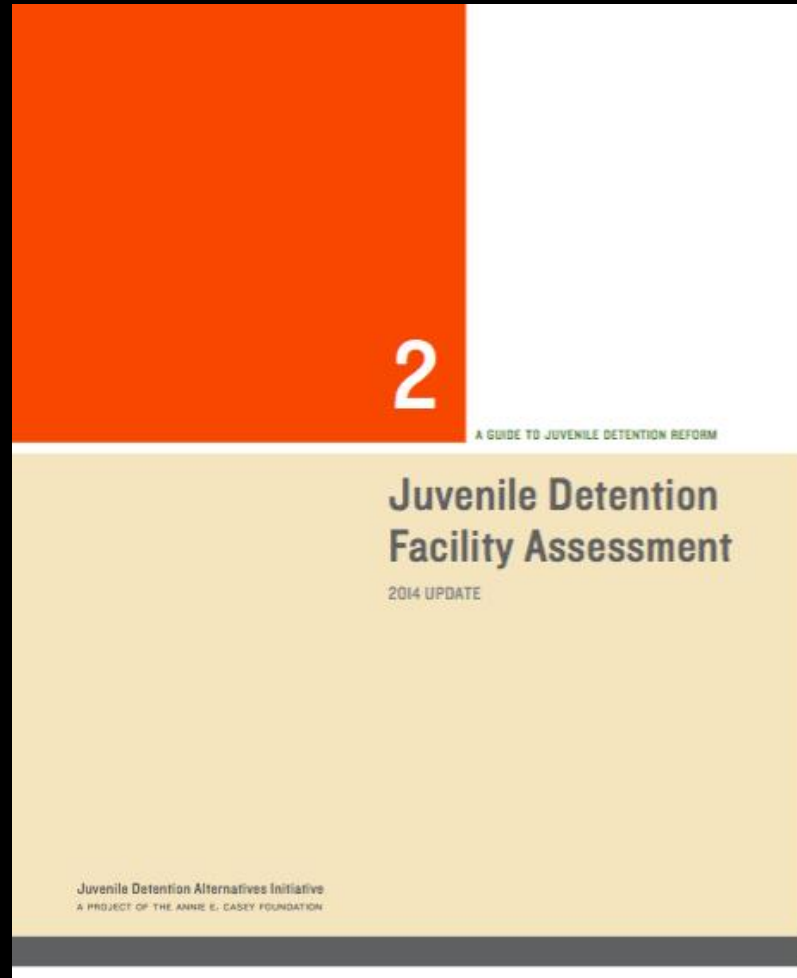


Conditions of Confinement

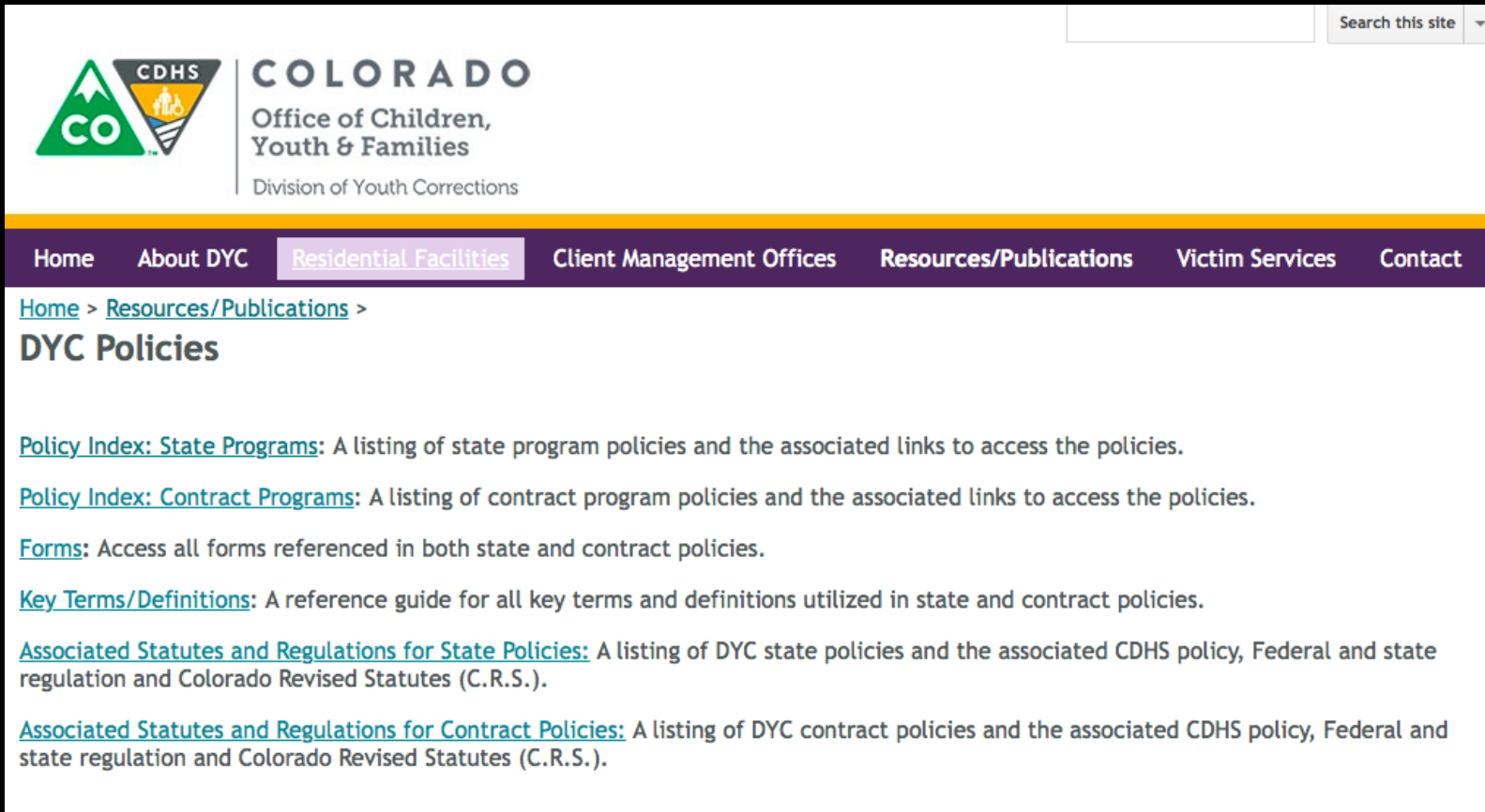
Looking at the Lockup

Where to Look



- Juvenile Detention Alternatives Initiative (JDAI) Juvenile Detention Facility Standards
- <http://www.aecf.org/m/resourcedoc/aecf-juveniledetentionfacilityassessment-2014.pdf#page=103>

Where to Look



The screenshot shows the website of the Colorado Office of Children, Youth & Families, Division of Youth Corrections. The header includes the CDHS logo and a search bar. The navigation menu has links for Home, About DYC, Residential Facilities (highlighted), Client Management Offices, Resources/Publications, Victim Services, and Contact. The breadcrumb trail is Home > Resources/Publications > DYC Policies. The main content area lists several policy-related links: Policy Index: State Programs, Policy Index: Contract Programs, Forms, Key Terms/Definitions, Associated Statutes and Regulations for State Policies, and Associated Statutes and Regulations for Contract Policies.

COLORADO
Office of Children,
Youth & Families
Division of Youth Corrections

Home About DYC **Residential Facilities** Client Management Offices Resources/Publications Victim Services Contact

[Home](#) > [Resources/Publications](#) >
DYC Policies

[Policy Index: State Programs](#): A listing of state program policies and the associated links to access the policies.

[Policy Index: Contract Programs](#): A listing of contract program policies and the associated links to access the policies.

[Forms](#): Access all forms referenced in both state and contract policies.



[Key Terms/Definitions](#): A reference guide for all key terms and definitions utilized in state and contract policies.

[Associated Statutes and Regulations for State Policies](#): A listing of DYC state policies and the associated CDHS policy, Federal and state regulation and Colorado Revised Statutes (C.R.S.).

[Associated Statutes and Regulations for Contract Policies](#): A listing of DYC contract policies and the associated CDHS policy, Federal and state regulation and Colorado Revised Statutes (C.R.S.).

