY

It shall be the responsibility of all facility staff to adhere to policies, procedures, and practices to protect youth. These procedures include but are not limited to:

- Following the classification guidelines for youth housing.
- Closely supervising youth activities and interceding as needed to prevent violence, harassment, or abuse of youth.
- Using force only when necessary and to the degree that is reasonable.
- Reporting all youth injuries, investigating the cause of reported injuries, and documenting these efforts in an incident report.
- Enforcing all rules and regulations in a fair and consistent manner.
- Preventing any practice of youth conducting kangaroo courts or dispensing discipline toward any other youth.
- Conducting required safety checks of all youth housing areas (15 CCR 1328).
- Checking all safety equipment for serviceability and reporting any defective equipment to the appropriate supervisor or the Facility Superintendent.
- Referring sick or injured youth to a qualified health care professional without unnecessary delay.
- Maintaining high standards of cleanliness throughout the juvenile institutions.
- Documenting all abuse protection efforts in facility logs and incident reports as applicable.
- Accepting, documenting, and reviewing all grievances (see the Youth Grievances Policy).

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605.4 TRAINING

The Facilities Training Program should be responsible for developing and delivering a training curriculum to all staff on the topic of protecting youth from abuse (15 CCR 1322). Training completion documents shall be filed in each member's training file.

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Prison Rape Elimination Act

606.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse and sexual harassment (28 CFR 115.311).

606.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Sexual abuse - Any of the following acts, if the youth does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

(a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight

(b) Contact between the mouth and the penis, vulva, or anus

(c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument

(d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

(e) Voyeurism (28 CFR 115.6; 15 CCR 1302)

Sexual abuse also includes abuse by a staff member, contractor, or volunteer as follows, with or without consent of the youth:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above

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- Any display by staff members, service providers, or volunteers of their uncovered genitalia, buttocks, or breast in the presence of a youth

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth that are directed toward another; repeated verbal comments or gestures of a sexual nature to a youth by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

Compliance Officer- Each facility shall designate a Compliance Officer to coordinate the facility's efforts to comply with PREA standards.

Contract employee/vendor- A person who provides service on a recurring basis pursuant to a contractual agreement with the department.

Exigent circumstances- Temporary or unforeseen circumstances that require immediate action.

Gender non-conforming- A person whose appearance or manner does not conform to traditional societal gender expectations.

Mandated Child Abuse Reporter- Pursuant to Penal Code Section 11166, any person who, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes child abuse or neglect.

PREA Program Coordinator- A management level staff with sufficient time and authority to develop, implement, and oversee the department's efforts to comply with PREA standards.

Secure Juvenile Facility- A facility in which movement and activities of youth may be restricted or subject to control through the use of physical barriers or staff supervision. A facility that allows youth access to the community to achieve treatment or correctional activities, such as educational or employment programs typically will not be considered to be a secure juvenile facility.

Security staff member- Staff primarily responsible for the supervision and control of youth in housing units, recreational or program areas of the facility.

Substantiated allegations- An allegation that was investigated and determined to have occurred.

Unfounded allegations- An allegation that was investigated and determined not to have occurred.

Unsubstantiated allegations- An allegation that was investigated and determined that insufficient evidence existed as to whether or not the event occurred.

Visiting Officials- A person who is granted access to see or spend time with a youth in an official/ professional capacity, such as an attorney, clergy, social worker, CASA worker, law enforcement official or therapist.

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Voyeurism- An invasion of privacy of a youth for reasons unrelated to official duties, such as peering at a youth who is using the toilet in his or her cell.

Volunteer- An individual who donates time and effort to enhance the activities and the programs of the department.

606.2 POLICY

This department has zero tolerance with regard to sexual abuse and sexual harassment in this facility. This department will take appropriate affirmative measures to protect all youth from sexual abuse and harassment, and promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment.

606.3 PRESERVATION OF ABILITY TO PROTECT YOUTHS

The Department shall not enter into or renew any collective bargaining agreement, memorandum of understanding, or other agreement that limits the department's ability to remove alleged staff sexual abusers from contact with any youth pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.366).

See the Stanislaus County Probation Dept. JD Procedures Manual: 601.12 DISCIPLINARY SANCTIONS for further information.

606.4 PREA COORDINATOR

The Chief Probation Officer shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee department efforts to comply with the PREA standards. The PREA coordinator shall review facility policies and practices, and make appropriate compliance recommendations to the Facility Superintendent (28 CFR 115.311).

The PREA coordinator's responsibilities shall include:

(a) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators, and facility management to an incident of sexual abuse. The plan must also outline the department's approach to identifying imminent sexual abuse toward youth and preventing and detecting such incidents (28 CFR 115.311; 28 CFR 115.365; 28 CFR 115.362).

(b) Ensuring that within 10 days of intake, youth are provided with comprehensive, age-appropriate education, either in person or through video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding the department's policies and procedures for responding to such incidents. The department shall maintain documentation of youth participation in these educational sessions (28 CFR 115.333).

(c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect youth from sexual abuse. This includes maintaining the minimum required security-staff-to-youth ratios, documenting deviations from the staffing plan and the reasons for those deviations, and reviewing the staffing plan a minimum of once per year. In calculating adequate staffing levels

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and determining the need for video monitoring, facilities shall take into consideration (28 CFR 115.313):

1. Generally accepted juvenile detention and secure residential practices.
2. Any judicial findings of inadequacy.
3. Any findings of inadequacy from federal investigative agencies.
4. Any findings of inadequacy from internal or external oversight bodies.
5. All components of the facility's physical plant, including blind spots or areas where staff or youth may be isolated.
6. The composition of the youth population.
7. The number and placement of supervisory staff.
8. Institution programs occurring on a particular shift.
9. Any applicable state or local laws, regulations, or standards.
10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse.
11. Any other relevant factors.

(d) Ensuring that, when designing, acquiring, expanding, or modifying facilities, or when installing or updating a video-monitoring system, electronic surveillance system, or other monitoring technology, consideration is given to the department's ability to protect youth from sexual abuse (28 CFR 115.318).

(e) Ensuring that any contract for the confinement of youth includes the requirement to adopt and comply with the PREA standards, including obtaining incident-based and aggregated data, as required in 28 CFR 115.387. Any new contract or contract renewal shall provide for department contract monitoring to ensure that the contractor is complying with the PREA standards (28 CFR 115.312).

(f) Making reasonable efforts to enter into agreements with community service providers to provide youth with confidential emotional support services related to sexual abuse. The facility shall provide youth with access to outside victim advocates for emotional support services related to sexual abuse by giving youth mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations. The facility shall enable reasonable communication between youth and these organizations and agencies in as confidential a manner as possible. The facility shall inform youth, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws (28 CFR 115.353).

(g) Implementing a process by which youth are provided with reasonable and confidential access to their attorneys (or other legal representation), and with reasonable access to parents or legal guardians (28 CFR 115.353).

(h) Implementing a process by which youth may report sexual abuse and sexual harassment to a public/private entity or an office that is not part of the Department, and by which the outside entity or office is able to receive and immediately forward

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youth reports of sexual abuse and sexual harassment to the Facility Superintendent, allowing the youth anonymity (28 CFR 115.351).

(i) Establishing a process to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under the direct control of this department, using a standardized instrument and set of definitions. Upon request, the Department shall provide all such data from the previous calendar year to the U.S. Department of Justice (DOJ) no later than June 30 (28 CFR 115.387).

1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the U.S. DOJ.
2. The data shall be aggregated at least annually.

(j) Establishing a process to monitor the conduct and treatment of youth or staff who have reported sexual abuse, and the conduct and treatment of detainees who were reported to have suffered sexual abuse.

(k) Ensuring that the following are published on the department's website or by other means, if no website exists:

1. Department policy governing investigations of allegations of sexual abuse and sexual harassment or the referral of such investigations of sexual abuse or sexual harassment (unless the allegation does not involve potentially criminal behavior) (28 CFR 115.322)
2. Information on how to report sexual abuse and sexual harassment on behalf of a youth (28 CFR 115.354)

(l) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 (28 CFR 115.393).

(m) Implementing a protocol requiring mid-level or higher-level supervisors to conduct and document unannounced inspections to identify and deter sexual abuse and sexual harassment. The protocol shall prohibit announcing when such inspections are to occur, unless it is necessary for operational considerations (28 CFR 115.313).

(n) Ensuring agreements with outside investigating agencies include PREA requirements, including a requirement to keep the Stanislaus County Probation Department informed of the progress of the investigation (28 CFR 115.371).

(o) Ensuring the Department conducts follow-up criminal background records checks at least once every five years on members or service providers who may have contact with youth or has in place a system for otherwise capturing such information (28 CFR 115.317).

See the Stanislaus County Probation Dept. JD Procedures Manual: 601.5 SUPERVISION AND MONITORING for further information.

606.5 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION

Any employee, including medical and mental health staff, department representative, volunteer, or contractor who becomes aware of an incident of sexual abuse, sexual harassment, or retaliation

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against youth or staff shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator (28 CFR 115.361). Staff may also privately report sexual abuse and sexual harassment of youth (e.g., report to the Facility Superintendent) (28 CFR 115.351).

Youth may report sexual abuse or sexual harassment incidents anonymously or to any staff member they choose. Staff shall accommodate all youth requests to report allegations of sexual abuse or harassment. Staff shall accept reports made verbally, in writing, anonymously, or from third parties, and shall promptly document all verbal reports. The facility shall provide youth with reasonable access to tools necessary to make a written report (28 CFR 115.351).

Threats or allegations of sexual abuse and sexual harassment, regardless of the source, shall be documented and referred for investigation. Sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.361).

606.5.1 REPORTING TO OTHER FACILITIES

If there is an allegation that a youth was sexually abused while confined at another facility, the Facility Superintendent or their designee shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Facility Superintendent shall ensure that the notification has been documented (28 CFR 115.363).

606.5.2 ADDITIONAL REPORTING REQUIREMENTS FOR YOUTH VICTIMS

Upon receiving any allegation of sexual abuse of a youth (28 CFR 115.361):

(a) All staff shall comply with mandatory child abuse reporting laws (Penal Code § 11166).

(b) The Facility Superintendent or authorized designee shall report the allegation to the victim's parents or legal guardians unless the Department is in possession of official documentation that the parents or legal guardians should not be notified.

(c) If the victim is under the guardianship of the child welfare system, the Facility Superintendent shall report the allegation to the victim's caseworker (instead of parents or legal guardians).

(d) If a juvenile court retains jurisdiction over the victim, the Facility Superintendent shall also report the allegation to the victim's attorney or other legal representative within 14 days of receiving the allegation.

See the Stanislaus County Probation Dept. JD Procedures Manual: 601.1 PRISON RAPE ELIMINATION ACT PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 601.2 SUSPECTED CHILD ABUSE REPORTING FORM, Stanislaus County Probation Dept. JD Procedures Manual: 601.3 SUSPECTED/ALLEGED ABUSE BY STAFF and Stanislaus County Probation Dept. JD Procedures Manual: 601.4 PROCEDURES FOR SUSPECTED CHILD ABUSE for further information.

606.6 RETALIATION

All youth and staff who report sexual abuse or sexual harassment, or who cooperate with sexual abuse or sexual harassment investigations, shall be protected from retaliation.

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Protective measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment or reassignment of the victim or alleged perpetrator to another housing area, and support services for youth or staff who fear retaliation, shall be utilized (28 CFR 115.367).

The Facility Superintendent or the authorized designee shall assign a supervisor to monitor, for at least 90 days, the conduct and treatment of youth or staff who report sexual abuse or sexual harassment, as well as youth who were reported to have suffered sexual abuse, to determine if there is any possible retaliation. The supervisor shall act promptly to remedy any such retaliation. The assigned supervisor should consider youth disciplinary reports, housing or program changes, negative staff performance reviews, or reassignment of staff members. Monitoring may continue beyond 90 days if needed. Youth monitoring shall also include periodic status checks. The Facility Superintendent should take reasonable steps to limit the number of people with access to the names of individuals being monitored and should make reasonable efforts to ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take reasonable measures to protect that individual against retaliation (28 CFR 115.367).

606.7 FIRST RESPONDERS

If an allegation of youth sexual abuse is made, the first probation corrections officer to respond shall (28 CFR 115.364):

(a) Separate the parties.

(b) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.382).

(c) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.

(d) If the time period allows for collection of physical evidence, request that the alleged victim, and ensure that the alleged abuser, do not take any actions that could destroy physical evidence (e.g., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, eating).

If the first responder is not a probation corrections officer, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a probation corrections officer.

Should an investigation involve youth who have disabilities or who have limited English proficiency, the Department shall not rely on youth interpreters, youth readers, or other types of youth assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise youth safety, the performance of first responder duties, or the investigation of sexual abuse or sexual harassment allegations (28 CFR 115.316).

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See the Stanislaus County Probation Dept. JD Procedures Manual: 601.4.1 Protocol to be followed for the Investigation of Complaints of Sexual Abuse or Sexual Activity of Youths in Custody for further information.

See the Stanislaus County Probation Dept. JD Procedures Manual: 601.6 PROBATION CORRECTIONS OFFICERS RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 601.7 SUPERVISING PROBATION CORRECTIONS OFFICERS RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 601.8 FACILITY MANAGER(S) RESPONSIBILITIES, and Stanislaus County Probation Dept. JD Procedures Manual: 601.9 HUMAN RESOURCES MANAGER RESPONSIBILITIES for further information.

606.8 SEXUAL ABUSE VICTIMS

Youth who are victims of sexual abuse shall be transported to the nearest appropriate location for treatment of injuries and collection of evidence, and for crisis intervention services (28 CFR 115.382). Depending on the severity of the injuries, transportation may occur by a staff member or by ambulance, in either case with appropriate security to protect the staff, the youth, and the public, and to prevent escape.

A victim advocate from a rape crisis center should be made available to the victim. If a rape crisis center is not available, the Department shall make available a qualified member of a community-based organization, or a qualified health care or mental health professional from the Department, to provide victim advocate services. Efforts to secure services from a rape crisis center shall be documented. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 34 USC § 12511, to sexual assault victims of all ages. A rape crisis center that is part of a government unit may be used if it is not part of the criminal justice system (such as a law enforcement agency) and it offers a level of confidentiality comparable to the level at a nongovernmental entity that provides similar victim services (28 CFR 115.321).

606.9 EXAMINATION, TESTING, AND TREATMENT

Examination, testing, and treatment shall include the following:

(a) Forensic medical examinations shall be performed as evidentiary or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANE)s. If neither SAFEs nor SANEs are available, other qualified medical practitioners can perform the examination. The Department shall document its efforts to provide SAFEs or SANEs (28 CFR 115.321).

1. Any evidentiary examination and the initial treatment of victims of sexual assault shall be conducted at a health facility separate from the Juvenile Institutions that is properly equipped and staffed with personnel trained and experienced in treating victims of sexual assaults.

(b) If requested by the victim, a victim advocate, a qualified department staff member, or a qualified community organization staff member shall accompany the victim through

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the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information, and referrals (28 CFR 115.321).

(c) Provisions shall be made for testing the victim for sexually transmitted diseases (28 CFR 115.382).

(d) Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.

(e) Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections, and follow-up treatment for sexually transmitted diseases (28 CFR 115.382; 28 CFR 115.383). This shall be done in a timely manner.

(f) Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.383). This shall be done in a timely manner.

(g) Victims shall be provided with follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities or their release from detention (28 CFR 115.383).

(h) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.382; 28 CFR 115.383).

(i) The Medical Director or mental health staff shall obtain informed consent from youth before reporting information to juvenile institutions staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the youth is under the age of 18 (28 CFR 115.381).

(j) Sharing of medical and mental health information related to sexual victimization that occurred in an institutional setting shall be limited to medical and mental staff and juvenile institutions staff to the extent necessary to inform treatment plans and security or management decisions (28 CFR 115.381).

1. Youth shall be informed at the initiation of services of the duty to report and the limits of confidentiality (28 CFR 115.361).

606.10 SEXUAL ABUSE AND SEXUAL HARASSMENT INVESTIGATIONS

An administrative investigation, criminal investigation, or both shall be completed for all allegations of sexual abuse and sexual harassment (28 CFR 115.322). Administrative investigations shall include an effort to determine whether the staff's actions or inaction contributed to the abuse. All administrative and/or criminal investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Only investigators who have completed department-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases (28 CFR 115.371). Modesto Police Department shall be notified so that they may initiate a criminal investigation.

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When practicable, an investigator of the same sex as the victim should be assigned to the case. Sexual abuse and sexual harassment investigations should be conducted promptly and continuously until completed. Investigators should evaluate reports or threats of sexual abuse and sexual harassment without regard to a youth's sexual orientation, sex, or gender identity. Investigators should not assume that any sexual activity among youth is consensual.

The departure of the alleged abuser or victim from the employment or control of the juvenile institutions or Department shall not provide a basis for terminating an investigation (28 CFR 115.371).

If the investigation is referred to another agency for investigation, the Department shall request that the investigating agency follow the requirements as provided in 28 CFR 115.321 (a) through (e). The referral shall be documented. The Department shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation (28 CFR 115.371). If criminal acts are identified as a result of the investigation, the case shall be presented to the appropriate prosecutor's office for filing of new charges (28 CFR 115.371).

Evidence collection shall be based on a uniform evidence protocol that is developmentally appropriate for youth, if applicable, and adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011 (28 CFR 115.321).

Youth alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.371).

606.10.1 INVESTIGATIVE FINDINGS

All completed written investigations shall be forwarded to the Chief Probation Officer or, if the allegations may reasonably involve the Chief Probation Officer, to the higher authority. The higher authority or the authorized designee shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of evidence (28 CFR 115.371; 28 CFR 115.372).

The staff shall be subject to disciplinary sanctions, up to and including termination, for violating this policy. Termination shall be the presumptive disciplinary sanction for staff members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to the law enforcement agency that would handle any related investigation and to any relevant licensing bodies (28 CFR 115.376).

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606.10.2 REPORTING TO YOUTH

The Facility Superintendent or the authorized designee shall inform a victim youth in writing whether an allegation has been found to be substantiated, unsubstantiated, or unfounded. If the Department did not conduct the investigation, the Department shall request relevant information from the investigative agency in order to inform the youth.

If a staff member is the accused (unless the Department has determined that the allegation is unfounded), the youth shall also be informed whenever:

(a) The staff member is no longer assigned to the youth's unit or employed at the facility.

(b) The Department learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility.

If another youth is the accused, the alleged victim shall be notified whenever the Department learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

All notifications or attempted notifications shall be documented. When notification is made while the youth is in detention, the youth shall be requested to sign a copy of the notification letter. The letter will be added to the case file (28 CFR 115.373).

606.11 SEXUAL ABUSE AND SEXUAL HARASSMENT BETWEEN STAFF AND YOUTH

Sexual abuse and sexual harassment between staff, volunteers, or contract personnel and youth is strictly prohibited (28 CFR 115.311; 28 CFR 115.376). The fact that a youth may have initiated a relationship or sexual contact is not a defense to violating this policy.

Any incident involving allegations of staff-on-youth sexual abuse or sexual harassment shall be referred to the Internal Affairs Investigators for investigation and the Modesto Police Department.

606.11.1 SEXUAL ABUSE BY CONTRACTOR OR VOLUNTEER

Any contractor or volunteer who engages in sexual abuse within the facilities shall be immediately prohibited from having any contact with youth. The contractor or volunteer shall be promptly reported to the law enforcement agency that would investigate such allegations and brought to the attention of any relevant licensing bodies (28 CFR 115.377).

606.12 SEXUAL ABUSE INCIDENT REVIEW

An incident review shall be conducted at the conclusion of every sexual abuse investigation unless the allegation has been determined to be unfounded (28 CFR 115.386). The review should occur within 30 days of the conclusion of the investigation.

The review team shall include upper-level management officials and seek input from line supervisors, investigators, and qualified health care and/or mental health professionals, as appropriate:

(a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect, or respond to sexual abuse.

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(b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification status or perceived status; gang affiliation; or other group dynamics at the facility.

(c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.

(d) Assess the adequacy of staffing levels in the area during different shifts.

(e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

(f) Prepare a written report of the team's findings, including but not limited to determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Chief Probation Officer and the PREA coordinator.

The Facility Superintendent or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so.

See the Stanislaus County Probation Dept. JD Procedures Manual: 601.10 COMPLIANCE OFFICER'S RESPONSIBILITIES, Stanislaus County Probation Dept. JD Procedures Manual: 601.11 MEDICAL AND MENTAL HEALTH CARE RESPONSIBILITIES REGARDING SEXUAL ABUSE for further information.

606.13 DATA REVIEWS

This departmentmay conduct an annual review of collected and aggregated incident-based sexual abuse data. The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection, and response policies, practices, and training by:

(a) Identifying problem areas.

(b) Identifying corrective actions taken.

(c) Recommending corrective actions.

(d) Comparing current annual data and corrective actions with those from prior years.

(e) Assessing the department's progress in addressing sexual abuse.

The reports shall be approved by the Facility Superintendent and made available through the department's website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated (28 CFR 115.388).

All aggregated sexual abuse data from Stanislaus County Probation Department facilities and private facilities with which it contracts shall be made available to the public at least annually through the department's website. Before making aggregated sexual abuse data publicly available, the Department shall remove all personal identifiers (28 CFR 115.389).

See the Stanislaus County Probation Dept. JD Procedures Manual: 601.13 DATA COLLECTION for further information.

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606.14 RECORDS

All case records and reports associated with a claim of sexual abuse and sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with confidentiality laws.

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years unless the abuse was committed by a youth and applicable law requires a shorter period of retention (28 CFR 115.371).

All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state, or local law requires otherwise (28 CFR 115.389).

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Grooming

607.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure youth grooming standards are based upon legitimate governmental interests.

607.2 POLICY

It is the policy of this facility to allow youth choice in personal grooming, except when a legitimate government interest justifies that grooming standards be established. The Facility Superintendent or the authorized designee shall establish youth grooming standards specific to youth classification,, facility safety and security, and youth health and hygiene. Any established standards should not unreasonably interfere with religious observances. Grooming standards should be identified in the youth handbook.

607.3 HAIRCUTS

Youth will be provided haircuts subject to established facility rules. If hair length, style, or condition presents a security or sanitation concern, haircuts may be mandatory. Youth who significantly alter their appearance, or who through time, development, or improved diet have significantly changed, may be required to submit to additional admission photos.

Youth shall not cut names, numbers, or other designs into their hair. Youth shall not manipulate their hair into any style that could facilitate the concealment and movement of contraband and weapons, or promotes gang activity or gang identification.

See the Stanislaus County Probation Dept. JD Procedures Manual: 603.1 HAIRCARE PROCEDURES for further information.

607.3.1 HAIR CARE SERVICES

The Facility Superintendent or the authorized designee shall establish written procedures for youth hair care services (15 CCR 1488; 16 CCR 979; 16 CCR 980). The procedures will include schedules for hair care services and allow rescheduling for conflicts, such as court appearances.

Youth shall receive hair care services once monthly (15 CCR 1488). Staff may suspend access to hair care services if the youth appears to be at risk of self-injury or to be a danger to others or to the safety and security of the facility.

607.4 SHAVING

Youth shall have access to a razor daily unless their appearance must be maintained for reasons of identification in court. All youth shall have equal opportunity to shave their face and body hair (15 CCR 1487). Facial hair shall be clean and well groomed. Long beards may allow youth to conceal weapons or contraband. Youth may be required to trim facial hair if it poses a security or safety risk. Youth may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair. Youth with facial hair who work around food shall wear appropriate facial coverings. All shaving shall be done with supplied disposable razors. For security reasons,

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staff member's shall supervise youth. Razors are not to be shared between youth and shall be inspected after use to ensure all blades are present. Razors shall be discarded into the secure trash container behind the staff station after each use.

A youth may be denied access to razors if the youth appears to be at risk of self-injury or appears to be a danger to others, or if such access may jeopardize the safety and security of the facility.

Youth may be restricted from significantly altering their appearance for reasons of identification in court.

607.5 NAILS

Nail clippers will be kept at the staff station and will be issued to youth upon request. Youth workers must keep their nails clean and trimmed. Youth with long nails may be required to trim their nails if there is a security concern and they are admitted to general population.

607.6 PERSONAL CARE ITEMS

Youth are expected to maintain their hygiene using approved personal care items.

No youth will be denied the necessary personal care items. For sanitation and security reasons, members should not allow personal care items to be shared.

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Youth Nondiscrimination

608.1 PURPOSE AND SCOPE

The constitutional rights of youth regarding discrimination are protected during incarceration. These protections extend to administrative decisions (e.g., classification, access to programs, availability of services). This policy is intended to guide the staff toward nondiscriminatory administrative decisions and to detail a complaint and discrimination investigation process (15 CCR 1324).

608.2 POLICY

All decisions concerning youth housed at this facility shall be based on reasonable criteria that support the health, safety, security, and good order of the facility.

608.3 REPORTING DISCRIMINATION

Youth who wish to report an allegation of discrimination may communicate with facility management by way of the following:

(a) Youth Grievance Form provided by the facility staff

1. Youth Grievance Forms shall be made freely available in the living units

(b) Confidential correspondence addressed to the Chief Probation Officer or the authorized designee, or other government official, including the courts or legal representatives

(c) Verbally to any supervisor or other staff member of this facilities

608.3.1 HANDLING COMPLAINTS OF DISCRIMINATION

Staff members shall promptly forward all written discrimination allegations by youth to the Supervisor. If the allegation is presented verbally, the receiving staff member shall prepare an incident report identifying the circumstances prompting the allegation, the individuals involved, and any other pertinent information that would be useful to investigating the allegation.

Unless the grievance or written complaint submitted by the youth is clearly identified as confidential and addressed to the Chief Probation Officer or the authorized designee, or other official, the Supervisor shall review the complaint and attempt to resolve the issue. The Supervisor shall document the circumstances of the allegation and what actions, if any, were taken to investigate or resolve the complaint. All reports of alleged discrimination shall be forwarded to the Facility Superintendent for review and further investigation or administrative action as needed.

Administrative evaluations and response to allegations of discrimination shall be based upon objective criteria.

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608.4 DISCRIMINATION GRIEVANCE/COMPLAINT AUDITS

The Facility Superintendent or designee should review all discrimination grievances and complaints to evaluate whether any policy or procedure changes or training are indicated. The Facility Superintendent or designee may record these findings in a confidential memorandum. Specific details of complaints and identifying information, such as names of the involved persons, dates, or times, are not part of this process and should not be included in the memorandum. If the audit identifies any recommended changes or content that may warrant a critical revision to this manual, the Chief Probation Officer or the authorized designee should be promptly notified.

Any training issues identified by this audit should be forwarded to the Training Director, who shall be responsible for ensuring all necessary and required training is scheduled and completed.

608.5 DISCRIMINATION PROHIBITED

Discriminating against youth based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law is prohibited (15 CCR 1324).

Reasonable and comparable opportunities for participation in services and programs including vocational, educational, and religious programs shall be made available to youth in a nondiscriminatory manner.

The Facility Superintendent should periodically conduct interviews with youth and staff members to identify and resolve potential problem areas related to discrimination before they occur.

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Youth Grievances

609.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which youth may file grievances and receive a formal review regarding the conditions of their confinement (15 CCR 1361).

609.1.1 DEFINITIONS

Definitions related to this policy include:

Conditions of confinement - Any condition of a youth's confinement in the Juvenile Institutions including health care services; classification decisions; program participation; telephone, mail, or visiting procedures; food; clothing; bedding; mistreatment; and harassment or violations of the Youth Nondiscrimination Policy (15 CCR 1361).

609.2 POLICY

It is the policy of this department that any youth may file a grievance relating to conditions of confinement.

Retaliation for use of the grievance system is prohibited.

609.3 ACCESS TO THE GRIEVANCE SYSTEM

All youth shall be provided with a grievance process for resolving complaints arising from juvenile institutions matters with at least one level of appeal. There shall be no time limit on filing grievances.

Youth will receive information about the grievance procedure during the intake/orientation process. Information will also be contained in the youth orientation pamphlet. Information regarding the grievance process will be provided to youth in the language they understand.

This information shall be posted in an obvious location.

The information will include (15 CCR 1361):

- A grievance form, free access, and instructions for registering a grievance.
- Instructions for resolving the grievance at the lowest appropriate staff level.
- The appeal process to the next level of review.
- Written responses to a grievance at each level of review.
- A provision of required time frames for responses.
- Consequences for abusing the grievance system.
- A provision for confidential filing or delivery to any supervisory detention staff.

609.4 YOUTH GRIEVANCE PROCEDURES

Standards and guidelines for filing a grievance are as follows:

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(a) Staff shall attempt to informally resolve all grievances at the lowest level by talking to the youth.

(b) All attempts to resolve a grievance shall be documented in the youth's file. If there is no resolution at this level, the youth may file a grievance.

(c) A youth may help another youth prepare a grievance. Staff members may take reasonable steps to help the youth prepare a grievance if requested.

(d) A system which provides that any appeal of a grievance shall be heard by a person not directly involved in the circumstances which led to the grievance.

Upon receiving a completed youth grievance, the staff member shall document receipt of the grievance, gather associated paperwork and reports, and forward it to a supervisor as soon as reasonably practicable.

609.4.1 EXCEPTION TO INITIAL GRIEVANCE FILING

Youth may request to submit the grievance directly to a supervisor, mail it directly to the Facility Superintendent, or deposit the grievance in a locked box within their housing unit.

A parent/guardian may also mail a grievance via the United States Postal Service to the Facility Superintendent, submit it directly to a supervisor, or deposit the grievance in a locked grievance box located in the visitation area.

609.4.2 TIMELY RESOLUTION OF GRIEVANCES

Upon receiving a completed youth grievance form, the supervisor shall ensure that the grievance is investigated and resolved or denied in a timely manner.

Findings relating to the investigation will be forwarded to the Supervisor. Any appeals shall be forwarded to the Facility Manager as the final level of appeal.

Grievances related to health and safety issues shall be addressed as soon as practicable. A review and initial response to other grievances shall be provided to the youth within **three business days** (15 CCR 1361).

Resolution of grievances should occur within **10 business days**, unless circumstances dictate a longer time frame.. Youth shall be notified of any delay (15 CCR 1361).

609.4.3 APPEALS TO GRIEVANCE FINDINGS

In cases involving Administrative Review the Facility Manager shall note their findings on the youth's Grievance Appeal Form and return it to the SPCO.The SPCO will forward the documents to the youth and notify them of the decision. In cases where the Facility Manager elects to conduct an administrative hearing; all parties to the grievance shall be assembled and the finding/resolution administered at this hearing shall be final.

See the Stanislaus County Probation Dept. JD Procedures Manual: 600.1 YOUTH GRIEVANCES PROCEDURES AND UNIT STAFF'S RESPONSIBILITIES, Stanislaus County Probation Dept.

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JD Procedures Manual: 600.2 SUPERVISOR'S RESPONSIBILITIES, and Stanislaus County Probation Dept. JD Procedures Manual: 600.3 FACILITY MANAGER'S RESPONSIBILITIES for further information.

609.4.4 RECORDING GRIEVANCES

Periodic reviews of the youth grievance log should be made by the Facility Superintendent or the authorized designee to ensure that grievances are being handled properly and in a timely manner. A copy of each grievance should be filed in the youth's official record and maintained throughout the youth's period of incarceration.

The original grievance should be retained in a file maintained by the Facility Superintendent or the authorized designee, and shall be retained in accordance with established records retention schedules.

609.4.5 STATE REQUIREMENTS

At any level of the grievance process, the Facility Superintendent shall ensure (15 CCR 1361):

(a) The youth may elect to be present to explain the youth's version of the grievance to a person not directly involved in the circumstances that led to the grievance.

(b) Provisions exist for a staff representative to assist the youth.

(c) Provisions exist for concerns of parents/guardians, staff, or other parties to be addressed and documented within 14 days.

(d) Youth have the option to confidentially file the grievance or to deliver the form to any youth supervision staff working in the facility.

609.5 GRIEVANCE AUDITS

The Facility Superintendent should perform an annual audit of all youth grievances and complaints filed the previous calendar year. The Chief Probation Officer or the authorized designee should document the findings, including recommendations regarding any changes to policy or procedures or any additional training that might be warranted to reduce future complaints. Specific identifying information regarding dates, times, or individuals named in the complaints is not part of this process and should not be included in the memorandum.

The Chief Probation Officer should evaluate the recommendations and ensure appropriate action is taken.

Any training issues identified as a result of this audit should be forwarded to the Training Director, who will be responsible for ensuring all necessary and required training is scheduled and completed.

609.6 ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE

The following applies to grievances that relate to sexual abuse allegations (28 CFR 115.352):

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Youth Grievances

(a) Youth, who are the victim of, have knowledge, suspicion, or information regarding sexual assault or harassment,may submit a grievance regarding an allegation of sexual abuse at any time through the following internal or external means.

1. Grievance procedure;
2. Directly to staff, service providers, volunteers;
3. Mental Health referral;
4. Medical referral;
5. Crisis Hotline;
6. Haven Women's Center of Stanislaus;
7. Parent, guardian or other supportive adult.

(b) Third parties, including fellow youth, staff members, family members, attorneys, and outside advocates, are permitted to assist youth in filing such grievances and to file such grievances on behalf of youth. Staff members who receive a grievance filed by a third party, other than a parent or legal guardian, on behalf of a youth shall inquire whether the youth wishes to have the grievance processed and shall document the youth's decision, and may require as a condition of processing the grievance on the youth's consent. Staff members who receive a grievance filed by a parent or legal guardian of a youth shall process the grievance with or without the consent of the youth.

(c) Grievances may be submitted to any staff member and need not be submitted to the member who is the subject of the complaint.

(d) Staff receiving a grievance shall forward the grievance to a supervisor. Grievances shall not be forwarded to any supervisor who is the subject of the complaint. Youth and staff are not to attempt to informally resolve grievances related to sexual abuse.

(e) The Supervisor should ensure that grievances related to sexual abuse are investigated and resolved within 10 days of the initial filing, unless additional time is necessary (15 CCR 1361). If a grievance is not resolved within 90 days, the Supervisor may grant an extension of up to 70 days if reasonable to make an appropriate decision. If an extension is granted, the youth shall be notified in writing and provided a date by which a decision will be made.

(f) At any level of the process, including the appeal, if the youth does not receive a response within the allotted time, including any properly noticed extension, the youth may consider the absence of a response to be a denial at that level.

(g) Youth may be disciplined for filing a false grievance related to alleged sexual abuse only when it is determined that the youth filed the grievance in bad faith.

(h) The facility shall provide youth with access to forms, writing implements, computers, or other tools necessary to make a written report (28 CFR 115.351).

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(i) Each facility, at its entrance, lobby, or area in which the public has access, shall list the phone numbers to all the department's juvenile facilities with instructions on how to report sexual assault and sexual harassment.

609.6.1 EMERGENCY GRIEVANCES RELATED TO SEXUAL ABUSE

Youth who believe they are, or any other youth is, at substantial risk of imminent sexual abuse may file an emergency grievance with any supervisor. The supervisor shall determine whether immediate action is reasonably necessary to protect the youth and shall provide an initial response within 48 hours.

The supervisor shall refer the grievance to the Facility Manager, who will investigate and issue a final decision within five calendar days.

The initial response and final decision shall be documented and shall include a determination whether the youth is in substantial risk of imminent sexual abuse and identify actions taken in response to the emergency grievance (28 CFR 115.352).

609.7 TRAINING

The Division Director assigned to the Professional Standards unit shall ensure that all detention staff members receive initial and periodic training regarding all aspects of this policy.

Grievances will not be denied simply because they contain profanity or other language objectionable to staff. The youth in question may be given the opportunity to rewrite the grievance without the objectionable language.

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Youth Voting

610.1 PURPOSE AND SCOPE

This policy establishes the requirement for providing eligible youth the opportunity to vote during elections, pursuant to election statutes.

610.2 POLICY

The Department will assist youth who wish to vote in an election.

610.3 PROCEDURES

Prior to each election, the Facility Superintendent or designee will designate a probation corrections officer to be a liaison between the Department and the local Registrar of Voters. The designated probation corrections officer will be responsible for assisting youth who have requested to vote. Postage shall be provided to youth who cannot afford to mail an absentee ballot.

Youth should be advised of voting methods during the youth orientation.

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Juvenile Lesbian, Gay, Bisexual, Transgender, Questioning, and Intersex (LGBTQI)

611.1 PURPOSE AND SCOPE

The purpose of this policy is to establish operational practices that reinforce our commitment to respect the dignity of all youth, including transgender and gender non-conforming youth, create a safe environment for all youth, and ensure that all youth have equal access to all available services, care and treatment.

This policy shall apply to members of the Juvenile Services and Institutions Divisions, as well as volunteers and service providers who come into contact with youth.

611.1.1 DEFINITIONS

(a) LGBTQI person- LGBTQI individuals shall include persons who have self-identified or are perceived by others as lesbian, gay, bisexual, transgender, intersex, or questioning their sexual orientation or gender identity.

(b) “Gay” refers to a person who is emotionally, romantically, and sexually attracted to people of the same gender. Sometimes, it may be used to refer to gay men and boys only. It is preferred over the term “homosexual.”

(c) “Lesbian” refers to a female who is emotionally, romantically, and sexually attracted to other females.

(d) “Bisexual” refers to a person who is attracted to, and may form sexual and romantic relationships with, males and females.

(e) “Gender Expression” means the manner in which a person expresses their gender through clothing, appearance, behavior, speech.

(f) “Gender Identity” means a person’s sense of identification with either the male or female self.

(g) “Sexual Orientation” means a person’s emotional, romantic, and sexual attraction for the same, opposite, or both sexes.

(h) “Transgender Youth” means a youth whose gender identity does not correspond with their anatomical sex.

(i) “Questioning” refers to a person, often an adolescent, who is exploring or questioning issues of sexual orientation or gender identity or expression in their life. Some questioning people will ultimately identify as gay, lesbian, bisexual or transgender; others will self-identify as heterosexual and not transgender.

(j) "Probationer" means any person under the supervision of the Probation Department.

(k) “Intersex” - Intersex individuals are born with a congenital anomaly affecting their sexual and reproductive anatomy as well as their genetic and hormonal composition that do not fit traditional biological sexual assignment as male or female. Those born intersex are sometimes assigned gender identity through surgical alterations, social upbringing, choosing gender identity at maturity, or any combination of circumstances

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specific to that individual.

611.2 POLICY

It shall be the policy of the Stanislaus County Probation Department to maintain and promote an organization that provides the highest quality of services to probationers regardless of actual or perceived sexual orientation or gender identity.

(a) Lesbian, Gay, Bisexual, Transgender, Questioning and Intersex (LGBTQI) probationers under the supervision of the Probation Department shall receive fair and equitable treatment, without bias and in a professional and confidential manner based upon evidence-based best practices.

(b) Members, volunteers and service providers who offer services to probationers shall not discriminate or harass any probationer in their care based on the probationer's actual or perceived sexual orientation or gender identity.

(c) Members shall protect probationers from discrimination, physical and sexual harassment by other probationers, based on a probationer's actual or perceived sexual orientation or gender identity.

(d) The Probation Department will take reasonable steps within its control to meet the diverse needs of all probationers and provide an environment in which all individuals are treated with respect and dignity, regardless of sexual orientation or identity.

611.3 GUIDING PRINCIPLES

These principles guide the work of the Stanislaus County Probation Department and represent the values that support our collective commitment to increase our competency to serve and support the development of youth of all sexual orientations and gender identities.

(a) We treat all youth and families with respect and fairness, and strive to convey the intrinsic worth and dignity of every person in the course of our work.

(b) We believe that youth deserve to feel safe and accepted in their homes, in court, institutions, placements, schools, and community settings.

(c) We affirm and respect the sexual orientation and gender identity of each individual we serve, regardless of our personal beliefs.

(d) We understand that all youth have the same basic need for safety, acceptance and support, and that some youth experience unique challenges due to external responses to their actual or perceived sexual orientation, gender identity, or gender expression.

(e) We aim to prevent and work to remedy any bias, injustice or disrespect directed at youth based upon their sexual orientation, gender identity, or gender expression within the Juvenile Justice System.

(f) We embody integrity, professionalism, and fairness and take ownership of the critical role we play in building the character of the young people we serve.

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(g) We understand that any attempt to control or change the sexual orientation or gender identity of any youth is contrary to accepted professional practice and potentially harmful.

(h) All members are required to adhere to the guidelines of the Stanislaus County Personnel Manual, Employee Conduct/Behavior Expectations – Tab 16, Workplace Harassment, Discrimination and Retaliation Policy and the County's Equal Employment Opportunity Plan to ensure that this protected class can report discrimination or harassment without fear of reprisals. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

611.4 GENERAL OPERATIONS

All youth, regardless of sexual orientation or gender identity, need to feel safe in their surroundings in order to fully benefit from programming. The Stanislaus County Probation Department shall establish and maintain a culture where the dignity of everyone is respected and all feel safe and free from sexual abuse.

(a) The Probation Department shall create opportunities for dialogue with youth and members about all forms of diversity to increase tolerance and respect.

(b) The Probation Department will promote the positive adolescent development of all youth in its care. Actions that support positive adolescent development include the following: modeling desired behavior such as demonstrating respect for all youth; reinforcing respect for differences among youth, encouraging the development of healthy self-esteem in youth, and helping youth manage the stigma sometimes associated with difference.

(c) Members shall remind all youth that anti-LGBTQI threats of violence, actual violence, or disrespectful or suggestive comments or gestures, will not be tolerated.

(d) The Probation Department intends to provide a safe and non-discriminatory environment in its institutions and placements where youth can learn and grow. Members shall not prohibit or discourage communication or interaction between youth of the same sex that is not also prohibited or discouraged between youth of different sexes.

(e) Where possible, members shall display materials that convey to youth that the Probation Department maintains a supportive environment for LGBTQI youth.

611.5 CONFIDENTIALITY

Members of the Stanislaus County Probation Department, or employees and volunteers of any agency providing services on behalf of the youth and their family, shall not disclose a youth's sexual orientation or gender identity to other youth, outside parties, individuals, agencies, including health care or social service providers, or a youth's parent/legal guardians or other family members without the youth's permission, unless such disclosure is

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necessary to comply with state or federal law. Further, a youth shall not be compelled by any member, provider agency and/or volunteer to disclose his/her sexual orientation or gender identity to anyone.

Members shall explain to youth the extent and limits of their ability to keep information about their sexual orientation or gender identity confidential. If members are not in a position to keep information that a probationer discloses confidential, such as information relating to safety issues or needed for appropriate service referrals, they shall inform the youth that such information may need to be shared and why. Probation members inside and outside of secure facilities shall communicate information within the agency about a youth's sexual orientation or gender identity only if relevant to treatment, case planning, finding effective services for youth, or to ensure the safety of the youth. Any disclosure shall be limited to information necessary to achieve the specific beneficial purpose.

This confidentiality restriction does not prevent members from discussing a youth's needs or services with other staff members or when resolving a grievance.

611.6 SCREENING AND INTAKE

Staff members should be aware that LGBTQI youth are in various stages of awareness and comfort with their sexual orientation and gender identity. Youth intake interviewers shall sensitively inquire about fears the youth may have of being harassed in the facility. Booking and Intake Officers will ask youth their sexual orientation and gender identity. Some youth will disclose that they are LGBTQI. However, no youth shall be compelled to disclose. If a youth discloses their sexual orientation or gender identity, the Booking or Intake Officer should talk with the youth about it in an open and non-judgmental fashion and determine if the youth has particular concerns or needs related to being LGBTQI.

Transgender youth may be identified during admissions based on:

(a) A youth's statements that they are transgender, is "trapped in the wrong body," or is really a different gender than their birth gender;

(b) A youth's request to be called by a name that is not traditionally associated with their birth gender;

(c) Any statements in arrest reports indicating the youth is transgender or that the police were unsure of the youth's gender.

611.7 NAMES AND LANGUAGE

Members, volunteers, and service providers, when working with youth, shall use respectful language and terminology that does not further stereotypes about LGBTQI people.

(a) Members shall respect the choices made by the youth and refer to the youth by the youth's preferred name and pronoun even if their name has not been legally changed.

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All written documentation about a transgender youth shall utilize the youth's legal name.

(b) In the Probation ICJIS system, the youth's legal name will be used along with any preferred name as an AKA.

(c) Members, volunteers, and service providers of the Stanislaus County Probation Department, in the course of their work, shall not refer to youth by using derogatory language in a manner that conveys bias towards LGBTQI people. In particular, members of the Stanislaus County Probation Department shall not imply to or tell LGBTQI youth that they are abnormal, deviant, or sinful, or that they can or should change their sexual orientation or gender identity.

(d) Members should use the words gay, lesbian, bisexual, and transgender in an appropriate context when talking with youth about diversity, and members should not use the value-laden, more antiquated terms, "homosexual", "transvestite" or "hermaphrodite."

611.8 HOUSING PLACEMENT AND TREATMENT

Individual placement decisions prioritize the physical safety and emotional well-being of the youth.

(a) Youth shall not be prohibited from having a roommate based on a youth's actual or perceived sexual orientation.

(b) LGBTQI youth shall not be placed in isolation or segregation as a means of keeping them safe from discrimination, harassment or abuse.

(c) Transgender youth shall not automatically be housed according to their birth gender. Housing decisions for transgender youth shall be based on the youth's individualized needs, taking into account the youth's preferences, as well as any recommendations from the youth's health or behavioral health provider. The decision to house youth in a unit that does not match their gender identity, including any reason(s), shall be documented (15 CCR 1352.5).

(d) Housing and program assignments for each transgender or intersex youth shall be reassessed at least twice each year to determine whether the youth has experienced any threats (28 CFR 115.342).

(e) Youth shall be allowed to dress and present themselves in a manner consistent with their gender identity.

(f) Youth will be permitted to groom according to their preferred gender expression regardless of their housing assignment.

Consistent with the facility's reasonable and necessary security policies, youth shall be provided with safety and privacy when using the shower and bathroom and when dressing and undressing. Transgender and intersex youth shall be provided the opportunity to shower at a separate time from other youth.

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611.9 MEDICAL AND MENTAL HEALTH CARE

All LGBTQI youth detained in Stanislaus County Juvenile Institution facilities shall have access to medical and mental health care as clinically indicated. This includes all recommended transition-related treatments for transgender youth, in accordance with the medical and mental health assessments performed by the youth's health care provider. If a youth requires treatments off-site, the Medical Clinic will also arrange transportation for youth to receive such treatments, as clinically indicated.

If, prior to arriving at the facility, a transgender youth has been receiving transition-related medical care, such as hormone therapy or supportive counseling, the medical staff, at their discretion, shall consult with the youth's medical providers and, if appropriate, continue providing all transition-related treatments that are medically necessary according to the medical staff and the youth's provider and accepted professional standards. Hormone therapy may continue at current levels pending this consultation.

The medical and mental health staff shall facilitate exploration of gender or sexuality issues with LGBTQI youth in the same open and non-judgmental manner as with all youth.

The medical and mental health staff shall not attempt to change a youth's sexual orientation or gender identity, as this is contrary to accepted practice, and has been shown to be potentially harmful.

611.10 SEARCHES

Youth shall not be physically searched in a manner that is humiliating or degrading or for the purpose of determining the youth's physical anatomy.

(a) If a search is necessary, a transgender or intersex youth may request that either a male or female staff member conduct the search. Staff shall accommodate this request when it is reasonably practicable and consistent with maintaining safety and security. If the youth has no preference, he or she will be searched by a staff member of the same biological sex (15 CCR 1352.5).

(b) Probation corrections officers shall not search or physically examine a transgender or intersex youth for the sole purpose of determining genital status (see the Prison Rape Elimination Act Policy for transgender and intersex definitions)(15 CCR 1352.5). If genital status is unknown, it may be determined during conversations with the youth, by reviewing medical records, or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.315).

611.11 TRAINING OF MEMBERS

The Department recognizes the importance of creating an environment free of discrimination and harassment in order to deliver effective and constructive services to its diverse probation population. To that end, all are required to attend training as follows:

(a) Member training shall consist of, but not be limited to the following topics:

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1. County Employee Conduct/Behavior Expectations – Workplace Harassment, Discrimination and Retaliation Policy-Personnel Manual; Tab 16.
2. The goals and requirements of the Probation Department's Nondiscrimination Policy and Practice Guidelines regarding LGBTQI youth.
3. Recognize, prevent and design appropriate responses to acts of discrimination and harassment of LGBTQI youth.
4. Develop awareness of needs, fears, and challenges particular to LGBTQI youth in and out of custody settings.
5. Respect, support, and work constructively with LGBTQI youth.

611.12 VOLUNTEER AND SERVICE PROVIDER REQUIREMENTS

Volunteers and Service Providers are responsible for reading, understanding, and abiding by the content of the following policies:

(a) The Stanislaus County Employee Conduct/Behavior Expectations – Workplace Harassment, Discrimination and Retaliation Policy-Personnel Manual; Tab 16.

(b) The Stanislaus County Probation Administrative Policy Section : Lesbian, Gay, Bisexual, Transgender, Questioning and Intersex.

Volunteers, service providers and any of its officers, employees, agents, representatives or subcontractors shall not unlawfully discriminate against LGBTQI youth pursuant to this policy or the Nondiscrimination terms contained in the County Agreement for Professional Services.

Failure of any volunteer or service provider to honor the terms of the aforementioned terms can result in discharge or severance of any agreement for professional services.

611.13 REPORTING AND RESPONDING TO HARASSMENT AND DISCRIMINATION

Members of the Stanislaus County Probation Department, including volunteers and service providers, shall promptly and appropriately intervene when a youth physically, verbally, or sexually abuses or harasses another youth based on the youth's actual or perceived sexual orientation or gender identity.

(a) All members, volunteers, and service providers shall be required to report all untimely, absent, or inappropriate interventions.

(b) Youth shall be able to report violations of this policy following established grievance procedures. Grievance procedures shall protect confidentiality of youth and contain other measures to prevent retaliation. The youth may also tell a teacher, counselor, Division Director, Probation Manager, supervisor, medical or mental health staff, the Juvenile Hall Superintendent, Chief Probation Officer, Assistant Chief Probation Officer, parent/guardian, or any trusted adult when applicable.

(c) Supervisory and management staff shall treat all reports of violations of this policy seriously and promptly and effectively respond to grievances filed by youth and shall take swift action according to established procedures when youth, members, volunteers, or service providers report violations.

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Chapter 7 - Medical/Mental Health

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Health Authorities

700.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing collaboration between the Facility Superintendent, the Medical Director, and the Medical Staff to maintain adequate health care for youth (15 CCR 1400).

700.2 POLICY

The Department will designate the Medical Director and the Medical Staff, who, among other responsibilities, will develop and approve procedures to provide adequate care for youth who are being held in the juvenile institutions.

700.3 DESIGNATED HEALTH AUTHORITIES

A qualified person will be designated according to an agreement, contract, or job description as the Medical Director for the facility. When the Medical Director is not a physician, there shall be a designated Medical Staff who shall develop policy in health care matters involving clinical judgments (15 CCR 1400).

A qualified physician will also be designated according to an agreement or job description as the juvenile institutions's Medical Staff. The Medical Staff may also be the Medical Director.

700.3.1 RESPONSIBILITIES OF THE HEALTH CARE ADMINISTRATOR

The Medical Director is responsible for:

(a) Supervising all health care provided to youth.

(b) Working with the Medical Staff and the Facility Superintendent or the authorized designee to establish or approve procedures that are consistent with this Detention Manual chapter, reasonable standards of care, and legal standards. The procedures will address, at a minimum (15 CCR 1400; 15 CCR 1409):

1. Youth screening at the time of admission into the juvenile institutions and any associated forms (15 CCR 1430).
2. Regular evaluations after admission (15 CCR 1432).
3. Suicide prevention and intervention (15 CCR 1329).
4. Receiving and evaluating youth requests for care (15 CCR 1433).
5. Emergency care for youth (including first-aid kits and automated external defibrillators (AEDs)).
6. Communicable/infectious diseases among the youth population (15 CCR 1410; 15 CCR 1430; 15 CCR 1432).
7. Dietary issues specific to care (15 CCR 1462).
8. Promotion of healthy lifestyles.
9. Security issues related to care (15 CCR 1401).

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10. The delivery and administration of medication, including procedures so that youth who are taking prescribed medication at the time of admission continue to receive medications as necessary (15 CCR 1438; 15 CCR 1439).
    i. Procedures should identify limitations to the length of time medication may be administered without further medical evaluation.
11. Health-related devices that may need to remain with the youth, such as orthotics or eyeglasses (15 CCR 1436).
12. Continued care for youth being released or transferred (15 CCR 1437; 15 CCR 1437.5).
13. Care records and privacy (15 CCR 1406).
14. Notification of family or guardians.
15. Informed consent (15 CCR 1434).
16. Use of private physicians and specialists.
17. The process for determining when elective procedures may be approved or denied.
18. Procedures for members to voluntarily and safely report possible health care-related events or circumstances that adversely affect youth safety or care.
19. Procedures to implement a program wherein staff may possess and administer opioid overdose medication.
20. Procedures to clean and sanitize infirmary care housing (15 CCR 1510).
21. Procedures for treating victims of sexual assault and the reporting requirements when such incidents occur in the facility (see the Prison Rape Elimination Act Policy) (15 CCR 1453).
22. Procedures for the identification and management of alcohol and other drug intoxications (15 CCR 1431).
23. Procedures for monitoring youth who are experiencing intoxication or withdrawal, including frequency of monitoring, discontinuation, and documentation (15 CCR 1431).

(c) Ensuring proof of licensure, certification, or registration of the juvenile institutions's qualified health care professionals is maintained and consistent with community standards and the needs of the facility population (15 CCR 1404: 15 CCR 1352.5).

1. The Medical Director should work with the Facility Superintendent to develop requirements for health care positions that are consistent with community standards, consider cultural and linguistic competence, and otherwise comply with 15 CCR 1404.

(d) Ensuring that adequate space, supplies, and equipment are available for any health care services provided at the juvenile institutions (15 CCR 1402), including the inspection and maintenance procedures of equipment (15 CCR 1412).

(e) Approving the suicide prevention plan (15 CCR 1329).

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(f) Developing a service delivery manual that is available to all health care staff and ensuring the health care manual is reviewed every two years, including documentation of the review process and the review approval signatures of the manual by the Facility Superintendent, Medical Director, and the Medical Staff (15 CCR 1409).

(g) Ensuring staffing provides for each shift to have at least one health-trained staff member responsible for coordinating the delivery of health care services in the facility any time that qualified health care professionals are not available on-site (15 CCR 1323).

(h) Establishing systems for coordination among health care service providers (15 CCR 1400).

700.3.2 RESPONSIBILITIES OF THE RESPONSIBLE PHYSICIAN

The Medical Staff will supervise all clinical aspects of youth health care. Final clinical decisions are the sole province of the Medical Staff (15 CCR 1401).

The Medical Staff should:

(a) Review clinical judgments and treatment plan recommendations made by other qualified health care professionals.

(b) Approve all health care-related policies and procedures.

(c) Issue standing orders as deemed appropriate.

700.4 MAINTAINING QUALITY OF YOUTH CARE

The Medical Director, the Medical Staff, and the Facility Superintendent shall work cooperatively to maintain adequate youth health care. Maintenance efforts should be documented and should include (15 CCR 1403):

(a) Quarterly meetings with the Facility Superintendent, the Medical Director, and the Medical Staff and monthly meetings of any health care staff.

(b) A yearly audit of the juvenile institutions's delivery of care, policies, and procedures.

(c) Formalized efforts to identify and make improvements to youth care, including:

1. A continuous quality improvement program.
2. A clinical performance enhancement process to evaluate a provider's care.
3. Review of youth' complaints.

(d) An annual report and a summary of statistical data of medical, dental, mental health, and pharmaceutical services provided shall be submitted at least annually to the Facility Superintendent (15 CCR 1403).

700.5 DESIGNATED CARE PROVIDERS (DESIGNEES)

The Medical Director and the Medical Staff may designate qualified health care professionals (e.g., physicians, nurses, counselors, dentists, specialists) as required in 15 CCR 1402. The Medical Director is responsible for:

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(a) Ensuring designees are properly licensed, certified, or registered, that they maintain their applicable licenses, certifications, or registrations, and that current credentials are on file and available for review (15 CCR 1404; 15 CCR 1352.5).

(b) Limiting designees to providing care appropriate to their qualifications and licensing (15 CCR 1404; 15 CCR 1405).

(c) Ensuring appropriate protocols and standing orders are developed, and that all protocols and standing orders are understood by designees.

(d) Defining the extent of health care provided within the facility and delineating those services that shall be available through community providers (15 CCR 1402).

(e) Establishing procedures for parents/guardians to authorize and arrange for medical/ mental/remedial treatment when permissible (15 CCR 1402).

A designee may include an agency or entity, such as a clinic, hospital, public mental health organization, or off-site medical office.

700.6 CARE LIAISONS

The Medical Staff and the Facility Superintendent shall ensure that a member or a non-member designee is available to act as a care liaison for youth whenever there are no qualified health care professionals in the juvenile institutions. Care liaison responsibilities include:

(a) Reviewing initial screening forms.

(b) Triaging non-emergency health care requests.

(c) Reviewing sick call requests.

(d) Coordinating timely health care referrals as needed (15 CCR 1430).

(e) Assisting youth being released with follow-up health care referrals, appointments, and necessary medications.

(f) Following other written protocol, standardized procedures, and medical orders as described as prescribed by the Medical Staff (15 CCR 1405).

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Youth Screening and Evaluations

701.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the screening and evaluation of youth for health care issues (15 CCR 1430).

This policy is limited to screening and evaluations. Subsequent care and treatment is addressed in the Availability and Standards of Care Policy and other related policies.

701.2 POLICY

The Department recognizes that youth should be screened when they initially arrive at the juvenile institutions and evaluated at regular intervals so all youth receive adequate health care.

701.3 YOUTH NOT ACCEPTED INTO THE FACILITY

No youth with a reasonably identified condition that appears to require immediate medical care or another disqualifying condition identified by the Medical Director should be accepted at the facility without a written medical clearance from a qualified health care provider (15 CCR 1430).

If a youth is not accepted into the facility, the circumstances and reasons for requiring a medical clearance shall be documented in the Supervisor's Log Book.

Conditions that require a medical clearance include when a youth presents as (15 CCR 1430):

(a) Unconscious or semi-conscious

(b) Bleeding profusely

(c) Severely disoriented

(d) Known to have ingested substances, intoxicated to the extent that the youth is a threat to the youth's own safety or the safety of others, in alcohol or drug withdrawal, or otherwise urgently in need of medical attention

701.4 INITIAL SCREENINGS

Trained staff shall perform a health care screening on each youth upon the youth's initial arrival at the juvenile institutions. This includes those transferred from another facility. Findings shall be recorded on the appropriate form. The screening will include the name of the screener, date and time of the screening, and information and observations regarding (15 CCR 1430):

(a) Current and historical medical, dental, and behavioral/mental health care information or could pose a hazard to the youth or others in the facility, including any allergies.

(b) Current and historical use of medication, alcohol, and drugs, including types, amounts and frequency used, method of use, date or time of last use, and history of any problems after ceasing use.

(c) Suicide risk and mental health assessment (15 CCR 1329; 15 CCR 1350).

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1. Screening for suicide risk should include reasonable attempts to communicate with arresting or transporting probation corrections officers and family members regarding the youth's past or present suicidal ideations or suicide attempts, if practicable.
2. Youth who are identified to be at risk for suicide shall be referred to mental health staff consistent with the Suicide Prevention and Intervention Policy.

(d) Pregnancy and associated issues.

(e) Communicable disease risk assessment (15 CCR 1410).

(f) Special needs that would significantly impair a youth's ability to adapt to the juvenile institutions environment, such as a learning disability.

(g) Other health care information as designated by the Medical Staff or the Medical Director.

(h) Assessments of:

1. Behavior/conduct.
2. Signs of impaired consciousness or other health issues (e.g., coughing, sweating, tremors, sleepiness, trouble breathing).
3. Body deformities and body movements.
4. Skin (e.g., injuries, rashes, needle marks, sores).
5. Other concerns as designated by the Medical Director.

(i) Intoxication.

1. A qualified health care professional shall conduct a medical evaluation on a youth showing signs of intoxicated behavior persisting over four hours (15 CCR 1431).

(j) Risk of sexual abuse (15 CCR 1350.5) see the Youth Classification and Prison Rape Elimination Act policies.

1. The Facility Superintendent or authorized designee shall develop:

(a) Procedures to access and compile additional information to appropriately identify sexual abuse risk factors (e.g., medical and behavioral health screenings, court records, case files, facility behavioral records). The screening for risk of sexual abuse shall be completed within 72 hours of admittance. See the https://scprobation.sharepoint.com/:x:/r/sites/pronet/_layouts/15/Doc.aspx?sourcedoc=%7BB0EAE517-AE74-4EAE-A10D-11D8692F4F93%7D&file=Sexual%20Vulnerability%20Assessment.xlsx&action=default&mobileredirect=true

(b) Protocols to safeguard the confidentiality of the information.

Any youth who cannot adequately answer the initial medical screening questions shall be referred to a qualified health care professional to determine whether the youth should be examined by an

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on-site qualified health care professional or, if one is not available, whether the youth should be transported to receive a medical clearance before acceptance into the juvenile institutions.

Youth who refuse to answer these questions should be placed under observation until the screening can be completed or until sufficient information is obtained to allow the staff to make appropriate decisions about housing and care.

Youth with an identified history of sexual victimization shall be offered a follow-up meeting with a medical or mental health provider within 14 days of intake screening (28 CFR 115.381).

Youth with an identified history of sexual perpetration shall be offered a follow-up meeting with a mental health provider within 14 days of the intake screening (28 CFR 115.381).

Initial screening forms should be forwarded to a care liaison for review.

See the Stanislaus County Probation Dept. JD Procedures Manual: 701.2.2 SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS for further information.

701.4.1 SUCCESSIVE STAYS

If an adjudicated youth is identified as having previously stayed in this facility, but did not receive a health evaluation at that time, the youth shall receive an in-person health evaluation before the next scheduled commitment period or admittance (15 CCR 1430; 15 CCR 1432).

701.5 TRANSFER SCREENINGS

A qualified health care provider shall review the health record of any youth transferred into this juvenile institutions within 96 hours of admission, excluding holidays (15 CCR 1432).

Youth transferred without a health record or initial screening from any other facility shall be screened when they arrive at this juvenile institutions.

701.6 HEALTH EVALUATIONS

Qualified health care professionals shall complete an in-person health evaluation of each youth within 96 hours, excluding holidays, after arrival at the juvenile institutions and annually thereafter if the youth is still in detention. Health evaluations should include (15 CCR 1432; 15 CCR 1430):

(a) Review of the youth's initial screening information.

1. Health care professionals should collect additional data to complete the youth's health history during initial screening, including family health history, history of recent trauma-exposure which may require immediate attention, current traumatic stress symptoms, or background information that reasonably appears to require additional inquiry (15 CCR 1432).

(b) Collection of updated or additional data to complete the youth's health care and immunization history. Immunizations shall be verified and, if necessary, a program shall be started within two weeks to bring the youth's immunizations up to date.

(c) Medical examination.

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(d) Mental health assessment (15 CCR 1431; 15 CCR 1413).

(e) Dental examination.

(f) Tests to detect tuberculosis and other communicable diseases.

(g) A record of the youth's height, weight, pulse, blood pressure, and temperature.

(h) Other tests and physical examination as determined by the Medical Director.

(i) Initiation of care when appropriate, as well as any associated treatment plan.

1. Health care treatment plans shall address the considerations set forth in 15 CCR 1413 (e.g., youth and family participation (if applicable and available), cultural responsiveness, linguistic competence, physical and psychological safety, traumatic stress and trauma reminders).

(j) Identification of health issues that may affect decisions regarding housing, program participation, or other conditions of confinement.

(k) Identification of specific needs for accommodations (e.g., physical or developmental disabilities, gender identity, or medical holds).

The Medical Staff should review any evaluations conducted by other qualified health care professionals.

The Medical Staff may modify the health evaluation if the youth received an adequate examination within the last 12 months. In these cases, a review of the intake screening form and a face-to-face interview with the youth may be conducted when there is reason to believe that no substantial change is expected since the last full evaluation (15 CCR 1432).

Any findings that may significantly affect the health, safety, or welfare of the youth or others should be communicated to the Facility Superintendent or the authorized designee. Health care needs that may affect housing, program participation, or other conditions of confinement shall be communicated and documented.

See the Stanislaus County Probation Dept. JD Procedures Manual: 701.1 INITIAL MEDICAL ASSESSMENT, Stanislaus County Probation Dept. JD Procedures Manual: 701.2 SUICIDE RISK , and Stanislaus County Probation Dept. JD Procedures Manual: 701.2.1 SUICIDE PREVENTION AND OBSERVATION for further information.

701.6.1 CLEARANCE FOR WORK AND PROGRAM ASSIGNMENTS

The screening and health evaluations shall include monitoring procedures for work and program assignment participation (15 CCR 1414).

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Availability and Standards of Care

702.1 PURPOSE AND SCOPE

This policy will provide overall guidance for the continued care of youth who need health care.

702.2 POLICY

The Department is committed to providing humane and age-appropriate conditions of confinement by ensuring that youth receive adequate care to meet their serious health care needs.

702.3 YOUTH ACCESS TO HEALTH CARE

Youth may access health care in the following ways (15 CCR 1411; 15 CCR 1433):

(a) Sick call will be conducted as follows:

1. As directed by the Medical Director
2. Scheduled so a youth's detention status (e.g., at court, work assignment, other release program) does not preclude access

(b) Youth may request health care at any time by completing and submitting the appropriate request form. All such written requests shall be forwarded to a care liaison as soon as practicable, but always before the end of the receiving member's shift. The care liaison shall forward all requests to a qualified health care professional as appropriate.

1. The facility shall provide opportunities for a youth to submit a confidential request for health care.

(c) Youth may request care for an emergency medical condition in any manner, to any staff member. All such requests should be addressed appropriately and immediately by the staff member, including prompt notification of a care liaison and/or the appropriate medical care provider (15 CCR 1412).

1. All health care requests shall be documented and retained in accordance with the Health Care Records and Confidentiality Policy.

(d) Youth may question or complain about their care or denial of care through the grievance system. Health care-related grievances are to receive priority attention and should be forwarded to a supervisor as soon as practicable. Grievances should be promptly forwarded by the supervisor to the qualified health care professional, unless the youth is complaining about the care provided by that person.

1. A supervisor shall be notified as soon as practicable when a youth makes a claim of being denied emergency care for an emergency medical condition.
2. All youth care-related complaints shall be reviewed daily by health-trained staff (15 CCR 1433).

(e) Youth may be treated by a personal licensed physician, dentist, or mental health care provider at their own expense, with the approval of the Medical Director and their parents/guardians (15 CCR 1402).

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(f) Costs, including those related to security procedures, will not be used as justification for withholding necessary or emergency medical care.

(g) Any staff member who becomes aware of or observes a youth who may be in need of medical care may access the sick call procedures on behalf of the youth. Any staff member who becomes aware of a youth in need of first aid or emergency care will immediately provide such care or arrange for the youth to receive care (15 CCR 1412).

(h) Staff shall assist youth in the completion of a Health Service Request slip in the event of possible physical injury or illness. Requests may also be made verbally. Staff will also act as an advocate for the youth in situations where health services appear urgent. In addition, staff shall inquire and make observations regarding the health of the youth as needed.

(i) Provisions shall be made to provide opportunities for both written and verbal communications for health care requests to those with disabilities, limited English proficiency, or limited literacy.

702.4 YOUTH PRIVACY

Youth information, treatments, and discussions regarding treatment should be held in private and in a manner that prevents such discussions from being observed or overheard by anyone not involved in the treatment or discussion (15 CCR 1407).

702.5 RESPONSIBILITIES

Clinical judgments involving health care are the responsibility of the health care professional qualified to make such a decision.

Staff members shall accept clinical judgments and not deny access to care by making, assuming, or ignoring a clinical decision.

Detention staff and qualified health care professionals should work together to coordinate security and health care needs. Qualified health care professionals and detention staff should communicate with each other about youth health care needs that may significantly impact the health, safety, or welfare of the youth or others. Information regarding ongoing treatment plans should be communicated to detention staff to the extent necessary to coordinate and cooperate in the ongoing care of the youth.

Communication between detention staff and qualified health care professionals regarding health care needs that may affect housing, program participation, or other conditions of confinement should be documented. Health care restrictions shall not limit a youth's participation in school, work assignments, exercise, or other programs (15 CCR 1413).

702.5.1 STAFF OBSERVATIONS

Staff who observe a youth with obvious signs of medical or dental needs and/or mental/behavioral health issues, including the presence of trauma-related behaviors, injury, or illness, shall inquire about the possible health issue and communicate relevant information with qualified health care professionals (15 CCR 1433).

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702.6 MEDICAL CARE

The treating qualified health care professional shall develop a written treatment plan for each youth requiring ongoing treatment, including any need for off-site treatment or a specialist.

The juvenile institutions shall have first-aid kits and Automated External Defibrillators (AEDs) readily available to staff in the housing and admission areas and any other location approved by the Medical Director (15 CCR 1412).

702.6.1 ELECTIVE PROCEDURES

Elective procedures will generally not be provided to youth. A determination regarding whether a procedure is elective or a component of a current, medically necessary standard of treatment will be made only by the Medical Staff. Procedures that are elective may be approved by the Facility Superintendent or the authorized designee after verification that the youth or the youth's parent/ guardian will pay all associated costs (15 CCR 1402). Parent/guardian consent is required if under the age of 18.

702.6.2 PREGNANT YOUTH

Medical care, prenatal care, postpartum care, and counseling services (mental health, social, drug and alcohol use, and religious) will be available to pregnant youth (15 CCR 1417; 15 CCR 1431).

Pregnant youth should receive prompt prenatal care, including physical examinations, nutrition guidance, childbirth, lactation, and parenting education, counseling, and provisions for follow-up care. Qualified medical professionals should develop a plan for pregnant youth that includes direct communication of medical information and transfer of medical records regarding prenatal care to the obstetrician who will be providing prenatal care and delivery.

The facility provides meals for youth with special dietary requirements (e.g., youth with allergies, pregnant youth, youth with dental problems, youth with religious beliefs that require adherence to religious dietary laws or special timing of meals).

No member shall interfere with or impede a youth’s decision to have an abortion, not to have an abortion, or to place the child for adoption. In jurisdictions where youth need parental consent to obtain an abortion, medical staff should inform youth about the requirement and any alternative ways of satisfying the requirement (e.g., having the youth’s attorney seek judicial permission to proceed without parental consent). If a youth chooses to have an abortion, the youth shall be requested to sign a statement acknowledging that the youth has been provided the opportunity for related counseling and chooses to have an abortion. The juvenile institutions shall provide necessary transportation and supervision for such services. Staff members who object to facilitating a youth’s elective abortion (including arrangements, transportation, and security) should not be required to perform such duties.

The Facility Superintendent or the authorized designee should work with the pregnant youth, community agencies, or other relevant persons so the child is appropriately placed after the birth. Child welfare workers may interview and counsel the youth at the juvenile institutions.

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Pregnant youth shall receive information regarding options for continuing the pregnancy, terminating the pregnancy, and adoption.

The Facility Superintendent shall develop written procedures consistent with the requirements in 15 CCR 1417, including the availability of a breast pump and procedures for storage, delivery, and disposal for lactating youth. Wellpath procedure includes the following:

(a) Youth who wish to breastfeed after release, should be allowed to use a breast pump to express their milk if their incarceration period is short enough where this is clinically feasible. If site has refrigeration capabilities, provisions may be made with custody to store the breast milk once arrangements have been made for family to pick up on a daily basis. In unable to arrange and/or accommodate at the facility, the milk should not be stored but should be discarded. In the event that this process in not clinically feasible, the youth should be provided with a breast binder or similar device.

702.6.3 FOLLOW-UP CARE

The Medical Staff or the authorized designee should review all discharge and other orders issued for youth released from an emergency room visit or hospital stay, and should issue health care orders for any ongoing in-detention care.

The Medical Director should ensure that youth receive education and instruction for any self-care that may be required to meet their individual health care needs.

702.6.4 HEALTH EDUCATION

Youth should be encouraged to maintain healthy lifestyles. The juvenile institutions should provide health education and wellness information through classes, audio and video presentations, brochures, and pamphlets.

The Facility Superintendent shall develop a health education and disease prevention program that addresses the topics required by 15 CCR 1415, including medical, dental, and mental health. The program should be developed in conjunction with the Medical Staff and should be updated as necessary to address current health and community priorities that meet the needs of the confined population (15 CCR 1415).

702.6.5 REPRODUCTIVE AND SEXUAL HEALTH SERVICES

The Facility Superintendent shall develop procedures to assure that reproductive health services are available to both male and female youth. These procedures are to be made in conjunction with the Medical Staff and in accordance with current public health guidelines. Such services shall include but not be limited to those prescribed by Welfare and Institutions Code § 220 through Welfare and Institutions Code § 222 (15 CCR 1416; 15 CCR 1355).

702.7 MENTAL HEALTH CARE

Members should refer any youth showing signs of mental illness or a developmental disability to a care liaison, who will arrange for an appropriate referral.

The following mental health care will be provided to youth (15 CCR 1437):

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(a) Counseling and crisis intervention

(b) Management of acute psychiatric episodes

(c) Stabilization and treatment of mental disorders

(d) Medication support services

(e) Appropriate care of youth with developmental disabilities

(f) Behavioral health care for transgender and intersex youth by qualified health care providers (15 CCR 1352.5)

The youth shall be referred to the local Regional Center for the Developmentally Disabled for the purposes of diagnosis and/or treatment within 24 hours of identification, excluding holidays and weekends (15 CCR 1418).

Members shall immediately refer youth to an on-site health care professional for evaluation if the youth reasonably appears to be gravely disabled or a danger to self or others (15 CCR 1437.5).

702.8 DENTAL CARE

Emergency dental care will be provided to youth. Emergency dental care will be available to all youth 24 hours a day. Severe dental pain qualifies as an emergency.

Dental care that is a necessary standard of treatment will be available to all youth. Decisions as to whether dental care is a necessary standard of treatment will be made by a qualified dental care professional. Treatment shall not be limited to extractions (15 CCR 1435).

Decisions to provide dental care that is not presently a necessary standard of treatment (i.e., elective) may include consideration of the youth's expected release date and available resources. Procedures that are elective may be approved by the Facility Superintendent or the authorized designee. The youth's parent/guardian will bear the cost.

Annual dental exams shall be provided to any youth detained for longer than one year (15 CCR 1435).

702.9 EMERGENCY CARE

Emergency health care shall be available to all youth 24 hours a day. No youth shall be deprived of care for emergency medical, mental health, or dental service due to the time of day or night. An ambulance will be provided when necessary for proper care (15 CCR 1412; 15 CCR 1433).

At least one staff member who has received basic first-aid and CPR training shall be available 24 hours a day.

702.10 FACILITY DIAGNOSTIC SERVICES

Diagnostic services provided at the juvenile institutions shall be properly licensed or certified and comply with applicable state and federal requirements. Diagnostic services include X-ray or digital imaging as well as laboratory testing, such as blood or urine tests. The Medical Director should ensure the applicable licenses or certifications are maintained.

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Procedures and instruction manuals should be available for each type of service.

702.11 OFF-SITE CARE PROVIDERS

The Medical Director should ensure written agreements are maintained with any community care providers who regularly provide health care services to youth. The agreements should require providers to deliver a summary of any treatment provided, follow-up care, and prescription medication recommendations, and should identify any health care needs that may affect housing, program participation, or other conditions of confinement.

702.12 TRANSPORTING YOUTH FOR HEALTH CARE

Youth shall be safely transported to all health care appointments in accordance with the Transportation of Youth Outside the Facility Policy. When a youth is being transported outside the juvenile institutions:

(a) Transporting staff should have instructions regarding any medication or accommodation that may be necessary during transport.

(b) Patient confidentiality shall be maintained during transport.

(c) Any health care records transported by detention staff should be sealed.

(d) The date and time of the appointment will not be told to the youth.

702.13 EVIDENCE COLLECTION

A youth's treating or regular care provider should not assist in evidence collection for purposes of prosecution, discipline, or any other adversarial proceeding. However, evidence may be collected from a victim of sexual assault with the consent of the victim (see the Prison Rape Elimination Act Policy). Forensic medical services conducted for the purpose of reporting and prosecution shall be in accordance with 15 CCR 1452 and 15 CCR 1453.

Qualified health care professionals from this facility are prohibited from being involved in psychological evaluations for use in adversarial proceedings.

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Special Medical Care For Youth

703.1 PURPOSE AND SCOPE

The purpose of this policy is to address youth who may have special medical care needs.

703.2 POLICY

It is the policy of the Department for detention staff to work cooperatively with qualified health care professionals to ensure that youth with special medical care needs are provided adequate care.

703.3 CHRONIC DISEASE CARE

The Medical Director should work with the Medical Staff and the Facility Superintendent to develop programs or procedures to assist youth with chronic diseases. The Medical Director should identify the common chronic diseases at the juvenile institutions and the youth who would benefit from special medical care. The Medical Director should maintain a list of these youth to facilitate the implementation of any treatment plan and follow-up care.

703.4 COORDINATED CARE

The Medical Director should work with the Medical Staff and the Facility Superintendent or designee to ensure youth with special medical care needs, including physical disabilities that require medical care, receive coordinated health care (15 CCR 1431). Youth with special medical care needs should be identified at the Multi Disciplinary Team meeting, if not sooner, so detention staff can assist as necessary with any treatment plans.

703.5 DETOXIFICATION

Youth experiencing symptoms of drug or alcohol withdrawal or have a known history of substance abuse shall be seen promptly by a qualified health care professional or transferred to an off-site emergency facility for treatment (15 CCR 1431).

Any youth showing signs of drug or alcohol withdrawal symptoms shall be placed in a protective environment and assessed in accordance with the Safety Rooms and Camera Rooms Policy. Appropriate medical responses to youth experiencing intoxication or withdrawal reactions shall occur. When it is determined that the monitoring requirements can be discontinued, by a medical professional, initiation of substance abuse counseling for case management and referral procedures for continuation upon release shall be instituted (see the Case Management and Discharge Plan policies) (15 CCR 1431).

Pregnant youth who use alcohol or other drugs shall receive counseling services from Juvenile Justice Behavioral Health in accordance with the Availability and Standards of Care Policy.

703.6 SUBSTANCE ABUSE CARE

Youth should receive substance abuse education or counseling coordinated through Juvenile Justice Behavioral Health and be referred for treatment as necessary (15 CCR 1431).

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703.7 INFIRMARY CARE

Infirmary housing may be provided for diagnosis, illness, or treatment that requires limited observation and/or management and does not require admission to a health care facility.

The Medical Director should develop protocols for infirmary care that include:

(a) A youth may only be assigned to infirmary housing with the approval of the Medical Staff or the authorized designee.

(b) A physician or other qualified health care professional must be on-call or available 24 hours a day.

(c) A qualified health care professional is on-site each day.

(d) All youth in infirmary housing are kept within sight or sound of a qualified health care professional or other trained staff member who is able to summon medical assistance if the youth's condition changes or worsens.

(e) Documented safety checks shall be recorded at least every 15 minutes or more frequently if medically directed.

(f) Special directions for the care of each youth in infirmary housing will be readily available for care providers who are monitoring these youth.

(g) Infirmary housing may only be discontinued as directed by a qualified health care professional.

(h) A record should be kept for each youth in infirmary housing and included with the youth's medical record.

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Counseling Services

704.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for providing counseling and crisis intervention services to youth (15 CCR 1356;15 CCR 1437).

Mental health care for youth with signs of mental illness or a developmental disability is covered in the Availability and Standards of Care Policy.

704.2 POLICY

It is the policy of this department to provide counseling and crisis intervention services to any youth who requests services or is determined to need them.

704.3 FACILITY SUPERINTENDENT RESPONSIBILITY

The Facility Superintendent or their designee is responsible for:

(a) Developing and maintaining procedures to facilitate the availability of appropriate counseling and crisis intervention services for youth in need of such services (15 CCR 1356). Services shall include:

1. Assistance with needs or concerns that may arise.
2. Access to available resources to meet the youth's needs.

(b) Developing and maintaining procedures to refer youth in need of counseling services when requested by the youth, the youth's parent/guardian, or members.

(c) Coordinating with the Medical Staff and Mental Health to develop and maintain procedures to document counseling or crisis intervention services provided to youth.

(d) Coordinating with the Medical Staff and Mental Health to develop and maintain procedures to identify personnel who will provide counseling and crisis intervention services, which should include consideration of training, qualifications, and applicable licensing requirements.

1. Services may be provided by medical/mental health staff assigned to the facility, the chaplain or religious volunteers (see the Religious Programs Policy), probation corrections officers assigned to the facility who have specific training and expertise in this area, or other qualified professionals.

704.4 REQUESTS AND REFERRALS

Staff members shall ensure that request forms are available and provided to youth who request counseling services. All youth requests for counseling shall be forwarded to the Mental Health staff.

A member who observes behavior in a youth that may indicate a need for counseling or crisis intervention services shall notify the unit lead staff member or the Supervising Probation Corrections Officer (SPCO). The unit lead staff member or the SPCO shall assess the need and

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area of counseling and facilitate counseling services as soon as practicable, with consideration given to facility security, scheduling, and available resources (15 CCR 1437; 15 CCR 1437.5).

Members observing signs of suicidal thoughts or tendencies in a youth should proceed according to the Suicide Prevention and Intervention Policy (15 CCR 1329).

704.5 REQUIRED COUNSELING SERVICES

Members who reasonably believe that a youth has been a victim of sexual abuse should inform the youth of the availability of counseling as provided in the Prison Rape Elimination Act Policy and should proceed with any reporting and other applicable requirements in accordance with the Prison Rape Elimination Act Policy, Reporting Sexual Abuse, Harassment and Retaliation.

704.6 NON-CRISIS COUNSELING

The Department shall, when reasonably practicable, make counseling services and/or case management services available to assist youth who are being released into the community.

704.7 TRAINING

Members who interact with youth should receive training on identifying behavior and other signs in youth that may indicate a need for counseling or crisis intervention services. Training should include familiarizing with all counseling programs available and the process for referring youth for counseling.

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Release, Transfers, and Continued Care

705.1 PURPOSE AND SCOPE

This policy provides guidelines so the Department may appropriately address the health issues of youth who are being released or transferred to another facility (15 CCR 1432; 15 CCR 1437).

705.2 POLICY

The Department will assist youth in meeting their health care needs following release or transfer to another facility, as provided in this policy.

705.3 TRANSFERS

Health care information that should be transferred with a youth to a receiving facility includes, as applicable (15 CCR 1408; 15 CCR 1432):

(a) Summaries or copies of health care records, including:

1. Any current or recommended treatment plans.
2. Current medications.
3. Any known or suspected communicable diseases.
4. Information regarding any health care issues that may affect the youth's security or ability to participate in programs.

(b) Necessary medication and health care information shall be provided to the transporting staff, together with the precautions necessary to protect staff and youth passengers from disease transmission during transport.

(c) Other instructions regarding the continued care of the youth, as deemed appropriate by the youth's qualified health care professionals.

(d) Documentation that no health care record exists at the facility, when applicable.

Written authorization by the youth's parent/guardian is generally required for transfer of health care records outside the Department (15 CCR 1408). If authorization cannot reasonably be obtained, the Supervisor, after consultation with a qualified health care professional, may transfer health care information necessary for (45 CFR 164.512(k)(5)):

- The provision of health care to the youth.
- The health and safety of others, including other youth and transporting and law enforcement personnel (e.g., active tuberculosis).
- The administration and maintenance of the safety, security, and good order of the receiving facility.

705.3.1 TRANSFER OF NON-CONFIDENTIAL INFORMATION

In circumstances when the facility does not have on-site health care staff, the Facility Superintendent shall ensure policy and procedures are developed that address forwarding non-

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confidential information on medications and other treatment orders prior to or at the time of transfer (15 CCR 1408).

705.3.2 TRANSFERS TO TREATMENT FACILITIES

In circumstances when psychiatric needs exceed the treatment capability of the juvenile institutions, the Facility Superintendent shall ensure provisions exist for the timely referral and transportation of the youth to a licensed mental health facility (15 CCR 1437; 15 CCR 1437.5).

See the Stanislaus County Probation Dept. JD Procedures Manual: 703.1 TRANSPORTATION SAFETY AND SECURITY and Stanislaus County Probation Dept. JD Procedures Manual: 703.2 RELEASE, TRANSFERS AND CONTINUED CARE PROCEDURES for further information.

705.4 RELEASES

Information on upcoming medical or mental health appointments, including the name, address, and phone number of the provider, should be provided to the youth's parent/guardian.

(a) Communicate the importance of continuing any current medication and, when reasonably practicable, arrange for a sufficient supply of current medication to be provided to the youth's parent/guardian until the youth can be seen by a health care provider after release (15 CCR 1408).

(b) Provide the youth with appropriate community referrals, such as health care clinics or other community health professionals.

Upon request, health care information should be transferred to physicians or receiving health care facilities in the community with appropriate written authorization as set forth in 15 CCR 1408.5.

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Communicable Diseases - Youth

706.1 PURPOSE AND SCOPE

This policy provides general guidelines to minimize the risk of youth contracting and/or spreading communicable diseases, as well as guidelines for diagnosing and treating communicable diseases among the youth population.

706.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms present in and transmissible through human blood, bodily fluid, or tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, the mouth, a mucous membrane, or non-intact skin comes into contact with blood or other potentially infectious materials or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis); or when an individual is in an area that was occupied by such a person. If uncertain, the Medical Staff will determine whether an incident meets the definition of an exposure.

706.2 POLICY

The Stanislaus County Probation Department is committed to addressing the risks associated with communicable diseases among the youth population.

706.3 PROCEDURE

The Medical Staff shall prepare procedures related to communicable diseases that include (15 CCR 1410):

(a) Exposure prevention and decontamination procedures.

(b) Procedures for when and how youth may obtain medical attention if there is an exposure or suspected exposure.

(c) Procedures related to mitigating the risks associated with communicable disease in the youth population. These will include but are not limited to:

1. Proper screening of incoming youth.
2. Appropriate testing.
3. Investigations of suspected exposures.
4. Appropriate medical attention and precautions to be used by staff, including separating or isolating youth appropriately (15 CCR 1430).

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5. Sanitation and youth hygiene efforts, including the sanitation of medical equipment.
6. Control of vermin and parasites, such as mice, lice, and bedbugs.
7. Reporting communicable diseases and suspected exposures to the proper authorities.

(d) Compliance with all relevant laws or regulations related to communicable diseases, including:

1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
2. Coordinating with community-based resources for follow-up treatment of youth exposed to communicable diseases (15 CCR 1410).
3. Developing strategies for handling communicable disease outbreaks (15 CCR 1410).
4. Coordinating with the Exposure Control Officer (ECO) and the county health officer to develop and provide appropriate health education and disease prevention programs to youth. The education program shall be updated as necessary to address current health priorities and to meet the needs of the youth population (15 CCR 1415).

The Medical Staff shall work with the ECO to periodically review and update these procedures as appropriate and necessary to reflect the communicable disease priorities identified by the county health officer and recommended public health interventions (15 CCR 1410).

See the Stanislaus County Probation Dept. JD Procedures Manual: 702.1 COMMUNICABLE DISEASE-YOUTH PROCEDURE, Stanislaus County Probation Dept. JD Procedures Manual: 702.2 MEDICAL ISOLATION/BED REST and Stanislaus County Probation Dept. JD Procedures Manual: 702.3 SUPERVISOR'S DUTIES for further information.

706.4 EXPOSURE PREVENTION AND MITIGATION

706.4.1 SUSPECTED EXPOSURE OF A YOUTH

Members who learn that a youth may have been exposed should, as soon as practicable:

(a) Take steps to reduce exposure to other youth and begin decontamination procedures.

(b) Use precautions related to exposure prevention as applicable to the situation (e.g., gloves, face masks).

(c) Contact a qualified health care professional to care for the youth as needed and obtain recommendations regarding isolation or quarantine of the youth.

(d) If isolation is required, arrangements shall be made to house the youth separately. All efforts shall be made to utilize the “least restrictive environment” policy for youth with a communicable disease, in so far as the health and safety of staff members and other youth.

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(e) When a youth has been diagnosed as having a communicable disease, it shall be the responsibility of the Medical Clinic personnel to develop and disseminate health and safety practices and precautions to be used when caring for the youth. All safety precautions shall be used when caring for the youth. All safety precautions shall be disseminated by the Medical Clinic personnel to all staff who may possibly come in contact with the diseased youth. As in all situations related to communicable diseases, universal precautions should be taken.

(f) Safety precautions shall also be posted on the youth's door to alert staff of the special procedures and care required in interacting with the youth. In situations where the youth need not be isolated from others, the medical staff shall provide written instructions as to what safety precautions are necessary.

(g) Notify the appropriate supervisor and the Facility Superintendent.

706.4.2 SUPERVISOR RESPONSE AND REPORTING REQUIREMENTS

The responding supervisor shall investigate every exposure or suspected exposure of a youth as soon as reasonably practicable following notification. The supervisor shall ensure the youth receives appropriate medical assistance and that steps are taken to protect other youth and staff.

All incidents involving a suspected exposure shall be thoroughly documented in an incident report.

Each SPCO shall be responsible for ensuring dissemination of this information to all staff members working in the unit.In doing so, staff must remain Health Insurance Portability and Accountability Act (HIPPA) compliant.Health information is on a need to know basis and should not be shared with non-affected parties.

In situations where a conflict develops between the precautionary medical requirements and standard unit security practices, the matter shall be referred to the SPCO for resolution.

In situations where detention is incompatible with the medical needs of the youth, the SPCO shall notify the Facility Superintendent and the Facility Manager, when necessary and provide a full accounting of the problem. Resolution of the problem may involve seeking off site medical treatment and require judicial notification.

It is the responsibility of all staff members to follow the safety precautions prescribed by Medical Clinic personnel. Any conflicts or problems, that staff encounter due to the youth's disease or due to the safety precautions required for contact with the youth, shall be referred to the on duty supervisor.

706.4.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Any exposed youth shall have the opportunity to have a medical evaluation immediately after an exposure, plus follow-up evaluations as necessary. Testing a person for communicable diseases when that person was the source of an exposure may be sought when appropriate. Source testing is the responsibility of the Medical Staff.

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706.5 YOUTH CONFIDENTIALITY

Any information regarding youth and possible communicable diseases shall be considered confidential health care records (see the Health Care Records and Confidentiality Policy).

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Suicide Prevention and Intervention

707.1 PURPOSE AND SCOPE

This policy is intended to reduce the risk of youth suicide through risk identification and appropriate intervention (15 CCR 1329).

707.2 POLICY

The Department will develop a suicide prevention plan to identify and monitor potentially suicidal youth and appropriately intervene.

See the Stanislaus County Probation Dept. JD Procedures Manual: 700.1 PURPOSE AND SCOPE for further information.

707.3 MEMBER RESPONSIBILITIES

Any member who identifies a youth who displays suicidal signs shall immediately notify the unit lead staff member and the unit lead shall immediately notify the on-duty supervisor and the appropriate medical/mental health staff as described in the Health Authorities Policy. The youth shall be personally monitored until a mental health professional approves another form of monitoring. The youth shall be provided direct visual supervision by a member until a mental health professional can be consulted regarding the level of supervision. The Facility Superintendent or the authorized designee shall determine the supervision level of all suicidal youth in consultation with the mental health professional (15 CCR 1329).

The care liaison will assist with contacting a mental health professional and implementing precautionary steps, as provided in this policy.

707.4 SUICIDE PREVENTION PLAN

The Medical Director and the Facility Superintendent will develop a suicide prevention plan. The plan shall address the protocols and procedures set forth in 15 CCR 1329 (e.g., training for screening, housing, documentation, facility inspections, trauma-informed approaches for treatment strategies, and other precautionary practices).

Youth identified as at risk for suicide should not be denied the opportunity to participate in facility programs, services, and activities available to other youth, unless denial is deemed necessary for the safety of the youth or the security of the facility. Any deprivation of programs, services, or activities for youth at risk for suicide shall be documented and approved by the Facility Superintendent.

The suicide prevention plan should be developed with the Medical Director, the Facility Superintendent, staff, treatment providers, and local public health agencies, as appropriate.

See the Stanislaus County Probation Dept. JD Procedures Manual: 700.4 ONE-ON-ONE PROGRAM for further information.

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707.5 PRECAUTIONARY STEPS

Youth placed on suicide watch shall be housed in a room designed to be suicide resistant (15 CCR 1329). Prior to placing a suicidal youth in any room, staff should carefully inspect the area for objects that may pose a threat to the youth's safety.

Physical restraints should only be used as a last resort. The decision to use or discontinue use of restraints should be made in consultation with the Supervisor and a qualified health care professional.

If safety rooms or other temporary holding areas are not available, immediate arrangements should be made to transfer the youth to a designated medical or mental health facility.

Until the youth is evaluated by a mental health professional, the youth shall be subject to continuous direct visual observation. The mental health professional will determine when the youth no longer requires continuous direct visual observation.

A youth will be removed from suicide watch when a mental health professional determines the youth no longer poses a threat of self-harm, with the approval of the Facility Superintendent or designee.The youth shall be referred to classification for an appropriate housing assignment. The fact that the youth was on suicide watch shall be communicated to housing staff whenever and wherever a youth is assigned, throughout the youth's detention (15 CCR 1329).

See the Stanislaus County Probation Dept. JD Procedures Manual: 700.3 COMMUNICATION FACILITATION for further information.

707.6 OBSERVATION LOGS

Observation logs shall be maintained and documented in at least 10-minute intervals for all youth on suicide watch. The Supervisor and the Medical Staff, or their authorized designees, must observe the youth at least once every six hours and make notations in the observation log. Each staff member who is required to observe the youth shall make notations in the observation log, including the time of observation and a brief description of the youth's behavior.

See the Stanislaus County Probation Dept. JD Procedures Manual: 700.2 ADDITIONAL INTERVENTIONS

707.7 DOCUMENTATION

Staff shall document, in accordance with the Safety Rooms and Camera Rooms and Daily Activity Logs policies, any time a youth's suicide watch status and housing assignment changes, and the reasons for not providing clothing, personal items, and issued items as applicable.

The youth's health care record should be updated to reflect all contacts, treatment, and any other relevant information.

See the Stanislaus County Probation Dept. JD Procedures Manual: 700.5 SUICIDE WATCH LOG for further information.

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707.8 SUICIDE ATTEMPTS

Any suicide attempt is a medical emergency, and life-saving measures shall be initiated by a trained staff member until the staff member is relieved by a qualified health care professional, who shall initiate appropriate medical evaluation and intervention.

The Medical Staff or the authorized designee should be notified when referral and transportation to an emergency room or local hospital are required.

Staff and/or local law enforcement should preserve and collect evidence as necessary. The parent/guardian, court of jurisdiction, youth's attorney, District Attorney, and involved probation officer shall be notified of the suicide attempt.

707.8.1 SUICIDES

All deaths resulting from suicide should be investigated and documented in accordance with the Reporting In-Custody Deaths and In-Custody Death Reviews policies (15 CCR 1329).

707.9 DEBRIEFING

Any suicide or attempted suicide requires a staff debriefing. Information will be communicated to the oncoming Supervisor and staff to apprise them of the incident and actions taken. Such debriefing will be appropriately documented on the initial incident report and shall be reviewed by administration, supervisors, and the Medical Staff.

Stress management debriefings for involved members and youth to discuss post-incident thoughts and reactions should be provided (15 CCR 1329).

707.10 TRANSFER AND RELEASE

Ongoing care of suicidal youth during transfers and after release should be considered. When a youth is being transferred for observation or treatment, a staff member should complete the necessary forms, documenting the reasons why the youth is believed to be suicidal. The completed forms should accompany the released youth to the designated facility.

When a youth with a history or risk of suicide is transferred, the transporting probation corrections officer should ensure that the suicide threat or other danger is clearly communicated to personnel at the receiving facility (15 CCR 1329).

Youth who are at risk for suicide and are being released should be encouraged to work with local or area mental health resources and shall be provided with the appropriate contact information.

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Medication

708.1 PURPOSE AND SCOPE

This policy contains guidance for medication services that are provided by this department (15 CCR 1438; 15 CCR 1439).

708.2 POLICY

Medications shall be securely stored and delivered and administered to youth in a safe and timely manner. The Department will never discipline a youth by use or deprivation of medication.

708.3 SECURITY AND CONTROL

The Medical Staff shall establish a list of all prescription and over-the-counter (OTC) medication that is available on-site for youth, including any medication authorized to be self-administered by youth.

The Medical Director should work with the Facility Superintendent and the Medical Staff to establish procedures for the appropriate storage, access, accounting, disposal, security, and control of all medication (15 CCR 1438).

Medication, needles, and delivery carts shall be kept locked when they are not being used and shall only be accessible to authorized qualified health care professionals. Youth shall never be allowed access to these items.

Medication shall be kept in original containers or otherwise legally packaged to reveal the contents, and shall be stored in clean, temperature-controlled, ventilated areas that are appropriate for the type of medication. All other federal and state laws regarding controlled substances shall be followed.

Youth should be supervised whenever they are in areas where medications, syringes, needles, sharp instruments, or medical supplies are located.

708.4 DELIVERY AND ADMINISTRATION

The Medical Staff shall ensure:

(a) Prescription medication is delivered or administered to a youth only when ordered by a physician or other legally authorized professional.

(b) Medication is delivered and administered by persons authorized to do so. Detention staff shall prevent youth from delivering medication from one youth to another (15 CCR 1438).

(c) Youth admitted to the juvenile institutions continue to receive their current medications as previously prescribed, unless otherwise ordered by a qualified health care professional (15 CCR 1437; 15 CCR 1438).

The authorized person delivering medication shall confirm the identification of the youth and shall stand by to ensure the youth has taken/ingested the medication (15 CCR 1438). Each

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delivery and administration shall be documented. Refusals or adverse reactions to medication shall also be documented and reported to the Medical Staff or the authorized designee. Refused medication shall be returned to the medication storage area that is designated for this purpose and shall not be mixed with other stored medications. Unused medication and controlled substances shall be disposed of in accordance with applicable state and federal regulations.

The Medical Staff may identify medications that may be self-administered and the appropriate procedures to be followed. The length of time allowable for the Medical Staff's signature on verbal orders shall not exceed seven days (15 CCR 1438).

708.4.1 OTC MEDICATION

The Medical Staff shall develop guidelines for administration of OTC medication for youth. The guidelines should include (15 CCR 1438):

(a) Under what circumstances the youth may request medication.

(b) An approved list of OTC medication and the related symptoms that may require administration.

(c) A requirement that staff follow label instructions.

(d) Training for staff to administer approved OTC medication (see the Health Care Orientation and Training Policy).

All instances of a youth obtaining OTC medication should be documented.

708.5 PHARMACEUTICAL OPERATIONS

If the juvenile institutions operates a pharmacy, the Medical Staff shall ensure:

(a) The Medical Staff inspects the pharmaceutical operation quarterly.

(b) An annual report on the status of the pharmaceutical operation is prepared and provided to the Medical Director and the Facility Superintendent (15 CCR 1438).

(c) The pharmaceutical operation complies with all applicable laws and regulations.

(d) Dispensed drugs are packaged in accordance with the provisions of the federal packaging laws (15 USC § 1471 et seq.) and any other applicable state and federal law.

(e) Prescriptions are properly labeled.

(f) Pharmaceutical waste is separated from other types of medical waste and discarded appropriately.

(g) Current drug reference information, such as a Physician's Desk Reference (PDR) or an approved website, shall be available to staff.

(h) Procurement and repackaging shall be done only by the Medical Staff, dentist, pharmacist, or other persons authorized by law (15 CCR 1438).

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708.6 INVOLUNTARY ADMINISTRATION OF MEDICATION

Medication may only be administered involuntarily to a youth in emergency circumstances when it is necessary to protect the youth or others from imminent harm and only with a physician's order (15 CCR 1437; 15 CCR 1439). The reason medication was involuntarily administered should be documented in the youth's health care record.

A court order shall be sought or legal consent shall be obtained if the Medical Staff anticipates further dosage will be necessary or beneficial (15 CCR 1439).

708.6.1 PSYCHOTROPIC MEDICATION

The Medical Staff shall develop guidelines for the administration of psychotropic medication that include (15 CCR 1439):

(a) Protocols for health care providers' written and verbal orders in dosages appropriate to the youth's needs.

(b) The length of time voluntary and involuntary medications may be ordered and administered before re-evaluation is required.

(c) A provision that youth on psychotropic medications prescribed in the community will continue to receive the medications pending re-evaluation.

(d) A provision that continuation of psychotropic medications will be addressed in pre-release planning and prior to the transfer to another facility or program (see the Discharge Plan and the Release, Transfers, and Continued Care policies).

(e) A provision for regular clinical/administrative review of utilization patterns, including emergency situations.

(f) A prohibition on administering psychotropic medication for coercion, discipline, convenience, or retaliation.

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Health Care Records and Confidentiality

709.1 PURPOSE AND SCOPE

This policy is intended to provide guidance in the management of, and access to, youth health care records, thereby ensuring that such records are available to those who need them, while controlling access to protect youth privacy.

709.2 POLICY

The Department will protect youth health care records in compliance with the law.

709.3 RECORDS TO BE KEPT

The Medical Director should establish the format of health care records. Individual youth health care records shall include but are not limited to (15 CCR 1406):

(a) Initial screening and subsequent health assessment records.

(b) Youth requests for care or complaints about care (15 CCR 1433).