- DYC Policies
- <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/dyc-policies>

Where to Look

COLORADO DEPARTMENT OF HUMAN SERVICES DIVISION OF YOUTH CORRECTIONS	POLICY S 9.13	PAGE NUMBER 1 OF 7
	CHAPTER: Security and Control	
	SUBJECT: Searches of Juveniles and Facilities	
	EFFECTIVE DATE: April 16, 2015	
THIS POLICY RELATES TO: State-Operated Treatment Facilities State-Operated Detention Facilities	 Charles Parkins, Director	

I. POLICY:

Consistently applied search practices are essential to the order and security of the facility and shall be designed to prevent, control, and intercede the introduction of weapons or other contraband; however, indiscriminate body searches of juveniles are prohibited in all Division of Youth Corrections' facilities. Upon a juvenile's admission to the facility, returning from an unsupervised setting, or whenever there is reason to believe that the security of the facility may be endangered or that contraband may be present in or introduced into the facility, the search of a juvenile and his/her possessions shall occur.

II. KEY TERMS:

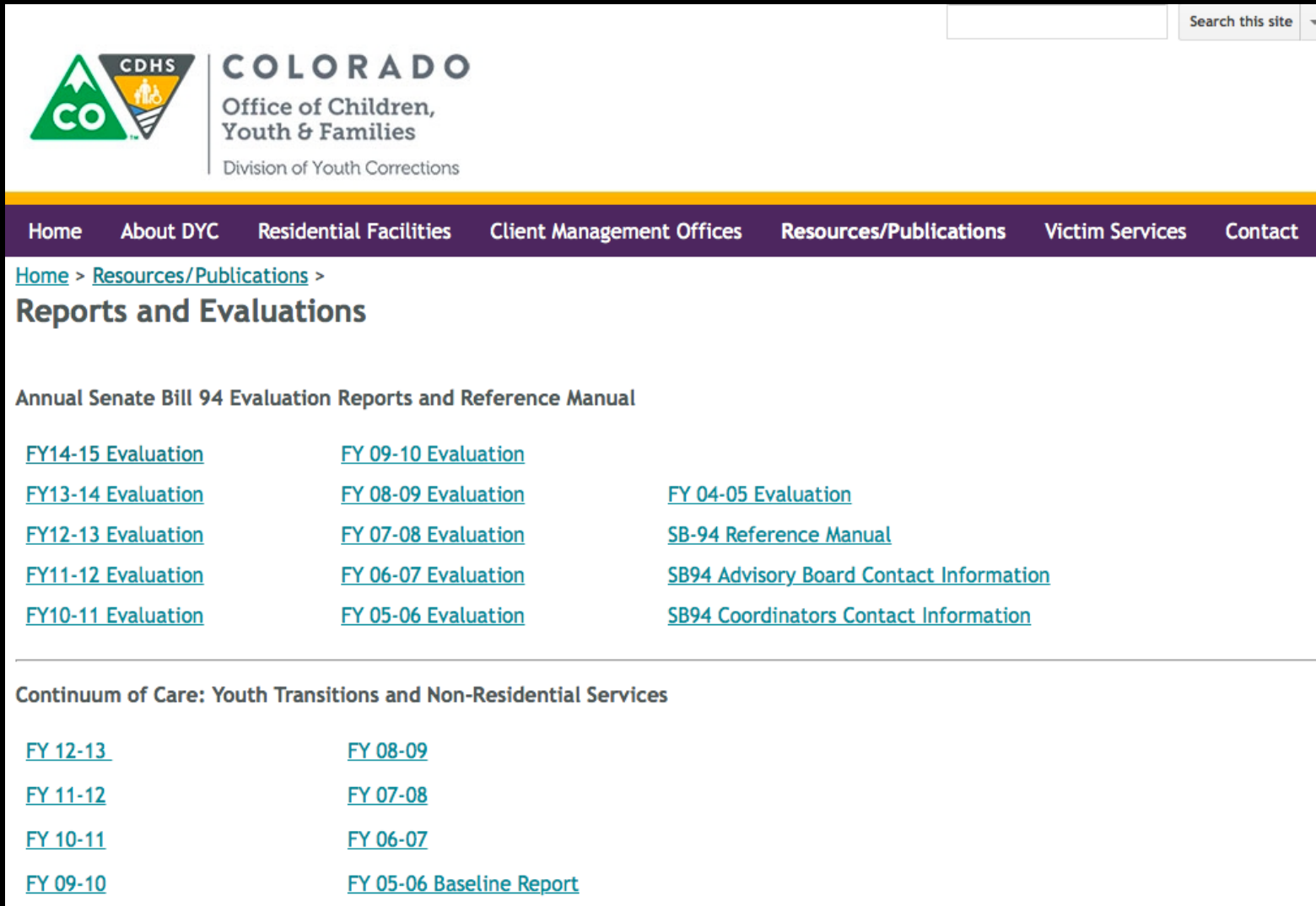
- A. Body Cavity Search
- B. Contraband
- C. Frisk/Pat Search
- D. Strip Search

III. PROCEDURES:

A. Purpose of Searches:

- 1. To prevent, detect, and suppress, the introduction, manufacturing, and circulation of contraband into or within the facility.

Where to Look



The screenshot shows the Colorado Department of Human Services (CDHS) website. The header includes the CDHS logo, the text 'COLORADO Office of Children, Youth & Families', and 'Division of Youth Corrections'. A search bar is located in the top right. A navigation menu contains links: Home, About DYC, Residential Facilities, Client Management Offices, Resources/Publications, Victim Services, and Contact. The main content area is titled 'Reports and Evaluations' and includes a breadcrumb trail: Home > Resources/Publications > Reports and Evaluations. Under the heading 'Annual Senate Bill 94 Evaluation Reports and Reference Manual', there is a grid of links for various fiscal year evaluations (FY 04-05 to FY 14-15), the SB-94 Reference Manual, SB94 Advisory Board Contact Information, and SB94 Coordinators Contact Information. A second section, 'Continuum of Care: Youth Transitions and Non-Residential Services', lists links for fiscal years FY 09-10 through FY 12-13, plus a baseline report for FY 05-06.

CDHS COLORADO
Office of Children,
Youth & Families
Division of Youth Corrections

Search this site

Home About DYC Residential Facilities Client Management Offices Resources/Publications Victim Services Contact

Home > Resources/Publications > Reports and Evaluations

Reports and Evaluations

Annual Senate Bill 94 Evaluation Reports and Reference Manual

FY14-15 Evaluation	FY 09-10 Evaluation	
FY13-14 Evaluation	FY 08-09 Evaluation	FY 04-05 Evaluation
FY12-13 Evaluation	FY 07-08 Evaluation	SB-94 Reference Manual
FY11-12 Evaluation	FY 06-07 Evaluation	SB94 Advisory Board Contact Information
FY10-11 Evaluation	FY 05-06 Evaluation	SB94 Coordinators Contact Information

Continuum of Care: Youth Transitions and Non-Residential Services

FY 12-13	FY 08-09
FY 11-12	FY 07-08
FY 10-11	FY 06-07
FY 09-10	FY 05-06 Baseline Report

- DYC Reports
- <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

Who to Call

- **CJDC**
 - 303-825-0194
- **Disability Law Colorado**
 - **Protection and Advocacy (P&A) System**
 - 800-288-1376 or 303-722-0300
- **Office of the Child Protection Ombudsman**
 - 303-864-5111

Solitary Confinement



- Holding a child involuntarily in a locked room or area, alone.
- NYC terminology: “Seclusion”
- Additional NYC policies for “time outs” and “room time”
- Prior use:
 - Long periods of time
 - Harsh conditions
 - Part of a “special management program”