(c) Consultation and treatment records, whether at the juvenile institutions or off-site, including the names of the care providers.

(d) Prescribed and/or delivered medication and any associated stop dates.

(e) Limitations and disabilities of the youth.

(f) Instructions for youth care, including what should be communicated to staff.

(g) Special diet instructions.

(h) Activity restrictions.

(i) Progress notes.

(j) Consent forms.

(k) Authorization for release of information.

(l) Copies of previous health records.

(m) Immunization records.

(n) Laboratory reports.

(o) Dates, times, and location of treatment.

(p) Individual treatment plan.

709.4 ACCESS TO RECORDS

Qualified health care professionals should have access to all records that may be relevant to the youth's health and treatment, including general detention records. Relevant information should be included in all mental health, medical, and dental records of the youth, including known allergies, current health problems, and medications.

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The Medical Director should help develop procedures to identify which health care providers may have access to detention records and under what circumstances (15 CCR 1406).

709.5 CONFIDENTIALITY

Physician/patient confidentiality applies to the youth's health care records and to the youth's care. These records shall be maintained in a locked area apart from the youth's other records (15 CCR 1407).

Health care information obtained during screening or care shall be communicated to members only when it is necessary to protect the welfare of the youth or others, to facilitate management of the juvenile institutions, or to maintain juvenile institutions security and order. Members who learn of a youth's health condition incidental to their assignments shall keep that information confidential and shall not disclose that information to any unauthorized person (15 CCR 1407).

709.5.1 NON-ENGLISH TRANSLATION

Youth shall not be used to translate confidential medical information for other non-English-speaking youth (15 CCR 1407).

709.6 PRIVACY OF YOUTH HEALTH INFORMATION

The Facility Superintendent or their designee is responsible for all matters relating to the privacy of youth health care information. The Facility Superintendent or their designee shall (45 CFR 164.530):

(a) Develop a Health Insurance Portability and Accountability Act (HIPAA) compliance plan for the juvenile institutions.

(b) Resolve complaints under HIPAA.

(c) Mitigate, to the extent practicable, any harmful effects known to the juvenile institutions regarding any use or disclosure of youth health care information in violation of this policy or HIPAA regulations.

(d) Ensure members are trained in the proper handling of youth health care information and the requirements of HIPAA and state law.

(e) Ensure technical and physical safeguards are implemented to maintain security and confidentiality of youth health care information and to allow access only to those persons or software programs with access rights.

(f) Establish procedures for the release and disclosure of youth health care information.

709.7 MEMBER RESPONSIBILITIES

Members shall protect the security, confidentiality, and privacy of all youth health care records in their detention at all times.

Unauthorized possession, release, or distribution of youth health care information is prohibited and may violate HIPAA and/or other applicable laws.

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Members who have not received juvenile institutions training on the proper handling of these records shall not access youth health care records.

709.7.1 ELECTRONIC RECORDS
All computer workstations and servers in the juvenile institutions shall require appropriate security measures, such as user identification and login passwords, to access electronic health care records (45 CFR 164.308(a)(5)).

Members with access to electronic data shall lock their workstations when they are left unattended and shall shut down their workstations when leaving for the day to prevent unauthorized access to electronic records (45 CFR 164.310; 45 CFR 164.312).

Remote access to juvenile institutions computer workstations requires that appropriate security measures be provided for access (45 CFR 164.312).

Youth health care information may be transmitted electronically, provided the transmission occurs through a secure process that allows end-to-end authentication and the recipient is authorized to receive the information. Electronic transmission consists of email, file transfer protocol, internet posting, and any configurable data stream. End-to-end authentication is accomplished when the electronic referral does not leave a secure network environment and the recipient is known, or when encryption and authentication measures are used between sender and recipient, thus verifying full receipt by the recipient. Any electronic health care information traveling outside a secure network environment, via the internet, requires encryption and authentication measures (45 CFR 164.312(e)).

709.7.2 HARD COPIES
Hard copies of youth health care records shall be kept in a secured area when unattended by authorized personnel. An area is unattended when staff is physically outside the office area and unable to maintain record security. This includes but is not limited to breaks, lunch, or meetings outside the juvenile institutions.

Hard copies of records should be stored in a locked area whenever practicable for ease of record retention and retrieval.

Youth health care records shall not be removed from the juvenile institutions without express authorization from the Medical Director.

709.8 TRAINING
Members with access to youth health care records and information shall receive training on maintaining confidentiality (45 CFR 164.530).

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Informed Consent and Refusals

710.1 PURPOSE AND SCOPE

This policy addresses how medical or mental health care refusals by a youth are to be addressed and documented (15 CCR 1434).

710.2 POLICY

It is the policy of the Department to respect the rights of youth to make informed decisions about their health care, including consenting to treatment and refusing to receive care.

710.3 CONSENT

The Medical Director should establish the requirements and form of consent for health care treatment in accordance with state and federal laws. The requirements shall, at a minimum, include:

(a) When informed consent is required (15 CCR 1434; 15 CCR 1439).

(b) When consent should be documented in writing.

(c) When consent may be necessary from a parent, guardian, legal custodian, next of kin, or court (Welfare and Institutions Code § 739; 15 CCR 1434).

(d) When consent is not required and health care may be rendered against the youth's will (e.g., life-threatening conditions requiring immediate care, emergency care of patients who do not have the capacity to understand the information, certain public health matters) (15 CCR 1439).

710.4 REFUSALS

When a youth refuses health care:

(a) The youth shall be counseled regarding the potential consequences of refusal.

(b) The counseling and refusal shall be documented.

(c) The youth and/or parent/guardian, legal custodian, or next of kin and the qualified health care professional should sign the refusal documentation. If the youth and/or parent/guardian refuses to sign, it should be witnessed by another staff member and/or medical personnel and noted on the refusal documentation.

(d) The Medical Staff should review each refusal and consider options to protect the youth and any other person who may be affected (e.g., members, other youth).

(e) The refusal documentation, as well as documentation regarding the youth's mental status, shall be placed in the youth's health care record.

(f) The youth shall not be punished for any refusal.

(g) The refusal may be revoked at any time and does not waive the right to any future care.

(h) A youth may refuse, verbally or in writing, non-emergency medical, dental, and mental health care (15 CCR 1434).

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Informed Consent and Refusals

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Aids to Impairment

711.1 PURPOSE AND SCOPE

This policy addresses how members should balance reasonable security concerns with a youth's need for an assistive or adaptive device that assists the youth in dealing with an impairment (15 CCR 1436).

711.1.1 DEFINITIONS

Definitions related to this policy include:

Assistive or adaptive device - A device used to increase, maintain, or improve functional capabilities of individuals with disabilities, including prostheses, orthoses, wheelchairs, prescription lenses, and hearing aids.

711.2 POLICY

It is the policy of the Department that, in accordance with this policy and security and safety concerns, assistive and adaptive devices will be permitted or supplied in a timely manner when the health of a youth would otherwise be adversely affected or when such devices are necessary to reasonably accommodate a disability.

711.3 ASSISTIVE AND ADAPTIVE DEVICES

Subject to safety and security concerns, a youth should be permitted to retain assistive and adaptive devices prescribed by or recommended and fitted by a qualified health care professional. However, if the device presents a risk of bodily harm to any person, is a risk to the security of the juvenile institutions, or is not used for its intended purpose, it may be removed and stored with the youth's property. Procedures for the retention, removal, and return of assistive or adaptive devices shall comply with Penal Code § 2656.

The removal of an assistive or adaptive device and any accommodations made shall be reported to the supervisor and documented in the youth’s health care chart and behavior log. The device shall be returned to the youth when the risk abates. An incident report should be written at the direction of the supervisor whenever an assistive or adaptive device is removed or returned.

Within 24 hours of any removal of an assistive or adaptive device, the youth shall be examined by a qualified health care professional to determine whether the removal may be injurious to the health or safety of the youth. If the Facility Superintendent determines that an assistive or adaptive device should not be returned because of safety or security concerns, and as a result, the health or safety of the youth is a concern, options include:

(a) With qualified health care professional approval, modifying the device to meet the medical needs of the youth and the safety and security needs of the juvenile institutions.

(b) Providing the youth with an opportunity to petition the court for the return of the device, in accordance with local, state, and federal law.

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(c) When all other alternatives have failed or are considered inappropriate by the Facility Superintendent, reclassifying the youth to another housing unit special housing and removing the youth from the general population.

Any assistive or adaptive devices that are brought to the juvenile institutions by family members or others after the youth has been detained shall be subject to a security check. The juvenile institutions shall accept no responsibility for loss of or damage to any assistive or adaptive device.

711.4 REQUESTS FOR ASSISTIVE OR ADAPTIVE DEVICES

All decisions regarding the provision of new or replacement assistive or adaptive devices shall be made on a case-by-case basis by the Medical Staff or the authorized designee and reviewed for approval by the Facility Superintendent. Considerations shall be based upon the following:

- Medical needs of the youth
- Anticipated length of detention
- Safety and security of the juvenile institutions

Once an assistive or adaptive device has been approved for use by the Medical Staff and the Facility Superintendent, the approval should be entered into the youth's health care record. If the youth requires special housing, this should be communicated to detention or classification personnel as appropriate. The Medical Staff or the authorized designee shall document the general condition of the device and have the youth sign in the medical record that the device was received.

Replacement batteries should be provided for approved hearing aids.

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Chapter 8 - Environmental Health

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Sanitation Inspections

800.1 PURPOSE AND SCOPE

The Stanislaus County Probation Department has established a plan to promote and comply with the environmental safety and sanitation requirements established by applicable laws, ordinances, and regulations. This policy establishes a plan of housekeeping tasks and inspections required to identify and correct unsanitary or unsafe conditions or work practices in this facility (15 CCR 1510).

800.2 POLICY

It is the policy of the Department to maintain a safe and sanitary facility. To accomplish this goal, the Department will maintain a written plan that contains schedules and procedures for conducting weekly and monthly sanitation inspections of the facility.

800.3 RESPONSIBILITIES

The Facility Superintendent will ensure that the safety and sanitation plan addresses, at a minimum (15 CCR 1510):

(a) Schedules of functions (e.g., daily, weekly, monthly, or seasonal cleaning, maintenance, pest control, safety surveys).

(b) Self-inspection checklists to identify problems and to ensure cleanliness of the facility.

(c) Procedures, schedules, and responsibilities for coordinating annual inspections by the county health department, including how deficiencies on the inspection report are to be corrected in a timely manner.

(d) A list of approved equipment, cleaning compounds, chemicals, and related materials used in the facility, and instructions on how to safely operate, dilute, or apply the material.

(e) Record-keeping of self-inspection procedures, forms, and actions taken to correct deficiencies.

(f) Training requirements for detention staff and youth workers on accident prevention and avoidance of hazards with regard to facility maintenance (15 CCR 1322).

Consideration should be given to general job descriptions and/or limitations relating to personnel or youth assigned to carrying out the plan. Specialized tasks, such as changing air filters, cleaning ducts, and facility pest control, are more appropriately handled by the Department or by contract with private firms.

Youth engaged in sanitation duties shall do so only under the direct supervision of qualified detention staff. When youth work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

All staff shall report any unsanitary or unsafe conditions to a supervisor. Staff shall report repairs needed to the physical plant and to equipment by submitting a work order to a supervisor.

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Supervisors will conduct daily cleaning inspections. The Facility Superintendent or the authorized designee will conduct weekly safety and sanitation inspections of the facility.

See the Stanislaus County Probation Dept. JD Procedures Manual: 800.2 FACILITY SANITATION, MAINTENANCE AND SAFETY for further information.

800.4 WORK ORDERS

All reports of unsafe or unsanitary conditions, as well as repairs needed to the physical plant and equipment, shall be documented in a work order. Maintenance requests shall be submitted electronically and tracked to ensure the repairs are made or action is taken (15 CCR 1510). All work and action taken will also be documented electronically. Requests for budget resources above and beyond already budgeted maintenance items shall be reported to the Facility Superintendent.

800.5 SAFETY DATA SHEETS

Materials and substances used in the operation and maintenance of the facility may qualify as hazardous material. Hazardous material is required to have a companion Safety Data Sheet (SDS) that is provided by the manufacturer or distributor of the material. The SDS provides vital information on individual hazardous materials and substances, including instructions on safe handling, storage, disposal, prohibited interactions, and other details relative to the specific material.

The Facility Superintendent shall be responsible for ensuring that a written hazard communication plan is developed, implemented, and maintained at each workplace. Each area of the facility in which any hazardous material is stored or used shall maintain an SDS file in an identified location that includes (29 CFR 1910.1200(e); 15 CCR 1324):

(a) A list of all areas where hazardous materials are stored.

(b) A physical plant diagram and legend identifying the storage areas of the hazardous materials.

(c) A log for identification of new or revised SDS materials.

(d) A log for documentation of training by users of the hazardous materials.

See the Stanislaus County Probation Dept. JD Procedures Manual: 800.1 IDENTIFICATION OF HAZARDOUS MATERIALS for further information.

800.5.1 SDS USE, SAFETY, AND TRAINING

All supervisors and users of SDS information must review the latest issuance from the manufacturers of the relevant substances. Staff and youth shall have ready and continuous access to the SDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)):

(a) Supervisors shall conduct training for all staff on using the SDS for the safe use, handling, and disposal of hazardous material in areas they supervise.

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(b) Upon completion of the training, staff shall sign the acknowledgement form kept with each SDS in their work area.

(c) Staff using the SDS shall review the information as necessary to be aware of any updates and to remain familiar with the safe use, handling, and disposal of any hazardous material.

See the Stanislaus County Probation Dept. JD Procedures Manual: 800.1.1 USE, STORAGE AND DISPOSAL GUIDELINES for further information.

800.5.2 SDS DOCUMENTATION MAINTENANCE

Changes in SDS information occur often and without general notice. Any person accepting a delivery, addition, or replacement of any hazardous material shall review the accompanying SDS. If additions or changes have occurred, the revised SDS shall be incorporated into the file and a notation shall be made in the SDS revision log.

Supervisors shall review SDS information in their work areas semiannually to determine if the information is current and that appropriate training has been completed. Upon review, a copy of the SDS file and all logs shall be forwarded to the Safety Analyst or the authorized designee.

800.5.3 SDS RECORDS MASTER INDEX

The Safety Analyst or the authorized designee will compile a master index of all hazardous materials in the facility, including locations, along with a master file of SDS information. The Safety Analyst will maintain this information in the safety office (or equivalent), with a copy to the local fire department. Documentation of the semiannual reviews will be maintained in the SDS master file. The master index should also include a comprehensive, current list of emergency phone numbers (e.g., fire department, poison control center) (29 CFR 1910.1200(g)(8)).

800.5.4 CLEANING PRODUCT RIGHT TO KNOW ACT

In addition to SDS information, printable information regarding ingredients of certain products used by staff and youth shall be readily accessible and maintained in the same manner as an SDS (Labor Code § 6398.5; Health and Safety Code § 108952(f); Health and Safety Code § 108954.5(c)).

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Hazardous Waste and Sewage Disposal

801.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system for disposing of hazardous waste. The Department recognizes that the effectiveness of a disposal system depends not only on the written policies, procedures, and precautions, but also on adequate supervision and the responsible behavior of the staff and youth. It is the responsibility of everyone in the facility to follow hazardous waste disposal instructions, heeding prescribed precautions and using safety equipment properly.

801.1.1 DEFINITION

Definitions related to this policy include:

Hazardous waste - Material that poses a threat or risk to public health or safety or is harmful to the environment (e.g., batteries, paints, solvents, engine oils and fluids, cleaning products).

801.2 POLICY

It is the policy of this department that any sewage and hazardous waste generated at the facility shall be handled, stored, and disposed of safely, in accordance with all applicable federal and state regulations, and in consultation with the local public health entity.

801.3 RESPONSIBILITIES

The Facility Superintendent or the authorized designee shall be responsible for:

(a) Contracting with a hazardous waste disposal service.

(b) Developing and implementing a storage and disposal plan that has been reviewed and approved by a regulatory agency.

(c) Including hazardous waste issues on internal health and sanitation inspection checklists.

(d) Developing and implementing procedures for the safe handling and storage of hazardous materials until the contractor removes the items from the facility.

(e) Ensuring the staff is trained in the proper identification of hazardous waste and the appropriate handling, storage, and disposal of such items.

See the Stanislaus County Probation Dept. JD Procedures Manual: 801.1 PRECAUTIONARY MEASURES FOR COMMUNICABLE DISEASES and Stanislaus County Probation Dept. JD Procedures Manual: 801.2 CONTROL, TRACKING AND DISPOSAL OF TOXIC AND HAZARDOUS MATERIALS for further information.

801.4 SEWAGE DISPOSAL

All sewage and liquid waste matter must be disposed of into a public system of sewerage or, if public sewerage is not available, into a private system of sewage disposal in accordance with the requirements of the local public health entity.

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The institution's use of the private system must be discontinued, and the private system must be properly abandoned, when public sewerage becomes available.

801.5 HAZARDOUS WASTE

Hazardous waste generated in the facility shall be properly disposed of in designated containers and stored until removed by the contractor. At a minimum, staff shall use universal standard precautions when in contact with hazardous materials.

801.6 SAFETY EQUIPMENT

The Facility Superintendent and the county emergency manager shall ensure that appropriate safety equipment is available. All supervisors shall be knowledgeable in how to access the safety equipment. The county may coordinate with local fire departments or contracted vendors to obtain the necessary safety equipment.

801.7 SUPERVISOR RESPONSIBILITY

Supervisors are responsible for monitoring any hazardous waste containment issue and ensuring that employees have the appropriate safety equipment, that any exposed persons receive immediate medical treatment, and that the appropriate measures are taken to lessen the exposure of others. If an exposure to staff, youth, or visitors occurs, supervisors shall ensure that incident reports are completed and forwarded to the Facility Superintendent.

801.8 TRAINING

The Human Resources Manager or their designee shall be responsible for ensuring that all facility personnel receive appropriate training in the use of appropriate safety equipment and the identification, handling, and disposal of hazardous waste. Training records shall be maintained, including the course roster, curriculum, instructor name and credentials, and testing instruments.

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Housekeeping and Maintenance

802.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that the facility is kept clean, orderly, and in good repair in accordance with accepted federal, state, and local standards (15 CCR 1510).

802.2 POLICY

It is the policy of this department to maintain a sanitation and preventive maintenance schedule to keep the facility clean and in good repair.

802.3 RESPONSIBILITIES

The Facility Superintendent shall establish a plan for housekeeping and maintenance of the facility. The plan should include but is not limited to (15 CCR 1510):

(a) Schedules that determine the frequency of cleaning activities on a daily, weekly, or monthly timetable, by area of the facility.

(b) Supervision of the staff and youth to ensure proper implementation of the procedures.

(c) Development and implementation of an overall sanitation plan (e.g., cleaning, maintenance, inspection, staff training, youth supervision) that also includes maintenance of restraint devices as addressed in the Restraints Policy (15 CCR 1510).

(d) Development of inspection forms.

(e) All youth responsibilities, which should be included in the youth handbook.

(f) A process to ensure that deficiencies identified during inspections are satisfactorily corrected and documented.

(g) Detailed processes for the procurement, storage, and inventory of cleaning supplies and equipment.

(h) A process for the preventive maintenance of equipment and systems throughout the facility.

(i) Staff supervision of the provision and use of cleaning tools and supplies.

Cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic, or otherwise harmful substances shall be clearly labeled, kept in a locked storage area, and only used by staff.

See the Stanislaus County Probation Dept. JD Procedures Manual: 802.1 MAINTENANCE REQUESTS for further information.

802.3.1 JANITOR CLOSETS

At least one securely lockable janitor closet should be near or inside each housing unit. Each janitor closet should contain a mop sink and sufficient area for the storage of cleaning implements. Access to the janitor closets shall be controlled and supervised by staff. Youth should not be allowed access to the janitor closets except under direct staff supervision (24 CCR 1230.1.21).

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802.4 SANITATION SCHEDULE

A daily, weekly, and monthly cleaning schedule will be established by each housing unit supervisor. The facility staff should implement a site-specific plan for cleaning and maintenance of each area of the facility (e.g., housing, food preparation, laundry, loading dock/trash storage, barber shop, warehouse, common areas). The following recommendations include but are not limited to specific areas and items (15 CCR 1510):

(a) Daily cleaning:

1. Sweep and then wet mop the entire juvenile institutions floor
2. Clean all housing areas
3. Empty all trash receptacles
4. Clean all toilets and sinks
5. Clean all showers

(b) Weekly cleaning:

1. Dust bars and window ledges
2. Clean air conditioning/heating grates
3. Clean mattresses (mattresses are also to be cleaned prior to being issued to a new youth)
4. Pour water down floor drains to test for flow

(c) Monthly cleaning:

1. Walls
2. Ceilings

All custodial staff and youth workers assigned cleaning duties shall receive instruction commensurate with their tasks, including proper cleaning techniques, the safe use of cleaning chemicals, and areas of responsibility.

See the Stanislaus County Probation Dept. JD Procedures Manual: 802.2 WORK PROGRAMS, Stanislaus County Probation Dept. JD Procedures Manual: 802.3 DAILY AND WEEKLY UNIT HOUSEKEEPING ACTIVITIES and Stanislaus County Probation Dept. JD Procedures Manual: 802.4 KITCHEN SANITATION for further information.

802.4.1 INFIRMARY CLEANING

Medical care housing as described in Title 24, Section 13-201 shall be cleaned and sanitized according to policies and procedures as established by the Medical Director (15 CCR 1510).

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802.5 INSPECTION CHECKLIST

The Facility Superintendent or the authorized designee should develop an inspection checklist that includes the cleaning and maintenance items that will be checked by supervisors on a daily, weekly, and monthly basis throughout the facility.

The inspection checklist will closely correspond to the established cleaning and maintenance schedule.

Inspection checklists shall be forwarded to the Facility Superintendent or the authorized designee for annual review, filing, and retention as required by the established records retention schedule.

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Physical Plant Compliance with Codes

803.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the timeline, process, and responsibilities for facility maintenance, inspections, and equipment testing in compliance with all applicable federal, state, and local building codes.

803.2 POLICY

It is the policy of this department that all construction of the physical plant be reviewed and inspected in compliance with all applicable federal, state, and local building codes. All equipment and mechanical systems will be routinely inspected, tested, and maintained in accordance with applicable laws and regulations.

803.3 COMPLIANCE WITH CODES AND STATUTES

Plumbing, sewage disposal, solid waste disposal, and plant maintenance conditions will comply with rules and regulations imposed by state regulatory entities governing such practices.

803.4 RESPONSIBILITIES

The Facility Superintendent or designee shall be responsible for establishing and monitoring the facility maintenance schedule and ensuring that any deficiencies discovered are corrected in a timely manner.

Copies of the local jurisdiction's applicable health and sanitation codes shall be kept in the facility by the Facility Superintendent or the authorized designee. The Facility Superintendent or the authorized designee is responsible for developing internal health and sanitation inspection checklists; maintaining valid licensing, sanitation certificates, and inspection reports; and documenting proof of corrective actions.

803.5 PROCEDURE

All safety equipment (e.g., emergency lighting, generators) and/or an uninterruptible power source shall be tested, inspected, and documented at least quarterly (see the Emergency Power and Communications Policy).

Any remodeling or new construction shall have prior approval of the local fire, building, and health authorities. Any required plans and permits will be procured prior to the commencement of any changes to the facility in compliance with Title 24 of the California Code of Regulations and approval of the Board of State and Community Corrections (Penal Code § 6029).

Areas of the facility shall be inspected and evaluated for functionality, wear, and rodent or pest infestation in compliance with the General Industry Safety Order, including but not limited to (8 CCR 3362):

- Admissions.

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- Food services.
- Youth housing.
- Medical services area.
- Classrooms.
- Activity and program areas.
- Recreational areas.
- Laundry.
- Barbershop.
- Loading dock/trash storage.
- Warehouse.
- Water systems and plumbing.
- Emergency generators.
- Fire safety equipment.
- The entire physical structure of the facility, including roof, walls, exterior doors, mechanical systems, and lighting.

803.6 PLUMBING - FLOOR DRAINS

Floor drains must be flushed weekly and all traps must contain water to prevent the escape of sewer gas. Grids and grates must be present.

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Pest Control

804.1 PURPOSE AND SCOPE

The purpose of this policy is to establish inspection, identification, and eradication processes designed to keep pests controlled in accordance with the requirements established by all applicable laws, ordinances, and regulations of the local public health entity (15 CCR 1484).

804.2 POLICY

It is the policy of this department to control pests within the facility. The Facility Superintendent or the authorized designee shall be responsible for developing and implementing this policy, in cooperation with the Medical Staff and the local public health entity, for the sanitation and control of pests, and to establish medical protocols for treating youth clothing, personal effects, and living areas, with specific guidelines for treating infested youth.

804.3 PEST CONTROL SERVICES

The Facility Superintendent or the authorized designee shall be responsible for procuring the services of a licensed pest control professional to inspect the facility at least monthly and to treat areas as required to ensure that pests are controlled.

804.4 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted youth who is pest-infested or whose property is pest-infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Youth with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it. To reduce the chance of further transmission, separate quarters for youth undergoing treatment for lice should be used.

Because the treatment chemicals can cause allergic reactions and other negative effects, treatment should be done only when an infestation is identified and not as a matter of routine.

Clothing, bedding, and other property suspected of being infested shall either be removed from the facility or cleaned and treated by the following methods, as appropriate or as directed by the pest control provider or the Medical Staff (15 CCR 1484):

- Washing in water at 140 degrees for 20 minutes
- Tumbling in a clothes dryer at 140 degrees for 20 minutes
- Dry cleaning
- Storing in sealed plastic bags for 30 days
- Treating with an insecticide specifically labeled for this purpose

Head lice and their eggs are generally found on the head hairs. There may be uncertainty about the effectiveness of some pediculicides to kill the eggs of head lice. Therefore, some products

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recommend a second treatment seven to 10 days after the first. During the interim, before the second application, eggs of head lice could hatch, and lice could be transmitted to others.

Pubic lice and their eggs are generally found on the hairs of the pubic area and adjacent hairy parts of the body, although they can occur on almost any hairy part of the body, including the hair under the arms and on the eyelashes.

Pubic lice and their eggs are generally successfully treated by the available pediculicides. However, when the eyelashes are infested with pubic lice and their eggs, a physician should perform the treatment.

Successful treatment depends on careful inspection of the youth and proper application of the appropriate product. The area used to delouse youth must be separate from the rest of the facility. All the surfaces in the treatment area must be sanitized. There must be a shower as part of the delousing area.

The supervisor shall document the date of treatment, the area treated, the pest treated, and the treatment used.

804.5 LABELING AND SECURE STORAGE OF COMPOUNDS

Containers of pest exterminating compounds shall be conspicuously labeled for identification of contents. The containers shall be securely stored separately from food and kitchenware, and shall not be accessible by youth.

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Water Supply

805.1 PURPOSE AND SCOPE

The Stanislaus County Probation Department recognizes the importance of providing the facility with safe potable water. The purpose of this policy is to establish guidelines for testing the facility's water to ensure that the water is safe to consume and that potable water is in compliance with the California Safe Drinking Water Act.

805.2 POLICY

In compliance with federal regulations regarding safety of public water systems, this facility will ensure the continued supply of safe potable water for use by youth, staff, and visitors through rigorous annual testing of water supplies (42 USC § 300f et seq.).

805.3 PROCEDURE

The Facility Superintendent shall ensure that the facility's potable water source is tested by an independent public or private testing service at least once each year. Water quality will be certified to comply with all federal, state, and local regulations. Corrective measures shall be promptly taken if the test results fall below acceptable regulatory standards.

In the event that water testing reveals any significant hazards to the youth or staff at the facility, the Chief Probation Officer or the authorized designee and the Medical Staff shall take immediate action to mitigate the problem.

The testing results, valid certificates of the sampling entity, and the testing laboratory shall be kept in accordance with established records retention schedules.

Where the facility's water supply is obtained from a private source, the source shall be properly located, constructed, and operated to protect it from contamination and pollution, and the water shall meet all current standards set by the applicable state and/or local authority regarding bacteriological, chemical, and physical tests for purity.

For facilities not served by a public or regulated private water supply, the water should be tested daily by the local authority within the facility's jurisdiction.

805.4 EMERGENCY PLAN

The Facility Superintendent and the Medical Staff shall develop a plan for the supply of potable water for drinking and cooking in the event that a man-made or natural disaster interrupts the regular water supply. The plan shall address methods for providing clean potable water for at least three days, and should have contingency plans for emergencies lasting longer than three days. The plan should also include contingencies for the use of non-potable water to flush toilets and remove effluent from the facility.

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Youth Safety

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a safety program to reduce youth injuries by analyzing causes of injuries and identifying and implementing corrective measures.

806.2 POLICY

It is the policy of the Stanislaus County Probation Department to provide a safe environment for youth confined at this facility, in accordance with all applicable laws, by establishing an effective safety program, investigating youth injuries, and taking corrective actions as necessary to reduce accidents and injury.

806.3 RESPONSIBILITIES

The Chief Probation Officer shall appoint a staff member who will be responsible for the development, implementation, and oversight of the safety program. This program will include but is not limited to (15 CCR 1510):

- A system to identify and evaluate hazards, including scheduled inspections to identify unsafe conditions.
- Analysis of youth injury reports to identify causes and to recommend corrective actions.
- Establishment of methods and procedures to promptly correct unsafe and/or unhealthful conditions and work practices.

806.4 INVESTIGATION OF REPORTED YOUTH INJURY

Whenever there is a report of serious illness, or an injury to a youth that results from accidental or intentional acts, other than an authorized use of force by detention staff, the Chief Probation Officer or the authorized designee will initiate an investigation to determine the cause of the injury and develop a plan of action whenever a deficiency is identified (15 CCR 1341). Injuries resulting from use of force incidents will be investigated and reported under the Use of Force Policy.

806.5 INVESTIGATION REPORTS

The Supervisor shall ensure that reports relating to a youth's injury are completed and should include, if applicable:

- Incident reports.
- Investigative reports.
- Health record entries.
- Any other relevant documents or photographs.

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806.6 ANNUAL REVIEWS

The Chief Probation Officer or the authorized designee should annually review all injuries involving youth to identify problem areas and document a plan of action to abate circumstances relating to youth injuries.

The plan of action should include but is not limited to:

- The area where the deficiencies have been identified.
- Strategies to abate the deficiency.
- Resources needed to correct a deficiency.
- Who is responsible for taking corrective action.
- The target completion date.

The Chief Probation Officer should consult with the Department risk manager to coordinate corrective action or to seek managerial/administrative guidance for implementing corrective action.

806.7 NOTIFICATION

The Facility Superintendent should, in cooperation with the Medical Director, develop procedures for notification of a youth's serious illness or injury to the necessary parties (e.g., Juvenile Court, the parent/guardian, or person standing in loco parentis, the youth's attorney) (15 CCR 1341).

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Youth Hygiene

807.1 PURPOSE AND SCOPE

This policy outlines the procedures to ensure the personal hygiene of every youth in the Stanislaus County Probation Department is maintained. The Stanislaus County Probation Department recognizes the importance of each youth maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services, and the issuance and exchange of clean clothing, bedding, linens, towels, and other necessary personal hygiene items.

807.2 POLICY

It is the policy of the Stanislaus County Probation Department to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances, and regulations. Compliance with laws and regulations relating to good youth hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for protecting all youth, but for the safety of the detention staff, volunteers, service providers, and visitors.

807.3 RESPONSIBILITIES

The Facility Superintendent shall ensure the basic necessities related to personal care are provided to each youth upon entry into the general population.

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log. The Supervisor shall review the daily activity log at least once per shift.

The Facility Superintendent or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

807.4 STORAGE SPACE

There should be adequate and appropriate storage space for youth's bedding, linen, or clothing. The inventory of clothing, bedding, linen, and towels should exceed the maximum inmate population so that a reserve is always available (15 CCR 1483).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies, and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Facility Superintendent should be notified if additional storage space is needed.

807.5 BEDDING ISSUE

Upon entering a living area of the juvenile institutions, every youth who is expected to remain in the facility overnight shall be issued bedding and linens, including but not limited to (15 CCR 1500):

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(a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.

1. One blanket or more shall be provided upon request (15 CCR 1500).
2. Covering blankets shall be cleaned or laundered at least once a month (15 CCR 1501).

(b) One clean, firm, nontoxic fire-retardant mattress (16 CFR 1633.1 et seq.).

1. Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk. Mattresses will be cleaned and disinfected when a youth is released or upon reissue.
2. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses, and any other legal standards at the time of purchase (15 CCR 1502).
3. The Facility Superintendent shall consider what mattress type is suitable for pregnant youth or youth with other medical-related needs (15 CCR 1483).

(c) Two sheets or one sheet and a clean mattress cover.

(d) One clean towel.

(e) One pillow and a pillowcase or mattress-pillow combination.

Linen exchange shall occur at least weekly and shall be documented in the daily activity log (15 CCR 1501). Clean, freshly laundered towels shall be provided to all youth twice a week. The Supervisor shall review the daily activity log at least once per shift.

The Facility Superintendent or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

See the Stanislaus County Probation Dept. JD Procedures Manual: 803.1 BEDDING AND LINEN ISSUANCE for further information.

807.6 CLOTHING ISSUE

A youth admitted overnight or longer and assigned to a living unit shall be issued a set of facility clothing. Issued facility clothing shall be clean, reasonably fitted, durable, easily laundered, and in good repair (e.g., free of holes and tears) (15 CCR 1480).

The issue of clothing appropriate to the climate for youth shall include but is not limited to:

- Clean socks.
- Suitable outer garments.
- Undergarments that are freshly laundered and free of stains, including T-shirts and bras.
- Footwear.

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- New, non-disposable underwear.
- Suitable clothing for pregnant youth.

A youth who is issued a change of clothing upon admission to the facility may have the youth's personal clothing returned after laundering, at the discretion of the Facility Superintendent.

Clothing shall be exchanged twice each week, at a minimum. All exchanges shall be documented on the daily activity log. The Supervisor or unit supervisor shall review the daily activity log at least once per shift. T-shirts, bras, and underwear shall be exchanged daily; youth shall receive their own underwear back in the exchange (15 CCR 1482).

Additional clothing may be issued for changing weather conditions or as seasonally appropriate. A youth's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items, and they are approved by the medical staff.

Each youth assigned to a special work area shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, which shall be exchanged as frequently as the work assignment requires (15 CCR 1481).

The Facility Superintendent or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

The Facility Superintendent or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each youth shall have neat and clean clothing appropriate to the season.

A youth's excess personal clothing shall be mailed, picked up by, or transported to a designated family member or stored in containers designed for such purpose. All youth personal property shall be properly identified, inventoried, and secured. Youth shall sign and receive a copy of the inventory record.

See the Stanislaus County Probation Dept. JD Procedures Manual: 803.3 CLOTHING ISSUANCE, Stanislaus County Probation Dept. JD Procedures Manual: 803.5 UNDERGARMENT PROCEDURE for further information.

807.6.1 TRANSGENDER AND INTERSEX YOUTHS

Transgender and intersex youth shall be permitted to present themselves in a manner consistent with their gender identity. The Facility Superintendent or the authorized designee shall ensure that the facility maintains an inventory of extra clothing sufficient to supply youth with clothing and undergarments consistent with their gender identity (15 CCR 1352.5).

807.7 LAUNDRY SERVICES

Laundry services shall be managed so daily clothing, linen, and bedding needs are met.

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Clothing shall be laundered at the temperature required by local ordinance for commercial laundries, and dried completely in a mechanical dryer or other laundry method approved by the local health officer (15 CCR 1480).

See the Stanislaus County Probation Dept. JD Procedures Manual: 803.2 LAUNDRY PROCEDURES, Stanislaus County Probation Dept. JD Procedures Manual: 803.4 LAUNDRY PROCEDURES FOR CLOTHING for further information.

807.8 YOUTH ACCOUNTABILITY

To ensure youth accountability, youth must exchange item for item when clean clothing, bedding, and linen exchange occurs.

Prior to being placed in a housing unit, youth shall be provided with a youthorientation pamphlet listing this requirement.

807.9 PERSONAL HYGIENE OF YOUTH

Personal hygiene items, hair care services, and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among youth in compliance with the requirements established by state laws as part of a healthy living environment (15 CCR 1485; 15 CCR 1486).

Youth shall be given an opportunity to brush their teeth after each meal (15 CCR 1486).

Each youth held overnight shall be issued, at a minimum, the following items (15 CCR 1485):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shaving equipment, upon request
- Toilet paper
- Deodorant
- Lotion
- Shampoo
- Post-shower conditioning hair products

Hand sanitizer is available for use as needed for all youth.

The Facility Superintendent or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers (15 CCR 1485). Personal hygiene items should be appropriate for the youth's sex. Additional hygiene items shall be provided to youth upon request, as needed (15 CCR 1485).

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Youth shall not be required to share personal care items or disposable razors (15 CCR 1485). Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the California Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Distribution of these items is provided by the youths' assigned unit. Each unit shall be responsible for ordering a sufficient supply of toiletry articles from the storekeeper, to meet the weekly needs of their respective unit. Female youth shall have unrestricted access to feminine hygiene products.

See the Stanislaus County Probation Dept. JD Procedures Manual: 803.6 HYGIENE AND DRESS CODE STANDARDS for further information.

807.10 BARBER AND COSMETOLOGY SERVICES

The Facility Superintendent or the authorized designee shall be responsible for developing and maintaining a schedule for hair care services provided to the youth population and will have written policies and procedures for accessing these services (see the Grooming Policy). The Facility Superintendent or the authorized designee shall ensure that the rules are included in the youth handbook.

See the Stanislaus County Probation Dept. JD Procedures Manual: 803.8 HAIR CARE for further information.

807.10.1 SCHEDULE FOR HAIR CARE SERVICES

Youth shall have the ability to receive hair care services once per month (15 CCR 1488). Records of hair care services shall be documented in the daily activity log.

Prior to being placed in a housing unit, youth will be given a youthorientation pamphlet, which details how to request hair care services.

807.10.2 HAIR CARE SPACE

Due to sanitation concerns, the hair care services should be in a room designated for that purpose. The floors, walls, cabinets, countertops, and ceilings should be smooth, nonabsorbent, and easily cleanable. The room should be supplied with a hand washing sink with hot and cold water under pressure. The minimum hot water temperature must comply with local building and health department standards.

Each barbering room should have all the equipment for maintaining sanitary procedures for hair care, including approved, covered metal containers for waste, disinfectants, laundered towels, and a means of separating sanitized equipment from soiled equipment.

After each haircut, all tools that came into contact with the youth shall be cleaned and sanitized according to established guidelines and regulations (15 CCR 1488).

Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all hair care personnel and youth. Single-use items, such as cotton pads and neck strips, shall be properly disposed of immediately after a single use.

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Barbers or beauticians shall not provide hair care service to any youth when the skin of the face, neck, or scalp is inflamed, or when there is scaling, pus, or other evidence of skin eruptions, unless it is performed under the specific written authorization of the Medical Staff. Any person infested with head lice shall not be given hair care service until cleared by the medical staff.

The hair care services area shall be maintained and kept clean according to the state or local board of barbering and cosmetology and the health department standards.

807.11 AVAILABILITY OF PLUMBING FIXTURES IN JUVENILE INSTITUTIONS

Youth confined to rooms or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for youth in housing units is:

- One sink/washbasin for every six youth (24 CCR 1230.2.2).
- One toilet to every six youth (one toilet and one urinal may be substituted for every 15 males) (24 CCR 1230.2.1).

Toilet areas should provide privacy for youth without interfering with staff's ability to supervise.

A youth may not be denied reasonable access to the bathroom facilities. "Reasonable Access" requires providing use of the bathroom facilities, with no more than a five (5) minute delay, except in the case of an emergency. If and when such an emergency arises, and access to the bathroom is delayed, the circumstances shall be documented in an incident report. When the youth return to their units from recreation periods, school, or special activities or events, they shall be allowed to return to their room to use the bathroom.

807.11.1 AVAILABILITY OF PLUMBING FIXTURES IN JUVENILE INSTITUTIONS CAMPS

The minimum number of plumbing fixtures provided for youth in camps is:

- One sink/washbasin for every 10 youth (24 CCR 1230.2.2).
- One toilet to every 10 youth (one toilet and one urinal may be substituted for every 15 males) (24 CCR 1230.2.1).

Washbasins must be provided with hot and cold or tempered water. Toilet areas should provide privacy for youth without interfering with staff's ability to supervise.

807.12 YOUTH SHOWERS

Youth will be allowed to shower upon assignment to a housing unit and daily thereafter (15 CCR 1486). There should be one shower for every six youth (24 CCR 1230.2.4). Showering facilities for youth housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of youth and staff. The temperature shall be recorded and maintained.

Youth shall be permitted to shower, perform bodily functions, and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks, or genitalia, except in exigent

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circumstances or when such viewing is incidental to routine room checks (15 CCR 1352.5). Staff of the opposite sex shall announce their presence when entering a youth housing unit.

Transgender and intersex youth shall be given the opportunity to shower separately from other youth (28 CFR 115.342; 15 CCR 1352.5).

Shower areas shall provide privacy for youth without mitigating the staff's ability to supervise (24 CCR 1230.2.4).

See the Stanislaus County Probation Dept. JD Procedures Manual: 803.7 SHOWERING PROGRAM for further information.

807.13 DELOUSING MATERIALS

Delousing materials and procedures shall be approved through consultation with the Medical Staff or qualified health care professionals (see the Pest Control Policy).

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Chapter 9 - Food Services

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Food Services

900.1 PURPOSE AND SCOPE

The Department recognizes the importance of providing nutritious food and services to youth to promote good health, to reduce tension in the juvenile institutions, and ultimately to support the safety and security of the juvenile institutions. This policy provides guidelines on the preparation of food services items and dietary considerations for youth housed in the facilities (15 CCR 1460 et seq.).

900.2 POLICY

It is the policy of this department that food services shall provide youth with a nutritionally balanced diet in accordance with federal, state, and local laws and with regulations for daily nutritional requirements, and that food services shall adhere to all sanitation and food safety requirements. Food services and nutritional requirements for youth are set forth in Article 9, Sections 1460-1467 of the California Administrative Code Title 15, Minimum Standards for Juvenile Facilities.

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage, and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in Health and Safety Code § 113700 et seq.

900.3 SUPERVISING CUSTODIAL COOK

The Supervising Custodial Cook shall be responsible for oversight of the day-to-day management and operation of the food services area, including (15 CCR 1321; 15 CCR 1464):

- Developing, implementing, and managing a budget for food services.
- Ensuring sufficient staff is assigned, and scheduled to efficiently and safely carry out all functions of food services operations.
- Establishing, developing, and coordinating appropriate training for staff and youth workers.
- Developing a menu plan that meets all nutrition and portion requirements and can be produced within the available budget.
- Ensuring the food services operation is sanitary and meets the acceptable standards of food procurement, planning, preparation, service, storage, and sanitation in compliance with FDA and USDA requirements and standards.
- Other duties and activities as determined by the Facility Superintendent.
- Developing a food services plan (15 CCR 1464).

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900.3.1 VENDOR SERVICES

The Facility Superintendent or the authorized designee is responsible for seeing that vendor food services, where applicable, comply with the scope and quality of services specified in the contract (see the Equipment Inventory and Supplies and the Food Services Workers' Health, Safety, and Supervision policies).

See the Stanislaus County Probation Dept. JD Procedures Manual: 900.2 IDENTIFYING VENDORS AND PURCHASING FOOD PROCEDURES for further information.

900.4 MENU PLANNING

All menus shall be planned, dated, and available for review at least one month in advance. Menus shall provide a variety of foods reflecting the demographics of the youth/staff population and should consider appearance, dietary allowances, flavor, nutrition, palatability, temperature, and texture. Menus shall be approved by a registered dietitian or nutritionist before being served (15 CCR 1461; 15 CCR 1463).

Any changes to the meal schedule, menu, or practices should be carefully evaluated by the food services manager in consultation with the Facility Superintendent, dietitian, medical staff, and other professionals, and shall be recorded. All substitutions will be of equal or better nutritional value. If any meal served varies from the planned menu, the change shall be noted in writing on the menu and/or production sheet (15 CCR 1463).

Menus as planned, including changes, shall be evaluated by a registered dietitian at least annually (15 CCR 1463). Facility menus shall be evaluated at least quarterly by the Supervising Custodial Cook to ensure adherence to established daily servings.

Copies of menus, foods purchased, annual reviews, and quarterly evaluations should be maintained by the Supervising Custodial Cook in accordance with established records retention schedules (15 CCR 1463). Menus must be retained for one year.

Meal Production Records will be completed daily.

See the Stanislaus County Probation Dept. JD Procedures Manual: 900.4 MEAL ORDERING PROCEDURES for further information.

900.5 FOOD SAFETY

Temperatures in all food storage areas should be checked and recorded at the beginning of each shift. Holding temperatures for cold and hot foods shall be checked and recorded every two hours. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time.

All reach-in or walk-in refrigerators and cold storage must maintain food temperature as outlined in the Food Storage Policy.

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One sample from each meal served shall be dated and maintained under refrigeration for testing in the event of a food-borne illness outbreak (15 CCR 1464). Sample meals shall be discarded at the end of three days if no food-borne illness is reported.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected.

A HAACP Food Safety Checklist shall be conducted weekly by kitchen staff.

See the Stanislaus County Probation Dept. JD Procedures Manual: 900.3 METHODS, EQUIPMENT AND SUPPLIES FOR SERVING FOOD AT SAFE TEMPERATURES PROCEDURES for further information.

900.6 THERAPEUTIC DIETS

The Supervising Custodial Cook shall be responsible for ensuring that all youth who have been prescribed therapeutic diets by qualified health care professionals are provided with compliant meals. A diet manual, which includes samples of medical diets, shall be maintained in the food services areas.

More information can be found in the Prescribed Therapeutic Diets Policy.

900.7 RELIGIOUS DIETS

The Supervising Custodial Cook, to the extent reasonably practicable, will provide special diets for youth in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA) (15 CCR 1372).

When religious diets are provided, they shall conform to the nutritional and caloric requirements for non-religious diets (15 CCR 1461).

900.7.1 RELIGIOUS MEAL RECORDS

Youth receiving authorized religious diet meals must sign a document indicating:

(a) The youth's name.

(b) The dates and times of service.

(c) The housing location or dining location where the meals will be delivered.

(d) A list of items provided for the meal.

All meal records shall be retained in accordance with established retention schedules and applicable statutory regulations.

900.8 FOOD SERVICES REQUIREMENTS

All reasonable efforts shall be made to protect youth from food-borne illness. Food services staff shall adhere to sanitation and food storage practices, and there shall be proper medical screening

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and clearance of all food handlers in accordance with the Food Services Workers' Health, Safety, and Supervision Policy and FDA and USDA requirements and standards.

Food production and services will be under staff supervision (15 CCR 1321). Food production, storage, and food-handling practices will follow the appropriate federal, state, or local sanitation laws in accordance with Health and Safety Code § 113947 (15 CCR 1464; 15 CCR 1465).

See the Stanislaus County Probation Dept. JD Procedures Manual: 900.1 FOOD SERVICE HANDLERS PROCEDURES for further information.

900.8.1 PREPARED FOOD

Food services staff may serve food prepared by an outside source provided that the food meets the nutritional standards contained in this policy and the Dietary Guidelines Policy (15 CCR 1321).

900.9 MEAL SERVICE PROCEDURE

Youth meals that are served in a dining room or dayroom should be provided in a space that allows groups of youth to dine together, with at least of 15 square feet of space per youth. A dining area shall not contain toilets or showers in the same room without appropriate visual barriers.

Meals shall be served at least three times during each 24-hour period. At least one meal must include hot food (15 CCR 1460). Any deviation from this requirement shall be subject to the review and approval of a registered dietitian to ensure that youth receive meals that meet nutritional guidelines.

Youth must be provided at least 20 minutes of dining time for each meal. Youth on medical diets may be prescribed additional time by the Medical Staff. There must be no more than 14 hours between a substantial evening meal and breakfast (15 CCR 1460). A substantial evening meal is classified as a serving of three or more menu items at one time, including a high-quality protein, such as meat, fish, eggs, or cheese. The meal shall represent no less than 20 percent of the day's total nutrition requirements. A nourishing snack shall be provided to all youth two to four hours after the evening meal (15 CCR 1460). If more than 14 hours pass between meals (or 16 hours between evening and breakfast meals), approved snacks should be provided. A nourishing snack is classified as a combination of two or more food items from two of the four food groups, such as cheese and crackers or fresh fruit and cottage cheese.

Youth who miss, or may miss, a regularly scheduled meal must be provided with a beverage and a sandwich or substitute meal (15 CCR 1460). Approved snacks should be served to youth on medical diets in less than the 14-hour period if prescribed by the Medical Staff or registered dietitian. Youth on medical or therapeutic meals who miss their regularly scheduled meal will be provided with their prescribed meal.

As the mealtime approaches, facility staff should direct the youth to get dressed and be ready for meals. Youth should be assembled and a head count taken to verify all youth in the housing location are present. Staff members should watch for signs of injury or indications of altercations,

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and should investigate any such signs accordingly. Staff members should remain alert to the potential for altercations during youth movement and meals. Meals shall be served under the direct supervision of staff. No trading of food between youths is allowed.

Staff members should direct an orderly filing of youth to the dining room or assigned seating in the dayroom. Staff should identify youth who have prescribed therapeutic or authorized religious diets so those youth receive their meals accordingly.

It shall be the responsibility of the probation corrections officers to maintain order and enforce rules prohibiting excessive noise and intimidation of other youth to relinquish food during mealtime.

The dining area shall have an area designated for youth who have been prescribed a longer time to eat by a qualified health care professional or a dietitian, or as deemed appropriate by a supervisor.

To the extent reasonably practical, an adequate number of food services staff and correctional personnel should supervise feeding in central dining areas. If reasonably possible, the supervisor should be present (15 CCR 1321).

The Supervisor or designee should make every attempt to be present during meal services in central dining areas to assess the meal service process, the quality of food, and any health or security issues.

In the interest of security, sanitation, and vermin control, youth shall not be allowed to take food from the dining area to their housing areas.

The withholding or denial of meals/snacks, which are included in the normal service of meals, shall not be used as a disciplinary measure. However, the type of eating utensil or the service of food may be modified for the safety and/or security of the youth and other youth.

See the Stanislaus County Probation Dept. JD Procedures Manual: 900.5 POINT OF SERVICE MEAL COUNTS and Stanislaus County Probation Dept. JD Procedures Manual: 900.6 MEAL CART DELIVERY for further information.

900.10 EMERGENCY MEAL SERVICE PLAN

The Supervising Custodial Cook shall establish and maintain an emergency meal service plan for the facility (15 CCR 1464).

Such a plan should ensure that there is at least a seven-day supply of food and water is maintained in storage for youth. In the event of an emergency that precludes the preparation of at least one hot meal per day, the Facility Superintendent may declare an emergency suspension of standards for the period of time the emergency exists.