Solitary Confinement

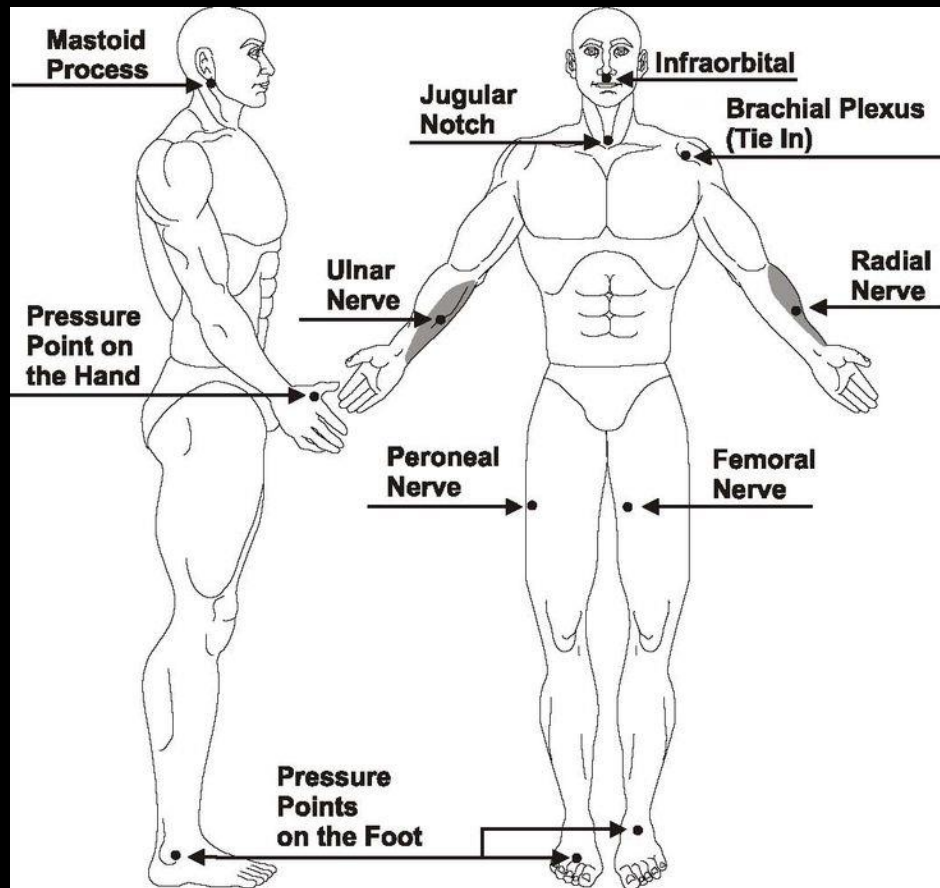
- **JDAI Standards:**

- Staff only use room confinement as a temporary response to behavior that threatens immediate harm to the youth or others.
- Staff never use room confinement for discipline, punishment, administrative convenience, retaliation, staffing shortages
- Prior to using room confinement, staff use less restrictive techniques
- Youth is released as soon as they regain self control
- Staff do not place youth in room confinement for more than four hours
- Rooms are suicide resistant
- Voluntary time outs are permitted (in a room that is not locked)

- **Current DYC Policy:**

- Seclusion is only permitted when there is an emergency: serious probable and imminent threat of bodily harm to self or others AND the present ability to effect that harm.
 - SEE CRS 26-20-103
- Seclusion is not to be used as a form of punishment.
- **BUT staff can put a child in “time out” for up to one hour.**
- Prior to seclusion staff must use less restrictive alternatives
- Youth is released as soon as the emergency ends
- **No limit on the number of hours for seclusion** (but facility director must approve if longer than 4 hours)
- **Rooms are not suicide resistant**
- Voluntary time outs for up to 1 hour
- **Unlimited “program refusal” time**

Pressure Points and Holds



Pressure Points and Physical Force

- According to the *Gazette* after review of over 1600 DYC incident reports:
 - Guards kned juveniles on a nerve in the thigh and used painful pressure points to control behavior.
 - One report explained, "He gave the resident a couple of knee strikes that were very effective."
 - A guard at Adams Youth Services Center in April used force on a juvenile who had kicked a chair toward a table when the chair hit the guard.
 - "I placed my left arm on his shoulder and my right hand on his wrist and placed him face down on the table. Once secured on the table I placed my left hand on the back of his neck and placed pressure with my thumb to a pressure point and asked if he was ready to walk."

Pressure Points, Holds, and Restraints

- JDAI Standards
 - Staff only use approved physical force techniques when a youth's behavior threatens imminent harm to the youth or others.
 - The only mechanical restraints that staff may use in the facility are handcuffs
 - Staff only use physical force or mechanical restraints by employing the least restrictive appropriate means and only for the amount of time necessary to bring the situation under control.
- Youth cannot be sleeping and in restraints
- Youth cannot be alone and in restraints
- Pressure point control and pain compliance techniques are prohibited
- Prone restraints are prohibited
- Force and restraint cannot be used for punishment, discipline, or treatment.



Pressure Points, Holds, and Restraints

- DYC Standards
 - Physical force can be used, for example, to prevent harm to self or others or prevent escape.
 - Mechanical Restraints are not to be used as punishment.
 - Wrist to waist restraints and ankle shackles can be used.
 - Physical force should only be used for the period necessary to accomplish its purpose and after less restrictive means have failed.
 - Prone Restraints are prohibited
 - Restraint for longer than 30 minutes requires approval from a supervisor

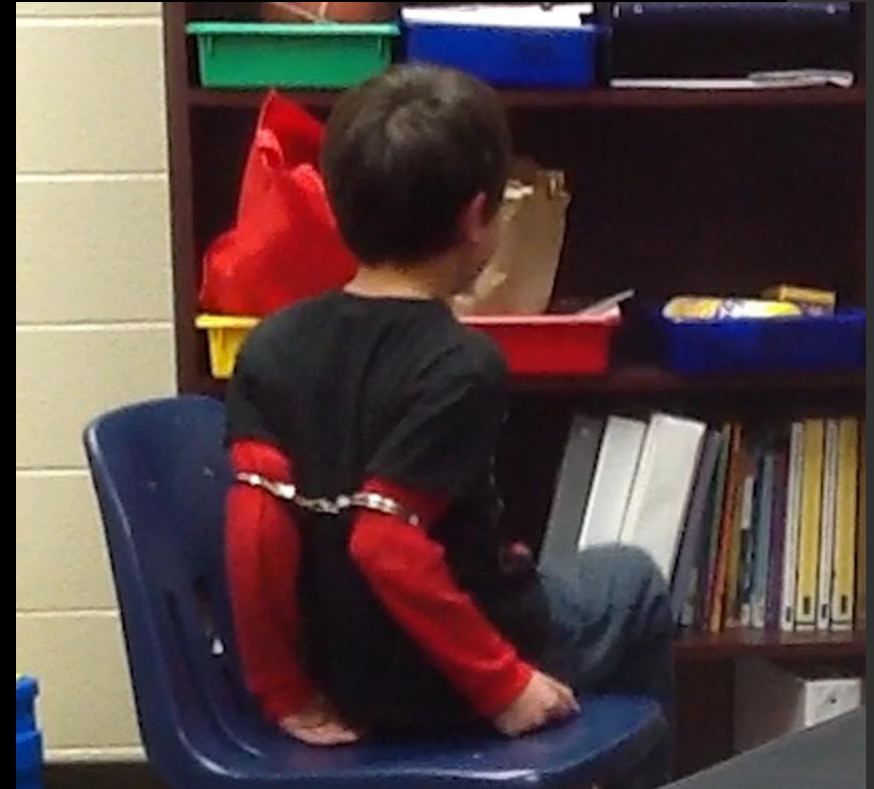


Special Management Programs

- Seclusion shall never be used as part of a SMP
- Watch for SMP that isolates the child from all other juveniles
- Watch for SMP that restrains child
- If protective or adaptive devices are being utilized as part of the Special Management Program, they must be checked at minimum once per hour
- May include a denial of programming
- Require weekly review by a team or facility director

Solitary Confinement and Restraints: C.R.S. 26-20-102 and 103

- Restraint includes any method or device used to limit movement involuntarily, including
 - Bodily physical force;
 - Mechanical restraints;
 - Chemical devices
 - Seclusion
- Restraint can only be used
 - In cases of emergency
 - After the failure of less restrictive alternatives (or a determination that LRA would not work)
 - For the period of time necessary to prevent the continuation or renewal of an emergency
- Agency must use no more force than necessary



Strip Searching Youth

- JDAI Policy:
 - Staff do not automatically strip search youth on suicide precautions.
 - If staff conduct searches of youth following visits, they use the least intrusive measure to protect against the introduction of contraband into the facility.
 - When staff search youth who are returning from court, school, another facility, visits on the premises, or who have otherwise been continuously supervised, they do so by a pat-down, metal detector, or clothing search.
 - Strip searches are conducted only with prior supervisory approval, upon reasonable suspicion that a youth is in possession of a weapon or contraband.