During an emergency suspension, the Supervising Custodial Cook shall assign a registered dietitian to ensure that minimum nutritional and caloric requirements are met.

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Food Services

In the event that the youth food supply drops below that which is needed to provide meals for two days, the Facility Superintendent or the authorized designee shall purchase food from wholesale or retail outlets to maintain at least a four-day supply during the emergency.

Depending on the severity and length of the emergency, the Chief Probation Officer should consider requesting assistance from allied agencies through mutual aid or the National Guard.

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Food Services Training

901.1 PURPOSE AND SCOPE

The purpose of this policy is to implement a training program for food services workers that includes food safety, proper food-handling techniques, and personal hygiene to ensure proper handling and delivery of food and reduce the risk of potential injury and contamination of food (15 CCR 1465).

901.2 POLICY

The Stanislaus County Probation Department ensures food services workers satisfactorily complete initial training prior to being assigned to food services.

901.3 TRAINING

The Supervising Custodial Cook, under the direction of the Facility Superintendent, is responsible for ensuring that a training curriculum is developed in accordance with U.S. Department of Agriculture (USDA) guidelines and implemented in the use of equipment and safety procedures for all food services personnel, including staff and service providers (15 CCR 1321; 15 CCR 1465).

The training shall include, at a minimum:

(a) Work safety practices and use of safety equipment.

(b) Sanitation in the facility's food services areas.

(c) Reducing risks associated with operating machinery.

(d) Proper use of chemicals in food services areas.

(e) Employing safe practices.

(f) Facility emergency procedures.

A statement describing the duties and proper time schedule should be developed for each job function in the facility’s kitchen and food services operation. The Supervising Custodial Cook, at the direction of the Facility Superintendent, should establish an employee/kitchen worker training course, and all staff shall be trained on how to assemble, operate, clean, and sanitize kitchen equipment.

Information about the operation, cleaning, and care of equipment, including manufacturer's literature, that is suitable for use as reference material shall be kept in the food services operation area. The reference material should be used in developing training on the use of the equipment and the maintenance and cleaning procedures.

Safety and sanitation shall be the primary consideration in equipment purchase and replacement. Placement and installation of equipment must be carefully planned to facilitate cleaning, sanitizing, service, and repairs. The equipment must also meet any applicable government codes.

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901.3.1 FOOD PREPARATION

In addition to kitchen equipment and safety procedures general training, the curriculum for staff and youth working in food services should include, at a minimum (15 CCR 1465):

- Proper hand-washing techniques and personal hygiene as it applies to food services work.
- Proper application and rotation of gloves when handling food.
- Proper use of protective hair coverings, such as hats or hairnets.
- Wearing clean aprons and removing aprons prior to entering toilet facilities.
- Maintaining proper cooking and holding temperatures for food.
- Proper portioning and serving of food.
- Covering coughs and sneezes to reduce the risk of food-borne illness transmission.
- Reporting illness, cuts, or sores to the Supervising Custodial Cook or designee.
- Proper storage of all food items including refrigeration and freezing of food.

901.4 TESTING

A test should be developed to determine and document that the food services worker understands the proper procedures demonstrated during training. Food services workers are required to pass the test in order to work in the food services area. Upon achievement of a passing score, the food services worker shall acknowledge receipt of the training in writing. The signed document shall be forwarded to the Supervising Custodial Cook and retained in the worker's training file. Contracted service providers should be required to provide documentation and certification of their employees. Only trained personnel are authorized to use food services equipment.

901.5 BRIEFING TRAINING

The Supervising Custodial Cook should consider daily briefing training as a method of staff development. Short, regular, and repetitive trainings (8 to 10 minutes) at the beginning of each shift are an effective and cost-efficient way to maintain the competency of staff. A lesson plan and record of attendance should be incorporated into the briefing training. Records of all training, including training for contract workers, should be forwarded to the Training Director and maintained in the worker's training files in accordance with established records retention schedules (15 CCR 1321; 15 CCR 1464).

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Dietary Guidelines

902.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the nutritional needs of youth are met and that overall health is promoted through balanced, nutritious diets (15 CCR 1461).

902.2 POLICY

It is the policy of this department that diets provided by this facility will meet or exceed the guidelines established in the current publication of the U.S. Department of Agriculture's Dietary Guidelines for Americans (DGA).

902.3 REVIEW OF DIETARY ALLOWANCES

The Supervising Custodial Cook is responsible for developing the facility's menus and shall ensure that all menus served by food services comply with the DGA, U.S. Department of Agriculture (USDA) Free Lunch Program guidelines, School Breakfast Program, and the School Nutrition Program. Any deviation from the DGA or USDA guidelines shall be reviewed by the Chief Probation Officer or the authorized designee and the Medical Staff.

The Supervising Custodial Cook or the authorized designee shall ensure that the facility's menus and dietary allowances are evaluated annually by a registered dietitian, and that any changes meet the DGA and the requirements of 15 CCR 1461. A registered dietitian must approve menus before they are used (15 CCR 1463).

Menus should be evaluated at least quarterly by the Supervising Custodial Cook or the authorized designee.

See the Stanislaus County Probation Dept. JD Procedures Manual: 901.1 MINIMUM DIET PROCEDURES for further information.

902.4 MENU CYCLE PLANNING

The Supervising Custodial Cook or the authorized designee should plan the menus one month before their use.

Any changes to the menu must be recorded and kept until the next annual inspection. Any menu substitutions must use better or similar items (15 CCR 1463).

Menus should include dairy, vegetable, grain, and protein groups, including total dietary fat, as recommended by the DGA and USDA Free Lunch Program guidelines, specific to age and gender (15 CCR 1461).

Cycle menus:

(a) The Supervising Custodial Cook will produce a cycle menu consisting of five (5) weeks with a variety of menus not repeating.

(b) Nutritional analysis will be accomplished using NutriKids menu planning software.

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(c) The five-week menu cycle will be printed and distributed to the units and made available to staff as needed.

(d) Menu production worksheets shall be annotated as necessary and filed.

1. Supplemental foods provided shall be noted on the menu production sheet.

(e) Therapeutic menu requests will be provided by Medical staff and retained in the Kitchen office.

902.5 REQUESTS FOR SPECIAL DIET

The Supervising Custodial Cook or the authorized designee shall establish a written process for requests for special diets (e.g., vegetarian or vegan diets; see, also, the sections on religious diets in the Food Services Policy) (15 CCR 1461).

See the Stanislaus County Probation Dept. JD Procedures Manual: 901.2 VEGETARIAN AND RELIGIOUS DIETS for further information.

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Food Services Workers' Health, Safety, and Supervision

903.1 PURPOSE AND SCOPE

The purpose of this policy is to establish basic personal health, hygiene, sanitation, and safety requirements to be followed by all food services workers and to ensure the proper supervision of food services staff (15 CCR 1464; 15 CCR 1465; 15 CCR 1467).

903.2 POLICY

The Stanislaus County Probation Department will ensure that meals are nutritionally balanced, safe, and prepared and served in accordance with applicable health and safety laws.

903.3 SUPERVISING CUSTODIAL COOK RESPONSIBILITIES

The Supervising Custodial Cook is responsible for developing and implementing procedures to ensure that all meals are prepared, delivered, and served only under direct supervision by staff.

Work assignments shall be developed to ensure that sufficient food services staff is available for food service preparation. The Supervising Custodial Cook or authorized designee should coordinate with the detention supervisor to ensure that sufficient detention staff is available for meal service pick-up (15 CCR 1321).

The food preparation area must remain clean and sanitary. The Supervising Custodial Cook or the authorized designee shall post daily, weekly, and monthly cleaning schedules for the equipment and food preparation area.

903.4 MEDICAL SCREENING

The Supervising Custodial Cook shall work cooperatively with the Medical Staff to develop procedures to minimize the potential for spreading contagious disease and food-borne illness. To prevent the spread of illness, the following shall be strictly observed (15 CCR 1414):

(a) All food services workers shall have a medical examination prior to performing food services activities to screen for transmissible illnesses or diseases. The examination shall be conducted in accordance with local regulations and repeated at scheduled intervals.

(b) Food services workers shall have education and ongoing monitoring in accordance with the standards set forth in the applicable government health and safety codes.

(c) The Supervising Custodial Cook or authorized designee shall inspect and monitor the health and cleanliness of food services workers, and remove anyone exhibiting any signs of food-transmissible disease from any food services area.

(d) Any person working in any food services area who is diagnosed by a qualified health care professional with a contagious illness should be excluded from the food services areas until medically cleared to return to work.

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(e) Food handlers shall wash their hands with antibacterial soap and hot water immediately prior to performing food services activities and after using toilet facilities.

(f) Aprons shall be removed and secured in a clean storage area before entering the toilet facility.

(g) Food services workers shall wear disposable plastic gloves and protective hair covering, such as a hat or a hairnet, when handling or serving food. Gloves shall be changed after each task is completed or when gloves are torn/punctured. Beard restraints are available to cover facial hair.

(h) Vendors must submit evidence of compliance with state and local food safety regulations.

(i) The use of tobacco products and electronic cigarettes/vaping devices are prohibited in any food services area.

(j) Documentation of compliance with all the above and with any other risk-minimizing efforts implemented to reduce food transmissible disease shall be maintained in accordance with established records retention schedules.

(k) All food services workers shall report to a supervisor any information about their health and activities in accordance with health and safety codes as they relate to diseases that are transmittable through food (e.g., open sores, runny nose, sore throat, cough, vomiting, diarrhea, fever, recent exposure to contagious diseases such as Hepatitis A or tuberculosis).

Any food services worker is prohibited from handling food or working in any food services area if the food services worker reports symptoms such as vomiting, diarrhea, jaundice, or sore throat with fever, or has a lesion containing pus, such as a boil or infected wound that is open or draining. Food services workers shall only return to work in food services areas when cleared by a qualified health care professional.

See the Stanislaus County Probation Dept. JD Procedures Manual: 902.1 MEDICAL SCREENING PROCEDURES for further information.

903.5 TRAINING REQUIREMENTS FOR FOOD SERVICES WORKERS

The Supervising Custodial Cook is responsible for developing and implementing a training program for youth food services that includes food safety, proper food-handling techniques, and personal hygiene. Each youth food services worker shall satisfactorily complete the initial training prior to being assigned to prepare, deliver, or serve food. Food services workers should receive periodic supplemental training as determined by the Supervising Custodial Cook (see the Food Services Training Policy).

See the Stanislaus County Probation Dept. JD Procedures Manual: 902.2 TRAINING IN SAFE FOOD HANDLING PROCEDURES and Stanislaus County Probation Dept. JD Procedures Manual: 902.2.1 FOOD SERVICE TRAINING for further information.

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903.6 SUPERVISION OF FOOD PREPARATION AND DELIVERY

Only personnel authorized to work in the food preparation area will be allowed inside. The Facility Superintendent will appoint at least one qualified staff member who will be responsible for the oversight of daily activities and ensuring food safety (15 CCR 1321). The appointed staff member must be certified by passing the American National Standards Institute food safety manager certification examination.

Food services workers should adhere to the following:

- Correct ingredients are used in the proper proportions.
- Food is maintained at proper temperatures.
- Food is washed and handled properly.
- Food is served using the right utensils and in the proper portion sizes.
- Utensils such as knives, cutting boards, pots, pans, trays, and food carts used in the preparation, serving, or consumption of food are properly washed and sanitized after use. Disposable utensils and dishes will not be reused.
- All utensils are securely stored under sanitary conditions when finished.

See the Stanislaus County Probation Dept. JD Procedures Manual: 902.3 DESIGNATING AND SUPERVISING KITCHEN PERSONNEL for further information.

903.6.1 SUPERVISION OF YOUTH

The kitchen staff is responsible for the supervision of youth assigned to the Kitchen Program (KP) or the Advanced Culinary Training (ACT) Program , or working on special assignment in the kitchen area, unless they are specifically assigned to the supervision of another staff member.

(a) The kitchen staff must communicate their need to leave the kitchen temporarily to the SPCO or ASPCO.

(b) No youth is to be left unsupervised in the kitchen or Culinary Class.

(c) When there is no one in the kitchen, the kitchen must be secured and all doors locked. Kitchen staff should also inform the SPCO or ASPCO when they have returned to the kitchen.

(d) A kitchen sweep shall be completed by a custody staff member, prior to any youth being taken by staff to assist kitchen staff for KP duty.

903.7 SUPERVISION OF THE FOOD SUPPLY

The risk of conflict and protest is reduced when the youth population has confidence in the safety and quality of their food. Detention staff should supervise the transport and delivery of food to the respective serving areas. Detention staff should ensure the food is protected during transportation and delivered to the right location efficiently and under the right temperatures (15 CCR 1464).

Food services staff should report any suspected breach in the safety or security of the food supply. Staff should be alert to youth behavior when serving food, and cognizant of any comments

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concerning perceived contamination or portioning issues. Staff should report any suspicion of youth unrest to a supervisor.

Any change to the published menu or the standard portioning shall be documented.

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Food Preparation Area

904.1 PURPOSE AND SCOPE

This policy is intended to ensure the proper design and maintenance of the food preparation area (15 CCR 1464).

904.2 POLICY

It is the policy of this department to comply with all federal, state, and local laws and regulations concerning the institutional preparation of food.

904.3 COMPLIANCE WITH CODES

The Facility Superintendent is responsible for ensuring that food preparation and service areas comply with all applicable laws and regulations and that food preparation areas are sanitary, well lit, and ventilated, and have adequate temperature-controlled storage for food supplies (15 CCR 1466).

Any physical changes in the food preparation area, such as changing equipment or making major menu changes (from cold production to hot food), must be approved by the local public health entity to ensure adequate food protection.

Living or sleeping quarters are prohibited in the food preparation and food services areas (Health and Safety Code § 114286).

The food preparation area must avoid cross-contamination and remain free from pest infestation (Health and Safety Code § 114259).

See the Stanislaus County Probation Dept. JD Procedures Manual: 905.1 FOOD SERVICE AREAS for further information.

904.3.1 COMPLIANCE WITH OUT-SOURCED FOOD SERVICES

The Facility Superintendent shall ensure the requirements of Health and Safety Code § 114381 are met when youth prepare meals for self-consumption or when frozen meals or pre-prepared food from other permitted food facilities is reheated and served (15 CCR 1466).

904.4 CONSTRUCTION REQUIREMENTS

All remodeling and new construction of food preparation areas shall comply with federal, state, and local building codes, comply with food and agricultural laws and standards, and include any required approvals from any local regulatory authority (Health and Safety Code § 113700).

The size of the food preparation area shall be adequate for the facility's population.

Floors, floor coverings, walls, wall coverings, and ceilings should be designed, constructed, and installed so they are smooth, nonabsorbent, and attached so that they are easily cleanable (Health and Safety Code § 114268; Health and Safety Code § 114271).

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Except in the area used only for dry storage, porous concrete blocks or bricks used for interior walls shall be finished and sealed for a smooth, nonabsorbent, easily cleanable surface.

Food storage areas shall be appropriately clean, sized, typed, and temperature-controlled for the food being stored (Health and Safety Code § 114047).

Lighting throughout the kitchen and storage areas shall be sufficient for staff and youth to perform necessary tasks (Health and Safety Code § 114252).

Mechanical ventilation of sufficient capacity to keep rooms free of excessive heat, steam, condensation, vapors, noxious odors, smoke, and fumes shall be provided, if necessary (Health and Safety Code § 114149(a)).

All equipment used in the food preparation area shall be commercial grade and certified by the American National Standards Institute or approved by a registered environmental health professional/sanitarian (Health and Safety Code § 114130).

Dishwashing machines will operate in accordance with the manufacturer recommendations, and hot water temperatures will comply with federal, state, and local health requirements (Health and Safety Code § 114101).

Equipment must be smooth, easy to clean, and easy to disassemble for frequent cleaning. Equipment should be corrosion resistant and free of pits, crevices, and sharp corners.

Dry food storage must have sufficient space to store at least 15 days of supplies. All food must be stored in sealed containers at least 6 inches off the floor (Health and Safety Code § 114047).

904.5 TOILETS AND WASHBASINS

A sufficient number of toilets and washbasins shall be located near the food preparation area for convenient sanitation and proper hygiene. Toilet facilities shall be enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning and maintenance.

Signs shall be conspicuously posted throughout the food preparation area and in each restroom instructing all food services staff and youth workers to wash their hands after using the restroom. Signs shall be printed in English and in other languages as dictated by the demographics of the youth/staff population.

To reduce the potential for contaminants being brought into the food preparation area, toilet facilities near the food preparation area should be limited to use by the food services staff and youth workers only. Anyone working in the food services area must store their aprons in a designated clean area before entering the toilet facilities.

The Supervising Custodial Cook shall be responsible for procedures to ensure:

(a) All fixtures in the toilet facilities are clean and in good operating condition.

(b) A supply of toilet tissue is maintained at each toilet. Toilet facilities used by women shall have at least one covered waste receptacle.

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(c) The hand-washing station located adjacent to the toilet facility has warm water available and is kept clean and in good operating condition. Single-dispensing soap and a method for drying hands shall be provided (Health and Safety Code § 113953.3).

If the toilet facility is outside of the kitchen area, food services workers must wash their hands after using the toilet facility and again upon returning to the kitchen area before preparing or serving food.

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Food Budgeting and Accounting

905.1 PURPOSE AND SCOPE

The purpose of this policy is to establish processes that will enable the facility's food services to operate within its allocated budget, and for developing specifications for purchasing food, equipment, and supplies for the delivery of food services.

905.2 POLICY

The Stanislaus County Probation Department food services facilities shall serve nutritious meals in an efficient and cost-effective manner in accordance with applicable laws and standards.

905.3 SUPERVISING CUSTODIAL COOK RESPONSIBILITIES

The budget for the coming fiscal year will be forecast and set by the Fiscal Department of Probation Administration. Food costs, non-food costs, salaries, and reimbursements will be tracked by Probation Administration and reported quarterly. Meal reimbursement claims are prepared by Supervising Custodial Cook monthly for the prior months and submitted to the California Department of Education.

The Supervising Custodial Cook is responsible for establishing a per-meal, per-youth budget for food, equipment, and supplies that are needed for the effective operation of the facility food services. This includes monitoring purchases according to the budgeted weekly and monthly spending plans.

The volume for purchasing should be based upon the food services needs and storage availability. The Supervising Custodial Cook is responsible for establishing and maintaining detailed records and proper accounting procedures, and should be prepared to justify all expenditures and establish future budget requirements (15 CCR 1321).

905.4 PROCEDURE

The Supervising Custodial Cook is responsible for ensuring that food services are delivered in an efficient and cost-effective manner by employing the following procedures, including but not limited to (15 CCR 1464):

(a) Establishing a per-meal, per-youth cost using an inventory of existing supplies and planned purchases, minus the anticipated ending inventory.

(b) Ensuring that accurate meal record data is collected and maintained. Meal records should include but are not limited to the date and time of service and the number of:

1. Meals prepared and served for each meal period.
2. Meals served per location.
3. Prescribed therapeutic diet meals served.

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4. Authorized religious diet meals served.

(c) Ensuring that food is purchased from an approved wholesale/institutional vendor to ensure food safety.

(d) Bulk-purchasing nonperishable items to maximize the budget dollars.

(e) Continuous monitoring and improvement to minimize poor food management and/or accounting, including but not limited to:

1. Following planned menus.
2. Inspecting food deliveries to ensure the right quantity is delivered and the condition of the food is acceptable.
3. Purchasing food that is in season.
4. Purchasing the grade of product best suited to the recipe.
5. Following standard recipes.
6. Producing and portioning only what is needed.
7. Minimizing food production waste and establishing food storage and rotation practices, including proper refrigeration.
8. When reasonably practicable, responding to the youth' food preferences.
9. Establishing minimum staffing requirements based on the layout and security requirements of the facility.
10. Budgeting adequately for equipment repair and replacement, factoring in any labor cost savings and the need for heavy-duty equipment.

(f) Establishing purchasing specifications, which are statements of minimum quality standards and other factors, such as quantity and packaging. A basic specification should contain:

1. The common name of the product.
2. The amount to be purchased.
3. The trade, federal, or other grade or brand required.
4. The container size and either an exact number or a range of the number of pieces in a shipping container.
5. The unit on which prices are to be quoted (e.g., 6/#10 cans, 10/gallons).

(g) Maintaining records of invoices, purchase orders, meal count sheets, food production records, therapeutic and religious diet records, and inventory of food, supplies, and equipment for the required period of time, as mandated by the governing body of the facility (15 CCR 1321). Original invoices will be sent to Probation Administration, the second will be filed in the kitchen office.

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905.5 MONTHLY REPORTING

The Supervising Custodial Cook is responsible for ensuring that accurate meal record data is collected and maintained (15 CCR 1321). Meal records should include but are not limited to the number of (15 CCR 1464):

(a) Meals prepared and served for each meal period.

(b) Meals served per location.

(c) Prescribed therapeutic diet meals served.

(d) Authorized religious diet meals served.

A monthly report summarizing all data should be provided to the Facility Superintendent.

All meal records shall be retained in accordance with department retention schedules and state statutory regulations.

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Inspection of Food Products

906.1 PURPOSE AND SCOPE

The purpose of this policy is to establish methods by which the Food and Drug Administration (FDA) and/or the U.S. Department of Agriculture (USDA) inspections and/or approvals are conducted on any food grown or produced at the facility.

906.2 POLICY

The Stanislaus County Probation Department will ensure the safety and quality of all food grown or produced at this facility through routine inspections and approvals, as required by law.

906.3 FOOD INSPECTION PROCEDURES

The Supervising Custodial Cook is responsible for developing procedures for ensuring that all food used in the food services operation has been inspected and/or approved to standards established by statute and that the delivery of all food products to the food preparation areas and to the youth occurs promptly to reduce the risk of any food-borne illness or contamination.

The Supervising Custodial Cook shall establish inspection procedures in accordance with established standards and statutes. Such procedures shall include but are not limited to:

(a) The FDA or USDA inspection and/or approval of all food grown or produced by this facility prior to distribution.

(b) A system of periodic audits and inspections of the facility and of all raw material suppliers, either by juvenile institutions kitchen staff or by a third-party vendor.

(c) A system of thorough documentation of all inspection and approval processes, training activities, raw material handling procedures, cleaning and sanitation activities, cleanliness testing, correction efforts, record-keeping practices, and the proper use of sign-off logs shall be developed and implemented.

(d) Processes for evaluating the effectiveness of training and validating cleanliness through testing (e.g., swabs, bioluminescence and visual, taste and odor evaluations) shall be created and implemented. Records of all such activities shall be documented.

(e) Documentation of any recommendations for continuous quality improvement and their implementation, with the intent of eliminating deficiencies. Documentation should include a post-deployment verification of the correction.

906.3.1 SITE MONITORING

Site Monitoring Reviews shall take place as follows:

(a) A Breakfast Site Monitoring Review will take place annually prior to February 1st.

(b) A Lunch Site Monitoring Review will take place annually prior to February 1st.

(c) A Storage Facility Monitoring Review of USDA food will take place annually prior to February 1st.

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(d) The After School Snack Program Site Monitoring Review will take place twice a year with intervals no greater than six months apart.

1. The first site monitoring shall take place within the first four weeks of the school year.

906.4 SUPERVISING CUSTODIAL COOK RESPONSIBILITIES

The Supervising Custodial Cook is responsible for ensuring adherence to safe and effective food services practices, including but not limited to:

(a) The scope of food products being grown or processed internally is well-defined.

(b) All critical processes are validated to ensure consistency and compliance with specifications.

(c) Any changes to the process are evaluated for effectiveness.

(d) There are clearly written instructions and procedures for the staff and youth to follow.

(e) The staff and youth are trained to perform all established tasks and document all necessary procedures.

(f) Physical barriers for separating raw and cooked food-processing areas are established and maintained.

(g) The traffic flow of workers minimizes the risk of any cross-contamination.

(h) All drains are used and cleaned properly, within industry standards.

(i) Proper equipment and/or tools are provided and designated for specific use.

(j) All persons working in the food services areas are wearing proper clothing and protective devices.

(k) All persons working in the food services areas wash their hands properly and frequently.

(l) Only authorized personnel are allowed in the food processing areas.

(m) Only potable water is used for growing or washing produce.

(n) The distribution of all prepared food is done in a manner that reduces the risk of food-borne illness or contamination.

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Food Services Facilities Inspection

907.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for inspecting food services areas and facilities to ensure a safe and sanitary environment for staff and youth.

907.2 POLICY

It is the policy of the Stanislaus County Probation Department that the food services area be maintained in a safe, sanitary condition by conducting regularly scheduled inspections, both by facility staff and by an independent third party as required by law.

907.3 CLEANING AND INSPECTIONS BY STAFF

The Supervising Custodial Cook or authorized designee shall ensure that all equipment, appliances, and utensils in the food preparation areas and dining areas are inspected weekly. Adequate hot and cold water should be available in the kitchen. The water temperature of all fixtures should be checked and recorded weekly to ensure compliance with the required temperature range. Deficiencies noted by inspections shall be promptly addressed.

A cleaning schedule for each food services area shall be developed and posted for easy reference by staff, and shall include areas such as floors, walls, windows, and vent hoods. Equipment, such as chairs, tables, fryers, and ovens, should be grouped by frequency of cleaning:

- After each use
- Each shift
- Daily
- Weekly
- Monthly
- Semiannually
- Annually

The Supervising Custodial Cook is responsible for establishing and maintaining a record-keeping system to document the periodic testing of sanitary conditions and safety measures, in accordance with established records retention schedules (15 CCR 1321). At the direction of the Facility Superintendent or the authorized designee, the Supervising Custodial Cook shall take prompt action to correct any identified problems.

907.3.1 SAFETY INSPECTION CHECKLIST

The following items should be part of the weekly inspection:

- Lighting is adequate and functioning properly.
- Ample working space is available.

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- Equipment is securely anchored.
- There are suitable storage facilities, minimizing the risk of falling objects.
- Floors are clean, dry, even, and uncluttered.
- Machines have proper enclosures and guards.
- A clear fire safety passageway is established and maintained.
- Fire extinguishers and sprinkler systems are available, not expired, and are tested regularly.
- The food preparation area has good ventilation (15 CCR 1466).
- Furniture and fixtures are free from sharp corners, exposed metal, and splintered wood.
- All electrical equipment complies with codes and regulations.
- All workers wear safe clothing, hair coverings, gloves, and protective devices while working.
- All workers are in good health, with no symptoms of illness or injury that would pose a risk to food safety.
- All ranges, ovens, and hot holding equipment are clean and in good operating condition.
- Mixers and attachments are clean and in good operating condition.
- Dishwashing machines are clean and in good operating condition, and proper chemicals are in use.
- Water temperatures for hand sinks, washing sinks, and dishwashing machines meet minimum acceptable temperatures as required in 15 CCR 1466.
- Appropriate hand-washing stations are provided.
- Toilet facilities are in good repair and have a sufficient supply of toilet paper.
- All temperature charts and testing documents are current, accurate, and periodically reviewed and verified by the Supervising Custodial Cook .
- Only authorized personnel are allowed in the kitchen area.
- Foods are labeled and stored properly using the first-in, first-out system.
- The refrigerators and freezers are in good operating condition and maintain proper temperature.
- There is no evidence of cross-connection or cross-contamination of the potable water system.

907.4 REQUIRED INSPECTIONS

The Supervising Custodial Cook is responsible for ensuring that the food services operation works in accordance with all state and local laws and regulations.

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Food Services Facilities Inspection

The Facility Superintendent shall ensure inspections are conducted of the food services facilities and equipment in accordance with Health and Safety Code § 101045 (15 CCR 1313).

Documentation of the inspections, findings, deficiencies, recommended corrective actions, and verification that the corrective standards were implemented will be maintained by the facility in accordance with established records retention schedules.

The inspection should include but is not limited to the following components:

(a) The inspector should conduct a pre-inspection briefing with the Facility Superintendent and other appropriate personnel, including the Supervising Custodial Cook, to identify the applicable government health and safety codes and the areas to be inspected. The inspector should provide the necessary equipment to conduct the inspection.

(b) The inspector should audit the policies and procedures of the food services operation.

(c) During the inspection, the inspector should study and report on whether the following meet acceptable standards:

1. Walls, ceilings, and floors are in good condition, smooth, and easily cleanable.
2. The kitchen layout is properly designed to avoid cross-contamination.
3. The kitchen is properly lighted and ventilated.
4. The temperature-controlled storage areas are in good operating condition and proper temperatures are being maintained.
5. Dry foods are properly stored off the floor, away from the walls and ceilings.
6. There is no sign of pest infestation.
7. All equipment is properly maintained, in a sanitary condition, and is certified by one of the American National Standards Institute certification agencies (e.g., Underwriters Laboratories, the National Science Foundation product certification mark).
8. The dishwashing equipment is clean, in good operating condition, and maintains proper washing and rinsing temperatures.
9. There is no evidence of cross-contamination between the potable and contaminated water systems.
10. The dishware washing area is clean and supplied with proper chemicals and Safety Data Sheets.
11. The food is properly stored, labeled, and rotated according to first-in, first-out procedures.
12. The food services workers are wearing clean uniforms and practice proper personal hygiene.
13. All food services workers are trained for proper food handling, and there is a person in charge who is responsible for the food safety of the facility.
14. Appropriate hand-washing stations are provided.

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Any deficiencies should be noted by the inspector in the inspection report, with recommendations made for corrective action.

At the exit interview, the inspector should cite any violations according to the government health and safety codes.

The inspector should conduct a follow-up inspection to verify the deficiencies have been corrected as recommended.

The Supervising Custodial Cook should provide the Facility Superintendent with a plan to implement the recommended corrections in a timely manner and schedule a post-correction inspection with the original independent inspector.

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Food Storage

908.1 PURPOSE AND SCOPE

The purpose of this policy is to establish food storage methods that are designed to meet manufacturer's recommendations, health and safety codes, state laws, and local ordinances, and to safely preserve food, extend storage life, and reduce food waste (15 CCR 1464).

908.2 POLICY

Food and food supplies will be stored in sanitary and temperature-controlled areas in compliance with state and local health laws and standards.

908.3 PROCEDURES

The Supervising Custodial Cook shall be responsible for establishing procedures to ensure the safe preservation and storage of food in the most cost-effective manner, beginning with the receipt of the raw materials through the delivery of prepared meals.

When receiving food deliveries, food services staff shall inspect the order for quality and freshness and shall ensure that the order is correct by checking the order received against the order form. All delivery vehicles shall be inspected by food services staff to make certain that the vehicles are clean, free from pest infestations, and maintained at the appropriate temperature for the food being carried.

If food quality and freshness do not meet commonly accepted standards or if it is determined that proper storage temperatures have not been maintained, the employee checking the order in will refuse the item and note the refusal on the invoice.

Any food destined for return to the vendor should be stored separately from any food destined for consumption. The Supervising Custodial Cook will contact the vendor and arrange for replacement of the unacceptable food items.

Storage temperatures in all food storage areas should be checked and logged daily. Records of the temperature readings should be maintained in accordance with established records retention schedules.

An evaluation system should be established for food stored in any area with temperature readings outside the normal range and should include contingency plans for menu changes, food storage relocation, or food destruction, as indicated. All actions taken to ensure the safety of the food served should be documented and retained in accordance with established records retention schedules.

908.4 DRY FOOD STORAGE

Canned items and dry food that does not need refrigeration should be stored in a clean, dry, secure storage area where temperatures are maintained between 45 and 80 degrees. Temperatures shall be monitored and recorded four times each day on a checklist.

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All dry items shall be stored at least 6 inches off the floor and away from any wall. Only full, unopened cans and containers shall be stored in the storerooms. Open containers and packages shall be appropriately stored in the working or holding areas.

All storage areas will be kept locked when they are not in actual use. New food shipments shall be placed behind existing like items and rotated using a first-in, first-out rotation method.

Personal clothing and personal items shall not be stored in food storage areas.

908.4.1 MAINTENANCE OF DRY FOOD STORAGE AREAS
Youth workers or staff should clean the storage areas at least once each day by sweeping and mopping all floors and wiping down shelves and walls. Any damaged items should be inspected for spoilage and repackaged or discarded as appropriate. Food services staff should inspect the storage areas to ensure they are clean and orderly. Staff will document the inspection and record the daily temperature on the storage area checklist.

908.5 REFRIGERATED AND FROZEN STORAGE
Unless health codes dictate otherwise, refrigerators must be kept between 32 and 41 degrees. Deep chill refrigerators will be set between 28 and 32 degrees for cook-chill products, dairy, and meat items, to extend shelf life. Other than the defrosting cycle, all freezers must maintain a temperature of 0 degrees or lower.

All freezer and refrigerator storage areas should have at least two thermometers to monitor temperatures. One thermometer should have a display visible to the outside. The second thermometer shall be placed in the warmest place inside the storage area. Daily temperature readings shall be recorded on the storage area checklist. Any variance outside the acceptable temperature range shall be immediately addressed. Temperature logs will be kept on the walk-in freezer and refrigerators. Temperatures will be noted on the logs and excessive temperatures will be reported to County Maintenance. The logs will be filed at the end of each month and new logs posted.

All food must be covered and dated when stored. Cooked items shall not be stored beneath raw meats. Cleaned vegetables shall be stored separately from unwashed vegetables. Storage practices shall use a first-in, first-out rotation method.

908.5.1 MAINTENANCE OF REFRIGERATED AND FREEZER AREAS
Refrigeration storage units should be cleaned daily, including mopping floors and wiping down walls. A more thorough cleaning should occur weekly, including cleaning shelves. Food services staff should inspect the contents of freezers and storage units daily to ensure all items are properly sealed and labeled.

908.5.2 STORAGE OF CLEANING SUPPLIES AND MATERIALS
Soaps, detergents, cleaning compounds, insect spray, and any other toxic or poisonous materials should be kept in a separate, locked storage area to prevent cross-contamination with food and other kitchen supplies.

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908.6 WASTE MANAGEMENT

The Supervising Custodial Cook shall develop and maintain a waste management plan that ensures the garbage is removed daily.

See the Stanislaus County Probation Dept. JD Procedures Manual: 903.1 WASTE DISPOSAL PROCEDURE for further information.

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Prescribed Therapeutic Diets

909.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that youth who require prescribed therapeutic diets as a result of a diagnosed medical condition are provided with nutritionally balanced therapeutic meals that are medically approved and meet nutritional and safety standards (15 CCR 1460; 15 CCR 1462).

909.2 POLICY

It is the policy of this department to provide therapeutic diet meals as prescribed by qualified health care professionals.

909.3 PROCEDURES

The Medical Staff, in consultation with the Supervising Custodial Cook or authorized designee, shall (15 CCR 1462):

(a) Develop written procedures that identify individuals who are authorized to prescribe a therapeutic diet.

(b) The therapeutic diets utilized by this facility shall be planned, prepared, and served with consultation from a registered dietitian.

(c) The Facility Superintendent shall comply with any therapeutic diet prescribed for a youth.

(d) The Facility Superintendent and the Medical Staff shall ensure that a diet manual including sample menus of therapeutic diets shall be available to both health services and food services workers. A registered dietitian shall review, and the Medical Staff shall approve, the diet manual annually.

As a best practice, all therapeutic diet prescriptions should be reviewed and rewritten, if appropriate, on a quarterly basis. This is to reduce the risk of a youth developing an adverse medical condition or nutritional defect as the result of a diet that is inconsistent with the youth's current medical needs. A diet request form should be provided to youth.

Pregnant and lactating females shall be provided a balanced, nutritious diet approved by a physician (15 CCR 1417; 15 CCR 1461).

909.4 STAFF COMMUNICATION/COORDINATION

It is the responsibility of the kitchen staff to compile a daily list of all youth prescribed therapeutic diets. The list should contain:

(a) The youth's name.

(b) The youth's identification number.

(c) The housing location or dining location where the meals will be delivered.

(d) The youth's therapeutic diet type.

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(e) Special remarks or instructions. (e.g. DOB and Start and Stop dates)

Any time youth are assigned to a different housing area, detention staff must notify the food services personnel immediately.

909.5 PREPARATION AND DELIVERY OF MEALS

The Supervising Custodial Cook or the authorized designee is responsible for reviewing the therapeutic diet lists prepared by the Medical Staff, counting the number and type of therapeutic meals to be served, and preparing the food according to the therapeutic menu designed by the registered dietitian.

Therapeutic diets may include snacks and oral supplements. Snacks and supplements should be distributed with regularly scheduled meal service or may be distributed with youth medications. Individual labels or written documents clearly identifying each meal and any included snacks should be prepared by the food services staff and should contain:

(a) The youth's name.

(b) The youth's identification number.

(c) The housing location or dining location where the meals will be delivered.

(d) The youth's therapeutic diet type.

(e) A list of items provided for the meal.

(f) DOB and Start and Stop dates.

The detention staff responsible for meal distribution shall ensure that any youth prescribed a therapeutic meal by the Medical Staff or the authorized designee receives the prescribed meal. Youth who receive a therapeutic meal should sign for receipt of the meal. Therapeutic meal receipts should be retained by the food services staff for an amount of time necessary to resolve any dispute about the receipt or composition of a prescribed meal.

Unless a therapeutic diet was prescribed with a specific end date, only the Medical Staff or the authorized designee may order that a therapeutic diet be discontinued.

If prescribed by the Medical Staff, supplemental food shall be served to youth more frequently than the regularly scheduled meals. A youth who misses a regularly scheduled meal shall receive the prescribed meal.

909.6 THERAPEUTIC MEAL RECORDS

Youth receiving prescribed therapeutic diet meals must sign a document indicating:

(a) The youth's name.

(b) The youth's identification number.

(c) The dates and times of service.

(d) The housing location or dining location where the meals will be delivered.

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(e) The youth's therapeutic diet type.

(f) A list of items provided for the meal.

All information regarding a therapeutic diet is part of a youth's medical record and is therefore subject to state and federal privacy laws concerning medical records.

All meal records shall be retained in accordance with established retention schedules and applicable statutory regulations.

See the Stanislaus County Probation Dept. JD Procedures Manual: 904.1 THERAPEUDIC DIET CONTROL PROCEDURES for further information.

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Chapter 10 - Programs, Activities, and Education

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Youth Programs and Services

1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the programs and services that are available and accessible to all youth. The programs and services exist to meet the individualized needs of youth or motivate youth toward positive behavior while they are in detention. The policy identifies the role and responsibilities of the Programs Coordinator, who manages a range of programs and services (15 CCR 1356; 15 CCR 1371).

1000.2 POLICY

The Stanislaus County Probation Department will make available and accessible a variety of programs and services subject to resources and security concerns. Programs and services offered to benefit youth may include faith-based services, recreational activities, library access, educational/vocational training, alcohol and drug education, and substance abuse recovery programs.

1000.3 PROGRAMS COORDINATOR RESPONSIBILITIES

The Programs Coordinator is selected by the Facility Superintendent and manages the youth programs, activities and services, which may include:

(a) Recruiting qualified staff with skills relevant in juvenile justice settings who can positively affect long-term outcomes through demonstrated abilities to create and sustain effective teaching and learning environments.

(b) Researching age-appropriate and gender-specific programs.

(c) Developing plans, budgets, and schedules and coordinating security requirements for all youth programs and services.

(d) Developing or procuring programs and services as authorized by the Facility Superintendent that are designed specifically for juvenile offenders and utilize a cognitive behavioral approach aimed at addressing the specific problems of the youth, such as (15 CCR 1371):

1. Substance abuse.
2. Education and vocational training.
3. Improving thinking.
4. Improving decision making.

(e) Acting as a liaison with other service providers in the community that may offer social or educational programs (e.g., school districts, department of social services, health educators, substance abuse counselors) (15 CCR 1371).

(f) Developing, maintaining, and providing to youth the schedule of programs and services.

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(g) Developing policies and procedures and establishing rules for youth participation in the programs and services.

(h) Developing and maintaining records on the number of programs and services offered, and youth attendance at each offering.

(i) Establishing controls to verify that the content and delivery of programs and services are appropriate for the circumstances.

(j) Accumulating data and preparing monthly and annual reports as directed by the Facility Superintendent.

(k) Ensuring no youth are denied access to educational and vocational programs based on disabilities or other protected class per the Civil Rights Act of 1964 and Title II of the Americans with Disabilities Act.

(l) Ensuring that an annual record review is completed of juvenile institutions programs, recreation, and exercise to ensure the program content offered is current, consistent, and relevant to the population (15 CCR 1371).

(m) Developing or procuring youth programs to include but not be limited to trauma-focused, cognitive, evidence-based, best practice interventions that are culturally relevant and linguistically appropriate, or pro-social interventions and activities designed to reduce recidivism, as set forth in 15 CCR 1371.

1000.4 SECURITY

All programs and services offered to benefit youth shall adhere to the security and classification requirements of our juvenile institutions. To the extent practicable, the Programs Coordinator will develop individualized programs and services for youth who are housed in high-security or room confinement.

1000.5 DISCLAIMER

Youth programs are provided at the sole discretion of the Stanislaus County Probation Department in keeping with security interests, available resources, and best practices.

Nothing in this policy is intended to confer a legal right for youth to participate in any program offered other than what is required by law or that which is medically required.

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Youth Mail

1001.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the receipt, rejection, inspection, and sending of youth mail (15 CCR 1375).

1001.2 POLICY

This department will provide ample opportunity for youth to send and receive mail, subject to restriction only when there is a legitimate government interest.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1002.1 YOUTH MAIL PROCEDURE for further information.

1001.3 MAIL GENERALLY

Youth may send and receive mail without restrictions on quantity, provided it does not jeopardize the safety of members, visitors, or other youth, or pose an unreasonable disruption to the orderly operation of the facility (15 CCR 1375).

However, youth may store only a limited amount of mail in their housing area as determined by the Facility Superintendent. Excess mail will be stored with the youth's personal property and returned when the youth is released.

Youth in custody shall be advised of the institutional mail policy during orientation in Unit One. Notification shall consist of advisement as to the policies regarding the handling, sending and receiving of mail, privileged mail, unauthorized mail, denial of mail, and the inspection and screening of mail.

1001.4 CONFIDENTIAL CORRESPONDENCE

Youth may correspond confidentially with courts, legal counsel, officials of this department, elected officials, juvenile institutions inspectors, government officials, and officers of the court (15 CCR 1375).

This juvenile institutions will also accept and deliver a fax or interoffice mail from these entities.

Juvenile Institutions members may inspect incoming confidential correspondence for contraband. Juvenile Institutions members may inspect outgoing confidential correspondence for contraband before it is sealed. If confidential correspondence is inspected, members shall limit the inspection to a search for physical items that may be included besides the correspondence and shall not read or copy the content of the correspondence itself. All inspections shall be completed in the presence of the youth (15 CCR 1375).

1001.5 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES

Mail privileges may be suspended or restricted upon approval of the Facility Superintendent whenever members learn that mail sent by a youth involves:

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(a) Threats of violence against any member of the government, judiciary, legal representatives, victims, or witnesses.

(b) A threat to the security of the juvenile institutions, members, or the public.

The District Attorney or County Counsel should be consulted where criminal charges are considered against a youth or there is an apparent liability risk to the Department that relates to suspension or restriction of mail privileges.

1001.6 PROCESSING AND INSPECTION OF MAIL BY MEMBERS

Members should process incoming and outgoing mail as expeditiously as reasonably possible. Incoming and outgoing mail should be processed within 24 hours and packages within 48 hours. Mail processing may be suspended on weekends, holidays, or during an emergency.

Assigned members should open and inspect all incoming and outgoing general mail of current youth. Staff shall open and inspect incoming mail for contraband in the presence of the youth. The incoming correspondence, other than confidential correspondence, may be read as frequently as deemed necessary to maintain security or monitor a particular problem (15 CCR 1375). Mail for youth no longer in detention should not be opened.

Outgoing general mail may not be sealed by the youth and may be read by members when

(a) There is reason to believe the mail would:

1. Interfere with the orderly operation of the juvenile institutions.
2. Be threatening to the recipient.
3. Facilitate criminal activity.

(b) The youth is on a restricted mail list.

If no contraband is discovered, the letter is sealed by the youth, in the presence of staff. Unit staff member shall initial the letter in the upper right corner indicating the letter has been checked for contraband.

Youth may write and receive mail from any person; except from those in custody at this institution or any other person designated by Court Order or the Facility Superintendent.

When mail is considered inappropriate under the provisions of this policy or when a youth is sent material that is not prohibited by law but is considered contraband by the juvenile institutions, the material may be returned to the sender or held in the youth's property to be given to the youth upon release.

Youth shall be notified in writing whenever their mail is held or returned to the sender.

1001.6.1 DESIGNATION OF MEMBERS AUTHORIZED TO READ MAIL

Only members designated by the Facility Superintendent may read incoming and outgoing non-confidential mail. These members should receive training on legitimate government interests for reading and censoring mail and related legal requirements.

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1001.6.2 CENSORSHIP OF INCOMING AND OUTGOING NON-CONFIDENTIAL CORRESPONDENCE

In determining whether to censor incoming non-confidential correspondence, consideration shall be given to whether rejecting the material is rationally related to a legitimate government interest, and whether alternate means of communicating with others is available.

The impact the correspondence may have on other youth and juvenile institutions members is also a factor. Reasonable alternatives should be considered, and an exaggerated response (e.g., discontinuing delivery of a magazine because of one article) should be avoided.

Outgoing non-confidential correspondence shall only be censored to further a substantial government interest, and only when it is necessary or essential to address the particular government interest. Government interests that would justify confiscation of outgoing mail include:

(a) Maintaining facility security.

(b) Preventing dangerous conduct, such as an escape plan.

(c) Preventing ongoing criminal activity, such as threats of blackmail or extortion, or other similar conduct.

(d) Preventing harassment of those who have requested that no mail be sent to them by the youth.

Correspondence and material identified for censorship shall be delivered to the Supervisor, who shall decide if such mail will be censored.

Notices should be sent to the sender of censored correspondence or publications, even when the sender is the editor or publisher. A single notification may be sent if the publication is received by multiple youth.

1001.6.3 DOCUMENTING REJECTED OR CENSORED CORRESPONDENCE

In each case where it is necessary to remove any item, or correspondence has been rejected or censored, a written record must be made of such action, to include:

(a) The youth name and number.

(b) A description of the mail.

(c) A description of the action taken and the reason for such action.

(d) The disposition of the item.

(e) Signature of the probation corrections officer.

(f) Notification to the youth(unless such notification jeopardizes any investigation or the security of the facility). The written record should document the date and method by which the youth was notified (e.g., in person, by letter).

1001.7 REJECTION OF MAGAZINES AND PERIODICALS

The Department may reject magazines, periodicals, and other materials that may inhibit the reasonable safety, security, and discipline in the daily operation of this facility. Generally, books,

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newspapers, and magazines are accepted only if they are sent directly by the publisher. Materials that may be rejected include but are not limited to:

- Materials that advocate violence or a security breach.
- Literature that could incite racial unrest.
- Sexually explicit material, including pornographic magazines, nude pictures, and pictures or descriptions of sexually explicit activities.
- Obscene publications or writings and mail containing information about where or how such matter may be obtained; any material that would have a tendency to incite murder, arson, riot, acts of racism, or any other form of violence; any material that would have a tendency to incite crimes against children; any material about unlawful gambling or an unlawful lottery; any material containing information on the manufacture or use of weapons, narcotics, or explosives, or any other unlawful activity.
- Material that could lead to sexual aggression or an offensive environment for youth.
- Material that could create a hostile or offensive work environment.
- Any material with content that could reasonably demonstrate a legitimate government interest in rejecting the material.

Staff shall notify the Supervisor whenever a decision is made to reject books, magazines, or periodicals. The Facility Superintendent or the authorized designee will make the final decision on the specific magazines, periodicals, and other materials prohibited within this facility.

Religious texts not supplied by juvenile institutions-authorized entities may be accepted by the chaplain or other religious volunteer who has received training on facility rules involving contraband, and who has been approved by a supervisor to review such documents for distribution.

1001.8 FORWARDING OF MAIL

Any non-legal mail received for a former youth should be returned to the sender with a notation that the youth is not in detention. Otherwise, legal mail should be returned to the sender.

1001.9 YOUTH REQUESTS FOR WRITING MATERIALS

Youth may receive the opportunity to write letters and be provided with writing materials daily, as provided by an approved schedule established by the Facility Superintendent. Writing materials should include (15 CCR 1375):

(a) Postage for at least seven letters per week.

(b) Writing paper.

(c) One pencil.

Youth shall receive pre-stamped envelopes and writing paper sufficient to maintain communication with courts, legal counsel, officials of this department, elected officials, inspectors with the Board of State and Community Corrections, government officials, and officers of the court (15 CCR 1377).

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Youth Mail

Youth should not be permitted to maintain an excess supply of writing materials without the approval of a supervisor.

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Programs, Exercise, and Recreation

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures ensuring that the Stanislaus County Probation Department facility will have sufficiently scheduled programs, exercise, and recreation periods, and sufficient space for these activities, as required by law (15 CCR 1371).

1002.1.1 DEFINITIONS

Definitions related to this policy include:

Exercise - The physical exertion of large muscle groups.

Programs - Structured programs designed to enhance socialization that provides a positive, pro-social experience to build positive youth development.

Recreation - Activities that may include table games, watching television, or socializing with other individuals.

1002.2 POLICY

It is the policy of this department to provide youth with access to programs, exercise opportunities, and recreation activities in accordance with state laws or requirements. The intent is to minimize the time youth are in their rooms or bed area.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1001.6 PROGRAMS and Stanislaus County Probation Dept. JD Procedures Manual: 1001.7 SPECIAL EVENTS for further information.

1002.3 RESPONSIBILITIES

Youth shall be provided the opportunity for programs, recreation, and exercise at least three hours a day during the week and five hours a day each Saturday, Sunday, or non-school day, of which one hour shall be an outdoor activity, weather permitting.

A youth's participation in programs, recreation, and exercise may be suspended only upon written finding by the Facility Superintendent that a youth represents a threat to the safety and security of the facility.

The Facility Superintendent or the authorized designee shall be responsible for ensuring there is sufficient secure space for programming, physical exercise, and recreation. A schedule should be developed to ensure accessibility for all youth without interfering with other daily activity requirements (meals, education, religious services, other regularly scheduled events). The recreation and exercise schedule shall be posted in the living unit (15 CCR 1371).

The Probation Corrections Officer III or lead staff member shall use the approved daily activity log sheet to document the actual time of an activity and if a youth has declined participation.

Daily activity log sheets should be collected monthly and forwarded to the Facility Manager. Log sheets shall be maintained in accordance with established records retention schedules.

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There will be an annual written review of the programs, exercise, and recreation to ensure content is current, consistent, and relevant to the population.

If the Facility Superintendent or the authorized designee denies any youth or group of youth the programs, exercise, or recreation time period, documentation should exist that verifies that the denial is based on good cause in relation to a security need.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1001.1 PROGRAMS, EXERCISE AND RECREATION PROCEDURE, and Stanislaus County Probation Dept. JD Procedures Manual: 1001.2 DAILY SCHEDULE for further information.