"Adolescents who have experienced trauma need, first and foremost, to be provided with physical and emotional safety ... Because strip searches can trigger flashbacks and exacerbate a traumatized child's stress and mental-health problems, the use of strip searches undermines, rather than helps, the child's well-being."

Jessica Feierman and Riya Shah,
Juvenile Law Center

Strip Searching Youth

- DYC Policy: Strip Searches are performed
 - At the time of admission
 - Upon returning from an unsupervised absence from the facility or unit
 - After unsupervised visits in the facility
 - With the approval of the facility director when there is reason to believe contraband may be found
- Strip searches MAY occur but are not required after visit with DYC employees or trained professionals that work routinely on sight with the agency and have training regarding contraband
- Strip searches SHALL occur after all other professional visits
 - Including Attorney, Clergy, Caseworker, etc.
- If a juvenile refuses a strip search, they can be placed in seclusion until they agree to be searched.
- Body cavity searches can be performed by a licensed medical professional.

Clothing and Access to the Outdoors

- JDAI requires
 - One hour of large muscle exercise every weekday
 - Two hours every weekend
 - That staff take youth outside for their hour of exercise, weather permitting
 - That each facility have an outdoor recreation space that offers fresh air and a view of the sky
 - That youth receive outerwear that is appropriate to the season
 - That youth do not wear prison like jumpsuits or smocks
- NYC
 - Right to one hour of large muscle exercise per day
 - Silent as to whether youth have the right to go outside.
 - In practice, youth are not always taken outside
 - In practice, not all youth have proper coats/outerwear.



Positive Behavioral Interventions and Supports (PBIS)

- JDAI:
 - The facility has a system of positive behavior interventions and supports that provides a set of systemic and individualized strategies for achieving social and learning outcomes for youth while preventing problem behavior.
 - The system rewards youth for positive behavior with incentives that are meaningful enough to motivate youth.
- DYC
 - Has adopted PBIS in all facilities and in policy
 - Looks different in every facility
 - Each youth is to be given the facility PBIS expectations and matrix
 - Fidelity to the PBIS model is to be evaluated annually.
 - There are still major and minor rule violations



Access to Mental Health Care

- JDAI
 - Services meet or exceed the community level of care
 - Medication continues without interruption
- DYC
 - Policy guarantees a minimum of two 50 minute individual sessions per month, one 50 minute family session per month, and two group sessions per week.
 - In practice medication disruption is common particularly for detained youth.



Access to Mental Health Care

- JDAI: Facility hours has sufficient staff and service hours to meet the needs of youth in the facility and to provide timely telephone and in person response to youth on room confinement.
- NYC:
 - 45 Full time employees provide mental health services through ongoing direct care to committed youth at state facilities 0.3 full time employees provide those services to detained youth
 - There are also five full time clinical directors and 13.5 full time mental health professional providing assessments and evaluations
 - All of these employees work standard Monday through Friday business hours, unless they are working flex hours.
 - Average daily committed population in secure facilities: 380
 - Average daily detained population in state facilities: 272
 - Average daily population, detained and committed, in state secure facilities: 336

Access to Medical Care

- JDAI

- Youth have 24 hour access to emergency medical care
- Youth have daily opportunity to consult with a qualified medical professional
- There is a facility infirmary with 24 hour staffing by qualified medical professionals and 24 hour physician on call staffing

- DYC

- Qualified medical staff will be available daily either on site or on call
- Sick call for non emergency medical services shall be conducted by medical personnel at least 3 times per week
- A physician shall be available at least once per week to conduct routine visits and respond to complains about care not received from other health care personnel
- No provision for 24 hour physician on call
- No provision for on site infirmary
- No provision for 24 hour staffing by medical professionals

Medical and Dental Care

Youth will receive a health screening upon admission. It is the youth's responsibility to ask for medical attention. If medical attention is needed, the youth will need to ask staff for a nurse request to fill out and place in the Medical Care Provider's referral box (this is how an appointment is scheduled with the medical staff). Sick call for non-emergency medical services shall be conducted by medical personnel at least three (3) times per week. Juveniles' medical complaints shall be monitored and responded to daily by medically trained personnel. If there is a medical emergency, a staff member must be informed immediately so medical care personnel can be notified. Medical information is kept confidential between youth and medical staff.