1002.4 ACCESS TO EXERCISE

Youth shall have an opportunity for at least one hour of large-muscle activity each day. When weather permits, the youth's exercise time shall be outdoors (15 CCR 1371). The dedicated recreation areas offer space for large muscle exercise as well as calisthenics.

1002.5 ACCESS TO RECREATION

All youth shall be provided the opportunity for at least one hour of daily access to unscheduled activities such as leisure reading, letter writing, and entertainment. Activities shall be supervised and shall include orientation, and may include coaching of youth. Televisions, letter writing, table games, and other items may also be provided to enhance recreation time (15 CCR 1371).

See the Stanislaus County Probation Dept. JD Procedures Manual: 1001.3 RECREATION, SPORTS AND SOCIAL PROGRAMS and Stanislaus County Probation Dept. JD Procedures Manual: 1001.5 RECREATIONAL ACTIVITIES/ FREE TIME, and Stanislaus County Probation Dept. JD Procedures Manual: 1001.8 ENTERTAINMENT for further information.

1002.6 ACCESS TO PROGRAMS

All youth shall be provided with the opportunity for at least one hour of daily programming. The program should be structured and designed to enhance socialization, and youth participation shall be monitored.

Juvenile Institutions programs shall include any additional activities required under 15 CCR 1371(e.g., trauma-focused, cognitive, evidence-based, best practice interventions that are culturally relevant and linguistically appropriate; prosocial intervention and activities designed to reduce recidivism).

See the Stanislaus County Probation Dept. JD Procedures Manual: 1001.4 SAFETY PRACTICES FOR LARGE MUSCLE EXERCISE for further information.

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1002.6.1 COMPUTER AND INTERNET ACCESS
The Facility Superintendent may authorize providing a youth with reasonable access to computer technology and the internet so that the youth can maintain relationships with family members (Welfare and Institutions Code § 851.1; Welfare and Institutions Code § 889.1).

1002.7 SECURITY AND SUPERVISION
The staff supervising youth during programs, exercise, and recreation time shall document when each youth actively participates.

Staff shall be responsible for inspecting exercise and recreational equipment to ensure it appears safe for use. Broken equipment or equipment that is in an unsafe condition shall not be used. Youth may not use equipment without supervision. All equipment shall be accounted for before youth return to their housing unit.

The supervising staff may terminate the exercise or recreation period and escort back to the housing unit any youth who continues to act in an aggressive or disorderly manner after being ordered to stop by the staff. Whenever an exercise or recreation period is involuntarily terminated, the staff will document the incident and the rationale for terminating the exercise period. The Supervisor will determine whether disciplinary action is warranted. The Facility Superintendent may suspend for a period not to exceed 24 hours access to recreation and programs (15 CCR 1371).

A youth's participation in programs and recreation may only be suspended upon a written finding by the Facility Superintendent or the authorized designee that a youth presents a threat to the safety and security of the facility.

The Facility Superintendent or authorized designee shall document the reasons why suspension occurs (15 CCR 1371).

1002.8 EXERCISE SPACE
Exercise areas, as specified by federal, state, and/or local laws or requirements, should be sufficient to allow each youth at least one hour of exercise every day. Use of outdoor exercise is preferred, but weather conditions may require the use of covered/enclosed space. Dayroom space is not considered exercise space (24 CCR 1230.1.11).

1002.9 INABILITY TO MEET REQUIREMENTS
In the event that the youth population exceeds the ability of the facility to meet the exercise and recreation requirements, the Facility Superintendent should notify the governing body that there is a deficiency in space for exercise, that the deficiency may violate the law and/or space requirements, and that the Facility Superintendent requests funds to remedy the situation. The Facility Superintendent should document all action taken to try to remedy the situation, including funding requests, population reduction requests, and all responses to those requests.

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Youth Educational Services

1003.1 PURPOSE AND SCOPE

This policy provides guidelines and assigns responsibilities for establishing and maintaining an education program that complies with federal, state, and local laws and educational requirements (15 CCR 1370).

1003.2 POLICY

It is the policy of this department to provide youth with an education program that complies with federal, state, and local educational standards.

1003.3 EDUCATION PROGRAM GOALS

It is the goal of this department to prioritize educational services conducive to learning, provide safe and adequate conditions for learning, and provide the behavioral and social support services necessary to address individual needs. This includes the needs of youth with disabilities and communication barriers according to state and federal guidelines.

It is the goal of this department to provide special education and related services to all youth with disabilities as required by state and federal laws.

It is the goal of this department to create a safe, healthy facility-wide climate for education. When providing instruction, culturally responsive and trauma-informed approaches should be applied. Education staff should collaborate with the Facility Superintendent to use technology to facilitate learning and ensure safe technology practices (15 CCR 1370).

(a) All youth shall be treated equally, and the education program shall be free from discriminatory action. Staff shall refer to transgender, intersex, and gender-nonconforming youth by their preferred name and gender.

1003.4 EDUCATION PROGRAM COORDINATION

The Facility Superintendent should work in conjunction with school administrators to develop and manage the department education program. The Education Program Coordinator shall (15 CCR 1370):

(a) Advance an education program for youth that is consistent with state and federal educational standards and requirements (Individuals with Disabilities Education Act, 20 USC § 1400 et. seq.; Section 504 of the Rehabilitation Act of 1973, 29 USC § 701 et. seq.; the Americans with Disabilities Act, 42 USC § 12101 et. seq.).

1. The program shall observe laws and regulations specific to youth with suspected disabilities, including child find (e.g., identifying students with disabilities entitled to special education including speech, therapy, counseling), continuum of alterative placements, and manifestation determination reviews.

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(b) Coordinate and consult with local school board officials, state education officials, or private educational consultants for guidance and assistance on implementing an education program that is consistent with federal, state, and local requirements.

1. The Facility Superintendent shall coordinate the required annual review of each element of the education program with the Superintendent of Schools in accordance with 15 CCR 1370 and implement corrective action on any deficiencies.

(c) Confirm that procedures are in place for the screening and placement of all youth at intake.

1. The screening process should include procedures for obtaining and reviewing education records from a youth's previous placement facilities or schools at which the youth was previously registered, including grades, standardized test scores, educational assessments, discipline problems, migrant status as defined by the Education Code, and any special education plans.

2. If needed, state-required or provided testing should be considered to determine the appropriate placement.

(d) Develop and maintain procedures for identifying youth who need special education services, and coordinate with appropriate state educational agencies to ensure that special education programs satisfy state and federal standards (IDEA, Part B).

(e) Confirm that the education program includes social, emotional, and behavioral skills development for youth with special needs as outlined by federal, state, and local education laws and regulations.

(f) Confirm that procedures are in place to ensure that the program's educational staff are qualified.

1. Procedures should include ensuring that all staff meet and maintain applicable education credentials and licensing.

(g) Develop, in conjunction with the educational staff, procedures that address the rights of any student who has continuing difficulty completing a school day.

1. Procedures should consider education program requirements for youth who are separated from the general population, have a high-risk security classification, or are on a discipline status. Such education shall include, but is not limited to, related services as provided in a youth's section 504 Plan or Individualized Education Plan (IEP).

(h) Maintain education records for all youth.

(i) Confirm that procedures are in place for the retention and forwarding of youth education records to the next educational placement facility or school where the youth is registered, along with appropriate credit for course work completed while the youth was in the care of the Department, in compliance with local, state, and federal laws (20 U.S.C. § 1232g).

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(j) Confirm that the Department designates adequate space for youth education.

(k) Develop guidelines to ensure that security concerns, availability of space, temporary confinement (based on youth classification/disruptive behaviors), classroom management, and safety are considered in the delivery of educational services.

(l) Conduct an annual needs assessment of the education program.

(m) Confirm that procedures are in place for identifying and addressing English learners (EL) in accordance with state and federal laws and regulations.

(n) Coordinate with the Superintendent of Schools to develop procedures to meet the transition needs of youth, including the development of an education transition plan.

(o) Coordinate with local post-secondary education providers to facilitate access to educational and vocational opportunities for youth with appropriate technology, when practicable.

1. Take steps to make online public post-secondary academic courses and career technical programs accessible to eligible youth (Welfare and Institutions Code § 858).

(p) Ensure that youth are provided reasonable access to computer technology and the internet for educational purposes (Welfare and Institutions Code § 851.1; Welfare and Institutions Code § 889.1).

The establishment of accredited education programs for youth in custody are under the county's Superintendent of Schools for year-round operation.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1003.1 YOUTH EDUCATIONAL SERVICES PROCEDURE for further information.

1003.4.1 EDUCATIONAL PROGRAM ENROLLMENT REQUIREMENTS

Youth shall be enrolled in the education program as soon as practicable. An assessment shall be conducted by education staff to determine the youth's appropriate placement in core curriculum courses. A preliminary education plan shall be developed for each youth within five days of admission into the facility (15 CCR 1370).

The education staff shall request the youth's records from the youth's previous school. The youth's education plan shall be reviewed with the youth and modified, if needed, upon receipt of the education records (15 CCR 1370). Youth should be informed of the credits they need to graduate.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1003.2 SCHOOL ATTENDANCE for further information.

1003.5 COURSE OF STUDY

Youth shall be provided with a quality education program that responds to the different learning styles and abilities of students (15 CCR 1370).

The minimum school day shall be consistent with State Education Code requirements for juvenile court schools. Juvenile Institutions procedures to deliver youth to their educational program shall not interfere with the time afforded for the minimum instructional day. The education staff shall

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document absences, time out of class, or educational instruction, both excused and unexcused (15 CCR 1370).

A minimum of four (4) hours of daily (i.e., Monday through Friday) school attendance is required for all youth in custody.

The course of study shall comply with the State Education Code and include but not be limited to courses required for high school graduation as well as preparation for career entry, post-secondary education, as well as information and preparation for the High School Equivalency Test for eligible youth (15 CCR 1370):

Supplemental instruction shall be provided to youth who do not demonstrate sufficient progress towards grade level standards (15 CCR 1370).

1003.6 ADDITIONAL COURSE OFFERINGS

Youth who have obtained a high school diploma or GED equivalent may participate in college courses offered in collaboration with the Education Program Coordinator. Youth may participate in vocational programs with the approval of the Education Program Coordinator. Beyond mandated education requirements, additional educational services and curriculum may be offered to youth, including but not limited to:

(a) English as a second language (ESL).

(b) Basic literacy.

(c) Substance abuse and healthy lifestyles education.

(d) Parenting courses.

(e) Basic computer instruction.

(f) Basic life skills.

(g) Vocational skills such as:

1. Cooking and food services.
2. Landscaping and gardening.
3. Painting.
4. Basic office skills.

(h) Other courses as deemed appropriate by school administrators.

1003.7 DISCIPLINE

The education program is integrated into the juvenile institutions's overall positive behavioral management plan and security program. Any violations committed while participating in the education program will be handled under the Youth Discipline Policy.

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Educational staff will be advised of and updated on disciplinary issues with any youth and will be notified of administrative decisions made by juvenile institutions staff that may affect educational services.

The expulsion or suspension of a youth from the education program shall be undertaken only when other means of correction appear unsuccessful or when otherwise consistent with the requirements and protections of the State Education Code. Educational staff shall document other means of correction used before the suspension or expulsion (15 CCR 1370).

See the Stanislaus County Probation Dept. JD Procedures Manual: 1003.3 SCHOOL PROCEDURE AND SECURITY ISSUES for further information.

1003.8 SELF-STUDY PROGRAM

Self-study may be offered when it is determined to be in the best educational interest of the youth or recommended as part of a youth's Individualized Educational Program (IEP).

1003.9 CLASSROOM USE AND DESIGN

Youth classification and segregation requirements should be considered when the space for the education program is being allocated and designed (24 CCR 1230.1.12).

The Education Program Coordinator should encourage and include educators in the set-up and design of classrooms that have been identified for youth education. To the extent reasonably possible, in consideration of the space design and the ability to provide adequate security, teachers, education managers, and administrators should be consulted to ensure their needs are met.

In addition to the traditional classroom approach to education, the Department should explore other educational methods as part of the education program (e.g., using computers).

See the Stanislaus County Probation Dept. JD Procedures Manual: 1003.1 YOUTH EDUCATIONAL SERVICES PROCEDURE for further information.

1003.10 NEW CONSTRUCTION OR RENOVATION

Whenever construction of new facilities is considered, the Facility Superintendent may include education specialists during the design phase to ensure that the needs of education providers are met with regard to security, sound levels, and educational equipment.

The Educational Program Coordinator may seek technical assistance from consultants to school districts that provide education programs in detention settings.

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Library Services

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the funding of library services and for providing youth access to leisure and legal reading materials.

1004.2 POLICY

It is the policy of this facility to operate a library service that provides leisure and legal reading materials to youth.

1004.3 RESPONSIBILITIES

The Facility Superintendent or the authorized designee is responsible for the administration of library services and should appoint a librarian or capable staff member to serve as librarian to run the daily operations. If the person selected is not a librarian, the person should receive training on library services. The library service may include access to legal reference materials, current information on community services and resources, and religious, educational, and recreational reading material that is age-appropriate for the population.

The librarian shall ensure that reading materials are provided to the general housing units and that any staff member assigned to assist with the delivery of library services has received the appropriate training in facility safety and security practices.

Access to the youth library or to library materials shall be based on youth classification, housing location, and other factors that legitimately relate to the safety and security of the facility.

1004.4 LIBRARY FUNDING AND MAINTENANCE

The librarian may enlist the assistance of the local public library and other community organizations to maintain and update the library. Donated books and materials should be screened by the librarian and Facility Superintendent, or their designee, for allowable content and safety prior to being distributed to youth.

The Department may reject library materials that may compromise the safety, security, and discipline in the operation of this facility (see the Youth Mail Policy for examples of materials that may be rejected), or are determined not to be age-appropriate for the population.

The library shall be operated within the physical, budgetary, and security limits of the existing facility.

Books and other reading material should be provided in languages that reflect the population of the facility.

1004.5 LEISURE LIBRARY MATERIALS

Each youth is allowed to have no more than two books at any given time. Existing selections must be returned before new books may be selected by a youth. Youth who destroy or misuse books

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and library materials will be subject to disciplinary action and may have to pay for the material or have their library privileges temporarily suspended. If staff believes the destruction was intentional, the matter may be referred for criminal prosecution.

1004.6 ACCESS TO LEGAL PUBLICATIONS/LAW LIBRARY

All youth shall have reasonable access to the legal system, which may include access to legal reference materials.

Legal information that may be provided through the library includes but is not limited to:

- Criminal code sections.

Youth desiring access to the library or legal publications shall submit a completed legal information request to the housing probation corrections officer. Only one request per youth per week is allowed. Youth in room confinement shall have the same access to reading materials and legal materials as the general population unless a restriction is directed by the court.

1004.7 ALTERNATE MEANS OF ACCESS TO LEGAL PUBLICATIONS

Nothing in this policy shall confer a right to access a law library and, unless it is specified by court order, the Chief Probation Officer may provide access to the legal system by a variety of means that may include public or private legal research services (e.g., legal paging system).

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Youth Work Program

1005.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines and requirements for the Youth Work Program. The Youth Work Program allows youth to improve and/or develop useful job skills, work habits, and experiences that will facilitate a successful transition back to the community (15 CCR 1373).

1005.2 POLICY

The Stanislaus County Probation Department shall operate the Youth Work Program in accordance with all applicable federal, state, and local work safety laws, rules, and regulations, and to the extent that the operation of youth work programs do not pose a risk to the safety of the staff, other youth, or the public. This policy establishes the requirements, selection process, supervision, and training of youth prior to and after entering the facility's Youth Work Program.

1005.3 WORK CRITERIA

Work assigned to a youth shall be meaningful, constructive, and related to vocational training or increasing the youth's sense of responsibility (15 CCR 1373). Youth shall not be required to perform non functional, degrading, or unnecessary tasks.

Work programs shall not be imposed as disciplinary measure (15 CCR 1373).

1005.3.1 POST-DISPOSITION YOUTH WORK REQUIREMENTS

All post-disposition youth who are physically and mentally able should work. Youth shall not be required to perform work that exceeds their physical limitations. Youth may be excused from work to maintain their participation in an educational, vocational, drug abuse treatment, or other program. The Department will abide by all laws, ordinances, and regulations when using youth to work in the facility.

1005.3.2 PRE-ADJUDICATED AND PRE-DISPOSITION YOUTH WORK REQUIREMENTS

Pre-adjudicated and pre-disposition youth may volunteer to participate in the Youth Work Program but shall not be required to participate in work beyond maintaining the immediate living area.

1005.4 YOUTH WORKER SELECTION

The Youthunit lead staff shall be responsible for selecting and assigning youth to work. The lead staff should solicit input from other detention staff to assist with youth selection and assignment. Youth who have posed a threat in the past or have been charged with escape should be carefully screened for youth work projects. Staff shall take into consideration these eligibility criteria:

(a) The youth's charges and classification are such that the youth will not pose a security risk to other youth, staff, or the public.

(b) The youth's capacity to perform physical tasks, including which tasks can be performed by the youth while pregnant, will match the job requirements.

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(c) The youth is able to learn the necessary work routines.

(d) The special interests, abilities, or craft of the youth will benefit the work assignment.

Youth must be able to pass a health screening test under the policies contained in this manual, and must meet all statutory and regulatory requirements. Health screening shall be done for youth who work in the kitchen around food products or who serve meals to the youth population (15 CCR 1414).

1005.5 COMMUNITY SERVICE PROGRAM

Post-disposition youth may be assigned to public works projects with state, municipal, or local government agencies, or to community service projects, with the approval of the Chief Probation Officer and under all applicable laws and regulations.

Assigning youth to activities that benefit individuals, businesses, or other private entities that are not considered public works projects is prohibited and may violate the law.

1005.5.1 PROGRAM GUIDELINES

Any community service program is subject to the approval of the Facility Superintendent or the authorized designee.

Any such program shall be subject to these guidelines:

(a) The program complies with all statutes, ordinances, regulations, labor agreements, permissions, and restrictions relating to youth whenever they are assigned to public works and community service projects.

(b) There are youth available who, as a matter of classification, are deemed eligible for participating in the community service programs. Only youth who are classified as minimum detention shall be assigned outside the secure perimeter.

(c) The number of work opportunities available in the community will determine the availability of opportunities to participate in the community service program.

(d) Staff assigned to manage the program should strive to develop work assignments that give youth an opportunity to develop good work habits and attitudes that can be applied to jobs obtained after release.

(e) Victim and community input should be solicited and considered when developing community service programs.

(f) Poor performance in the work program or violating rules may render the youth ineligible to participate in the work program. Any violation of work rules may result in disciplinary action that may include the loss of credits previously awarded for good behavior and work time. Youth who do not comply with program rules, or cannot work, will be reclassified under the policies and procedures of the Stanislaus County Probation Department.

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1005.5.2 COMMUNITY WORK SELECTION PROCESS

Participation in any community service program is strictly voluntary. A classification process that clearly describes the criteria for program participation will be developed by the supervisor in charge of the program.

Any youth desiring to participate in the community service program must:

(a) Submit to a screening process, including a criminal history check, to ensure that the youth's criminal history is compatible with work in non-secure areas.

(b) Agree in writing to participate in the community service program.

Youth may be charged a fee for participating in the program to offset the cost of administration and staffing.

1005.6 SUPERVISION OF YOUTH WORKERS

Facility staff in charge of work programs or who supervise youth assigned to work crews should adhere to the following:

(a) Youth workers should be provided with safety equipment, clothing, and footwear commensurate with the work performed. Safety equipment may include but is not limited to eye protection, gloves, hard hat or headwear, and sunscreen.

(b) Work periods shall follow state and federal child labor laws.

(c) Youth workers should be provided with work breaks to allow them to take care of personal needs.

(d) Youth workers shall have access to nutritious meals and a reasonable amount of time to consume those meals during their work period.

(e) Youth who work shifts during the early morning or late-night hours should be provided with a quiet space to allow for sleep during daytime hours.

(f) Youth workers shall not access youth records or youth monies.

(g) Youth workers shall not participate in the maintenance of locking systems or other security detention devices.

Youth workers shall be under the direct supervision of the facility staff at all times and shall not be supervised by other youth when they are on assignment through the Youth Work Program.

Persons who are responsible for the supervision of youth on work crews should receive training in basic areas of safety, security, and reporting procedures.

Disciplinary action for youth worker misconduct shall adhere to the Youth Discipline Policy.

1005.7 YOUTH WORKER TRAINING

Youth who are assigned to work in any area that may require the handling of any chemicals or using any equipment shall receive training from the respective staff member coordinating the work assignment supervisor prior to using the chemicals or equipment. The staff member coordinating the work assignment shall also train youth workers on safety practices. Youth should never be

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assigned to handle dangerous chemicals or equipment that normally requires a level of expertise and competency beyond their demonstrated ability.

1005.8 YOUTH WORKER INCENTIVES

The Facility Superintendent is responsible for establishing an incentive program for youth assigned to the Youth Work Program. Incentives for youth may include:

(a) Granting good time and work credits to apply to their commitment as allowed by state or local law.

(b) Granting distinctive housing assignments, extra privileges, recreation, and special rewards, as allowed by law, regulation, and policy. Youth welfare funds may be used to offset the cost of a reward program.

(c) Awarding certificates of achievement for successful completion of vocational, educational, and/or work programs.

(d) When allowed by law, ordinance, and in consideration with local labor relations, giving monetary compensation for work on government projects.

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Youth Telephone Access

1006.1 PURPOSE AND SCOPE

This policy establishes guidelines for permitting youth to access and use telephones (15 CCR 1376).

1006.2 POLICY

To encourage and maintain positive relationships within the family and community, the Juvenile Institutions will provide access to telephones for use by youth consistent with federal and state law.

1006.3 PROCEDURE

The Facility Superintendent or the authorized designee shall develop written procedures establishing the guidelines for access and usage. All youth will be provided a copy of the telephone usage rules as part of their youth orientation during the admission process.

Youth housed in general population will be permitted reasonable access to public telephones, if available, at scheduled times in the dayrooms for collect calls unless such access may cause an unsafe situation for the facility, members, or other youth.

The Facility Superintendent shall ensure a notice is conspicuously posted near the phones, informing the youth that non-attorney calls will be monitored and recorded.

Youth are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

In the event of a facility emergency, or as directed by the supervisor or the Facility Superintendent, all telephones will be turned off.

Teletypewriter/telecommunications device for the deaf (TTY/TDD) or equally effective telecommunications devices will be provided to youth who are deaf, hard of hearing, or have speech impairments to allow them equivalent telephone access.

The minimum time allowed per call should be 10 minutes, unless there are substantial reasons to justify further limitations. Reasons for denial of telephone access shall be documented and a copy placed into the youth's file. The rules governing the use of the telephone will be provided to youth during orientation and posted near the telephones.

The staff should monitor the use of public telephones to ensure youth have reasonable and equitable access and that the rules of use are observed. Any youth refusing to cooperate with the telephone rules may have the call terminated, telephone privileges suspended, and/or incur disciplinary action.

Requirements relating to the telephone use during admission are contained in the Youth Reception Policy.

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See the Stanislaus County Probation Dept. JD Procedures Manual: 1004.1 YOUTH TELEPHONE ACCESS PROCEDURE, Stanislaus County Probation Dept. JD Procedures Manual: 1004.2 EMERGENCY AND HARDSHIP TELEPHONE CALLS and Stanislaus County Probation Dept. JD Procedures Manual: 1004.3 LONG DISTANCE TELEPHONE CALLS for further information.

1006.4 USE OF TELEPHONE IN HIGH-SECURITY OR SEPARATION UNITS

Youth who are housed in high-security or high risk units may use the public telephones in the dayroom during the time allocated for that classification of youth to utilize that space. If portable telephones are available in the facility, youth who are housed in high-security or high risk units may have reasonable access to the portable telephones.

1006.5 COURT-ORDERED TELEPHONE CALLS

If a court order specifying free telephone calls is received by the facility, or a supervisor determines there is a legitimate need for a free telephone call for a specific youth, the supervisor may direct that a youth use a facility telephone at no charge. Calls placed from a facility telephone should be dialed by a staff member. The staff shall be responsible for ensuring that the youth is not calling a number that has been restricted by a court order or by request of the recipient. Such a call shall be recorded to the same extent authorized for calls that are not court ordered.

1006.6 ATTORNEY-CLIENT TELEPHONE CONSULTATION

At all times through the period of detention, youth will have non-recorded telephone access to an attorney provided to the youth at no charge to either the attorney or to the youth, in accordance with the Youth Access to Courts and Counsel Policy (15 CCR 1377).

1006.7 TELEPHONE CONTRACTS AND CHARGES

The Facility Superintendent or the authorized designee is responsible for ensuring that rates charged to youth are similar to those charged in the general public and that youth are afforded a range of feasible calling options.

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Religious Programs

1007.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of youth to exercise their religion and for evaluating accommodation requests for faith-based religious practices of youth (15 CCR 1324; 15 CCR 1372).

1007.1.1 DEFINITIONS

Definitions related to this policy include:

Compelling government interest - A method for determining the constitutionality of a policy that restricts the practice of a fundamental right. For such a policy to be valid, there must be a compelling government interest that is necessary or crucial to the mission of the Department, as opposed to something merely preferred, that can be furthered only by the policy under review.

Least restrictive means - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests. If the Department adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

Religious exercise - Any exercise of religion, whether or not it is compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the youth's sincerely held religious beliefs.

Substantial burden - For the purposes of this policy, substantial burden means either of the following:

- A restriction or requirement imposed by the Department that places a youth in a position of having to choose between following the precepts of the youth's religion and forfeiting benefits otherwise generally available to other youth, or having to abandon one of the precepts of the youth's religion in order to receive a benefit
- When the Department pressures youth to substantially modify their behavior in violation of their beliefs

1007.2 POLICY

It is the policy of this department to permit youth to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate government objectives of the facility.

1007.3 STAFF RESPONSIBILITIES

Members shall not show favoritism or preference to any religion and will not discriminate or retaliate against any youth for participating or not participating in any religion or religious practice. Youth are not required to participate in religious programs or activities.

Members shall provide youth choosing not to participate in religious programs with alternative activities outside their rooms (15 CCR 1372).

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Incentives or rewards shall not be provided to youth as an inducement to participate in religious programs or activities.

Facility staff will not allow their personal religious beliefs to influence them in the daily management of the youth population, particularly as it relates to religious practices (15 CCR 1324). Staff members shall assume a neutral position with regard to religious services.

1007.4 CHAPLAIN

The Chief Probation Officer shall appoint an individual to serve as the chaplain for the facility. The chaplain shall be responsible for assisting the Facility Superintendent with supervising, planning, directing, and coordinating religious programs. The chaplain may be responsible for duties including but not limited to:

(a) Coordinating religious services.

(b) Maintaining a list of accepted religious practices approved by the Facility Superintendent and ensuring the current list is available to the staff.

(c) Reviewing requests for religious accommodations.

(d) Providing or arranging for grief counseling for youth.

(e) Distributing a variety of religious texts.

(f) Developing and maintaining a liaison with a variety of religious faiths in the community.

(g) Making reasonable efforts to enlist religious leaders from outside the community as necessary.

(h) Seeking donations for religious programs from the community, when appropriate.

(i) Working with youth families when requested.

(j) Periodically surveying the facility population to assist in determining whether current resources are appropriate for the youth population.

(k) Guiding the Chief Probation Officer or the authorized designee on issues related to religious observance.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1005.1 RELIGIOUS PROGRAMS PROCEDURE for further information.

1007.4.1 ADDITIONAL REQUIREMENTS

The chaplain shall ensure access to religious services and/or counseling at least once each week for youth who elect to attend (15 CCR 1372).

1007.5 RELIGIOUS BELIEFS AND ACCOMMODATION REQUESTS

Youth are not required to identify or express a religious belief. Youth may designate any belief, or no belief, during the intake process and may change a designation at any time by declaring their religious beliefs in writing to the chaplain. Youth seeking to engage in religious practices shall submit a request through the established process. Requests to engage in practices that are on the

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facility's list of accepted practices should be granted. Requests to engage in religious practices that are not on the approved list shall be processed as provided in this policy.

All requests for accommodation of religious practices shall be treated equally, regardless of the religion that is involved (15 CCR 1324). Equal and consistent treatment of all religions and religious beliefs shall not always require that all youth of the same religion receive the same accommodations. Requests for accommodation of religious practices shall be submitted to a supervisor. In determining whether to grant or deny a request for accommodation of a religious practice, the supervisor will work with the chaplain to determine the sincerity of the youth's religious claim. Requests should be denied only if the denial or reason for denial would further a compelling interest of the facility and is the least restrictive means of furthering that compelling interest.

A supervisor who does not grant the accommodation, either in part or in full, should promptly forward the request to the Chief Probation Officer or the authorized designee, who, after consultation with legal counsel as appropriate, should make a determination regarding the request within 14 days following the youth's original request. The Chief Probation Officer or the authorized designee will respond to the requesting youth as soon as reasonably practicable.

The Chief Probation Officer or the authorized designee shall be informed of all approved accommodations. The chaplain should make any necessary notifications to staff as necessary to meet an approved accommodation.

All youth requests for religious accommodations and related determinations shall be fully documented in the youth's Observation sheet and shall include a description of the accommodation and justifications for any denials.

1007.5.1 SUSPENSION OR REVOCATION OF ACCOMMODATIONS
In an emergency or extended disruption of normal facility operations, the Facility Superintendent or designee may suspend any religious accommodation. The Facility Superintendent or designee may also revoke or modify an approved religious accommodation if the accommodated youth violates the terms or conditions under which the accommodation was granted.

1007.5.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS
Youth may appeal the denial, suspension, or revocation of an accommodation through the youth appeal process.

1007.6 DIETS AND MEAL SERVICE
The Facility Superintendent should provide youth requesting a religious diet, including fasting and/or hour of dining, a reasonable and equitable opportunity to observe their religious dietary practice. This should be done within budgetary constraints and be consistent with the security and orderly management of the facility. The chaplain in collaboration with the kitchen supervisor shall maintain a list of youth authorized to receive religious diets. The food services manager shall establish a process for managing religious meal accommodations (see the Food Services and Prescribed Therapeutic Diets policies) (15 CCR 1372).

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1007.7 HAIR STYLES AND GROOMING

Unless it is necessary for the health and sanitation of the facility, youth who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair. To the extent reasonably practicable, alternative housing may be considered to accommodate the need for religious hair and grooming, while meeting the health and sanitation needs of the facility.

Any youth whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

1007.8 RELIGIOUS TEXTS

Religious texts should be provided to the requesting youth, if the texts available do not pose a threat to the safety, security, and orderly management of the facility.

1007.9 UNAUTHORIZED PRACTICES OR MATERIAL

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

(a) Animal sacrifice

(b) Language or behaviors that could reasonably be construed as presenting a threat to facility safety or security

(c) Self-mutilation

(d) Use, display, or possession of weapons

(e) Self-defense or military training

(f) Disparagement of other religions

(g) Nudity or sexual acts

(h) Profanity

(i) Use of illegal substances or controlled substances without a prescription

1007.10 GROUP RELIGIOUS SERVICES

The Facility Superintendent shall provide access to religious services and/or religious counseling at least once each week (15 CCR 1372). Group religious services may be allowed after due consideration of the youth's classification or other concerns that may adversely affect the order, safety, and security of the facility.

Attendance at religious services and/or counseling shall be voluntary (15 CCR 1372). Alternatives to attendance of group religious services may include but are not limited to:

- The provision of religious books and reading materials.
- Access to religious counselors.
- Recorded religious media (e.g., DVDs, CDs, videotapes).

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Staff members shall attend regularly scheduled religious services which are offered to the youth, in a security capacity. Staff members participation in the religious services is prohibited.

1007.11 RELIGIOUS SYMBOLS AND IMPLEMENTS

Religious symbols and implements used in the exercise of religion should generally be allowed unless the symbol or implement poses a threat to the safety and security of the facility. Alternatives to the provision of religious symbols and implements may be considered when security, safety, or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

Religious articles such as medallions, rosaries, prayer beads, crucifixes, etc., are not permitted due to the potential for misuse.

1007.12 RELIGIOUS GARMENTS AND CLOTHING

Youth who practice a religion that requires particular modes of dress, garments, or headgear, other than standard-issue clothing, should generally be accommodated subject to the need to identify youth and maintain security.

Head coverings shall be searched before being worn in the housing areas of the facility and shall be subject to random searches for contraband. Personal head coverings should be exchanged in favor of department-supplied head coverings when available and appropriate.

Youth wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex, if they so desire. Religious garments that substantially cover the youth's head and face shall be temporarily removed during the taking of booking and identification photographs.

To the extent reasonably practicable, alternative housing may be considered to accommodate youth' need for religious attire, while meeting the security needs of the facility.

1007.13 FAITH- AND MORALS-BASED COUNSELING

The Facility Superintendent shall be responsible for establishing a plan for youth to receive faith- and morals-based counseling from the chaplain or religious volunteers. Youth should be reasonably accommodated, including reasonable access to clergy members and spiritual advisers, volunteer religious organizations, faith- and morals-based programs, and other secular volunteer programs (15 CCR 1372).

No youth shall be required to participate in any such program.

1007.14 SPACE AND EQUIPMENT FOR RELIGIOUS OBSERVANCES

The Facility Superintendent shall ensure that there are sufficient facilities and resources for the chaplain to serve the youth population, including providing access to areas of the facility. Space for group worship will be dictated by the availability of secure areas and the classification status of the youth to be served. All recognized religious groups should have equal access to the space, equipment, and services which the facility normally provides for religious purposes.

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1007.15 COMMUNITY RESOURCES

The chaplain may minister a particular faith and any other similar faiths to youth but should also establish contacts with clergy of other faiths who can provide services to youth of other religious denominations.

Whenever the chaplain is unable to represent or provide faith-based services to youth, a religious leader or other volunteer from the community, credentialed by the particular faith, should be sought to help provide services. All individuals providing faith-based services should be supervised by the chaplain. All efforts to contact faith-based representatives should be documented and retained in accordance with established records retention schedules.

Volunteers are another valuable resource that could be utilized extensively in the delivery of the religious program (see the Volunteers and Student Internships Policy). A volunteer could ensure that religious personnel who provide programming in the facility possess the required credentials and have the security clearance to enter the facility.

The chaplain, in cooperation with the Facility Superintendent or the authorized designee, shall develop and maintain communication with faith communities. The chaplain shall review and coordinate with the Facility Superintendent regarding offers to donate equipment or materials for use in the religious programs. All communication efforts and donations should be documented and retained in accordance with established records retention schedules.

1007.16 TRAINING

The Department shall provide training to facility staff on the requirements of this policy.

The Department shall also provide training in safety and security to the chaplain. The chaplain shall approve and train clergy and religious volunteers. This includes the preparation of a training curriculum, as well as the development and maintenance of training records.

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Youth Visitation

1008.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and provide a process for youth visits and visitors.

1008.2 POLICY

It is the policy of the Stanislaus County Probation Department to support, encourage, and allow reasonable and equitable visitation, including video visitation, for all youth detainees. Parents/ guardians shall have the right to visiting privileges unless prohibited by the court.

1008.3 PROCEDURES

The Department shall provide adequate facilities for visiting, including appropriate space for the screening and searching of youth and visitors and secure storage of visitors' personal belongings that are not allowed in the visiting area.

The Facility Superintendent shall develop a written procedure and rules for visitation that should be posted at the visitors' entrance or provided to visitors upon entry. The procedures are subject to safety and security requirements and should consider:

- The facility's schedule.
- The designated secure area or space to accommodate visitors.
- Postings printed in English, Spanish, and other languages indicating fire escape routes, which should be located throughout the visiting area.
- Whether an emergency or other conditions justify a limitation on visiting privileges.
- Space to allow programming and activities to continue for youth who do not have a visitor during a scheduled visiting time.

The visiting area shall accommodate youth and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to youth and visitors with disabilities to facilitate a visitation period.

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

Court orders granting a special youth visitation are subject to county legal review and interpretation.

Conversations shall not be monitored unless there is a security or safety need as reviewed by the on-duty Supervising Probation Corrections Officer (SPCO) during supervised visits.

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1008.3.1 VISITOR REGISTRATION AND IDENTIFICATION

All visitors must register and produce a valid state, military, tribal, current passport, or other government identification. Identification will be considered valid for 90 days after expiration, provided the visitor has renewed the ID and has proof of the renewal.

(a) The registration form must include the visitor's name, address, and the relationship to the youth.

(b) A valid identification shall include:

  (a) A photograph of the person.

  (b) A physical description of the person.

(c) An official visitor shall present proof of professional capacity (e.g., attorney license/ Supreme Court card, law enforcement identification, a business card/letterhead of business with the visitor's name).

Failure or refusal to provide a valid identification is reason to deny a visit, unless specific authorization and approval is obtained from the SPCO. All exceptions to this policy shall be solely at the SPCO's discretion, based on safety and security precautions.

1008.3.2 VISITATION REQUIREMENTS

A youth shall be allowed to receive visits by parents, guardians, step parents, or persons standing in place of a parent, and children of the youth, at reasonable times. Other family members, such as grandparents and siblings, and supportive adults, may be allowed to visit with the approval of the Facility Superintendent or the authorized designee, and in conjunction with the youth's case plan or in the best interest of the youth (15 CCR 1374).

(a) A "supportive adult" is anyone over the age of 18 years old, who offers general support and encouragement to the youth and supports their overall positive development. Examples include, but, are not limited to: cousins, siblings, aunts, uncles, teachers and clergy.

Opportunity for visitation shall be a minimum of two hours per week. Visits may be supervised, but conversations shall not be monitored unless there is a security or safety need.

Access to technology (video visiting) may be provided as an alternative to, but not as a replacement for, in-person visiting.

1008.4 AUTHORIZATION TO SEARCH VISITORS

Individuals who enter the secure perimeter of this facility are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or is attempting to bring contraband onto the facility property or into the facility. All searches shall be made in accordance with current legal statutes and case law.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1000.1 YOUTH VISITATION PROCEDURE for further information.

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1008.5 VISITING SCHEDULE

The Facility Superintendent shall designate a person to develop a schedule for youth visitation that includes daytime, evening, and weekend hours. Each youth shall receive a copy of the visitation schedule in the youth handbook at orientation. The visiting hours will also be posted in the public area of the facility.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1000.1 YOUTH VISITATION PROCEDURE and Stanislaus County Probation Dept. JD Procedures Manual: 1000.1.1 REGULAR VISITING for further information.

1008.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES

The Facility Superintendent or the authorized designee is responsible for defining, in writing, the conditions under which visits may be denied.

Visitation may be denied or terminated by a supervisor if the visitor poses a danger to the security of the facility or there is other good cause, including but not limited to:

(a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.

(b) The visitor refuses to submit to being searched.

(c) The visitor or youth violates facility rules or posted visiting rules.

(d) The visitor fails to supervise and maintain control of any minors accompanying the visitor into the facility.

(e) The visitor attempts to enter this facility with contraband.

1. In addition to being denied a visit, the visitor may face criminal charges.

(f) The staff determines that the visitor's criminal history poses a safety risk.

1. A visitor shall not be denied visitation solely for having a criminal history. The staff shall determine on a case-by-case basis whether the visitor's criminal history poses a safety risk (15 CCR 1374).

(g) The visitor becomes loud, boisterous, unruly, or engages in insulting actions. Visits in progress shall be subject to immediate termination when a visitor’s behavior becomes disruptive or endangers the safety and security of the institution, its members or youth.

Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the facility, shall have the actions and reasons documented and the staff members shall immediately notify the SPCO. If visitation is withheld, the visitor should be notified as soon as reasonably possible. A copy of the documentation will be placed in the youth's file, and another copy will be forwarded to the Facility Superintendent.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1000.1 YOUTH VISITATION PROCEDURE for further information.

1008.7 GENERAL VISITATION RULES

All visitors and youth will be required to observe the following general rules during visitation:

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(a) Parents/guardians and siblings (a maximum of two adults and two children at any one time) will be permitted to visit.

(b) Children of youth will be permitted to visit (a maximum of two at any one time). If a dispute over children visiting occurs with the youth's parent/guardian, the youth will be advised to use the court for resolution.

(c) Visitors must control minors while they are waiting to visit and during the visit.

(d) A youth may refuse to visit with a particular individual.

(e) Those youth who are named as restrained persons in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.

(f) Visitors must be appropriately attired prior to entry into the visitor's area of the facility.

(g) Inappropriate clothing, such as transparent clothing, halter tops, excessively tight or revealing clothing, hats and bandannas, or any other clothing associated with a criminal gang or otherwise deemed by the staff to be unacceptable, will not be permitted.

(h) All visitors must have footwear.

(i) Visitors will leave all personal items, except for car keys and identification, outside the secure area. Visitors who enter the facility with handbags, packages, cell phones, brief cases or other personal items will be instructed to lock the items in a vehicle or locker or return at another time without the items. The facility is not responsible for lost or stolen items.

(j) Food and drink are not permitted in the visitor's area.

(k) Court Officers (i.e., Probation Officer, etc.) or individuals on official county or Juvenile Court business, may bring in necessary items for the performance of their duties without jeopardizing the security of the institution.

(l) Parents and legal guardians are not permitted to bring paperback books or magazines to youth. Stamped envelopes and stamps are permitted.

(m) Visitors shall only be permitted to bring food or beverages into the facility listed on the treat list for the youth's consumption.

(n) Medication for youth must be cleared and pre-approved through the Medical Clinic. Under no circumstances shall a staff member accept medication for a youth or permit a youth to accept medication from a visitor.

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

See the Stanislaus County Probation Dept. JD Procedures Manual: 1000.1.5 VISITOR BADGES for further information.

1008.7.1 CONTRABAND

The following items are considered contraband, and under no circumstances shall they be given to a youth during the visiting program, by a visitor:

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(a) Tobacco (in any form)

(b) Matches or lighters

(c) Money

(d) Chewing gum, candy or food

(e) Liquor or any other intoxicant

(f) Glue, solvents or cement

(g) Narcotics, drugs, medications

(h) Firearms, knives, or weapons of any type

(i) Pencils, pens or markers

(j) Games, cards or dice

(k) Cell phones or cameras

(l) Pictures and letters (these may only enter the institution through the U.S. Mail)

All visitors must obtain permission from staff members prior to giving/accepting anything from a youth.

Visitors must comply with all rules governing visitations. Failure to abide by the rules, physical contact or disturbing visits which endanger group security and supervision are sufficient grounds for suspension of future visiting privileges. A decision to suspend or restrict on-going visiting privileges may only be made by the SPCO.

(a) The SPCO shall be called to the visiting area prior to termination of a visit. All terminated visits or noteworthy incidents shall be documented by staff via an Incident Report.

1008.8 SPECIAL VISITS

The Supervisor may authorize special visitation privileges, taking into consideration the following factors (15 CCR 1374):

- The purpose of the visit
- The relationship of the visitor to the youth
- The circumstances of the visit
- Distance traveled by the visitor

Whenever a special visit is denied, an entry into the duty log will be made. The entry will include the requesting visitor's name and the reason the visit was denied.

Family therapy and professional visits should be accommodated when practicable and within the discretion of the Facility Superintendent or the authorized designee.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1000.1.2 SPECIAL VISITS for further information.,

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1008.9 ATTORNEY AND PROFESSIONAL VISITS

Visits from attorneys and/or their representatives, investigators, and other professionals associated with the youth shall not be restricted unless the youth is exhibiting disruptive behavior and it is determined by the Facility Superintendent or the authorized designee that allowing the visit could threaten the safety or security of the staff, other youth, visitors, or the facility (15 CCR 1374) (see the Youth Access to Courts and Counsel Policy).

See the Stanislaus County Probation Dept. JD Procedures Manual: 1000.1.3 PROFESSIONAL VISITS and Stanislaus County Probation Dept. JD Procedures Manual: 1000.1.4 ATTORNEY VISITS AND CONSULTATIONS for further information.

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Behavior Modification Program

1009.1 PURPOSE AND SCOPE

This policy provides guidelines for the Stanislaus County Probation Department's Behavior Modification Program (BMP).

1009.2 POLICY

It is the policy of the Stanislaus County Probation Department to make reasonable efforts to teach and reinforce appropriate behaviors through fairly and objectively applying the BMP.

1009.3 RESPONSIBILITIES

The Facility Superintendent should designate a BMP coordinator responsible for:

(a) Establishing a BMP that is incentive-based, with rewards and sanctions (positive and negative reinforcement) to help manage behaviors. This should include a point or other system to encourage and reward appropriate behavior.

(b) Identifying appropriate behavior that earns rewards, such as:

1. Actively participating in programming.
2. Following staff directives.
3. Complying with department rules and regulations.
4. Participating in daily chores.
5. Maintaining room standards.
6. Communicating positively.
7. Behaving responsibly in school.
8. Making an effort to exercise self-control, and developing self-control skills.
9. Respecting other people including staff and other youth.
10. Respecting property.
11. Other appropriate conduct.

(c) Identifying rewards that may be earned such as:

1. Special visits.
2. Later bedtime.
3. Extra telephone calls.
4. Additional recreational privileges.
5. Board games/electronic games (computer).
6. Extra TV time.
7. Housing unit – single room or status housing.

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8. Food such as pizza, ice cream.
9. Special movies and videos.
10. Other special activities.

(d) Identifying the types of behavior that may result in sanctions under the BMP such as:

1. Failing to maintain proper order of living area.
2. Littering.
3. Being out of assigned area without authorization.
4. Not participating in a required program activity.
5. Engaging in horseplay.
6. Disrespecting others.
7. Using offensive language.
8. Irritating or harassing others.
9. Malingering.
10. Intimidating/bullying.
11. Vandalism and gang activity.

(e) Maintaining procedures to identify when behavior may result in sanctions under the BMP, when behavior should be handled as discipline pursuant to the Youth Discipline Policy, and when behavior may result in both sanctions under the BMP and discipline.

(f) Maintaining procedures for interventions such as behavioral contracts.

(g) Establishing procedures for using additional strategies such as temporary immediate removal of youth from an area, mental health referrals, and individual or group counseling.

(h) Maintaining permanent logs for each youth to track rewards, sanctions, and interventions, record progress, and identify improved behavior.

(i) Maintaining procedures to incorporate behavioral therapies as appropriate.

(j) Monitoring and documenting each youth's activities throughout the program.

(k) Ensuring the orientation handbook includes information on the BMP including rules, regulations, and the grievance procedures (see the Youth Orientation Policy).

See the Stanislaus County Probation Dept. JD Procedures Manual: 1006.1 BEHAVIOR MODIFICATION PROGRAM PROCEDURE for further information.

1009.4 MEMBER RESPONSIBILITIES

Staff should develop professional relationships with youth and encourage open communication in an effort to prevent inappropriate behaviors from escalating to more serious acts/actions.

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Staff should be consistent, fair, and objective in the application of the BMP. Staff are responsible for:

(a) Identifying to youth alternative appropriate behavior to avoid sanctions.

(b) Awarding points or other rewards consistent with the BMP when a youth engages in appropriate behavior.

(c) Documenting in the permanent log for the youth, or forwarding documentation to the BMP coordinator for inclusion in the log:

1. Observed progress and improved behavior.
2. Any points or other awards used to reward appropriate behavior.
3. Sanctions imposed for inappropriate behavior.
4. Recommendations for additional or alternative interventions as appropriate.

1009.5 MULTI-DISCIPLINARY REVIEW TEAM

The Facility Superintendent should establish a Multi-Disciplinary Review Team responsible for reviewing infractions that are exceptional in circumstances and modifying any disciplinary measure already imposed depending on the facts of the incident.

Decision of the panel should be forwarded to the Chief Probation Officer or the authorized designee for appropriateness and fairness.

1009.6 GRIEVANCES AND SUGGESTIONS

Complaints or disputes regarding the BMP or its application made by youth or their parents/ guardians should be processed as provided in the Youth Grievances Policy.

Suggestions made by youth or their parents/guardians should be forwarded to the BMP coordinator for review.

1009.7 TRAINING

The Facility Superintendent should develop an employee training program to ensure staff becomes familiar with the behavioral modification program. The training should include how to develop effective goals and objectives, and techniques for achieving them, that can be effectively implemented in an incentive-based program.

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Chapter 11 - Facility Design

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Space and Environmental Requirements

1100.1 PURPOSE AND SCOPE

This policy describes the desired space and environmental requirements for the physical plant.

1100.2 POLICY

It is the policy of this department to comply with federal and state laws, codes, and correctional standards in matters relating to juvenile institutions space and environmental requirements. Any designs for renovations, modifications, additions, or new construction within the facility should comply with federal and state laws, codes, and applicable standards (24 CCR 1230 et seq.).

1100.3 FACILITY SECURITY AND ACCESSIBILITY

Designs for planned renovations, modifications, additions, or new construction within the Juvenile Institutions should facilitate personal communication with youth and direct visual observation of all sleeping rooms, dayrooms, and recreation areas. Electronic surveillance may augment supervision of youth but shall not be a substitute for personal communication and observation. Security glazing should comply with the minimum requirements of American Society for Testing Materials, ASTM F 1233-98, for Class III glass or equivalent.

All locks, detention hardware, fixtures, furnishings, and equipment should have the proper security value for the areas in which they are used. Using padlocks in place of security locks on sleeping rooms of youth housing unit doors is generally prohibited, because unauthorized locking mechanisms may pose a significant threat to the safety and security of the facility if an emergency occurs.

The facility should avoid any surfaces, edges, fixtures, or fittings that can provide an attachment for hanging or other opportunity for self-inflicted injury.

All parts of the facility that are accessible to the public should be accessible to and usable by persons with disabilities.

1100.4 ENVIRONMENTAL REQUIREMENTS

1100.4.1 LIGHTING LEVELS

Lighting levels shall be adequate for staff and youth to perform daily activities. Night lighting levels should permit adequate illumination for supervision but should not unnecessarily interfere with the youths' ability to sleep (24 CCR 1230.2.6).

1100.4.2 NATURAL LIGHT

All youth living areas should provide exposure to natural light from an opening or window that has a view to the outside (24 CCR 1230.1.3).

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1100.4.3 NOISE LEVEL
Noise levels at night should be low to allow youth to sleep. Nothing in this policy is intended to limit or impair in any way staff's ability to monitor the juvenile institutions consistent with safety, security, and good correctional practices.

1100.4.4 VENTILATION
Ventilation systems, including those in toilet rooms and sleeping rooms with toilets, should be sized and calibrated to supply fresh or circulated air in accordance with federal and state laws, codes, and applicable standards.

Other than in an emergency, youth or detention staff shall not adjust or restrict the ventilation systems without the express permission of the supervisor. Any adjustments made to the ventilation system should only be allowed for the duration of the emergency or until qualified maintenance personnel can adjust or repair the ventilation system.

Air quantities shall be documented at least annually by an independent expert or by a designated trained staff member who is able to correctly document the conditions, and a report provided to the Facility Superintendent.

1100.4.5 TEMPERATURE LEVELS
Temperature and humidity levels should be maintained at a level established by facility maintenance personnel and deemed comfortable and cost-efficient.

1100.5 LOCKED SLEEPING ROOM FURNISHINGS
Each youth housed in this facility should be provided with the following in accordance with federal and state laws, codes, and applicable standards:

- A sleeping surface and mattress.
- A writing surface and a seat.
- A storage area for clothing and personal belongings.
- A toilet, washbasin, and drinking fountain, as individual fixtures or as a combination unit (24 CCR 1230.1.6).
- A door that swings outward or slides laterally, with an observation window that allows staff to see the youth.

1100.6 DAYROOMS
Dayrooms should be situated adjacent to sleeping rooms and should be able to accommodate a variety of activities. There should be access to toilets, washbasins, drinking fountains, and showers (see the Availability of Plumbing Fixtures section in the Youth Hygiene Policy).

1100.6.1 DAYROOM REQUIREMENTS
Dayrooms shall be equipped pursuant to the requirements of 24 CCR 1230.1.10.

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1100.6.2 DORMITORIES
Dormitories shall be equipped pursuant to the requirements of 24 CCR 1230.1.9.

1100.7 RECEPTION/INTAKE AREA
Each facility should have space designed for the reception of youth pending admission to the facility. This space should provide access to showers, a secure vault or storage space for youth valuables, a telephone for youth use, and hot and cold running water for staff use (24 CCR 1230.1.1).

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Crowding

1101.1 PURPOSE AND SCOPE

One of the determining factors in maintaining a safe and secure juvenile institutions is to limit the youth population to the number of beds constructed in each youth classification level. Occasionally, emergencies occur that will require the juvenile institutions to exceed its Board Rated Capacity (BRC). This policy establishes the approved bed capacity of the facility, addresses temporary population excess, and provides a plan for gathering statistics and projecting long-term space needs via a facility needs assessment.

1101.2 POLICY

It is the policy of the Stanislaus County Probation Department to manage the youth population to the extent reasonably possible to avoid exceeding the facility's BRC.

1101.3 RESPONSIBILITIES

The Chief Probation Officer is responsible for ensuring that the facility has enough housing units in an appropriate configuration so that youth can be separated according to the facility's classification plan.

In the event of an emergency that causes the facility to be populated beyond the approved bed capacity, every reasonable effort should be made to reduce the youth population to the BRC as soon as reasonably practicable. The Department will take affirmative action to address excess population. If the youth population remains over capacity or continues to increase, a crowding committee should be formed to examine methods to ensure that the facility population is reduced and remains within the approved bed capacity.

When the number of youth detained in a living unit exceeds rated capacity for more than 15 calendar days in a month, the Facility Superintendent shall submit a crowding report to the Board of State and Community Corrections (15 CCR 1343).

1101.4 FACILITY NEEDS ASSESSMENT

In the event that the juvenile institutions maintains an average 80 percent occupancy rate consistently for one year, the Department should initiate a facility needs assessment. The assessment initiates a systematic process that is designed to identify a variety of operational issues and program needs and may indicate when expansion or replacement of the facility is warranted.

1101.5 DAILY YOUTH POPULATION REPORT

The Facility Superintendent or the authorized designee is responsible for ensuring that detailed daily logs of the facility's youth population are completed and maintained by the staff. A daily youth population report summarizing this information shall be distributed to the Chief Probation Officer or the authorized designee (see the Population Management Policy) (15 CCR 1324).

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1101.5.1 REQUIRED REPORTING

The Facility Superintendent shall submit the required population and profile survey reports to the Board within 10 working days after the end of each reporting period, in a format to be provided by the Board of State and Community Corrections (15 CCR 1342).

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Central Control

1102.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for a control center for monitoring and coordinating facility security, safety, and communications.

1102.2 POLICY

It is the policy of this department to maintain a control center, designed as Central Control, that shall be secure and staffed 24 hours a day to monitor and coordinate security, safety, and communications.

1102.3 COMMUNICATIONS AND MONITORING CAPABILITIES

The Central Control shall have multiple means of direct communication capabilities with all staff control stations in youth housing areas, including telephone, intercom, and radio (15 CCR 1321).

The Central Control staff shall be responsible for monitoring fire, smoke, duress, and life-safety alarms and should have the means to summon assistance if an emergency occurs.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1100.1 DIGITAL RECORDING, Stanislaus County Probation Dept. JD Procedures Manual: 1100.2 DIGITAL RECORDING REVIEW, Stanislaus County Probation Dept. JD Procedures Manual: 1100.3 RETENTION OF DIGITAL RECORDINGS, Stanislaus County Probation Dept. JD Procedures Manual: 1100.4 RELEASE OF DIGITAL RECORDINGS, Stanislaus County Probation Dept. JD Procedures Manual: 1100.5 DESTRUCTION OF DIGITAL RECORDINGS and Stanislaus County Probation Dept. JD Procedures Manual: 1100.6 CENTRAL CONTROL SPECIFIC TASKS for further information.

1102.4 SECURITY

Access into the Central Control should be through a sallyport entrance controlled by the staff inside the Central Control.

Youth should never be allowed to enter the Central Control or any other secure communications room where access doors are controlled.

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Chapter 12 - Personnel

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Recruitment and Selection

1200.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules and Approved Local Merit System that governs employment practices for the Stanislaus County Probation Department and that are promulgated and maintained by the Human Resource Department.

1200.2 POLICY

In accordance with applicable federal, state, and local law, the Stanislaus County Probation Department provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

All members are to follow the guidelines as outlined at http://www.stancounty.com/personnel/pdf/personnelmanual.pdf.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Tab 5- Recruitment/Selection and Tab 7- Pre-Employment/Post-Offer Ordinances.

1200.3 RECRUITMENT

The Human Resources Manager should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates. The strategy should include:

(a) Identification of racially and culturally diverse target markets.

(b) Use of marketing strategies to target diverse applicant pools.

(c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.

(d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.

(e) Employee referral and recruitment incentive programs.

(f) Consideration of shared or collaborative regional testing processes.

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The Human Resources Manager shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process and should periodically inform each candidate of the candidate's status in the recruiting process.

1200.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

(a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)

(b) Driving record

(c) Reference checks

(d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents consistent with Labor Code § 1019.1. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes

(e) Information obtained from public internet sites

(f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)

(g) Local, state, and federal criminal history record checks

(h) Medical and psychological examination (may only be given after a conditional offer of employment)

(i) Review board or selection committee assessment

Refer to the Stanislaus County Probation Department Hiring Process Guide for further information on procedures used in the selection process.

1200.4.1 VETERAN PREFERENCE

All members are to follow the guidelines as outlined in the following: http://www.stancounty.com/personnel/pdf/personnelmanual.pdf The Stanislaus County Personnel Manual, Special Recruitment/Veterans Preference Program; Board of Supervisors Resolution Adopted January 18, 2011; Resolution #2011-049, Tab 6-Hiring Preferences for Veterans.

1200.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify the candidate's personal integrity and high ethical standards, and to identify any past behavior that may be

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indicative of the candidate's unsuitability to perform duties relevant to the operation of the Stanislaus County Probation Department (Government Code § 1031; 15 CCR 131).

1200.5.1 NOTICES
Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and Investigative Consumer Reporting Agencies Act (ICRAA) (15 USC § 1681d; Civil Code § 1786.16).

1200.5.2 STATE NOTICES
Criminal background information, whether directly from criminal offender record information (CORI) or provided by a third party, may have restrictions on its access, use, security, and release. The Chief Probation Officer or the authorized designee shall establish procedures to ensure compliance with any applicable requirements, including security requirements (Government Code § 12952).

1200.5.3 REVIEW OF SOCIAL MEDIA SITES FOR CIVILIAN PERSONNEL
Due to the potential for accessing unsubstantiated, private, or protected information, the Department shall not require candidates to provide passwords, account information, or access to password-protected social media accounts (Labor Code § 980).

The Human Resources Department should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

(a) The legal rights of candidates are protected.

(b) Material and information to be considered are verified, accurate, and validated.

(c) The Department fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Department should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1200.5.4 RECORDS RETENTION
The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1200.5.5 DOCUMENTING AND REPORTING
The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file (11 CCR 1953).

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1200.5.6 REVIEW OF SOCIAL MEDIA SITES FOR SWORN PEACE OFFICERS
Notwithstanding California Labor Code Section 980, the department may access the social media accounts of new hire or lateral transfer applicants for sworn peace officer positions to verify their personal integrity and high ethical standards only if the applicant consents and signs a consent form prior to the review, and only under the following conditions:

(a) The applicant will not be required to divulge their username or password for any social media account;

(b) The applicant understands access to their social media accounts will not be used to view third-party personal information that belong to other persons;

(c) The applicant's consent does not extend to allow access to or to record the content of electronic mail, electronic messaging, instant messaging, text messaging, or other communications transmitted bi-directionally between two or more parties that are intended to be private conversation, or to gain further access to the applicant's accounts;

(d) The applicant will access their social media accounts in the presence of an authorized department background investigator;

(e) The background investigator will be limited to viewing the applicant's private social media accounts once during the course of the background investigation process;

(f) The applicant will be permitted to comment or explain the content or context of any part of their social media accounts;

(g) Information gathered or viewed, intentionally or unintentionally, about the applicant or a third party shall only be used for the purpose of pre-employment screening and in no event shall the information be used as a basis for any action against the applicant, including, but not limited to, administrative, civil, or criminal action, except as allowed or required by law;

(h) The department shall not access, retain, or solely act upon information posted by a third party; and

(i) The department shall ensure that potential impermissible information does not become available to any person involved in the candidate selection process.

1200.6 DISQUALIFICATION GUIDELINES
As a general rule, performance indicators, candidate information, and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence

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- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1200.6.1 MANDATORY DISQUALIFICATION
No person shall be hired who has (28 CFR 115.317):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 USC § 1997).

(b) Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

(c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

The Department shall ask all candidates who may have contact with youth to disclose any conduct described above in written applications or interviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination.

1200.7 EMPLOYMENT STANDARDS
All candidates shall meet the minimum standards established by the Department and required by state law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community (Government Code § 1029; Government Code § 1031; 15 CCR 131).

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Human Resource Department should maintain validated standards for all positions.

1200.7.1 STANDARDS FOR PROBATION CORRECTIONS OFFICERS
Candidates shall meet the minimum standards established by California law, including those provided in Penal Code § 830; Government Code § 1029; Government Code § 1031; 15 CCR 131; and 15 CCR 1320:

(a) Free of any felony convictions

(b) Citizen of the United States or permanent resident who is eligible for, and has applied for U.S. citizenship

(c) At least 21 years of age for full-time employment

(d) Fingerprinted for local, state, and national fingerprint check

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(e) Good moral character as determined by a thorough background investigation

(f) High school graduate, passed the GED or other high school equivalency test, or obtained a two-year, four-year, or advanced degree from an accredited or approved institution

(g) Free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers

Candidates must also satisfy the Standards and Training for Corrections (STC) minimum selection requirements (15 CCR 131; 15 CCR 1320).

In addition to the above minimum standards, the department has established additional standards informed by an independent job task analysis for each job classification that identifies essential and marginal physical job functions.

All members are to follow the guidelines as outlined in the Stanislaus County Probation Department Background Investigation Manual.

1200.8 PROBATIONARY PERIODS

The Facility Superintendent should coordinate with the Human Resource Department to identify positions subject to probationary periods and procedures for:

(a) Appraising performance during probation.

(b) Assessing the level of performance required to complete probation.

(c) Extending probation.

(d) Documenting successful or unsuccessful completion of probation.

See the Stanislaus County Probation Department Field Policy Manual, Peace Officer Recruitment and Selection, for further information.

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Performance Evaluations

1201.1 PURPOSE AND SCOPE

This policy provides guidelines for the Stanislaus County Probation Department performance evaluation system.

1201.2 POLICY

The Stanislaus County Probation Department shall utilize an Employee Performance Appraisal report to measure, document, and recognize work performance. The performance evaluation will serve as an objective guide to recognize good work and the development of a process for improvement.

The Department evaluates employees in a nondiscriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Tab 19, Section 3.08.070, Performance Evaluation Policy. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1201.3 TYPES OF EVALUATIONS

The Department shall use these types of evaluations for Full-Time Permanent Status Personnel:

Regular - An Employee Performance Evaluation shall be completed once each year by the member's immediate supervisor on the anniversary of the member's date of hire except for members who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the member's date of last promotion.

Special - An evaluation that may be completed at any time the supervisor and the Superintendent or the authorized designee determine an evaluation is necessary to address less than standard performance. The evaluation may include a plan for follow-up action (e.g., performance improvement plan (PIP), remedial training, retraining).

Additionally, appropriate documentation may be required upon promotion, demotion, resignation or dismissal of permanent employees, or a recommendation to withhold step increase.

1201.3.1 RATINGS

When completing an evaluation, the supervisor will identify the rating category that best describes the employee's performance. The definition of each rating category is as follows:

Exceeds standards -Represents performance that is better than expected of a fully competent member. Member's performance is characterized by high quality and quantity of work in the

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accomplishment of position duties and goals. Member contributed innovative and workable solutions in meeting performance objectives and maintaining a high level of service to department customers. Member requires less supervision than required by acceptably performing members in the same position.

Meets standards - Is the performance of a fully competent member. It means satisfactory performance that meets the standards required of the position.

Does Not Meet Expectations - Is a level of performance less than that expected of a fully competent member and less than standards required of the position. Documentation of unacceptable performance is required, along with specific recommendations for improvement. A specific plan to correct the deficiencies may be included, along with a caution to the member that if the recommended improvements do not occur, the member may be reevaluated, which may result in disciplinary action, including demotion, suspension, or discharge. A definitive time frame within which the suggested improvements must be achieved must be included, with a statement that the member will be reevaluated at the conclusion of the time frame indicated. A does not meet expectations rating must be thoroughly discussed with the member.

A Performance Improvement Plan (PIP) may be implemented and included in the performance evaluation for any ratings of “does not meet expectations.”

1201.3.2 PERFORMANCE IMPROVEMENT PLAN

Employees who receive a Does Not Meet Expectations rating may be subject to a PIP. The PIP shall delineate areas that need improvement, any improvement measures, and a timetable in which to demonstrate improvement. The issuing supervisor shall meet with the employee to review the employee's performance and the status of the PIP at least monthly.

1201.4 EVALUATION PROCESS

Supervisors should meet with the member they supervise at the beginning of the evaluation period to discuss expectations and establish performance standards. Each supervisor should discuss the tasks of the position, standards of expected performance, and the evaluation criteria with each employee.

Performance evaluations cover a specific period and should be based upon documented performance dimensions applicable to the duties and authorities granted to the member during that period. Evaluations should be completed by each member’s immediate supervisor. Other supervisors directly familiar with the member's performance during the rating period should be consulted by the evaluating supervisor for input.

Assessment of a member’s job performance is an ongoing process. Continued coaching and feedback provides supervisors and staff members with opportunities to correct performance issues as they arise and to acknowledge good work. Periodic discussions with the member during the course of the evaluation period are encouraged. Supervisors should document all discussions in the prescribed manner.

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Non-probationary members demonstrating substandard performance shall be notified in writing as soon as practicable in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days' written notice prior to the end of the evaluation period.

All supervisors shall receive training on performance evaluations within one year of a supervisory appointment.

1201.5 EVALUATION FREQUENCY

Supervisors shall ensure that all staff members they supervise are evaluated at least once every year on the anniversary of the employee's date of appointment or hire.

Thereafter, the supervisor should meet at least quarterly with each staff member to review and document their performance. When performance deficiencies exist, the supervisor should advise the member of:

(a) Any work related deficiency in a timely manner.

(b) Remedies, if available, to correct such deficiency.

(c) Provide reasonable assistance and training as practical to help the staff member overcome such deficiency.

1201.6 EVALUATION INTERVIEW

When the supervisor has completed the evaluation, a private discussion of the evaluation should be scheduled with the employee. The supervisor should discuss the evaluation ratings and respond to any questions the employee may have. The supervisor should provide relevant counseling regarding advancement, specialty positions, and training opportunities. Any performance areas in need of improvement and goals for reaching the expected level of performance should be identified and discussed. No performance evaluation shall be placed in the member's personnel file if the member has not been given the opportunity to discuss the evaluation with the rater or to respond in writing. Staff members that disagree with their evaluation may submit an attachment to the evaluation depicting their position or may follow standard department complaint procedures.

The supervisor and staff member will sign and date the evaluation.

1201.7 CHAIN OF REVIEW

The signed performance evaluation and any employee attachment should be forwarded to the evaluating supervisor's Facility Superintendent or the authorized designee. The Facility Superintendent or the authorized designee shall review the evaluation for fairness, impartiality, uniformity, and consistency, and shall consider any written response or appeal made by the employee.

The FacilitySuperintendent or the authorized designee should evaluate the supervisor on the quality of ratings given.

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1201.8 RETENTION AND DISTRIBUTION

The original performance evaluation and any original correspondence related to an appeal shall be maintained by the Department in accordance with the Personnel Records Policy.

A copy of the evaluation and any documentation of a related appeal shall be provided to the employee and also forwarded to the county Human Resource Department.

See the Stanislaus County Probation Department Field Policy Manual, Evaluation of Employees, for further information.

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Standards of Conduct

1202.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Stanislaus County Probation Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisor.

1202.2 POLICY

The continued employment or appointment of every member of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

1202.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

1202.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law, or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy, or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

1202.3.2 SUPERVISOR RESPONSIBILITIES
Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

(a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

(b) Failure to promptly and fully report any known misconduct of a member to the member's immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation, or exhibiting indifference to such a violation.

(d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

1202.4 GENERAL STANDARDS
Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty (15 CCR 1324).

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

All members of the department are required to adhere to Board Resolution Number 2005-675 and Stanislaus County Personnel Manual- Tab 16, p.4 - Employee Conduct and Behavior Expectations - Code of Ethics. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf.

1202.4.1 PRISON RAPE ELIMINATION ACT DISCLOSURE
Members have a continuing affirmative duty to notify the Facility Superintendent in writing if they have (28 CFR 115.317):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 USC § 1997.

(b) Been convicted for an offense involving engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

(c) Been the subject of any civil or administrative adjudication finding that the member engaged in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

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1202.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics, and specific action or inaction that is detrimental to efficient department service.

1202.5.1 LAWS, RULES, AND ORDERS

(a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive, or requirement, or failure to follow instructions contained in department or county manuals.

(b) Disobedience of any legal directive or order issued by any department member of a higher rank.

(c) Violation of federal, state, local, or administrative laws, rules, or regulations.

1202.5.2 ETHICS

(a) Using or disclosing one's status as a member of the Stanislaus County Probation Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity. To include the use of their identification or badge for any purpose other than official business.

(b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit, or any other improper purpose.

(c) The receipt or acceptance of a reward, fee, or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).

(d) Acceptance of fees, gifts, or money contrary to the rules of this department and/or laws of the state.

(e) Offer or acceptance of a bribe or gratuity.

(f) Misappropriation or misuse of public funds, property, personnel, or services.

(g) Any other failure to abide by the standards of ethical conduct (15 CCR 1324).

1202.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful (15 CCR 1324).

1202.5.4 RELATIONSHIPS

(a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.

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(b) Engaging in on-duty sexual activity, including but not limited to sexual intercourse, excessive displays of public affection, or other sexual contact with other members, volunteers, service providers, or youth.

(c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a youth or with a known victim, witness, suspect, or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

(d) Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

(e) Associating on a personal, rather than official, basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know, of such criminal activities, except as specifically directed and authorized by this department.

1202.5.5 ATTENDANCE

(a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

(d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without a reasonable excuse.

See the Stanislaus County Probation Dept. JD Procedures Manual: 1200.1 REPORTING HOURS and Stanislaus County Probation Dept. JD Procedures Manual: 1200.1.1 PUNCTUALITY for further information.

1202.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.

1. Members of this department shall not disclose the name, address or image of any victim of human trafficking except as authorized by law (Penal Code § 293).

(b) Disclosing to any unauthorized person any active investigation, youth, or critical incident information.

(c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief Probation Officer or the authorized designee.

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(d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department badge, uniform, identification card or department property for personal use, personal gain, or any other improper or unauthorized use or purpose.

(e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

1202.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance, including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.

(c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.

(d) Unauthorized sleeping during on-duty time or assignments.

(e) Failure to notify the Department within 24 hours of any change in residence address or contact telephone numbers.

(f) Failure to notify the Human Resource Department of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

1202.5.8 PERFORMANCE

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report, or form, or during the course of any work-related investigation.

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction, and/or mutilation of any department record, public record, book, paper, or document.

(c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

(d) Being untruthful or knowingly making false, misleading, or malicious statements that are reasonably calculated to harm the reputation, authority, or official standing of this department or its members.

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order,

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efficiency, and discipline of this department or that would tend to discredit any of its members.

(f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:

1. While on department premises.
2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.

(g) Improper political activity including:

1. Unauthorized attendance while on-duty at official legislative or political sessions.
2. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position while on-duty or on department property, except as expressly authorized by county policy, the collective bargaining agreement or memorandum of understanding, or the Chief Probation Officer.

(h) Engaging in political activities during assigned working hours except as expressly authorized by county policy, the collective bargaining agreement or memorandum of understanding, or the Chief Probation Officer.

(i) Any act on- or off-duty that brings discredit to this department.

1202.5.9 CONDUCT

(a) Failure of any member to promptly and fully report activities on the part of the member or on the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

(c) Exceeding lawful peace officer powers by unreasonable, unlawful, or excessive conduct.

(d) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily harm on another.

(e) Engaging in horseplay that reasonably could result in injury or property damage.

(f) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any member of this department or the county.

(g) Use of obscene, indecent, profane, or derogatory language while on-duty or in uniform.

(h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.

(i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

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(j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel, or the services or property of others; unauthorized removal or possession of department property or the property of another person.

(k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or memorandum of understanding or contract, including fraud in securing the appointment or hire.

(l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief Probation Officer of such action.

(m) Allowing contraband articles, including but not limited to weapons, cellular telephones or other wireless devices, clothing, food, illegal drugs, or tobacco in any detention facility.

(n) Receiving from a youth any articles to deliver outside the facility.

(o) Any other on- or off-duty conduct that any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon this department or its members.

(p) Inconsistent, incompatible or conflicting employment, activity, or enterprise.

1202.5.10 SAFETY

(a) Failure to observe or violating department safety standards or safe working practices.

(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).

(c) Failure to maintain good physical condition sufficient to adequately and safely perform duties.

(d) Unsafe firearm or other dangerous weapon handling, including loading or unloading firearms in an unsafe manner, either on- or off-duty.

(e) Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority.

(f) Unsafe or improper driving habits or actions in the course of employment or appointment.

(g) Any personal action contributing to a preventable traffic collision.

(h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

1202.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.

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(b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to any work site.

(d) Improper use of alcohol or drugs, including:

1. Use of alcohol, drugs, or other intoxicants while on call; or
2. Impairment caused by use of alcohol, drugs, or other intoxicants on or off duty or on call that affects proper performance of duties. The term “drugs” shall mean controlled substances as defined in Division 10 (commencing with Section 11000) of the California Health and Safety Code.

See the Stanislaus County Probation Department Field Policy Manual, Standards of Conduct, for further information.

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Discriminatory Harassment

1203.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law (Government Code § 12940(k); 2 CCR 11023).

1203.2 POLICY

The Stanislaus County Probation Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive andcorrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

All staff members are required to adhere to Stanislaus County Workplace Harassment, Discrimination and Retaliation Policy, Stanislaus County Personnel Manual– (Employee Conduct/Behavior Expectations Tab 16, pp. 16-19). http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1203.3 DEFINITIONS

Definitions related to this policy include:

1203.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on the actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or

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department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

1203.3.2 RETALIATION
Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

1203.3.3 SEXUAL HARASSMENT
The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

1203.3.4 ADDITIONAL CONSIDERATIONS
Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and California Fair Employment and Housing Council guidelines.

(b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with county or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

1203.4 RESPONSIBILITIES
This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief Probation Officer, the Human Resources Manager, or the Chief Executive Officer.

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Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

1203.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief Probation Officer, the Human Resources Manager, the Judge, or the California Department of Fair Employment and Housing (DFEH) for further information, direction, or clarification (Government Code § 12950).

1203.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

(a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.

(c) Ensuring that their subordinates understand their responsibilities under this policy.

(d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Making a timely determination regarding the substance of any allegation based upon all available facts.

(f) Notifying the Chief Probation Officer or the Human Resources Manager in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

1203.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

(a) Behavior of supervisors and managers should represent the values of the Department and professional standards.

(b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline, in a manner that is consistent with established procedures.

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1203.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor or the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented and promptly and thoroughly investigated.

Staff members are to follow the Stanislaus County's EEO Complaint Procedure which is located in the County's Personnel Manual and on-line on the County's Equal Rights website. http://www.stancounty.com/personnel/pdf/complaint-procedure.pdf

All staff members are to follow the Stanislaus County Equal Employment Opportunity (EEO) Complaint Procedure and the Board of Supervisors Resolution approved January 24, 2012/Resolution #2012-026; Equal Employment Opportunity Complaint Procedure located in the County's Personnel Manual, Tab 28. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1203.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief Probation Officer. The outcome of all reports shall be:

(a) Approved by the Chief Probation Officer, the Chief Executive Officer, or the Human Resources Manager, depending on the ranks of the involved parties.

(b) Maintained in accordance with the established records retention schedule.

1203.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint within 60-calendar days of learning of the complaint. If the complaint will require more than 60-calendar days to fully evaluate and respond, the Human Resources Manager, Chief Probation Officer, or designee will notify the complainant of the additional period of time necessary to complete their findings.

1203.6.2 APPEALS

The complainant and/or victim may appeal the findings of the investigation in accordance with the Stanislaus County Personnel Manual, EEO Complaint Procedure – Tab 28, p. 5-6.

1203.7 WORKING CONDITIONS

The Human Resources Manager or the authorized designee should be responsible for reviewing facility design and working conditions for discriminatory practices. This person should collaborate with other county employees who are similarly tasked (2 CCR 11034).

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1203.8 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department (15 CCR 1324).

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

1203.8.1 STATE-REQUIRED TRAINING

The Human Resources Manager should ensure that employees receive the required state training and education regarding sexual harassment, prevention of abusive conduct, and harassment based on gender identity, gender expression, and sexual orientation as follows (Government Code § 12950.1; 2 CCR 11024):

1. Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.
2. All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.
3. All employees shall receive refresher training every two years thereafter.

If the required training is to be provided by DFEH online training courses, the Human Resources Manager should ensure that employees are provided the link or website address to the training course (Government Code § 12950).

1203.8.2 TRAINING RECORDS

The Division Director of the Professional Standards Unit shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11024).

1203.8.3 REQUIRED POSTERS

The Department shall display the required posters regarding discrimination, harassment, and transgender rights in a prominent and accessible location for members (Government Code § 12950).

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Specialized Assignments and Promotions

1204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for specialized assignment and promotion within the ranks of the Stanislaus County Probation Department.

1204.1.1 GENERAL REQUIREMENTS FOR POSITION ASSIGNMENTS AND TRANSFERS

(a) The following guidelines for allocating position assignments and transfers of department members are as follows:

1. Position assignments and transfers are intended to support the mission of the department and the professional growth of departmental member(s). Decisions regarding initial assignment and subsequent transfers are within the discretion of the Chief Probation Officer and are not subject to appeal. No section of this policy shall be construed as to limit the authority of the Chief Probation Officer to assign departmental members to any position within the same classification throughout the department at any time.

1204.1.2 INITIAL POSITION ASSIGNMENT

All newly appointed/promoted staff members will be assigned to a position based upon the needs of the department and the newly appointed/promoted staff member's level of knowledge and abilities to perform the required job duties.

1204.1.3 ASSIGNMENT TRANSFERS

(a) A transfer is a change in work assignment from one working unit or division to another. Transfers for clerical staff are considered between adult clerical, juvenile clerical and institutions clerical. Transfers for institutions members are considered between Alternative to Custody Programs, Juvenile Hall and the Commitment Facility. Assignment changes within Juvenile Hall and the Commitment Facility are not considered transfers and are not subject to the provisions of this policy.

1. A voluntary transfer is a change in work assignment at the request of the staff member being transferred. An administrative transfer is a change in work assignment deemed necessary by department management, but not at the request of the member being transferred.

1204.1.4 VOLUNTARY TRANSFERS

(a) Eligibility for volunteer transfers is as follows:

1. Members must complete a minimum of 12 months of active service in their current work assignment to be eligible to request a transfer to another work assignment. Members who have received an administrative transfer to a new work assignment are not required to wait the minimum 12 months to submit a new transfer request.

2. Members must be currently performing at a meets expectation or above level of performance to be eligible to request a transfer to another work assignment.

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1204.1.5 PROCEDURES FOR REQUESTING A VOLUNTARY TRANSFER

(a) Members who would like to request a voluntary transfer are to complete the Admin Form #1029 and submit it to their supervisor. The supervisor will forward the request to the Facility Superintendent.

1. Members may submit a request for voluntary transfer at any time during the year for any work assignment. The work assignment does not have to be vacant for a staff member to request a transfer to that assignment.
2. Members may withdraw or change their transfer request at anytime by forwarding a new request form through their supervisor. All transfer request forms will be purged from the active file once per year on January 1st.
3. Members being transferred or reassigned will be informed in person or by telephone prior to an announcement to the rest of the department.

1204.2 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available at the Stanislaus County Probation Department's Human Resource Department.

1204.3 POLICY

The Stanislaus County Probation Department determines assignments and promotions in a nondiscriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief Probation Officer.

1204.4 GENERAL REQUIREMENTS

1204.4.1 DISQUALIFICATION

The Stanislaus County Probation Department shall not promote, assign, or transfer any member to a position that may allow contact with youth if the member has (28 CFR 115.317):

(a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 USC § 1997.

(b) Been convicted of engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

(c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

(d) Been civilly convicted or administratively adjudicated for endangering the welfare of a child, or convicted of child abuse or neglect.

Members who may have contact with youth shall disclose any conduct described above in written applications or interviews for promotion or specialized assignment.

1204.5 SPECIAL OR COLLATERAL ASSIGNMENT POSITIONS

Refer to the applicable Memorandum of Understanding for your respective bargaining unit.

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Specialized Assignments and Promotions

See the Stanislaus County Probation Department Field Services Manual, Special Assignments and Promotions, for further information.

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Grievances

1205.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Stanislaus County Probation Department grievance system. The grievance system is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

1205.1.1 GRIEVANCE DEFINED

A grievance is a difference of opinion or dispute regarding the meaning, interpretation, or application of any of the following:

- The collective bargaining agreement or memorandum of understanding
- This Detention Manual
- Department rules and regulations governing personnel practices or working conditions
- Workplace issues that do not amount to misconduct under the Personnel Complaints Policy

Specifically outside the category of grievances are complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy or federal, state, or local law, as set forth in the Personnel Complaints Policy.

1205.2 POLICY

It is the policy of this department to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint, or retaliation against any employee who submits or is otherwise involved in a grievance.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Procedures for Settling Grievances and Procedures for Settling Grievances Including Binding Arbitration (MOU); Tab 27- General Complaint and Grievance Procedures. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

Members should consult applicable bargaining unit agreement or Memoranda of Understanding (MOU) for more detailed guidelines.

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Anti-Retaliation

1206.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may threaten the health, safety, or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines should supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member under any federal law, provision of the U.S. Constitution, state and local law, ordinance, or collective bargaining agreement or memorandum of understanding.

1206.2 POLICY

The Stanislaus County Probation Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Whistleblower Policy, Tab 27- General Complaint & Grievance Procedures. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1206.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory, or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.

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- Shunning or unreasonably avoiding a person because the person has engaged in protected activity.

1206.4 WHISTLEBLOWING

California law protects members who (Labor Code § 1102.5; Government Code § 53296 et seq.):

(a) Report a violation of a state or federal statute or regulation to a government or law enforcement agency, including the member's supervisor or any other member with the authority to investigate the reported violation.

(b) Provide information or testify before a public body if the member has reasonable cause to believe a violation of law occurred.

(c) Refuse to participate in an activity that would result in a violation of a state or federal statute or regulation.

(d) File a complaint with a local agency about gross mismanagement or a significant waste of funds, abuse of authority, or a substantial and specific danger to public health or safety. Members shall exhaust all available administrative remedies prior to filing a formal complaint.

(e) Are family members of a person who has engaged in any protected acts described above.

Members are encouraged to report any violations through the chain of command (Labor Code § 1102.5).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Human Resources Manager for investigation pursuant to the Personnel Complaints Policy.

1206.4.1 DISPLAY OF WHISTLEBLOWER LAWS

The Department shall display a notice to members regarding their rights and responsibilities under the whistleblower laws, including the whistleblower hotline maintained by the Office of the Attorney General (Labor Code § 1102.8).

1206.5 RECORDS RETENTION AND RELEASE

The Human Resources Manager shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1206.6 TRAINING

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

See the Stanislaus County Probation Department Field Services Manual, Anti-Retaliation, for further information.

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Reporting of Arrests, Convictions, and Court Orders

1207.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions, and court orders restrict their ability to perform the official duties and responsibilities of the Stanislaus County Probation Department.

This policy will also describe the notification requirements and procedures that certain retired probation corrections officers must follow when an arrest, conviction, or court order disqualifies them from possessing a firearm.

1207.2 POLICY

The Stanislaus County Probation Department requires disclosure of member arrests, convictions, and certain court orders to maintain the high standards, ethics, and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Department.

1207.3 DOMESTIC VIOLENCE CONVICTIONS, OUTSTANDING WARRANTS AND COURT ORDERS

Federal and California laws prohibit individuals convicted of, or having an outstanding warrant for, certain offenses and individuals subject to certain court orders from lawfully possessing firearms. Such convictions and court orders often involve allegations of the use or attempted use of force, or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members and retired probation corrections officers with identification cards issued by the Department are responsible for ensuring that they have not been disqualified from possessing firearms by any such conviction or court order, and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1207.4 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Outstanding warrants and felony convictions also place restrictions on the ability of a probation corrections officer to possess a firearm or remain a peace officer (Government Code § 1029; Penal Code § 29805).

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on a member's ability to fully perform the duties of the job.

1207.5 REPORTING

All members and all retired probation corrections officers with identification cards issued by the Department shall immediately notify their supervisors (retired probation corrections officers should immediately notify the Chief Probation Officer) in writing of any past or current criminal detention,

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arrest, charge, outstanding warrant, or conviction in any state or foreign country, regardless of whether the matter was dropped or rejected, is currently pending, or is on appeal, and regardless of the penalty or sentence, if any.

All members and all retired probation corrections officers with identification cards issued by the Department shall immediately notify their supervisors (retired probation corrections officers should immediately notify the Chief Probation Officer) in writing if they become the subject of a domestic violence-related order or any court order that prevents the member or retired probation corrections officers from possessing a firearm or requires suspension.

Any member whose criminal arrest, conviction, or court order restricts or prohibits that member from fully and properly performing the duties of the member's position, including carrying a firearm, may be disciplined. This includes but is not limited to being placed on administrative leave, reassignment, and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member, on the member's own time and at the member's own expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline, up to and including termination.

Retired probation corrections officers may have their identification cards rescinded or modified, as may be appropriate.

1207.6 PROCEDURE FOR RELIEF

Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any member falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each member shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm as a part of their employment. Relief from any domestic violence or other restriction shall also be pursued through the member’s own resources and on the member’s own time.

Pending satisfactory proof of relief from any legal restriction imposed on a member’s duties, the member may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return a member to any assignment, reinstate any member or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy and in accordance with the member’s respective Memorandum of Understanding (MOU).

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1207.6.1 NOTIFICATION REQUIREMENTS

The Human Resource Manager or designee shall submit within 30 days of final disposition a notice to the Commission on Peace Officer Standards and Training (POST) of a felony conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR 1003).

The Human Resource Manager or designee shall submit within 30 days a notice to POST of any appointment, termination, reinstatement, name change, or status change regarding any peace officer and records supervisor employed by this department (11 CCR 1003).

See the Stanislaus County Probation Department Field Policy Manual, Reporting of Employee Convictions, for further information.

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Drug- and Alcohol-Free Workplace

1208.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1208.2 POLICY

It is the policy of the Department to provide a drug- and alcohol-free workplace for all members.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Drug Free Workplace Policy, Tab-8 Drug Free Workplace Policy. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1208.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members, and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the on duty Shift Supervisor or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1208.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair their abilities, without a written release from his/her physician.

1208.3.2 USE OF MARIJUANA

Possession of marijuana, including medical marijuana, or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1208.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing, or using controlled substances or alcohol on department premises or on department time (41 USC § 8103).

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The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow on-duty member is impaired due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1208.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Members should contact the Human Resources Department, their insurance providers, or the employee assistance program for additional information. It is the responsibility of each member to seek assistance before alcohol or drug problems lead to performance problems.

1208.6 WORK RESTRICTIONS

If a member informs a supervisor that the member has consumed any alcohol, drug, or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from the member's physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall immediately notify a Facility Manager, the Facility Superintendent, the Assistant Chief Probation Officer or the Chief Probation Officer.

1208.7 SCREENING TESTS

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual Drug Free Workplace Policy, Tab-8. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1208.7.2 SCREENING TEST REFUSAL

A member may be subject to disciplinary action if the member:

(a) Fails or refuses to submit to a screening test as requested.

(b) After taking a screening test that indicates the presence of a controlled substance, the member must provide within two (2) working days of request bona fide verification of a current valid prescription in the member's name for any potentially impairing medication identified when a drug screening/test is positive. Extensions of time beyond the two working days may be granted upon the showing of good cause. A member must abide by the regulations of the Federal Drug-Free Workplace Act of 1988. Thus, such members who are convicted after March 18, 1989 of any criminal drug statute for

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a violation occurring in the workplace must notify the Chief Executive Officer no later than five (5) days after the conviction. Once the County is notified of the conviction, the County must then notify the appropriate Federal agency of the conviction. With respect to any member so convicted, the County will take appropriate personnel action up to and including termination. As a condition of continued employment, the County may require the convicted member to satisfactorily participate in an approved drug abuse rehabilitation program.

(c) Violates any provisions of this policy.

1208.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1208.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the member's other personnel files.

See the Stanislaus County Probation Department Field Policy Manual, Drug and Alcohol-Free Workplace policy for further information.

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Sick Leave

1209.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the county personnel manual or applicable collective bargaining agreement or memorandum of understanding.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.), the California Family Rights Act, leave related to domestic violence, sexual assault, stalking, or for organ or bone marrow donor procedures (Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

1209.2 POLICY

It is the policy of the Stanislaus County Probation Department to provide eligible employees with a sick-leave benefit.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Tab 11- Leave Time Benefits. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1209.3 NOTIFICATION

All members should notify the Supervising Probation Corrections Officer or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than two hours before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor (Labor Code § 246).

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever practicable, provide the Department with no less than 30 days' notice of the impending absence (Labor Code § 246).

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

See the Stanislaus County Probation Department Field Policy Manual, Sick Leave, for further information.

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Communicable Diseases - Members

1210.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of contracting and/or spreading communicable diseases.

1210.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms present in and transmissible through human blood, bodily fluid, or tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, the mouth, a mucous membrane, or non-intact skin comes into contact with blood or other potentially infectious materials or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Stanislaus County Probation Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

For purposes of this policy the department's Safety Analyst will be designated as the Exposure Control Officer (ECO), the officer liaison, and the designated officer.

1210.2 POLICY

The Stanislaus County Probation Department is committed to providing a safe work environment for its members. Members should know that they are ultimately responsible for their own health and safety.

All members are to follow the guidelines as outlined in the Stanislaus County Safety Manual, Tab 12- Infection Control Policy; Bloodborne Pathogens Policy; Aerosol Transmissible Disease Protection Policy. http://intranet.co.stanislaus.ca.us/resources/safety-manual

1210.3 EXPOSURE CONTROL OFFICER

The Chief Probation Officer will assign a person as the Exposure Control Officer (ECO). The ECO shall develop, assisted by the Medical Director, an exposure control plan that includes (8 CCR 5193):

(a) Exposure prevention and decontamination procedures.

(b) Procedures for when and how members may obtain medical attention in the event of an exposure or suspected exposure.

(c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.

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(d) Procedures to ensure youth are not assigned activities where it is reasonably anticipated that they may experience an exposure.

(e) Compliance with all relevant laws or regulations related to communicable diseases, including:

1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).

2. Bloodborne pathogen mandates, including (8 CCR 5193):

   (a) Sharps injury log.

   (b) Needleless systems and sharps injury protection.

3. Airborne transmissible disease mandates, including (8 CCR 5199):

   (a) Engineering and work practice controls related to airborne transmissible diseases.

   (b) Distribution of appropriate personal protective equipment to minimize exposure to airborne disease.

4. Receiving notifications from medical personnel regarding youth who have been exposed to or infected with a communicable disease and making notifications to members who have or may have contact with the youth (Health and Safety Code § 121070).

5. Promptly notifying the county health officer regarding member exposures (Penal Code § 7510).

6. Establishing procedures to ensure that members request exposure notification from health facilities when transporting a person that may have a communicable disease and that the member is notified of any exposure as required by Health and Safety Code § 1797.188.

7. Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).

8. Establishing procedures to ensure that notification is made to the county health officer, and to the Medical Staff of a receiving facility, when a youth who is known or suspected to have tuberculosis is transferred to another facility (15 CCR 1408).

(f) Provisions for acting as the designated officer liaison with health care facilities regarding communicable disease or condition exposure notification. The designated officer should coordinate with other department members to fulfill the role when the designated officer liaison is not available. The designated officer shall ensure that the name, title, and telephone number of the designated officer is posted on the Department website (Health and Safety Code § 1797.188).

The ECO should also act as the liaison with the Division of Occupational Health and Safety Administration (Cal/OSHA) and may request voluntary compliance inspections. The ECO shall periodically review and update the exposure control plan and review implementation of the plan (8 CCR 5193).

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1210.4 EXPOSURE PREVENTION AND MITIGATION

1210.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes but is not limited to (8 CCR 5193):

(a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or department vehicle, as applicable.

(b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin can be reasonably anticipated.

(c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

(d) Treating all human blood and bodily fluids/tissue as if it is infectious for a communicable disease.

(e) Using an appropriate barrier device when providing CPR.

(f) Using a face mask if it is reasonable to anticipate an exposure to an airborne transmissible disease.

(g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing, portable radio) as soon as possible if the equipment is a potential source of exposure.

1. Clothing contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
2. Disposable Med-Iso red bags shall be readily available for the storage and transfer of clothing and bedding articles which may be contaminated or soiled.
3. Disinfectant liquid such as Cavicide or a solution spray containing one part bleach and 10 parts water should be used on surfaces contaminated by blood or other bodily fluids. Do not use the bleach solution on carpet or fabric.

(h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

(i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

(j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1210.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

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1210.5 POST-EXPOSURE

1210.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall (8 CCR 5193):

(a) Begin decontamination procedures immediately (e.g., wash hands and any other exposed skin with soap and water, flush mucous membranes with water).

(b) Obtain appropriate medical attention.

(c) Notify a supervisor as soon as practicable.

1210.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (8 CCR 5193):

(a) Name and Social Security number of the member exposed

(b) Date and time of the incident

(c) Location of the incident

(d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)

(e) Work being done during exposure

(f) How the incident occurred or was caused

(g) PPE in use at the time of the incident

(h) Actions taken post-event (e.g., cleanup, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of the source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply. See the Occupational Disease and Work-Related Injury Reporting and Illness and Injury Prevention policies.

1210.5.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary. The ECO should request a written opinion/evaluation from a treating health care professional that contains only this information (8 CCR 5193):

(a) Whether the member has been informed of the results of the evaluation

(b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment

No other information should be requested or accepted by the ECO.

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1210.5.4 COUNSELING
The Department shall provide the member, and the member's family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

1210.6 SOURCE TESTING
Testing a person for communicable diseases when that person was the source of an exposure should be sought when desired by the exposed member, or when otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the Facility Superintendent to ensure testing is sought.

Source testing may be achieved by:

(a) Obtaining consent from the individual.

(b) Testing the exposed member for evidence of a communicable disease and seeking consent from the source individual to either access existing blood samples for testing or for the source to submit to testing (Health and Safety Code § 120262).

(c) Requesting test results or information provided by the source individual pursuant to Health and Safety Code § 121070.

(d) Taking reasonable steps to immediately contact the county health officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the county health officer will order testing (Penal Code § 7510).

(e) Under certain circumstances, by obtaining a search warrant for the purpose of HIV testing the source individual when the exposed member qualifies as a crime victim (Penal Code § 1524.1).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and/or consult legal counsel to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if the individual refuses.

1210.7 CONFIDENTIALITY OF REPORTS
Medical information shall remain in confidential files and shall not be disclosed to anyone without the member’s written consent (except as required by law).

Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1210.8 TRAINING
All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193):

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(a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

(b) Shall be provided whenever the member is assigned new tasks or procedures affecting the member's potential exposure to communicable disease.

(c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure, and what steps should be taken if a suspected exposure occurs.

See the Stanislaus County Probation Department Field Policy Manual, Communicable Diseases, for further information.

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Smoking and Tobacco Use

1211.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Stanislaus County Probation Department facilities or vehicles (15 CCR 1511).

For the purpose of this policy, smoking and tobacco use includes but is not limited to any tobacco or nicotine product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches, and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1211.2 POLICY

The Stanislaus County Probation Department recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use can present an unprofessional image for the Department and its members. Therefore, smoking and tobacco use are prohibited in all department facilities, buildings, and vehicles, and as further outlined in this policy. This prohibition applies to members, youth, and visitors (Government Code § 7597; Labor Code § 6404.5).

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Smoking, Tab 16- Employee Conduct/Behavior Expectations. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1211.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members are prohibited any time members are in public view representing the Department.

It shall be the responsibility of each member to ensure that no person under the member's supervision smokes or uses any tobacco product inside county facilities and vehicles.

All cigarettes must be disposed of in a designated container not on the pavement or sidewalks. Those staff members who use smokeless tobacco will not dispose of tobacco on the sidewalk or pavement. It shall be disposed of in a trash receptacle.

1211.3.1 SMOKE-FREE ENVIRONMENT

The Facility Superintendent shall ensure that laws prohibiting smoking are enforced in the facility, during work details, and during program attendance, and that youth are not exposed to use of tobacco products or electronic nicotine delivery system devices or second-hand smoke while in custody at the Stanislaus County Probation Department (15 CCR 1511).

1211.4 ADDITIONAL PROHIBITIONS

Smoking and use of other tobacco products is not permitted inside department buildings or any department vehicle, or any other county building (Labor Code § 6404.5).

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Smoking and Tobacco Use

No person shall smoke or use tobacco products within 20 feet of a main entrance, exit, or operable window of any public building, including any department buildings or a building on the campuses of the University of California, California State University, and the California community colleges, whether present for training or any other purpose (Government Code § 7596 et seq.).

1211.4.1 NOTICE

(a) The Chief Probation Officer or the authorized designee should ensure that proper signage is posted at each entrance to the Department facility (Labor Code § 6404.5).

See the Stanislaus County Probation Department Field Policy Manual, Smoking and Tobacco Use, for further information.

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Personnel Complaints

1212.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation, and disposition of complaints regarding the conduct of members of the Stanislaus County Probation Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment, or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1212.2 POLICY

The Stanislaus County Probation Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state, and local laws; municipal and county rules; and the requirements of any collective bargaining agreement or memorandum of understanding.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1212.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or federal, state, or local law, policy, or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state, or local law, policy, or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures, or the response to specific incidents by the Department.

1212.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the supervisor is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Internal Affairs, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Internal Affairs, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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1212.3.2 SOURCES OF COMPLAINTS
The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person, or by telephone.

(b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.

(d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

(e) Tort claims and lawsuits may generate a personnel complaint.

1212.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1212.4.1 COMPLAINT FORMS
Personnel complaint forms will be maintained in a clearly visible location in the public area of the department facility and be accessible through the department's website. Forms may also be available at other county facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1212.4.2 ACCEPTANCE
All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a fact finding summary report.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary.

A complainant shall be provided with a copy of the statement at the time it is filed with the Department (Penal Code § 832.7).

1212.4.3 AVAILABILITY OF WRITTEN PROCEDURES
The Department shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.5).

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1212.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form or a fact finding summary report. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Facility Superintendent should audit the log and send an audit report to the Chief Probation Officer or the authorized designee.

1212.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

1212.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief Probation Officer or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include but are not limited to:

(a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.

  1. The original complaint form will be directed to the Facility Superintendent of the accused member, via the chain of command, who will take appropriate action to include bringing the formal complaint to the attention of the executive team.

  2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the Facility Superintendent or the Chief Probation Officer, who will initiate appropriate action.

(b) Responding to all complainants in a courteous and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately.

  1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.

  2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a fact finding summary report and forward the report to the Facility Superintendent.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Facility Superintendent, Assistant Chief Probation Officer and the Chief Probation Officer are notified via the chain of command as soon as practicable.

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(e) Promptly contacting the Human Resources Department and the Facility Superintendent for direction regarding the supervisor's role in addressing a complaint that relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination.

(f) Forwarding unresolved personnel complaints to the Chief Probation Officer via the chain of command, who will determine whether to contact the complainant or assign the complaint for investigation.

(g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.

(h) Investigating a complaint as follows:

1. Making reasonable efforts to obtain names, addresses, and telephone numbers of witnesses.
2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

(i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).

(j) Ensuring interviews of the complainants are generally conducted during reasonable hours.

1212.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs Investigators, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights (POBR) (Government Code § 3303):

(a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, the member shall be compensated.

(b) Unless waived by the member, interviews of an accused member shall be at the Stanislaus County Probation Department or other reasonable and appropriate place.

(c) No more than two interviewers should ask questions of an accused member.

(d) Prior to any interview, a member should be informed of the nature of the investigation, the name, rank, and command of the probation corrections officer in charge of the investigation, the interviewing officers, and all other persons to be present during the interview.

(e) All interviews should be for a reasonable period and the member's personal needs should be accommodated.

(f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers.

(g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

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1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Lybarger* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

(h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.

(i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(j) All members shall provide complete and truthful responses to questions posed during interviews.

(k) No member may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

No investigation shall be undertaken against any probation corrections officer solely because the probation corrections officer has been placed on a prosecutor's *Brady* list or the name of the probation corrections officer may otherwise be subject to disclosure pursuant to *Brady v Maryland.* However, an investigation may be based on the underlying acts or omissions for which the probation corrections officer has been placed on a *Brady* list or may otherwise be subject to disclosure pursuant to *Brady v Maryland* (Government Code § 3305.5).

1212.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete, and essentially follow this format:

Complaint Type- Choose the category or classification of the complaint.

Source of Allegation(s)- Identify how the complaint came to the attention of the department, along with who specifically received the complaint and the date and time the complaint was received.

Complaint Received- Identify how the complaint was communicated (i.e. telephone, written/typed correspondence, etc.).