Youth can see a Medical Care Provider...

1. Anytime they feel sick or if they have an injury.
2. If a youth has questions or concerns about their health or health issues, including mental health and dental needs.
3. For STD testing (as necessary), education, and follow-up treatment if needed.
4. HIV testing (as necessary), education, and follow-up treatment where required.
5. Medication concerns.
6. If staff encourages a youth to see a Medical Care Provider.

REMEMBER, YOUR HEALTH IS YOUR RESPONSIBILITY!

Other Issues to watch

- Family contact
 - Letters
 - Calls
 - Visits
- Review of mail (including legal mail)
- The “Basic Rights of Residents”
- Special Education issues
- Ability to report sexual abuse, harassment, etc.
- Due process when accused of a rule violation

What do I do about it?

- Informal Advocacy
 - Simple Email or Phone call
 - Client manager
 - BHS/therapist
 - Facility Director



What do I do about it?

- Taking it up the ladder
 - Facility Director
 - Director of the Regional Office
 - Associate Director
 - Director, Charles Parkins
 - Attorney General



What do I do about it?

- Get Help

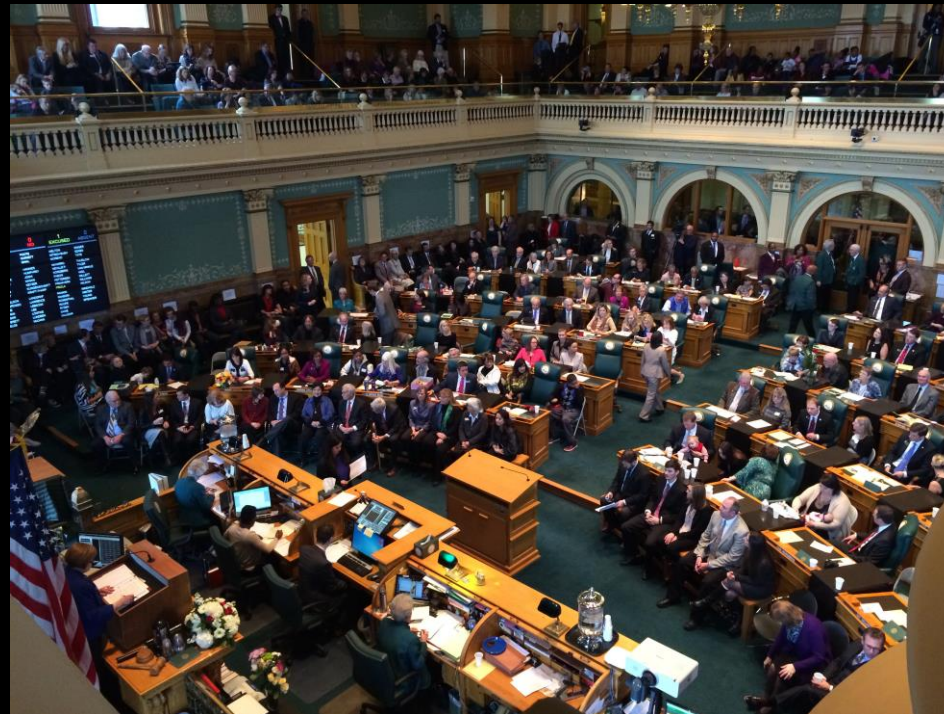


What do I do about it?

- Go to Court!
 - File a motion in the delinquency case
 - File a federal lawsuit

What do I do about it?

- Keep us informed!
- Join us in pushing for policy change!





CHAINED VOICES

Come see drawings, paintings, poetry, lyrics, sculpture and other creative artworks by artists arrested as juveniles and now incarcerated in juvenile and adult facilities in Colorado.

When:

March 4th | **4 - 8pm**

March 5th | **10am - 1pm**

Where:

Art of Life Gallery
800 S. Jason St
Denver, CO 80223



Join us the first weekend of March for the **Chained Voices** art show!



**COLORADO JUVENILE
DEFENDER CENTER**
WE BELIEVE IN YOUTH