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Complainant/Source Information- Include the specific identifiers for the source of the allegation(s). This would include the source's name, address, telephone number and email address.

Subject Member(s)- Provide the name of the member(s) who is the subject(s) of the complaint.

Assigned Investigator(s)- Provide the name of the member(s) investigating the complaint.

Allegation(s)- Include the charge(s) that gave rise to the investigation. This section should match the allegation(s) listed in the notice provided to the subject member(s) prior to any questioning.

Summary of Complaint- Provide a brief, concise overview of the allegation(s) of the complaint.

Investigative Timeline- In chronological order, include the milestones of the investigation. This would include when the complaint was made, when the investigation was assigned to investigators, date(s) of interview(s), reasons why the investigation may have been extended and the dates when subjects were provided with a notice to be interviewed.

Witness Contact Information- Include the name, title, address, phone number and email address for each non-subject who was interviewed.

Witness Interviews and Meetings- Provide the name and title for each non-subject who was interviewed, along with the date of their interview.

Interview Summary- Include a summary of each witness and subject interview.

Investigative Narrative- List each allegation and applicable policies, along with a brief summary of the corresponding evidence that was obtained during the investigation.

Evidence/Documents Reviewed/Attachments- Provide a list of all the physical items relied upon during the investigation. This should generally include recordings of interviews, signed witness/ subject notifications, incident reports, etc. All of the physical items should be submitted at the same time as the investigative report.

1212.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful, and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal

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pursuant to Government Code § 3304 and Government Code § 3304.5, that the actions of a probation corrections officer were found to violate law or department policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1212.6.5 COMPLETION OF INVESTIGATIONS
Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

1212.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1212.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces, and other areas, including desks, offices, and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio, or other document or equipment.

Lockers and storage spaces may only be administratively searched in the member's presence, with the member’s consent, with a valid search warrant, or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

1212.7.1 DISCLOSURE OF FINANCIAL INFORMATION
A member may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

(a) Pursuant to a state law or proper legal process

(b) Information exists that tends to indicate a conflict of interest with official duties

(c) If the member is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

1212.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief Probation Officer or the authorized designee may temporarily assign an accused member to administrative leave. Any member placed on administrative leave:

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(a) May be required to relinquish any department badge, identification, assigned weapons, and any other department equipment.

(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

(c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The member may be required to remain available for contact at all times during such shift and will report as ordered.

1212.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief Probation Officer shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief Probation Officer may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be advised of the member's constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

The Stanislaus County Probation Department may release information concerning the arrest or detention of any member, including a probation corrections officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1212.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Human Resources Manager. Copies of the investigative report will be prepared and distributed to the Facility Superintendent for the purpose of convening an Administrative Board of Review. The purpose of the Administrative Board of Review is to review the completed investigation, relevant documents, and evidence to determine findings and make recommendations to the Assistant Chief Probation Officer. The Assistant Chief Probation Officer will select a Division Director to chair the board. The Assistant Chief Probation Officer shall select a Division Director who does not directly oversee the same division as the subject. The remainder of the board will typically consist of department division directors and/or managers as assigned by the Assistant Chief Probation Officer.

The Assistant Chief Probation Officer will prepare a dispositional report reflecting the findings and recommendations of the board, a copy of all charges and materials relied upon in rendering findings and recommendations. Upon review, if the Assistant Chief Probation Officer determines that formal discipline should be recommended, he/she shall proceed with the procedures detailed in the Assistant Chief Probation Officer Responsibilities section of this policy below. The

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Assistant Chief Probation Officer may accept or modify any classification or recommendation for disciplinary action.

1212.10.1 ASSISTANT CHIEF AND CHIEF PROBATION OFFICER RESPONSIBILITIES
The Assistant Chief Probation Officer shall review the recommendation and all accompanying materials. The Assistant Chief Probation Officer may modify any recommendation and/or may return the file to the Human Resources Manager for further investigation or action.

Once the Assistant Chief Probation Officer is satisfied that no further investigation or action is required by staff, the Assistant Chief Probation Officer shall determine the discipline, if any, that should be recommended. The Assistant Chief Probation Officer shall submit the written recommendation for formal discipline to the Chief Probation Officer. In the event formal disciplinary action is proposed, the Chief Probation Officer shall provide the member with a pre-disciplinary procedural due process hearing (*Skelly*) by providing written notice of the charges, proposed action, and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)). The Chief Probation Officer shall also provide the member with:

(a) Access to the materials considered by the Assistant Chief Probation Officer in recommending the proposed discipline.

(b) An opportunity to respond orally or in writing to the Chief Probation Officer within seven days of receiving the notice.

1. Upon a showing of good cause by the member, the Chief Probation Officer may grant a reasonable extension of time for the member to respond.

2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed the member's response, or if the member has elected to waive any such response, the Chief Probation Officer shall consider all information received in regard to the recommended discipline. The Chief Probation Officer shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief Probation Officer has issued a written decision, the discipline shall become effective.

1212.10.2 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT
The Chief Probation Officer or the authorized designee /shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint (Penal Code § 832.7(f)).

1212.10.3 NOTICE REQUIREMENTS
The disposition of any civilian's complaint shall be released to the complaining party within 30 days of the final disposition. This release shall be limited to the disposition and shall not include what discipline, if any, was imposed (Penal Code § 832.7(f)).

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1212.11 PRE-DISCIPLINE MEMBER RESPONSE

The pre-discipline process is intended to provide the accused member with an opportunity to present a written or oral response to the Chief Probation Officer after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The member shall consider the following:

(a) The response is not intended to be an adversarial or formal hearing.

(b) Although the member may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

(c) The member may suggest that further investigation could be conducted, or the member may offer any additional information or mitigating factors for the Chief Probation Officer to consider.

(d) In the event that the Chief Probation Officer elects to cause further investigation to be conducted, the member shall be provided with the results prior to the imposition of any discipline.

(e) The member may thereafter have the opportunity to further respond orally or in writing to the Chief Probation Officer on the limited issues of information raised in any subsequent materials.

1212.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1212.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary members have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The member has the right to appeal using the procedures established by any collective bargaining agreement or memorandum of understanding and/or personnel rules.

In the event of punitive action against a member covered by POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that a probation corrections officer has been placed on a *Brady* list or is otherwise subject to *Brad*y restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such *Brady* evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

1212.14 PROBATIONARY MEMBERS AND OTHER MEMBERS

At-will and probationary members and those members other than non-probationary members may be released from employment for non-disciplinary reasons (e.g., failure to meet standards)

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without adherence to any of the procedures set out in this policy or any right to appeal. However, any probationary probation corrections officer subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will probationary members and those other than non-probationary members subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before the Chief Probation Officer or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Chief Probation Officer shall be final.

When an individual has been absent for more than a week or when additional time to review the individual is considered appropriate, the probationary period may be extended at the discretion of the Chief Probation Officer.

1212.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

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Seat Belts

1213.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts. This policy will apply to all members operating or riding in department vehicles.

1213.2 POLICY

It is the policy of the Stanislaus County Probation Department that members use seat belts to reduce the possibility of death or injury in a motor vehicle collision.

1213.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased, or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the Department member or the public. Members must be prepared to justify any deviation from this requirement.

1213.4 TRANSPORTING SUSPECTS, PROBATIONERS OR ARRESTEES

Suspects, probationers and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a restraint system or, when a restraint system is not available, by seat belts provided by the vehicle manufacturer. The restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Probationers in leg restraints shall be transported in accordance with the Stanislaus County Probation Department Field Services Manual, Handcuffing and Restraints Policy.

1213.5 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated, or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief Probation Officer.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

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1213.6 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

See the Stanislaus County Probation Department Field Policy Manual, Seat Belts, for further information.

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Personnel Records

1214.1 PURPOSE AND SCOPE

This policy governs the maintenance of and access to personnel records. Personnel records include any file maintained under an individual member's name.

1214.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of California (Penal Code § 832.7).

Information regarding a current or former member's job performance, work history, employment status, discipline record, investigations/allegations of misconduct, personal identification and address, medical history, payroll record and application history is considered confidential and will only be released within the guidelines of this policy. Unless specifically identified within this policy, all member-related information shall be assumed to be confidential. All information regarding individuals who have applied for employment with the Probation Department is also considered confidential personnel information. Any questions or doubts regarding the confidentiality of member or applicant information should be referred to department management for review.

1214.3 DEPARTMENT FILE

The Department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

(a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information. A photograph of the member should be permanently retained.

(b) Election of employee benefits.

(c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status. These should be permanently retained.

(d) Original or copy of performance evaluations. These should be permanently maintained.

(e) Discipline records, including copies of sustained personnel complaints.

1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained pursuant to the established records retention schedule and at least two years (Government Code § 26202; Government Code § 34090).

2. Disciplinary action resulting from a sustained civilian's complaint shall be maintained pursuant to the established records retention schedule and at least five years (Penal Code § 832.5).

(f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment (Government Code § 3305).

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1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment within 30 days (Government Code § 3306).
2. Any member response shall be attached to and retained with the original adverse comment (Government Code § 3306).
3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment and the member should sign or initial the noted refusal. Such a refusal, however, shall not be deemed insubordination nor shall it prohibit the entry of the adverse comment into the member's file (Government Code § 3305).

(g) Commendations and awards.

(h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1214.4 SUPERVISOR EMPLOYEE FILE

Supervisor Employeefiles may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Supervisor Employeefile may contain supervisor comments, notes, notices to correct, and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

All materials intended for this interim file shall be provided to the member prior to being placed in the file in accordance with Government Code § 3305 and Government Code § 3306.

See the Stanislaus County Probation Dept Procedures Manual: 900.1 PERSONNEL RECORDS - PROCEDURES for further information.

1214.5 TRAINING FILE/TAB

An individual training tab within the member's personnel file shall be maintained by the Human Resources Manager for each member. Training files/tab will contain records of all training; original or photocopies of available certificates, transcripts, diplomas, and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

(a) It shall be the responsibility of the involved member to provide the Human Resources Manager or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Human Resources Manager or supervisor shall ensure that copies of such training records are placed in the member’s training file/tab.

1214.6 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Internal Affairs in conjunction with the office of the Chief Probation Officer. Access to these files may only be approved by the Chief Probation Officer or the Internal Affairs supervisor.

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These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition (Penal Code § 832.12). Investigations of complaints that result in the following findings shall not be placed in the member's file but will be maintained in the internal affairs file:

(a) Not sustained

(b) Unfounded

(c) Exonerated

Investigation files arising out of civilian complaints shall be maintained pursuant to the established records retention schedule and for a period of at least five years. Investigations that resulted in other than a sustained finding may not be used by the department to adversely affect a member's career (Penal Code § 832.5).

Investigations files arising out of internally generated complaints shall be maintained pursuant to the established records retention schedule and for at least two years (Government Code § 26202; Government Code § 34090).

1214.7 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

(a) Materials relating to medical leaves of absence, including leave under the Family and Medical Leave Act (FMLA).

(b) Documents relating to workers' compensation claims or receipt of short- or long-term disability benefits.

(c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries, and related documents.

(d) Medical release forms, doctor's slips, and attendance records that reveal a member's medical condition.

(e) Any other documents or material that reveals the member's medical history or medical condition, including past, present, or potential psychological or physical limitations.

Access to member medical information is limited to department confidential or management personnel required to utilize medical information in the administration of department personnel operations. Medical information will be released to supervisory personnel only when necessary for a supervisor to perform their duties, responsibilities and to adequately supervise assigned personnel (including temporary or permanent medical work restrictions).

1214.8 PRE-EMPLOYMENT BACKGROUND INVESTIGATION FILES

A Pre-Employment background investigation file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's pre-employment background investigation. In the event any legitimate organization is conducting a background investigation on a current or former member and has provided an acceptable signed "Release and

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Waiver" form or court order, the background investigator may be allowed to examine documents in the member's background investigation file.

1214.9 SECURITY

Personnel records maintained by the department on current, former or prospective members should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Field Services Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the Chief Executive Officer, County Counsel, or other attorneys or representatives of the county in connection with official business.

Anyone authorized to remove a personnel file is responsible for its security and prompt return. Personnel files should not be left in plain view and should be locked in a secure area when not in use.

No personnel file shall be kept overnight in any location other than the designated personnel storage cabinet unless approved by department management.

1214.10 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made (Evidence Code § 1043).

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. Often, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel file shall be logged in the corresponding file.

1214.10.1 REQUESTS FOR DISCLOSURE OF FORMER EMPLOYEE FILES

Members receiving requests for information from another agency regarding allegations of sexual abuse or sexual harassment involving a former employee should work with counsel to ensure compliance with Prison Rape Elimination Act (PREA) requirements (28 CFR 115.317).

1214.10.2 RELEASE OF PERSONNEL INFORMATION

Personnel records shall not be disclosed except as allowed by law (see the Records Retention and Release Policy and Procedure) (Penal Code § 832.7; Evidence Code § 1043).

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Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor (Penal Code § 146e).

The Department may release any factual information about a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. Disclosing such information shall be limited to facts that refute any such false statement (Penal Code § 832.7).

1214.10.3 LIMITATIONS ON RELEASE OF MEMBER INFORMATION

(a) For the purpose of employment verification or official government business, the member's full name, classification and title of employment, salary range and dates of employment and length may be provided without a release of information through the County Chief Executive Office.

(b) Members are prohibited from releasing confidential personnel information without the prior approval of department management. Information requests regarding any current, former or prospective member should be forwarded to the Human Resources Office.

(c) Information which exceeds that listed in Section (a) may be released through the department Human Resources Office upon receipt of a "Release and Waiver" form, which has been signed by the subject of the inquiry, or upon receipt of a lawful court order.

1. Releases of information pursuant to a court order will be limited to the items specified in the order.

2. The following information will not be released:

A. Opinions, conclusions of alleged incidents which are not documented in the subject's personnel file.

B. Information of a highly personal nature which may be contained in the personnel or background file, but which, in the opinion of the person releasing information, is not directly related to the subject's employment history or performance.

C. The home address and telephone number of any currently active sworn peace officer, unless the inquiry is being made by a governmental agency for legitimate governmental purposes.

(d) Members are prohibited from identifying themselves by title or otherwise as a department employee when responding to a personal reference request for information. Such inquiries must be answered during off-duty hours without the use of any County resources.

1. No use of the responding member's title or affiliation with the department may be used.

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2. Information or opinions gained as a result of any supervisor-subordinate relationship between the responding member and the subject of the inquiry shall not be released as part of the personal reference response.

(e) In the event any legitimate organization is conducting a background investigation on a current or former member and has provided an acceptable signed “Release and Waiver” form or court order, the background investigator may be allowed to examine documents in the subject’s background investigation file, personnel file and supervisor employee file.

(f) Prior to releasing any information pursuant to a “Release and Waiver” form or court order, the form or order will be date stamped, marked with the name of the agency and person to whom it was released, and placed in the subject’s personnel file.

1214.11 MEMBER ACCESS TO THEIR PERSONNEL RECORDS

Any member may request access to the member's own personnel records during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from the member's personnel records shall file a written request to the Chief Probation Officer through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member’s request and the written response from the Department shall be retained with the contested item in the member’s corresponding personnel record (Government Code § 3306.5).

Members may be restricted from accessing files containing any of the following information:

(a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.

(b) Confidential portions of internal affairs files that have not been sustained against the member.

(c) Criminal investigations involving the member.

(d) Letters of reference concerning employment/appointment, licensing, or issuance of permits regarding the member.

(e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.

(f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments, or other comments or ratings used for department planning purposes.

(g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

(h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

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The right to have access to and/or to review personnel files shall be limited to the following persons:

(a) The member who is the subject of the file, provided that such review must be in the presence of a Human Resources staff member and pursuant to appropriate MOU provisions, and in accordance with the Peace Officers Bill of Rights.

(b) Department management and confidential members for purposes necessary to perform their duties.

(c) The member's immediate supervisor or other supervisory member for the purposes of completing an employee performance evaluation or other purposes approved by department management.

(d) Other persons who, pursuant to the provisions of this policy, may have access to information under the supervision of department management or a confidential member.

Files containing pre-employment background investigations will not be made accessible to any person without the prior approval of the department Human Resources Manager or Chief Probation Officer.

1214.12 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

(a) During the preparation of each member's performance evaluation, all personnel complaints and discipline should be reviewed to determine the relevancy, if any, to progressive discipline, training, and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the statutory period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention shall be obtained through the chain of command from the Chief Probation Officer.

(c) If, in the opinion of the Chief Probation Officer, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

1214.13 RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF OFFICERS/DEPUTIES

Personnel records and records related to certain incidents, complaints, and investigations of probation corrections officers shall be released pursuant to a proper request under the Public Records Act and subject to redaction and delayed release as provided by law.

The Custodian of Records should work as appropriate with the Chief Probation Officer or the Internal Affairs supervisor in determining what records may qualify for disclosure when a request for records is received and if the requested record is subject to redaction or delay from disclosure.

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For purposes of this section, a record includes (Penal Code § 832.7(b)(2):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against a probation corrections officer in connection with an incident, or whether the probation corrections officer's action was consistent with law and department policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take.
- Documents setting forth findings or recommending findings.
- Copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the *Skelly* or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Unless a record or information is confidential or qualifies for delayed disclosure as provided by Penal Code § 832.7(b)(7) or other law, the following records shall be made available for public inspection upon request (Penal Code § 832.7):

(a) Records relating to the report, investigation, or findings of:

1. The discharge of a firearm at another person by a probation corrections officer.
2. The use of force against a person resulting in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) by a probation corrections officer.

(b) Records relating to an incident where a sustained finding (see the Personnel Complaints Policy) was made by the department or oversight agency regarding:

1. A probation corrections officer engaged in sexual assault of a member of the public (as defined by Penal Code § 832.7(b)).
2. Dishonesty of a probation corrections officer relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another probation corrections officer, including but not limited to any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.

A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure (Penal Code § 832.7(b)(3)).

When an investigation involves multiple probation corrections officers, the department shall not release information about allegations of misconduct or the analysis or disposition of an investigation of a probation corrections officer unless it relates to a sustained finding of a qualified allegation as provided by Penal Code § 832.7(b)(4) against the probation corrections officer.

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However, factual information about the action of the probation corrections officer during an incident or the statements of a probation corrections officer shall be released if the statements are relevant to a sustained finding of a qualified allegation against another probation corrections officer that is subject to release (Penal Code § 832.7(b)(4)).

1214.13.1 REDACTION

The Custodian of Records, in consultation with the Chief Probation Officer or the authorized designee, shall redact the following portions of records made available for release (Penal Code § 832.7(b)(5)):

(a) Personal data or information (e.g., home address, telephone number, identities of family members) other than the names and work-related information of probation corrections officers.

(b) Information that would compromise the anonymity of complainants and witnesses.

(c) Confidential medical, financial, or other information where disclosure is prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about misconduct and serious use of force.

(d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the probation corrections officer or another person.

Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(6)).

1214.13.2 DELAY OF RELEASE

Unless otherwise directed by the Chief Probation Officer, the Custodian of Records should consult with a supervisor familiar with the underlying investigation to determine whether to delay disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury due to any of the following conditions (Penal Code § 832.7):

(a) Active criminal investigations

1. Disclosure may be delayed 60 days from the date the use of force occurred or until the District Attorney determines whether to file criminal charges, whichever occurs sooner.

2. After the initial 60 days, delay of disclosure may be continued if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against a probation corrections officer or against someone other than a probation corrections officer who used the force.

(b) Filed criminal charges

1. When charges are filed related to an incident where force was used, disclosure may be delayed until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea has passed.

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(c) Administrative investigations

1. Disclosure may be delayed until whichever occurs later:

A. There is a determination from the investigation whether the use of force violated law or department policy, but no longer than 180 days after the date of the department's discovery of the use of force or allegation of use of force.

B. Thirty days after the close of any criminal investigation related to the probation corrections officer's use of force.

1214.13.3 NOTICE OF DELAY OF RECORDS

When there is justification for delay of disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury during an active criminal investigation, the Custodian of Records shall provide written notice of the reason for any delay to a requester as follows (Penal Code § 832.7):

(a) Provide the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. The notice shall also include the estimated date for the disclosure of the withheld information.

(b) When delay is continued beyond the initial 60 days because of criminal enforcement proceedings against anyone, at 180-day intervals provide the specific basis that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and the estimated date for disclosure.

1. Information withheld shall be disclosed when the specific basis for withholding the information is resolved, the investigation or proceeding is no longer active, or no later than 18 months after the date of the incident, whichever occurs sooner, unless:

(a) When the criminal proceeding is against someone other than a probation corrections officer and there are extraordinary circumstances to warrant a continued delay due to the ongoing criminal investigation or proceeding, then the Department must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest for prompt disclosure of records about use of serious force by probation corrections officers.

In cases where an action to compel disclosure is brought pursuant to Government Code § 6258, the Department may justify delay by filing an application to seal the basis for withholding if disclosure of the written basis itself would impact a privilege or compromise a pending investigation (Penal Code § 832.7(b)(7)).

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Request for Change of Assignment

1215.1 PURPOSE AND SCOPE

This policy establishes guidelines for department members to request a change of assignment in response to an announced vacancy.

1215.2 POLICY

It is the policy of the Stanislaus County Probation Department that all requests for change of assignment be considered in an equitable and nondiscriminatory manner.

1215.3 REQUEST FOR CHANGE OF ASSIGNMENT

Members requesting a change of assignment shall submit a request document through the chain of command to the Facility Superintendent. For probation corrections officers, the chain of command must include the Supervisor.

The change-of-assignment request document should note all assignments in which the staff member is interested.

The document will remain in effect until the end of the calendar year in which it was submitted. Effective January 1 of each year, members still interested in a change of assignment should complete and submit a new request.

1215.4 RESPONSIBILITIES

1215.4.1 SUPERVISORS

Upon receipt of a change-of-assignment request document, the supervisor shall make appropriate comments in the space provided on the document and forward it to the Facility Superintendent.

For probation corrections officers, the Supervisor shall make appropriate comments on the form regarding the recommendation and forward the request to the Facility Superintendent.

1215.4.2 FACILITY SUPERINTENDENTS

If the Facility Superintendent receives a change-of-assignment request document from a probation corrections officer that does not contain the required signatures, the Facility Superintendent will return it to the Supervisor.

The Facility Superintendent will make the final decision for all change-of-assignment requests.

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Commendations and Awards

1216.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Stanislaus County Probation Department and individuals from the community.

1216.2 POLICY

It is the policy of the Stanislaus County Probation Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism, and service of its members and individuals from the community through commendations and awards.

1216.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1216.4 CRITERIA

A meritorious or commendable act may include but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance above and beyond typical duties.

1216.5 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts. The documentation should contain:

(a) Identifying information:

1. For members of the Department - name, Division, and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The name of the member submitting the documentation.

1216.6 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

(a) Identifying information:

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1. For members of the Department - name, division, and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The name of the person submitting the documentation.

1216.7 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Facility Superintendent for review. When appropriate, the Facility Superintendent should forward the documentation to the Chief Probation Officer for review.

The Chief Probation Officer or the authorized designee may present the commendation to the department member. A copy of the documentation should be placed in the employee's site file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Facility Superintendent The documentation will be reviewed by the Facility Superintendent and may be forwarded to the Chief Probation Officer for review. Documentation of the commendation should be maintained in the employee's site file..

1216.8 AWARDS

Awards may be bestowed upon members of the Department and individuals from the community.

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Fitness for Duty

1217.1 PURPOSE AND SCOPE

Monitoring members' fitness for duty is essential for the safety and welfare of the members of the Department and the community. The purpose of this policy is to ensure that all members of this department remain fit for duty and able to perform their job functions.

1217.2 POLICY

The Stanislaus County Probation Department strives to provide a safe and productive work environment and ensure that all members of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require a professional evaluation of a member's physical and/or mental capabilities to determine the member's ability to perform essential functions.

1217.3 MEMBER RESPONSIBILITIES

It is the responsibility of each member of this department to maintain physical stamina and psychological stability, sufficient to safely and effectively perform the essential duties of the member's position.

During working hours, all members must be alert, attentive, and capable of performing their assigned responsibilities.

Any member who feels unable to perform the member's duties shall promptly notify a supervisor. If a member believes another member cannot perform the member's duties, such observations and/or belief shall be promptly reported to a supervisor.

1217.4 SUPERVISOR RESPONSIBILITIES

A supervisor observing a member, or receiving a report of a member, who is perceived as being unable to safely perform the member's duties due to a physical, emotional, or mental condition, shall take prompt and appropriate action to resolve the situation.

(a) Whenever reasonably feasible, the supervisor shall attempt to ascertain the reason or source of the problem. A preliminary evaluation should be made to determine the member's level of inability to perform the member's duties.

(b) In the event the member appears to need immediate medical or mental health treatment, all reasonable efforts should be made to provide such care.

(c) The member's Supervisor or the Facility Superintendent and the Assistant Chief Probation Officer should determine whether the member should be temporarily relieved of duty.

(d) The Facility Superintendent and the Chief Probation Officer shall be promptly notified in the event that any member is relieved of duty.

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Members relieved of duty shall comply with the administrative leave provisions of the Personnel Complaints Policy.

1217.5 NON-WORK-RELATED CONDITIONS

Any member suffering from a non-work-related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off to obtain medical treatment or other reasonable relief from symptoms. If the condition is a serious health condition of the member or a qualified family member, the member's supervisor should facilitate the member's contact with the appropriate person to initiate the leave process under the Family and Medical Leave Act.

1217.6 WORK RELATED CONDITIONS

Any member suffering from a work-related condition that warrants temporary relief from duty shall comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Supervisor and with the concurrence of the Facility Superintendent, Assistant Chief Probation Officer, and the Chief Probation Officer, any member whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the member, and until the following may be completed:

(a) A preliminary determination indicates that the member's conduct appears to comply with policy and to be appropriate for the circumstances.

(b) The member has had the opportunity to receive necessary counseling and any necessary or required psychological or medical clearance to return to full duty.

An officer reassigned or placed on administrative leave following a shooting incident in which a person was injured or killed may undergo a psychological assessment on county time and at county expense prior to returning to an armed assignment or prior to field duty if reassigned. The purpose of the assessment shall be to provide information to the Chief Probation Officer regarding the officer's ability to undertake the responsibilities and duties associated with on-duty armed assignments. The assessment shall be a privileged communication from the psychologist to the Chief Probation Officer. After review of the assessment, the report shall be placed in a confidential medical file.

1217.7 FITNESS-FOR-DUTY EVALUATIONS (PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS)

(a) Whenever circumstances reasonably indicate that a member may be unfit for duty, or following an officer-involved shooting or in-custody death incident, the Chief Probation Officer may serve that member with a written order to undergo a physical and/or psychological examination in cooperation with the Human Resources Department to determine the level of the member's fitness for duty. The order shall indicate the date, time, and place for the examination.

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(b) The examining physician or therapist will provide the Department with a report indicating whether the member is fit for duty. If the member is not fit for duty, the report should list any functional limitations that restrict the member's ability to perform the job duties. If the member places the member's condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any information relevant to such proceedings (Civil Code § 56.10(c)(8)).

(c) To facilitate the examination of any member, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the member's confidential medical file.

(e) Any member ordered to undergo a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered, or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the practitioner, including signing of releases, may be deemed insubordination and shall be subject to discipline up to and including termination.

(f) Once a member has been deemed fit for duty by the examining physician or therapist, the member will be notified to resume the member's duties.

1217.8 APPEALS

A member who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty examination shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.

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Meal Periods and Breaks

1218.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all County employees that has been established by the Chief Executive Officer.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Time, Tab 10-Rest Periods/Breaks/Lunch, 3.32.090. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1218.2 POLICY

It is the policy of the Stanislaus County Probation Department to provide meal periods and breaks to members of this department in accordance with the applicable collective bargaining agreement or memorandum of understanding and the county personnel manual.

1218.3 MEAL PERIODS

Probation corrections officers shall remain on-duty subject to call during meal periods. All other members are not on-call during meal periods unless directed otherwise by a supervisor.

Probation corrections officers shall request clearance from the supervisor prior to taking a meal period.

The time spent for the meal period shall not exceed the authorized time allowed.

1218.4 BREAKS

Each member is entitled to a 15-minute break, near the midpoint, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of a member's shift unless approved by a supervisor.

Members normally assigned to the juvenile institutions shall remain at the facility for their breaks, however if exiting the facility (remaining on the County Center 5 property), members shall take a radio so they can be reached in the event of an emergency.

This does not prohibit them from taking a break away from the facility if they are on official business.

1218.5 PROCEDURES

Probation Corrections Officers working eight (8) hour shifts have no set rest periods.

(a) Once a rest period schedule has been established, it is the responsibility of the Supervising Probation Corrections Officer to ensure that all members receive one (1) 15-minute break, during each four (4) hour work period.

(b) The Probation Corrections Officer being relieved for break shall notify the Supervising Probation Corrections Officer, prior to departure from the unit and upon returning from the break period.

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Meal Periods and Breaks

Rest Periods shall not be taken in:

(a) Central Control

(b) The Supervising Probation Corrections Officers' offices

(c) Booking Intake Release (Unit 1)

(d) Any living unit or facility in which you are not assigned

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Lactation Breaks

1219.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to members desiring to express breast milk for the member's infant child (Labor Code § 1034).

1219.2 POLICY

It is the policy of the Stanislaus County Probation Department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her nursing infant child (29 USC § 207; Labor Code § 1030).

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Tab 10- Time, Lactating/Breastfeeding Breaks. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1219.3 LACTATION BREAK TIME

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 207; Labor Code § 1030). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (Labor Code § 1030).

Members desiring to take a lactation break shall notify Central Control, or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1219.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from coworkers and the public (29 USC § 207; Labor Code § 1031).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid

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interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

1219.5 STORAGE OF EXPRESSED MILK

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends.

1219.6 STATE REQUIREMENTS

Members have the right to request lactation accommodations. If a break time or location accommodation cannot be provided, the supervisor shall provide the member with a written response regarding the reasons for the determination (Labor Code § 1034).

Lactation rooms or other locations should comply with the prescribed feature and access requirements of Labor Code § 1031.

Members who believe their rights have been violated under this policy or have been the subject of discrimination or retaliation for exercising or attempting to exercise their rights under this policy, are encouraged to follow the chain of command in reporting a violation, but may also file a complaint directly with the Labor Commissioner (Labor Code §1033).

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Payroll Records

1220.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members eligible for the payment of wages.

1220.2 POLICY

The Stanislaus County Probation Department maintains timely and accurate payroll records.

1220.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

1220.4 TIME REQUIREMENTS

Members eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administration as established by the County payroll procedures.

1220.5 RECORDS

The Human Resources Manager or designee shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

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Overtime Compensation

1221.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for members, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

1221.2 POLICY

The Stanislaus County Probation Department will compensate exempt and nonexempt salaried members who work authorized overtime either by payment of wages as agreed and in effect through the Memorandum of Understanding (MOU), or by the allowance of accrual of compensatory time (29 CFR 553.22).

Because of the nature of probation operations, and the specific needs of the department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt members are not authorized to volunteer work time to the department. All requests to work overtime shall be approved in advance by a supervisor and either the Chief Probation Officer or designee prior to working the overtime. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Time, Tab 10-Overtime Policy. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1221.3 MEMBER RESPONSIBILITIES

Generally, no member employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Members shall:

(a) Obtain supervisory approval, verbal or written.

(b) Record the actual time worked on their time card.

1221.3.1 SUPERVISOR RESPONSIBILITIES

Supervisor shall:

(a) Prior to authorizing a member to work overtime, evaluate the need for the overtime.

1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of department resources.

(b) Confirm that the overtime was authorized and then verify the actual time worked.

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1. The on-duty Supervisor shall record the actual time worked on the scheduling system.
2. Supervisors identifying any unauthorized overtime or discrepancy shall notify the Facility Superintendent or designee.

(c) The on-duty Night Supervisor shall audit and initial each members' time card entries.

1. Supervisors may not authorize or approve their own overtime.

1221.5 ACCOUNTING FOR OVERTIME WORKED

Members are to record the actual time worked in an overtime status. In some cases, the Memorandum of Understanding provides that a minimum number of hours will be paid. The member will enter the actual time worked.

1221.6 REQUESTING USE OF COMPENSATORY TIME

Members who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request, if the request does not unduly disrupt department operations.

Compensatory time may not be used for time off for a date and time when the member is required to appear in court on department-related matters. Supervisors shall not unreasonably deny member requests to use compensatory time (29 CFR 553.25).

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Outside Employment and Outside Overtime

1222.1 PURPOSE AND SCOPE

This policy provides guidelines for department members who seek to engage in authorized outside employment or outside overtime.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Employee Conduct/Behavior Expectations, Tab 16 – Conflict of Interest Policy, Code of Ethics and Outside County Employment (Moonlighting). http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1222.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - Duties or services performed by members of this department for another employer, organization, or individual not affiliated directly with this department when wages, compensation, or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products, or benefits rendered.

Outside overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1222.2 POLICY

Members of the Stanislaus County Probation Department shall obtain written approval from the Chief Probation Officer or the authorized designee prior to engaging in any outside employment or outside overtime. Approval of outside employment or overtime shall be at the discretion of the Chief Probation Officer in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment or overtime, or engaging in outside employment or overtime that is prohibited by this policy, may lead to disciplinary action.

1222.3 OUTSIDE EMPLOYMENT

1222.3.1 REQUEST AND APPROVAL

In order to obtain approval for outside employment, the member must complete a memorandum which shall be submitted to the member's immediate supervisor. The memorandum will then be forwarded through channels to the Chief Probation Officer for consideration.

If approved, the member will be provided with a copy of the approved memorandum and a copy should be placed in the employee site file. Unless otherwise indicated in writing on the approved memorandum, a memorandum will be valid through the end of the calendar year in which the memorandum is approved. Any member seeking to renew a memorandum shall submit a new memorandum in a timely manner.

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1222.3.2 DENIAL
Any member whose request for outside employment has been denied shall be provided with a written notification of the reason at the time of the denial (Penal Code § 70(e)(3)).

1222.3.3 REVOCATION OR SUSPENSION OF OUTSIDE EMPLOYMENT MEMORANDUM
Any member whose approval for outside employment is revoked or suspended shall be provided with a written notification of the reason for revocation or suspension (Penal Code § 70(e)(3)).

Approval for outside employment may be revoked or suspended under the following circumstances:

(a) Should a member's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief Probation Officer may, at his or her discretion, revoke any previously approved outside employment memorandum(s). That revocation will stand until the member's performance has been reestablished at a satisfactory level and their supervisor recommends reinstatement of the outside employment memorandum.

(b) Suspension or revocation of a previously approved outside employment memorandum may be included as a term or condition of sustained discipline.

(c) If, at any time during the term of a valid outside employment memorandum, a member’s conduct or outside employment conflicts with the provisions of department policy, the memorandum may be suspended or revoked.

(d) When a member is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment memorandum may be subject to similar restrictions as those applicable to the member's full time duties until the member has returned to a full duty status.

1222.4 REQUIREMENTS

1222.4.1 PROHIBITED OUTSIDE EMPLOYMENT
The Department reserves the right to deny any request for outside employment that involves (Government Code § 1126):

(a) Using department time, facilities, equipment, or supplies.

(b) Using the Stanislaus County Probation Department badge, uniform, or influence for private gain or advantage.

(c) The member’s receipt or acceptance of any money or other consideration for performing duties or services that the member would be required or expected to render in the course or hours of the member's employment or appointment, or as a part of the member's regular duties.

(d) Performing duties or services that may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other member of this department.

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(e) Demands upon the member's time that would render the performance of the member's duties for this department deficient or substandard.

(f) Activities that may conflict with any other policy or rule of the Department.

(g) The member's County duties could create or enhance the income or other interest of the outside organization or entity.

(h) The outside activity is of such a nature that it does not reflect positively on the public image and best interests of the Department and/or County.

(i) The outside activity constitutes behavior unbecoming a County member.

(j) In the case of sworn members, the outside activity creates a potential conflict with the peace officer status of their County employment.

1222.4.2 SECURITY AND PEACE OFFICER OUTSIDE EMPLOYMENT

No member of this department may engage in any outside employment as a peace officer, private security guard, private investigator, or other similar private security position (Penal Code § 70).

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief Probation Officer in advance of the desired service. Such outside extra duty overtime assignments will be assigned, monitored and paid through the Department.

(a) The applicant will be required to enter into an indemnification agreement prior to approval.

(b) The applicant will further be required to provide for the compensation and full benefits of all members requested for such outside security services.

(c) Should such a request be approved, any member working outside overtime shall be subject to the following conditions:

1. The officer(s) shall wear the departmental uniform/identification.
2. The officer(s) shall be subject to the rules and regulations of this department.
3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
5. Outside security services shall not be subject to the collective bargaining process.
6. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief Probation Officer.

1222.4.3 DEPARTMENT RESOURCES

Members are prohibited from using any department equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against any

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member using a position with this department to gain access to official records or databases of this department or other agencies.

1222.4.4 REVIEW OF FINANCIAL RECORDS
Members approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest (Government Code § 3308; Government Code § 1126).

Prior to approving outside employment, the Department may request that a member provide the member's personal financial records for review if the department determines that a conflict of interest may exist. Failure or refusal by the member to provide such records may result in denial of the outside employment.

If, after approving a request for outside employment, the Department obtains information that a financial conflict of interest exists, the Department may request that the member provide the member's personal financial records for review. Failure or refusal by the member to provide such records may result in revocation or suspension of approval of the outside employment pursuant to this policy.

1222.4.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS
If a member terminates the outside employment, the member shall promptly submit written notification of such termination to the Chief Probation Officer through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Members shall also promptly submit in writing to the Chief Probation Officer any material changes in outside employment, including any change in the number of hours, type of duties, or the demands of any approved outside employment. Members who are uncertain whether a change in outside employment is material are advised to report the change.

1222.5 OUTSIDE OVERTIME

1222.5.1 ARREST AND REPORTING PROCEDURE
Any probation corrections officer making an arrest or taking other official law enforcement action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent completing such reports shall be considered incidental to the outside overtime assignment.

1222.6 COMMUNITY ORGANIZATIONS/VOLUNTEER WORK

The Stanislaus County Probation Department encourages its members to engage in and support volunteerism in the community. Members are encouraged to serve community-based organizations and non-profits on boards, committees, work groups. Members shall not provide any law enforcement sensitive information, (written, electronic, and/or verbal) or law enforcement consultation services. Any member wanting to serve and at the same time, represent themselves as a member of the Stanislaus County Probation Department, shall complete the Outside

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Outside Employment and Outside Overtime

Employment memorandum and process for review and approval to ensure there is no conflict of interest.

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Occupational Disease and Work-Related Injury Reporting

1223.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of occupational diseases, mental health issues, and work-related injuries.

1223.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - Any injury, disease, or mental health issue arising out of the member's employment (Labor Code § 3208; Labor Code § 3208.3; Labor Code § 3212.15).

1223.2 POLICY

The Stanislaus County Probation Department will address work-related injuries and occupational diseases appropriately, and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.).

1223.3 RESPONSIBILITIES

1223.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours to a supervisor, and shall seek medical care when appropriate (8 CCR 14300.35).

1223.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related injury or occupational disease should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related county-wide injury- or disease-reporting protocol shall also be followed.

Supervisors are to inform the Safety Analyst and the Facility Superintendent whenever any occupational disease or work-related injury occurs immediately. Supervisors are required to investigate all occupational diseases or work-related injuries reported to them by their subordinates.

Supervisors shall determine whether the Illness and Injury Prevention Policy applies and take additional action as required.

1223.3.3 FACILITY SUPERINTENDENT RESPONSIBILITIES

The Facility Superintendent who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The

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report shall then be forwarded to the Chief Probation Officer, the county's risk management entity and the Human Resources Division Manager to ensure any required Division of Occupational Safety and Health (Cal/OSHA) reporting is made as required in the disease and injury prevention plan identified in the Illness and Injury Prevention Policy.

1223.3.4 CHIEF PROBATION OFFICER RESPONSIBILITIES
The Chief Probation Officer shall review and forward copies of the report to the Human Resources Department. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1223.4 OTHER DISEASE OR INJURY
Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the Facility Superintendent through the chain of command and a copy sent to the Human Resources Division Manager.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that the member desired no medical attention at the time of the report. Signing the report does not preclude the member's ability to later seek medical attention.

1223.5 SETTLEMENT OFFERS
When a member sustains an occupational disease or work-related injury caused by another person and is subsequently contacted by that person or that person's agent, insurance company, or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to the member's supervisor as soon as possible.

1223.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL
No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief Probation Officer with written notice of the proposed terms of such settlement. Never shall the member accept a settlement without first providing written notice to the Chief Probation Officer. Such notice permits the county to determine whether the offered settlement will affect any claim the county may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the county's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Tab 11-Leave Time Benefits; Workers' Compensation. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

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Personal Appearance Standards

1224.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the Stanislaus County Probation Department.

Requirements for department uniforms and civilian attire are addressed in the Uniform and Non-Uniform Attire and Nonsworn Attire policies.

1224.2 POLICY

Stanislaus County Probation Department members shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignments. Department personal appearance standards are primarily based on safety requirements, appearance conformity, and the social norms of the community served, while considering matters important to members of the Department.

1224.3 GROOMING

Unless otherwise stated and because deviations from these standards may present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignments would deem them not applicable, and where the Chief Probation Officer has granted an exception.

1224.3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include but are not limited to dirty fingernails, bad breath, body odor, and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., physical disability, cultural) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to the Chief Probation Officer.

1224.3.2 HAIR

Hair shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles of all members shall be neat in appearance. Sworn officers with excessively long hair should keep their hair tied or pinned back so that it cannot be readily grabbed.

1224.3.3 MUSTACHES

A neatly trimmed mustache may be worn.

1224.3.4 FACIAL HAIR

Facial hair shall be neatly trimmed.

1224.3.5 FINGERNAILS

Fingernails shall remain clean, trimmed, and not exceed a length that would interfere with the operation of safety equipment.

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1224.4 APPEARANCE

1224.4.1 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed. See the Uniforms and Non-Uniform Attire and Nonsworn Attire policies for jewelry specifications that apply while wearing the department uniform.

No jewelry or personal ornaments shall be worn by officers on any part of issued equipment, except those authorized within this manual. Jewelry, if worn around the neck, shall not be visible above the shirt collar when conducting field activity or when working in the institutions.

1224.4.2 TATTOOS

At no time while on-duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible. Examples of offensive tattoos would include, but not be limited to, those which depict racial, sexual, discriminatory, gang related, or obscene language.

1224.4.3 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.

(b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).

(c) Abnormal shaping of the ears, eyes, nose, or teeth (i.e., enlarged or stretched out holes in the earlobes).

(d) Branding, scarification, or burning to create a design or pattern.

1224.4.4 DENTAL ORNAMENTATION

Dental ornamentation that is for decorative purposes and not medically required is prohibited while on-duty or while representing the Stanislaus County Probation Department in any official capacity.

1224.4.5 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall be conservative and present a professional image. Contact lenses with designs that change the normal appearance of the eye and are not medically required are prohibited while on-duty or while representing the Stanislaus County Probation Department in any official capacity.

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1224.5 RELIGIOUS ACCOMMODATION

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Chief Probation Officer should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves, simple head coverings, certain hairstyles, or facial hair for religious reasons should generally be accommodated absent unusual circumstances.

1224.6 EXEMPTIONS

Members who seek cultural (e.g., culturally protected hairstyles) or other exemptions to this policy that are protected by law should generally be accommodated (Government Code § 12926). A member with an exemption may be ineligible for an assignment if the individual accommodation presents a security or safety risk. The Chief Probation Officer should be advised any time a request for such an accommodation is denied or when a member with a cultural or other exemption is denied an assignment based on a safety or security risk.

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Uniform Regulations

1225.1 PURPOSE AND SCOPE

This policy provides guidelines for Stanislaus County Probation Department-authorized uniforms and attire. The purpose of this policy is to ensure that uniformed members will be readily identifiable through the proper use and wearing of department uniforms, and that the appearance of members who wear uniform attire reflects favorably on the Department.

This policy addresses the wearing and maintenance of department uniforms and the authorized use of optional equipment by members of the Department.

Other related topics are addressed in the Badges, Patches, and Identification and Personal Appearance Standards policies.

1225.2 POLICY

The Stanislaus County Probation Department will provide uniforms to all members who are required to wear them in the quantity and frequency agreed upon in the respective employee group's collective bargaining agreement or memorandum of understanding. The Department may provide other department members with uniforms at the direction of the Chief Probation Officer.

All uniforms and equipment issued to department members shall be returned to the Department upon termination or resignation.

1225.3 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each member an official department identification card bearing the member's name, identifying information and photo likeness. All members shall be in possession of their department-issued identification card at all times while on duty or when carrying a concealed weapon.

(a) Whenever on duty or acting in an official capacity representing the department, members shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.

(b) Officers working specialized assignments may be excused from the possession and display requirements when directed by the Facility Superintendent.

1225.4 CLOTHING STANDARDS

The Chief Probation Officer or the authorized designee shall maintain and update uniform and equipment specifications, which should be consulted by all members as needed. Uniforms shall be worn as described therein and as specified in this policy.

The following shall apply to those assigned to wear department-issued uniforms:

(a) Uniforms and equipment shall be maintained in a serviceable condition and ready for immediate use. Uniforms shall be neat and clean and shall appear professionally.

(b) Uniforms shall be worn in compliance with any applicable department specifications.

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(c) Members shall wear only the uniforms specified for their job duties and assignments.

(d) Uniforms are only to be worn while on duty, for court, at official department functions or events, while in transit to or from work, or when authorized by the Chief Probation Officer or the authorized designee.

1. When the uniform is worn while on transit, a non-uniform outer garment shall be worn over the uniform shirt to avoid bringing attention to the member while off-duty.

(e) Alternative Program and Transport members shall wear a nameplate or an authorized sewn on cloth nameplate affixed to their tactical vest on the right side, above the "Probation" patch and clearly visible.

(f) When wearing a jacket, Alternative Program and Transport members shall wear a nameplate or an authorized sewn on cloth nameplate in the same manner as the tactical vest.

(g) Members are not to purchase or drink alcoholic beverages while wearing any part of department issued uniforms.

(h) All supervisors will periodically inspect members under their commands to ensure conformance to this policy.

The dress and appearance of members includes not only cleanliness, but also neat attire of a conservative nature. Refusal to conform to the regulations may constitute insubordination and may lead to disciplinary action. Members attending physical training may wear their regular work attire or athletic wear. Members attending classroom training may wear their regular work attire or casual business attire. The following pertains to regular work attire:

(a) Jeans, or BDU style pants.

(b) Department issued/approved shirts tucked into pants.

(c) Close toe, low heeled, athletic shoe or boot.

(d) Department issued/approved sweatshirts or coats with department badge visible (optional).

(e) Department approved hats with department badge (optional). Hats are to be worn in a professional manner with the bill of the hat facing forward.

1225.4.1 MOURNING BAND

Uniformed members may wear a black mourning band across the department badge whenever a law enforcement officer is killed in the line of duty or as directed by the Chief Probation Officer. These mourning periods will be observed:

(a) Stanislaus County Probation Department Officer - From the time of death until midnight on the 14th day after the death.

(b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.

(c) Funeral attendee - While attending the funeral of an out-of-region fallen officer.

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(d) National Peace Officers' Memorial Day (May 15) - From 0001 hours until 2359 hours.

(e) As directed by the Chief Probation Officer.

1225.5 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief Probation Officer, Stanislaus County Probation Department members may not wear any part of the uniform or department-issued equipment, be photographed wearing any part of the uniform/equipment, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another member, or identify himself/herself as a member of the Stanislaus County Probation Department to do any of the following (Government Code §§ 3206 and 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.

(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose, any product, service, company or other commercial entity.

(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

1225.6 OPTIONAL EQUIPMENT-MAINTENANCE AND REPLACEMENT

Any optional equipment must be approved by the Chief Probation Officer and shall be documented by the Supervising Probation Corrections Officer.

(a) Any optional equipment approved by the Chief Probation Officer shall be purchased totally at the expense of the officer. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.

(b) Maintenance of optional items shall be the financial responsibility of the purchasing member (e.g., repairs due to normal wear and tear).

(c) Replacement of items listed in this policy as optional shall be managed as follows:

1. When the item is no longer functional because of normal wear and tear, the member bears the cost of replacement.

2. When the item is no longer functional because of damage in the course of the member's duties, it shall be replaced following the procedure for replacement of damaged personal property (see the Stanislaus County Probation Department Field Policy Manual, Department Owned and Personal Property Policy).

1225.6.1 RETIREE BADGES

The Chief Probation Officer may issue identification in the form of a badge, insignia, emblem, device, label, certificate, card or writing that clearly states the person has honorably retired from the Stanislaus County Probation Department. This identification is separate and distinct from the identification authorized by Penal Code § 25455 and referenced in the Retired Officer CCW Endorsement Policy in this manual.

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1225.7 UNAUTHORIZED UNIFORMS, EQUIPMENT, AND ACCESSORIES

Department members may not wear any uniform item, to include patches, accessory or attachment unless specifically authorized by the Chief Probation Officer or the authorized designee.

Department members may not use or carry any safety item, tool, or other piece of equipment unless specifically authorized by the Chief Probation Officer or the authorized designee.

1225.8 UNIFORM EXCEPTIONS

The Chief Probation Officer has authorized the following:

Members assigned to work in the institutions are authorized to wear t-shirts approved by the Chief Probation Officer only on Fridays. Approved t-shirts are those purchased through the Stanislaus County Chapter of the California Probation, Parole, and Correctional Association.

Members may wear sweatshirts purchased through the Stanislaus County Chapter of the California Probation, Parole, and Correctional Association, or a solid, navy or black sweatshirt with no logos displayed (other than the Probation logo) over their uniform polo. Sweatshirts shall project a professional image, and may not create a safety concern for the department member or others.

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Conflict of Interest

1226.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

All members are to follow the guidelines as outlined in the Stanislaus County Personnel Manual, Employee Conduct/Behavior Expectations Ordinances, Tab16- Employment of Relatives (Nepotism). http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1226.1.1 DEFINITIONS

Definitions related to this policy include:

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture or other transaction, where the Department member's annual interest, compensation, investment or obligation is greater than $250.

Conflict of interest - Any actual, perceived, or potential conflict, in which it reasonably appears that a member's action, inaction, or decisions are or may be influenced by the member's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or member vested with authority by law, rule or regulation or to whom authority has been delegated.

Relative - A member's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - A member who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - A member who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate member.

1226.2 POLICY

Members of the Stanislaus County Probation Department are expected to conduct themselves with the utmost professional integrity and objectivity. Members will guard against actual or

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perceived conflicts of interest to ensure the fair and equitable treatment of department members and the public, and to maintain the trust of the public and department members.

1226.3 PROHIBITIONS

The Department will not prohibit all personal or business relationships between members. However, the Department prohibits the following types of personal or business relationships among members (Government Code § 12940):

(a) Members are prohibited from directly supervising, occupying a position in the line of supervision, or being directly supervised by any other member who is a relative or with whom they are involved in a personal or business relationship.

1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved member to an uninvolved supervisor.

2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing members in such supervisor/ subordinate situations. The Department, however, reserves the right to transfer or reassign any member to another position within the same classification to avoid conflicts with any provision of this policy.

(b) Members are prohibited from participating in, contributing to, or recommending promotions, assignments, performance evaluations, transfers, or other personnel decisions affecting a member who is a relative or with whom they are involved in a personal or business relationship.

(c) Whenever possible, facility training officers (FTOs) and other trainers will not be assigned to train relatives. Department FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any member they are assigned to train until such time as the training has been successfully completed and the person is off probation.

(d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with a person with a family-like relationship, victims, witnesses or other individuals during the course of or as a direct result of any official contact.

(e) Except as required in the performance of official duties or, in the case of immediate relatives, members shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, who has been convicted of a felony or a misdemeanor involving moral turpitude, parolee, fugitive or registered sex offender, person under the jurisdiction of the department, or who engages in serious violations of state or federal laws.

(f) All relationships between members and criminal justice clientele shall be maintained on a professional level.

1. No member may investigate, supervise or otherwise be involved in the processing of cases involving members of their immediate or extended family,

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persons with whom they maintain a family-like relationship, or persons with whom they have a social or business relationship.

2. No member shall access records of any type or in any other manner make inquiries regarding any adult criminal or juvenile case except as is required to carry out their official duties.
3. No member shall become involved with or interfere with the handling of any case under the department's jurisdiction unless such involvement is required by the member's official duties, or is approved by the probation officer assigned to the case.
4. Members whose official responsibilities for a particular case have ended are expressly prohibited from maintaining a relationship with the case while it is under the jurisdiction of the department. Exceptions may be approved by a Facility Superintendent via the chain of command.

1226.4 MEMBER RESPONSIBILITIES

Members shall avoid situations that create a conflict of interest. Members should take reasonable steps to address a perception of a conflict of interest when such a perception is reasonably foreseeable and avoidable (e.g., deferring a decision to an uninvolved member). Prior to entering into any personal or business relationship or other circumstance which the member knows or reasonably should know could create a conflict of interest or other violation of this policy, the member shall promptly notify their uninvolved, next highest level of supervisor.

Whenever any member is placed in circumstances that would require the member to take enforcement action or to provide official information or services to any relative or individual with whom the member is involved in a personal or business relationship, that member shall promptly notify the member's uninvolved, immediate supervisor.

In the event that no uninvolved supervisor is immediately available, the member shall promptly notify a supervisor and/or the Facility Superintendent to have another uninvolved member either relieve the involved member or, minimally, remain present to witness the action.

1226.5 SUPERVISOR RESPONSIBILITIES

Upon being notified of or otherwise learning of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief Probation Officer or the authorized designee of such actual or potential violations through the chain of command.

Furthermore, upon being advised of such a conflict or situation, the supervisor, in consultation with the Facility Superintendent and the Assistant Chief Probation Officer, will determine if the case can be reassigned or if another probation department should be requested to handle the case.

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Conflict of Interest

See the Stanislaus County Probation Department Field Policy Manual, Nepotism and Conflicting Relationships for further information.

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Badges, Patches, and Identification

1227.1 PURPOSE AND SCOPE

The Stanislaus County Probation Department (SCPD) badge, patch, and identification card, as well as the likeness of these items and the name of the Department, are property of the Department. Their use shall be restricted as set forth in this policy.

1227.2 POLICY

The Stanislaus County Probation Department issues each member appropriate identification, which may include a badge, patch and/or identification card, depending on the member's position within the Department. The uniform badge, patch and/or identification card shall be issued to department members as a symbol of authority and the use and display of departmental badges, patches and/or identification cards shall be in strict compliance with this policy.

1227.3 MEMBER RESPONSIBILITIES

Members of the Stanislaus County Probation Department will use the SCPD badge, patch, and identification card, as well as the likeness of these items, appropriately and professionally. The SCPD badge, patch, and identification card shall only be displayed or used by a member when acting in an official or authorized capacity.

Department members shall not:

(a) Display or use the SCPD badge, patch, or identification card for personal gain or benefit.

(b) Loan the SCPD badge, patch, or identification card to others or permit these items to be reproduced or duplicated.

(c) Use images of the SCPD badge, patch, or identification card, or the likeness thereof, or the Stanislaus County Probation Department name, for personal or private reasons, including but not limited to letters, memoranda, and electronic communications, such as email, blogs, social networking, or websites without the approval of the Chief Probation Officer.

1227.4 LOST BADGE, PATCH, OR IDENTIFICATION

Department members shall promptly notify their supervisors whenever their SCPD badges, patches, or identification cards are lost, damaged, or are otherwise removed from their control.

1227.5 BADGES

The Chief Probation Officer shall determine the number and form of badges authorized for use by department members.

Only badges issued by this department may be used, displayed, carried, or worn by members while on-duty or otherwise acting in an official or authorized capacity.

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1227.5.1 RETIREE BADGES

Upon honorable retirement an officer may receive his/her assigned duty badge for display purposes (e.g., on a plaque). It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

1227.5.2 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the department badge shall not be used without the expressed authorization of the Chief Probation Officer and shall be subject to the following:

(a) The member associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Stanislaus County Probation Department. The following modifications shall be included:

1. The text on the upper and lower ribbons is replaced with the name of the employee association.
2. The badge number portion displays the acronym of the employee association.

(b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Chief Probation Officer.

1227.5.3 CENTENNIAL BADGE

Sworn officers, with the written approval of the Chief Probation Officer may purchase, at their own expense, a centennial badge capable of being carried in a wallet or worn by officers. The use of the centennial badge is subject to all the same provisions of departmental policy as the uniform badge.

(a) An officer may sell, exchange, or transfer the centennial badge he/she purchased to another officer within the Stanislaus County Probation Department with the written approval of the Chief Probation Officer.

(b) Should the centennial badge become lost, damaged, or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Stanislaus County Probation Department Field Policy Manual, Department Owned and Personal Property Policy.

(c) An officer may keep their centennial badge upon retirement or departure.

(d) The purchase, carrying or display of a centennial badge is not authorized for non-sworn personnel.

1227.6 PATCHES

The Chief Probation Officer shall determine the form of patches authorized for use by the Department. Any request to modify the authorized patches for specialty divisions (e.g., K-9, Facility Training Officer (FTO)) should be submitted to the Chief Probation Officer in writing.

Only patches issued by this department may be displayed or worn by members while on-duty or otherwise acting in an official or authorized capacity.

Members, with the written approval of the Chief Probation Officer, may request additional patches, at their own expense.

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1227.7 IDENTIFICATION CARDS

All members will be issued an official SCPD identification card bearing the member's name, full-face photograph and signature of the Chief Probation Officer or the official seal of the Department. All members shall be in possession of their department-issued identification cards at all times while on-duty or in department facilities.

(a) Whenever on-duty or acting in an official capacity representing the Department, members shall display their department-issued identification cards in a courteous manner to any person upon request and as soon as practicable.

(b) Probation corrections officers or other members working specialized assignments may be excused from the possession and display requirements when directed by their Facility Superintendent.

1227.8 BUSINESS CARDS

The Department will supply business cards to those members whose assignments involve frequent interaction with the public or who may require the use of a business card. The only authorized business cards are those issued or approved by the Department and should contain identifying information, including but not limited to the member's name, title and contact information (e.g., telephone number, email address).

Members should provide a business card to any member of the public who requests one.

See the Stanislaus County Probation Department Field Policy Manual, Department Badges for further information.

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Temporary Modified-Duty Assignments

1228.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, county rules, or current collective bargaining agreements or memorandum of understandings. For example, nothing in this policy affects the obligation of the Department to engage in a good-faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability protected under federal or state law.

1228.2 POLICY

Subject to operational considerations, the Stanislaus County Probation Department may identify temporary modified-duty assignments for members with an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive member during the temporary period.

All members may refer to the Stanislaus County Interactive Process. http://www.stancounty.com/riskmgmt/search/?site=stancounty-riskmgmt&q=stanislaus+county+interactive+process

1228.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to members with work-related injuries or illnesses that are temporary in nature. Members having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Stanislaus County Probation Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not a member right. The availability of temporary modified-duty assignments will be determined case-by-case, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the member's ability to perform in a modified-duty assignment.

The Chief Probation Officer or the authorized designee may restrict members working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

1228.4 PROCEDURE

Members may request a temporary modified-duty assignment for short-term injuries or illnesses.

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Members seeking a temporary modified-duty assignment should submit a written request to the Facility Superintendent or the authorized designee. The request should, as applicable, include a certification from the treating medical professional containing:

(a) An assessment of the nature and probable duration of the illness or injury.

(b) The prognosis for recovery.

(c) The nature and scope of limitations and/or work restrictions.

(d) A statement regarding any required workplace accommodations, mobility aids, or medical devices.

(e) A statement that the member can safely perform the duties of the temporary modified-duty assignment.

The Facility Superintendent will make a recommendation through the chain of command to the Chief Probation Officer regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the member. The Chief Probation Officer or the authorized designee shall confer with the Human Resources Department or the County Counsel as appropriate.

1228.5 ACCOUNTABILITY

Written notification of assignments, work schedules, and any restrictions should be provided to members assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the members medical appointments, as mutually agreed upon with the Facility Superintendent.

1228.5.1 MEMBER RESPONSIBILITIES

The responsibilities of members assigned to temporary modified duty shall include but are not limited to:

(a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.

(b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.

(c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

(d) Submitting a written status report to the Facility Superintendent that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

1228.5.2 SUPERVISOR RESPONSIBILITIES

The member's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include but are not limited to:

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(a) Periodically apprising the Facility Superintendent of the status and performance of members assigned to temporary modified duty.

(b) Notifying the Facility Superintendent and ensuring that the required documentation facilitating a return to full duty is received from the member.

(c) Ensuring that members returning to full duty have completed any required training and certification.

1228.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, members may be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning a member to full-duty status, in accordance with the Fitness for Duty Policy.

1228.7 PREGNANCY

If a member is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the member will be treated the same as any other member with a temporary disability (42 USC § 2000e(k)). A pregnant member shall not be involuntarily transferred to a temporary modified-duty assignment. Nothing in this policy limits a pregnant member's right to a temporary modified-duty assignment if required under Government Code § 12945.

1228.7.1 NOTIFICATION

Pregnant members should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the member to take a leave of absence, such leave shall be granted in accordance with the county's personnel rules and regulations regarding family and medical care leave.

1228.8 PROBATIONARY EMPLOYEES

Probationary members assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty.

1228.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Members assigned to temporary modified duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Members who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

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Speech, Expression, and Social Networking

1229.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites and to provide guidelines for the regulation and balancing of member speech and expression with the legitimate needs of the Department and the confidentiality of youth in the care and detention of the Department.

This policy applies to all forms of communication, including but not limited to film, video, print media, public or private speech, and use of all internet services, including the Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, and video and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression protected or privileged under law. This includes speech and expression protected under state or federal constitutions and labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1229.2 POLICY

Members of public entities occupy a trusted position in the community, and their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the corrections profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Stanislaus County Probation Department will carefully balance the individual member's rights against the department's needs and interests when exercising reasonable control over its members' speech and expression.

1229.3 SAFETY

Members should consider carefully the implications of their speech or any other form of expression when using the internet. Some speech and expression may negatively affect the safety of Stanislaus County Probation Department members. Posting personal information in a public forum can reveal a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member or a member's family or associates. Examples of information that could reasonably be expected to compromise safety include:

- Disclosing the address or contact information of a fellow probation corrections officer member.

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- Otherwise disclosing where another probation corrections officer can be located off-duty.
- Disclosing a photograph and name or address of an officer who is working undercover.

1229.4 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

To meet the department's safety, performance, and public-trust needs, the following are prohibited unless the speech is otherwise protected (e.g., a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit, on a matter of public concern):

(a) Speech, expression, or communication that would in any way compromise the confidentiality of the identity of youth or their families.

(b) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the Department or its members.

(c) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and tends to compromise or damage the mission, function, reputation, or professionalism of the Department or its members. Examples may include:

1. Statements that indicate disregard for the law or the state or U.S. constitutions.
2. Expression that demonstrates support for criminal activity.
3. Participating in sexually explicit photographs or videos for compensation or distribution.

(d) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.

(e) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the juvenile institutions. For example, a statement on a blog that provides specific details on how and when detention transportations are made could reasonably be foreseen as potentially jeopardizing members and youth by informing criminals of details that could facilitate an escape or attempted escape.

(f) Speech or expression contrary to this department's Code of Ethics (15 CCR 1324).

(g) Use or disclosure, through whatever means, of any information, photograph, or video or other recording obtained or accessible because of employment with the juvenile institutions for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief Probation Officer or the authorized designee.

(h) Posting, transmitting, or disseminating any photographs, video or audio recordings, likenesses, or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the Department on any personal or social networking or other website or web page, without the express authorization of the Chief Probation Officer.

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(i) Accessing websites for non-authorized purposes, or use of any personal communication device, game device, or media device, whether personally or department-owned, for personal purposes while on-duty, except in these circumstances:

1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
2. During authorized breaks; however, such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not disrupt the work environment.

Members must take reasonable and prompt action to remove any content, including content posted by others, that violates this policy from any web page or website maintained by the member (e.g., social or personal website).

1229.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not, unless specifically authorized by the Chief Probation Officer, represent the Stanislaus County Probation Department or identify themselves in any way that could be reasonably perceived as representing the Stanislaus County Probation Department in order to (Government Code § 3206; Government Code § 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.

(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose any product, service, company, or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication, or motion picture, film, video, or public broadcast, or on any website.

And when it can reasonably be construed that a member, acting in the member's individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Department.

Members retain their right to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another member to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

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1229.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy regarding emails, texts, or anything published or maintained through file-sharing software or any internet site (e.g., Facebook, Instagram) that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

The Department shall not require a member to disclose a personal username or password for accessing a personal social media account or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

1229.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct prohibited under this policy, the factors that the Chief Probation Officer or the authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in performing the member's duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1229.7 TRAINING

Subject to available resources, the Department should provide training regarding the limitations on speech, expression, and use of social networking to all members of this department.

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Illness and Injury Prevention

1230.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Stanislaus County Probation Department, in accordance with the requirements of 8 CCR 3203.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Detention Manual. This policy does not supersede but supplements any related county-wide safety efforts.

1230.2 POLICY

The Stanislaus County Probation Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injury. The Department will establish and maintain an illness and injury prevention plan and will provide tools, training, and safeguards designed to reduce the potential for accidents, injuries, and illness. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1230.3 ILLNESS AND INJURY PREVENTION PLAN

The Human Resources Manager is responsible for developing an illness and injury prevention plan that shall include:

(a) Workplace safety and health training programs.

(b) Regularly scheduled safety meetings.

(c) Posted or distributed safety information.

(d) A system for members to anonymously inform management about workplace hazards.

(e) Establishment of a safety and health committee that will:

1. Meet regularly.
2. Prepare a written record of safety and health committee meetings.
3. Review the results of periodic scheduled inspections.
4. Review investigations of accidents and exposures.
5. Make suggestions to command staff for the prevention of future incidents.
6. Review investigations of alleged hazardous conditions.
7. Submit recommendations to assist in the evaluation of member safety suggestions.
8. Assess the effectiveness of efforts made by the Department to meet applicable standards.

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(f) Establishing a process to ensure illnesses and injuries are reported as required under 8 CCR 342.

1230.4 HUMAN RESOURCES DEPARTMENT RESPONSIBILITIES

The responsibilities of the Human Resources Department include but are not limited to:

(a) Managing and implementing a plan to reduce the incidence of member illness and injury.

(b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:

1. New member orientation that includes a discussion of safety and health policies and procedures (15 CCR 1322; 15 CCR 1324).
2. Regular member review of the illness and injury prevention plan.
3. Providing access to the illness and injury prevention plan to members or their representatives as set forth in 8 CCR 3203.

(c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.

(d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:

1. Informing members of the illness and injury prevention guidelines.
2. Recognizing members who perform safe work practices.
3. Ensuring that the member evaluation process includes member safety performance.
4. Ensuring department compliance to meet standards regarding the following:
   (a) Respiratory protection (8 CCR 5144)
   (b) Bloodborne pathogens (8 CCR 5193)
   (c) Aerosol transmissible diseases (8 CCR 5199)
   (d) Heat illness (8 CCR 3395)
   (e) Personal Protective Equipment (PPE) (8 CCR 3380) (see the Personal Protective Equipment Policy)
   (f) Emergency Action Plan (8 CCR 3220)
   (g) Fire Prevention Plan (8 CCR 3221)
   (h) Hazards associated with wildfire smoke (8 CCR 5141.1) Members may refer to the Stanislaus County Safety Manual, Wildfire Smoke Protection Program. http://intranet.co.stanislaus.ca.us/resources/safety-manual/safety-manual-files/tab-26-wildfire-smoke.pdf

(e) Making available a form to document inspections, unsafe conditions or unsafe work practices, and actions taken to correct unsafe conditions and work practices.

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(f) Making available a form to document individual incidents or accidents.

(g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training, and training providers.

(h) Conducting and documenting a regular review of the illness and injury prevention plan.

1230.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include but are not limited to:

(a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.

(b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.

(c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.

(d) Supervisors are required to complete the Supervisor's Accident Investigation Report in the event that a member or volunteer suffers an accident, injury or illness on-duty. The report should be submitted to the Facility Superintendent for review and signature. Once all forms have been reviewed and signed, they should be forwarded to the Department Safety Analyst who will in turn forward the form(s) to the Stanislaus County Risk Management Division.

(e) Notifying the Human Resources Manager when:

1. New substances, processes, procedures, or equipment that present potential new hazards are introduced into the work environment.
2. New, previously unidentified hazards are recognized.
3. Occupational illnesses and injuries occur.
4. New and/or permanent or intermittent members are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
5. Workplace conditions warrant an inspection.

1230.6 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or

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remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Human Resources Manager via the chain of command.

The Human Resources Manager will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

1230.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Human Resources Manager shall ensure that the appropriate documentation is completed for each inspection.

1230.7.1 EQUIPMENT

Members are charged with daily inspections of their assigned areas, vehicles and of their personal protective equipment (PPE) as described in the Sanitation Inspections and Daily Activity Logs policies.

In accordance with Stanislaus County Safety Manual, Wildfire Smoke Protection Program, when the current AQI for PM2.5 is equal to or greater than 151, but does not exceed 500, the department shall provide N95 particulate respirators to all affected employees for voluntary use in accordance with Title 8 CCR, §5144 and encourage employees to use respirators.For voluntary use of filtering face pieces, such as N95 particulate respirators, fit testing and medical evaluations will not be required. http://intranet.co.stanislaus.ca.us/resources/safety-manual/safety-manual-files/tab-26-wildfire-smoke.pdf

1230.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

(a) A visit to the accident scene as soon as possible.

(b) An interview of the injured member and witnesses.

(c) An examination of the workplace for factors associated with the accident/exposure.

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(d) Determination of the cause of the accident/exposure.

(e) Corrective action to prevent the accident/exposure from reoccurring.

(f) Documentation of the findings and corrective actions taken.

(g) Completion of the Supervisor Incident Investigation report.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

1230.9 TRAINING

The Facility Superintendent should work with the Human Resources Manager to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

(a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.

(b) To all members regarding hazards specific to each member's job assignment.

(c) To all members given new job assignments for which training has not previously been provided.

(d) Whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard.

(e) Whenever the Department is made aware of a new or previously unrecognized hazard.

1230.9.1 TRAINING TOPICS

The Human Resources Manger shall ensure that training includes:

(a) Reporting unsafe conditions, work practices, and injuries, and informing a supervisor when additional instruction is needed.

(b) Use of appropriate clothing, including gloves and footwear.

(c) Use of respiratory equipment.

(d) Availability of toilet, hand-washing, and drinking-water facilities.

(e) Provisions for medical services and first aid.

(f) Handling of bloodborne pathogens and other biological hazards.

(g) Prevention of heat and cold stress.

(h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).

(i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.

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(j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.

(k) Back exercises/stretches and proper lifting techniques.

(l) Avoidance of slips and falls.

(m) Good housekeeping and fire prevention.

(n) Other job-specific safety concerns.

1230.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

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Line-of-Duty Deaths

1231.1 PURPOSE AND SCOPE

The purpose of this policy is to guide members of the Stanislaus County Probation Department in the event of the death of a member occurs in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief Probation Officer may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1231.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing department-related functions while on- or off-duty, or a non-sworn staff member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin, or significant others. Determining who is a survivor for purposes of this policy should be done case-by-case given the individual's relationship with the member and whether the individual was designated by the deceased member.

1231.2 POLICY

It is the policy of the Stanislaus County Probation Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1231.3 EMERGENCY NOTIFICATION INFORMATION

Every member may complete an "Emergency Notification & Personal Request Packet", which will be used by the Department in the event that family notifications are necessary. Every member has the responsibility to keep this notification packet current.

Members who choose not to participate must keep their emergency contact information updated on the Employee Personal Information Change Form.

All reasonable efforts will be made to notify the member's designated notification representative.

1231.4 INITIAL ACTIONS BY SUPERVISORS

(a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Chief Probation Officer or the authorized designee.

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1. Communication of information about the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).

(b) The Superintendent should ensure that notifications are made in a timely manner and in accordance with the Field Services Manual, Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.

(c) If the member has been transported to the hospital, the Facility Superintendent or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

(d) The Chief Probation Officer or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1231.5 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief Probation Officer or the authorized designee should review the deceased member's employee site file to obtain emergency contact information and/or the Emergency Notification & Personal Request Packet in an effort to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief Probation Officer, Facility Superintendent or the authorized designee should select at least two members to notify survivors, one of which may be the Department Chaplain.

Notifying members should:

(a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed. Inform family members slowly and clearly of the information available and be sure to use the member's name during the notification.

(b) Make the notification while inside the family residence and never on the doorstep. In the event of a life-threatening injury, if there is an opportunity to get to the hospital prior to the demise of the member, make every effort to allow the family this opportunity.

(c) Determine the method of notifying surviving children by consulting with other survivors and considering factors such as the child's age, maturity, and current location (e.g., small children at home, children in school).

(d) Plan for concerns such as known health concerns of survivors or language barriers. If there is knowledge of a medical problem with an immediate survivor, medical personnel should be available at the residence to coincide with the notification.

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(e) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. It is highly recommended that the family not drive themselves to the hospital. If the family insists on driving, an officer should accompany them in the family car. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital. Notifying members should remain at the hospital while the survivors are present.

(f) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities, and other sources of information to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.

(g) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

(h) Offer to call other survivors, friends, or clergy to support the survivors and to avoid leaving survivors alone after notification. Notify any additional family members as requested by the family.

(i) Assist the survivors with meeting childcare or other immediate needs.

(j) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes, and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.

(k) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.

(l) Provide their contact information to the survivors before departing.

(m) Document the survivors' names and contact information, and the time and location of notification. This information should be forwarded to the Department Liaison.

(n) Inform the Chief Probation Officer or the authorized designee once survivor notifications have been made so that other Stanislaus County Probation Department members may be apprised that survivor notifications are complete.

1231.5.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

(a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.

(b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief Probation Officer.

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1231.6 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief Probation Officer are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio or facility intercom systems.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

1231.7 LIAISONS AND COORDINATORS

The Chief Probation Officer or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including but not limited to:

(a) Department Liaison.

(b) Notification Team Liaison.

(c) Hospital Liaison.

(d) Survivor Support Liaison.

(e) Critical Incident Stress Management (CISM) coordinator.

(f) Funeral Liaison.

(g) Mutual aid coordinator.

(h) Benefits Liaison.

(i) Finance coordinator.

(j) Peer Support Liaison.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

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1231.7.1 DEPARTMENT LIAISON

The Department Liaison should be of sufficient rank (e.g., Facility Superintendent) to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief Probation Officer. The Department Liaison's responsibilities include but are not limited to:

(a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).

(b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.

(c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

(d) Identifying locations that will accommodate a law enforcement funeral, if applicable, and presenting the options to the appropriate survivors, who will select the location.

(e) Coordinating all official law enforcement notifications and arrangements, if applicable.

(f) Making necessary contacts for authorization to display flags at half-mast, if applicable.

(g) Ensuring that department members are reminded of information-sharing restrictions regarding the release of information that could undermine future legal proceedings.

(h) Coordinating security checks of the member's residence as necessary and reasonable.

(i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1231.7.2 NOTIFICATION TEAM LIAISON

The Chief Probation Officer or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain and/or members of the Peer Support Team. The Chief Probation Officer or authorized designee representing the department should be a member of the Notification Team.

Recognizing that this is the most critical area in helping mitigate, rather than escalate, the trauma for the family, the Division Director will provide as much information as is available to the Chief Probation Officer so that the Notification Team may be assembled (See the Notifying Survivors & Department Members sections of this policy).

1231.7.3 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

(a) Arrange for appropriate and separate waiting areas for:

1. The survivors and others whose presence is requested by the survivors.
2. Department members and friends of the deceased member.
3. Media personnel.

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(b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Stanislaus County Probation Department members (except for members who may be guarding the suspect).

(c) Coordinate security or armed officer(s) outside the hospital room during hospitalization of injured member, if applicable.

(d) Ensure that survivors receive timely updates regarding the member before information is released to others.

(e) Arrange for survivors to have private time with the member, if requested.

1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them.

2. The Hospital Liaison should accompany the survivors into the room, if requested.

(f) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.

(g) If applicable, explain to the survivors why an autopsy may be needed.

(h) Ensure hospital bills are directed to the Stanislaus County Risk Management Office, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information, and next of kin are not included on hospital paperwork. This may require the Hospital Liaison to recontact the hospital during normal business hours to ensure proper billing takes place.

(i) Ensure that Human Resources notify Risk Management of the incident.

Other responsibilities of the Hospital Liaison include but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Establishing a press staging area. Immediately notify the on-duty Public Information Officer (PIO) to respond. All news releases must be approved by the Chief Probation Officer or the authorized designee.
- Documenting the Hospital Liaison's actions at the conclusion of the duties.

1231.7.4 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Facility Superintendent. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.

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- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include but are not limited to:

(a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes, and other locations.

(b) Communicating with the Department Liaison regarding security measures for the family residence, as needed.

(c) If requested by the survivors, assisting with instituting methods of screening telephone calls made to their residence after the incident.

(d) Assisting with travel and lodging arrangements for out-of-town survivors.

(e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:

1. Items should not be delivered to the survivors until they are ready to receive the items.
2. Items not retained as evidence should be delivered in a clean, unmarked box.
3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
4. The return of some personal effects may be delayed due to ongoing investigations.

(f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.

1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.

(g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.

(h) Coordinating with the department's Public Information Officer (Chief Probation Officer) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations according to their wishes (see the Public Information Officer section of this policy).

(i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal, and administrative investigations.

(j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.

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(k) Introducing survivors to prosecutors, victim's assistance personnel, and other involved personnel as appropriate.

(l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).

(m) Inviting survivors to department activities, memorial services, or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Stanislaus County Probation Department Field Services Manual, Personal Communication Devices Policy.

1231.7.5 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief Probation Officer or the authorized designee, liaisons, coordinators, and other resources to make CISM and counseling services available to members and survivors affected by a line-of-duty death. The responsibilities of the CISM coordinator include but are not limited to:

(a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:

1. Members involved in the incident.
2. Members who witnessed the incident.
3. Members who worked closely with the deceased member but were not involved in the incident.

(b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.

(c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.

(d) Coordinating with the Survivor Support Liaison to ensure survivors know of available CISM and counseling services and assisting with arrangements as needed.

(e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

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1231.7.6 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison, and survivors to coordinate funeral arrangements to the extent the survivors wish and as detailed in the member's Emergency Notification and Personal Request Packet. The Funeral Liaison's responsibilities include but are not limited to:

(a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.

(b) Completing funeral notification to other law enforcement agencies, if applicable.

(c) Coordinating the funeral activities of the Department, including but not limited to the following, if applicable:

1. Honor Guard
    - (a) Casket watch
    - (b) Color guard
    - (c) Pallbearers
    - (d) Bell/rifle salute
2. Bagpipers/bugler
3. Uniform for burial
4. Flag presentation
5. Last radio call

(d) Briefing the Chief Probation Officer and command staff about funeral arrangements.

(e) Assigning a probation corrections officer to remain at the family home during the viewing and funeral.

(f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

1231.7.7 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

(a) Traffic control during the deceased member's funeral.

(b) Area coverage so that as many Stanislaus County Probation Department members can attend funeral services as possible.

The mutual aid coordinator should perform their duties in accordance with the Stanislaus County Probation Department Field Services Manual, Outside Agency Assistance Policy.

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1231.7.8 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include but are not limited to:

(a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).

(b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:

1. Public Safety Officers' Benefits (PSOB) Programs.
2. Public Safety Officers' Educational Assistance (PSOEA) Program.
3. Social Security Administration.
4. Department of Veterans Affairs.

(c) Researching and assisting survivors with application for state and local government survivor benefits.

1. Education benefits (Education Code § 68120).
2. Health benefits (Labor Code § 4856).
3. Worker's compensation death benefit (Labor Code § 4702).

(d) Researching and assisting survivors with application for other survivor benefits such as:

1. Private foundation survivor benefits programs.
2. Survivor scholarship programs.

(e) Researching and informing survivors of support programs sponsored by department associations and other organizations.

(f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.

1. If requested, working with the finance coordinator to assist survivors with establishing a process for receiving public donations.

(g) Providing survivors with a summary of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.

(h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1231.7.9 FINANCE COORDINATOR

The finance coordinator should work with the Chief Probation Officer and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include but are not limited to:

(a) Establishing methods for purchasing and monitoring costs related to the incident.

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(b) Providing information on finance-related issues, such as:

1. Paying survivors' travel costs if authorized.
2. Transportation costs for the deceased.
3. Funeral and memorial costs.
4. Related funding or accounting questions and issues.

(c) Working with the Benefits Liaison to establish a process for receiving public donations to the deceased member's survivors.

(d) Providing accounting and cost information as needed.

1231.7.10 PEER SUPPORT TEAM (PST)

The Stanislaus Probation Department Peer Support Program provides trained peers who are available as a resource to listen, support, or assist members and provide the following: support during professional or personal events; support during stressful or difficult periods in their life; or in the event of a critical incident.

(a) The role of the PST includes providing an informal network of resources and intervention voluntarily staffed by appropriately trained colleagues.

(b) The PST will work with the Chief Probation Officer and may be assigned to collaborate with any of the above listed liaison representatives and/or coordinators with their assignments, as appropriate.

1231.8 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the Chief Probation Officer or the authorized designee should be the department's contact point for the media. As such, the Chief Probation Officer or the authorized designee should coordinate with the Department Liaison to:

(a) Collect and maintain the most current incident information and determine what information should be released.

(b) Ensure that department members are instructed to direct any media inquiries to the Chief Probation Officer or the authorized designee.

(c) Prepare necessary press releases.

1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
2. Ensure that important public information is disseminated, such as information on how the public can show support for the department and deceased member's survivors.

(d) Arrange for community and media briefings by the Chief Probation Officer or the authorized designee as appropriate.

(e) Respond, or coordinate the response, to media inquiries.

(f) If requested, assist the member's survivors with media inquiries.

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1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.

(g) Release information regarding memorial services and funeral arrangements to department members, other agencies, and the media as appropriate.

(h) If desired by the survivors, arrange for recording memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the Chief Probation Officer should request that the media withhold the information from release until proper notification can be made to survivors. The Chief Probation Officer should ensure that media are notified when survivor notifications have been made.

1231.9 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. The chaplain's duties may include but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support, or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.
- Assisting with counseling and emotional support for in-custody youth, as appropriate.

Further information of the potential roles and responsibilities of the chaplain is in the Field Policy Manual, Chaplains Policy.

1231.10 INVESTIGATION OF THE INCIDENT

The Chief Probation Officer shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Field Policy Manual, Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends, or personnel who worked closely with the deceased member should have no investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

1231.11 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Chief Probation Officer may authorize appropriate memorial and funeral services for probation canine animals killed in the line of duty.

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1231.12 NON-LINE-OF-DUTY DEATH

The Chief Probation Officer may authorize certain support services for the death of a member not occurring in the line of duty.

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Leave Benefits

1232.1 PURPOSE AND SCOPE

This policy provides general guidance regarding department employee leave benefits.

Guidance on the use and processing of sick leave is detailed in the Sick Leave Policy and in the county personnel manual or applicable collective bargaining agreement or memorandum of understanding.

1232.2 POLICY

It is the policy of the Stanislaus County Probation Department to provide eligible members with the leave benefits described in the county personnel manual and any collective bargaining agreement or memorandum of understanding.

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Vehicle Use

1233.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the County of Stanislaus to provide assigned take-home vehicles.

1233.2 POLICY

The Stanislaus County Probation Department provides vehicles for official business use and may assign take-home vehicles based on its determination of operational efficiency, economic impact to the Department, tactical deployments, and other considerations.

Operation of County vehicles is limited to members and volunteers who have been authorized to drive pursuant to the Field Policy Manual, Vehicle Maintenance policy and who are engaged in authorized departmental business.

Except for those vehicles assigned to individuals as take-home vehicles, County vehicles may not be driven from the departmental work location to lunch, or for personal errands. Members in the field may drive to the nearest reasonable place for a meal.

All members are required to adhere to Stanislaus County Safety Manual Tab 8 Section IV regarding Driver Responsibility and Tab 8 Section III regarding Emergency Operations. http://www.stancounty.com/personnel/pdf/personnelmanual.pdf

1233.3 USE AND SECURITY OF DEPARTMENT VEHICLES

All staff members who operate department-owned or leased vehicles must comply with all state laws and must possess a valid driver's license endorsed for the type of vehicle operated.

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., field activity, transportation to training, community event) shall first notify their supervisor.

This subsection does not apply to those who are assigned to vehicle transportation duties to and from the maintenance yard or carwash.

All department vehicles shall be returned to their usual storage place at the end of the workday, unless prior approval is obtained.

1233.3.1 USE OF SEAT BELTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints (see the Seat Belts Policy). Youth shall be secured and transported under the Restraints and Transportation of Youth Outside the Facility policies.

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1233.3.2 VEHICLE SECURITY

Department vehicles will be locked and the keys will be secured when not in use. The staff will make every effort to ensure that the vehicles are parked in a secure location.

Under no circumstances will youth be allowed to operate a vehicle or have any vehicle keys. Youth workers assigned to clean vehicles must be closely supervised by staff.

Losing any vehicle key shall be promptly reported, in writing, to the on-duty supervisor.

No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., canine safety). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Officers shall ensure all weapons are secured while the vehicle is unattended.

1233.3.3 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated unless transporting children as written elsewhere in the Seat Belts Policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

1233.3.4 MDT

Officers assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the officer shall notify Dispatch if conducting field activity. Use of the MDT is governed by the Field Policy Manual, Mobile Data Terminal Use Policy.

1233.3.5 VEHICLE LOCATION SYSTEM

Probation Department vehicles, at the discretion of the Chief Probation Officer, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, officers are not relieved of their responsibility to use required communication practices to report their location and status.

Officers shall not make any unauthorized modifications to the system. At the start of each shift, officers shall verify that the system is on and report any malfunctions to their supervisor. If the officer finds that the system is not functioning properly at any time during the shift, they should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require Facility Superintendents approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

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1233.3.6 KEYS
Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command in the form of an incident report.

1233.3.7 AUTHORIZED PASSENGERS
Members operating department vehicles shall not permit persons other than County personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle.

1233.3.8 ALCOHOL
Members who have consumed alcohol are prohibited from operating any department vehicle. Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

1233.3.9 PARKING
Except when responding to an emergency or when urgent department-related business requires otherwise, officers driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. County vehicles assigned to each separate office location of the Department will be pooled for use and parked in designated locations only.

1233.3.10 ACCESSORIES AND/OR MODIFICATIONS
There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program supervisor.

1233.3.11 NON-SWORN MEMBER USE
Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non-sworn members shall prominently display the "out of service" placards or light bar covers at all times. Non-sworn members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

1233.4 VEHICLE INSPECTIONS
Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

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When transporting any suspect, prisoner or arrestee, the transporting officer shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department-owned vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle may have any expectation of privacy regarding the vehicle or any of its contents, regardless of who owns the contents.

1233.5 INDIVIDUAL OFFICER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual officers at the discretion of the Chief Probation Officer. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the officer is unable to perform their regular assignment.

1233.5.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief Probation Officer or the authorized designee.

1233.5.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by officers to commute to and from a work assignment. Officers may take home department vehicles only with prior approval of the Chief Probation Officer and shall meet the following criteria:

(a) The circumstances are unplanned and were created by the needs of the department.

(b) Other reasonable transportation options are not available.

(c) The officer lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Stanislaus County limits.

(d) Off-street parking will be available at the officer's residence.

(e) Vehicles will be locked when not attended.

(f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

1233.5.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the officer's residence, the nature of the officer's duties, job description and essential functions, and employment or appointment status. Residence in the County of Stanislaus is a prime consideration for assignment of a take-home vehicle. Officers who reside outside the County of Stanislaus may be required

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to secure the vehicle at a designated location or the Department at the discretion of the Chief Probation Officer.

Officers are cautioned that under federal and local tax rules, personal use of a County vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the officer's tax adviser.

Criteria for use of take-home vehicles include the following:

(a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief Probation Officer or a Division Director gives authorization.

(b) Vehicles may be used to transport the officer to and from the officer's residence for work-related purposes.

(c) Vehicles will not be used when off-duty except:

1. In circumstances when an officer has been placed on call by the Chief Probation Officer or the Facility Superintendent and there is a high probability that the officer will be called back to duty.
2. When the officer is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
3. When the officer has received permission from the Chief Probation Officer or Facility Superintendent.
4. When the vehicle is being used by the Chief Probation Officer, Division Directors/ Facility Superintendent or officers who are in on-call administrative positions.

(d) While operating the vehicle, authorized officers will carry and have accessible their duty firearms.

(e) Unattended vehicles are to be locked and secured at all times.

1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., canine safety).
2. All weapons shall be secured while the vehicle is unattended.
3. All department identification, portable radios and equipment should be secured.

(f) Vehicles are to be parked off-street at the officer's residence unless prior arrangements have been made with the Chief Probation Officer or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and impact weapons shall be removed and properly secured in the residence (see the Field Services Firearms Policy regarding safe storage of firearms at home).

(g) Vehicles are to be secured at the officer's residence or the appropriate department facility, at the discretion of the Department when an officer will be away (e.g., on vacation) for periods exceeding one week.

1. If the vehicle remains at the residence of the officer, the Department shall have access to the vehicle.

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2. If the officer is unable to provide access to the vehicle, it shall be parked at the Department.

(h) The officer is responsible for the care and maintenance of the vehicle.

1233.5.4 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

(a) Members shall make daily inspections of their assigned vehicles for service/ maintenance requirements and damage.

(b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.

(c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.

(d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.

(e) All weapons, gas cards and garage prox cards shall be removed from any vehicle left for maintenance.

(f) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to officers under their command to ensure the vehicles are being maintained in accordance with this policy.

1233.6 UNMARKED VEHICLES

Any member operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the facility.

1233.7 VEHICLE SAFETY REPAIRS

Anyone authorized to drive department vehicles is responsible for assisting in maintaining the vehicles so that they are properly equipped, maintained, and refueled, and present a clean appearance.

Anyone authorized to drive department vehicles is responsible for inspecting the interior and exterior of any assigned vehicle before placing the vehicle into service and again at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

Vehicles deemed unsafe shall not be used until necessary repairs are made. The written request for repairs shall be submitted before the operator checks out a replacement vehicle. The Facility Superintendent or the authorized designee shall monitor the maintenance requests and ensure that the necessary repairs are made before the vehicle is placed back into service.

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All vehicles owned, leased, or used by this department shall be inspected annually by a qualified individual. Inspection reports will be forwarded to and maintained by the Facility Superintendent.

1233.8 USE OF PERSONAL VEHICLES

The use of personal vehicles for official business must be approved by the Facility Superintendent.

1233.9 COLLISION DAMAGE, ABUSE, AND MISUSE

When a leased or department-owned vehicle is involved in a traffic collision, the involved member shall promptly notify a supervisor. A traffic collision report shall be filed with the agency having jurisdiction. See the Field Policy Manual, Traffic Collision Reporting Policy).

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered. It shall be documented in an incident report and forwarded to the Unit/Shift Supervisor. An administrative investigation should be initiated to determine if there is any vehicle abuse or misuse.

1233.10 TOLL ROAD USE

Law enforcement vehicles are not routinely exempt from incurring toll road charges. Pursuant to the non-revenue policy of the toll roads, law enforcement agencies responding to an emergency or incident on the toll roads while on-duty are exempt from paying the toll.

Commuting or returning to the Department after an emergency does not qualify for this exemption; personnel using department-owned vehicles are subject to the toll charge.

To avoid unnecessary toll road violation charges, all members operating department-owned vehicles on toll roads shall adhere to the following:

(a) Members operating department-owned vehicles for any reason other than an initial response to an emergency shall stop and pay the appropriate toll charge.

(b) Members may submit for reimbursement from the Department for any toll fees.

(c) Members driving department-owned vehicles through a toll plaza or booth during a response to an emergency shall draft a memo to their supervisors immediately upon their return to the Department explaining the circumstances.

1233.11 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

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Brady Information

1234.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "*Brady* information") to a prosecuting attorney.

1234.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** - Information known or possessed by the Stanislaus County Probation Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

***Material* information**- Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

1234.2 POLICY

The Stanislaus County Probation Department will conduct fair and impartial investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Stanislaus County Probation Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

1234.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Probation corrections officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If a probation corrections officer learns of potentially incriminating or exculpatory information any time after submission of a case, the probation corrections officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., informant or protected personnel files), the probation corrections officer should discuss the matter with a supervisor and/or the Facility Superintendent, who will consult with County Counsel to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If a probation corrections officer is unsure whether

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evidence or facts are material, the probation corrections officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in the investigative reports.

1234.4 DISCLOSURE OF PERSONNEL INFORMATION

If *Brady* information is located in the personnel file of a member of this department who is a material witness in a criminal case, the following procedure should apply:

(a) In the event an attorney has filed a Pitchess motion, any member who is the subject of such a motion shall be notified in writing that a motion has been filed.

(b) The Custodian of Records shall notify County Counsel upon a Pitchess motion being filed.

(c) The Custodian of Records shall accompany all relevant personnel files during any in camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.

(d) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.

1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.

1234.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility or dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

1234.6 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

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Body Armor

1235.1 PURPOSE AND SCOPE

The purpose of this policy is to provide probation corrections officers with guidelines for the proper use of body armor.

1235.2 POLICY

It is the policy of the Stanislaus County Probation Department to maximize probation corrections officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for observing probation corrections officer safety procedures.

1235.3 ISSUANCE OF BODY ARMOR

The Department Equipment Supervisor shall ensure that body armor is issued to probation corrections officers assigned to positions requiring them to carry firearms and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Department Equipment supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1235.3.1 USE OF BODY ARMOR

Generally, the required use of body armor is subject to the following:

(a) Probation Corrections Officers shall only wear department-approved body armor.

(b) Probation Corrections Officers shall wear body armor any time they are in a position requiring them to carry a firearm.

(c) Armed officers are not required to wear body armor in the office.

(d) Probation Corrections Officers shall wear body armor when working in uniform or taking part in department range training.

(e) Probation Corrections Officers are not required to wear body armor when they are functioning primarily in an administrative or support capacity or a position where they are not required to carry a firearm.

(f) Probation Corrections Officers electing to wear a probation tactical vest shall also wear body armor.

1235.3.2 INSPECTION OF BODY ARMOR

Supervisors should ensure through routine observation and periodic documented inspections that body armor is worn and maintained in accordance with this policy.

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Annual inspections of body armor should be conducted by the Probation Corrections Officer for fit, cleanliness, and signs of damage, abuse, and wear.

1235.3.3 CARE AND MAINTENANCE

The required care and maintenance of body armor is subject to the following:

(a) Probation Corrections Officers are responsible for inspecting their body armor for signs of damage, wear, and cleanliness at the start of each shift.

1. Unserviceable body armor shall be reported to the supervisor.

(b) Probation Corrections Officers are responsible for the proper storage of their body armor.

1. Body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

(c) Probation Corrections Officers are responsible for the care and cleaning of their body armor pursuant to the manufacturer's care instructions. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions.

1. Body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

2. Failure to follow manufacturer's care instructions may damage the ballistic performance capabilities of the body armor. If care instructions for the body armor cannot be located, the manufacturer should be contacted to request the instructions by the Department Equipment Supervisor.

(d) Body armor should be replaced in accordance with the manufacturer's recommended replacement schedule, or when its effectiveness or functionality has been compromised.

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Personal Protective Equipment

1236.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well as the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable diseases, as those issues are addressed in the Body Armor and Communicable Diseases - Members policies.

1236.1.1 DEFINITIONS

Definitions related to this policy include:

N95 face piece - These are filtering face piece half-mask respirators, sometimes referred to as N95s. A filtering face piece respirator covers the nose and mouth, and is a tight-fitting, air-purifying respirator in which the whole face piece functions as the filter. Filtering face pieces may or may not have an exhalation valve to help exhaled breath exit the face piece. They need to be fit tested, unless you are wearing them under voluntary use conditions. Filtering face piece respirators filter out particles and do not protect against non-particulate hazards such as gases or vapors.

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical, or other workplace hazards.

1236.2 POLICY

The Stanislaus County Probation Department endeavors to protect members by supplying certain PPE to members as provided in this policy or as otherwise authorized by the Chief Probation Officer or designee.

All members are to follow the guidelines as outlined in the Stanislaus County Safety Manual-Tab 11- Respiratory Protection Policy. http://intranet.co.stanislaus.ca.us/resources/safety-manual/safety-manual-files/Tab%2011%20Respiratory%20Protection.pdf

1236.3 PROBATION CORRECTIONS OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

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1236.4 HEARING PROTECTION

Approved hearing protection shall be used by Probation Corrections Officers during firearms training.

Hearing protection shall meet or exceed the requirements provided in 8 CCR 5098.

1236.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by Probation Corrections Officers during firearms training. Eye protection for officers who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Officers shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 8 CCR 3382.

1236.6 RESPIRATORY PROTECTION

The Department Safety Analyst is responsible for ensuring a respiratory protection plan is developed as it pertains to the use of the N95 face pieces.

1236.7 RECORDS

The Department Safety Analyst is responsible for maintaining records of all PPE training.

1236.8 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove, and adjust PPE; how to care for the PPE; and the limitations (8 CCR 3380).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (8 CCR 5144).

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Nonsworn Attire

1237.1 PURPOSE AND SCOPE

This policy provides requirements for attire for Stanislaus County Probation Department non-sworn staff members.

1237.2 POLICY

Stanislaus County Probation Department members who are not required to wear department-issued clothing items, insignia, or other distinguishing attire in performance of their assigned duties shall dress in a manner that projects a positive professional image while on-duty.

1237.3 PROFESSIONAL ATTIRE

Nonsworn department members shall maintain in their manner of dress, personal grooming, and hygiene the highest professional standards as outlined in the Uniform and Non-Uniform Attire and the Personal Appearance Standards policies.

Professional attire will be worn daily when conducting official business, attending training, or participating in department-sponsored activities. Members shall refrain from wearing clothing that detracts from the department's mission and public image, regardless of work setting.

1237.4 LOGOS

Items bearing the department logo will not be worn when performing duties of other employment as described in the Outside Employment and Outside Overtime Policy.

1237.5 EXCEPTIONS

Any exceptions or accommodations to the Uniform and Non-Uniform Attire and Personal Appearance Standards policies (e.g., for medical, religious, or other reasons) shall be addressed by the Chief Probation Officer.

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Subpoenas and Court Appearances

1238.1 PURPOSE AND SCOPE

This policy has been established to provide guidelines for the acceptance of subpoenas and to ensure that members appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

1238.2 POLICY

Stanislaus County Probation Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

1238.3 COURT SUBPOENAS

Members who receive subpoenas related to their employment with this agency are subject to the provisions of this policy. Members should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Members are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

1238.4 SERVICE OF SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so. This may be accomplished by personal service to the probation corrections officer or by delivery of two copies of the subpoena to the probation corrections officer's supervisor or other authorized department agent (Government Code § 68097.1; Penal Code § 1328).

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328):

(a) The supervisor or authorized individual will be unable to deliver a copy of the subpoena to the named probation corrections officer within sufficient time for the named probation corrections officer to comply with the subpoena.

(b) It is less than five working days prior to the date listed for an appearance and the supervisor or authorized individual is not reasonably certain that service can be completed.

If, after initially accepting service of a criminal subpoena, a supervisor or other authorized individual determines it is not possible to deliver a copy of the subpoena to the named probation corrections officer within sufficient time for the named probation corrections officer to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328).

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1238.4.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify, or provides information on behalf or at the request of any party other than the County Counsel or the prosecutor shall notify the member's immediate supervisor without delay regarding:

(a) Any civil case where the county or one of its members, as a result of the member's official capacity, is a party.

(b) Any civil case where any other city, county, state, or federal unit of government or a member of any such unit of government, as a result of the member's official capacity, is a party.

(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

(d) Any civil action stemming from the member's on-duty activity or because of the member's association with the Stanislaus County Probation Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Stanislaus County Probation Department.

The supervisor will then notify the Chief Probation Officer, or designee and the appropriate prosecuting attorney as may be indicated by the case. The Chief Probation Officer should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

1238.4.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties. Members shall obtain prior approval from the Chief Probation Officer or Assistant Chief Probation Officer in order to use county vehicles.

The Stanislaus County Probation Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

1238.4.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

1238.5 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

1238.6 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

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If a member on standby changes location during the day, the member shall notify the designated department member of how the member can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

1238.7 COURTROOM PROTOCOL

When appearing in court, members shall:

(a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.

(b) Dress in the department uniform or business attire.

(c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

1238.7.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

1238.8 OVERTIME APPEARANCES

When a member appears in court on off-duty time, the member will be compensated in accordance with the current collective bargaining agreement or memorandum of understanding.

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Member Termination/Retirement

1239.1 POLICY

A member who decides to terminate County service should submit their resignation, in writing, to the Chief Probation Officer via the chain of command. Included in the resignation, should be the expected date of termination. A two-(2) week notice is requested.

The Facility Superintendent or designee shall have the staff member complete an exit interview, when feasible, using the Exit Interview form with all staff members resigning, terminating or voluntarily leaving Probation Department employment. The form, once completed, shall be forwarded, through the chain of command, to the Human Resources Manager.

See the Stanislaus County Probation Department Field Policy Manual, Department Owned and Personal Property, Uniform Regulations and Department Badges policies for further information.

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