



<p><b>COLORADO DEPARTMENT OF HUMAN SERVICES DIVISION OF YOUTH CORRECTIONS</b></p> 	<p><b>POLICY S 13.1</b></p>	<p><b>PAGE NUMBER</b> 1 OF 6</p>
<p><b>THIS POLICY RELATES TO:</b></p> <p>State-Operated Treatment Facilities State-Operated Detention Facilities</p>	<p><b>CHAPTER:</b> Juvenile Rights</p> <p><b>SUBJECT:</b> Basic Rights, Responsibilities, and Access to Services</p> <p><b>EFFECTIVE DATE:</b> July 1, 2014</p>  <p><b>Al J. Estrada, Director</b></p>	

I. POLICY:

All juveniles, regardless of their gender, in the custody of the Division of Youth Corrections shall be afforded rights and responsibilities that are clearly defined. All juveniles shall be informed of their rights and responsibilities through the intake/orientation process. Remedies for complaints of violations of any rights set forth shall be subject to the juveniles' grievance procedure and juveniles who do not accept responsibilities shall be subject to the facility's disciplinary process. The rights in this policy shall not be diminished or denied for disciplinary reasons.

All juveniles shall have equal access to all facility programs and services designed to guarantee the juvenile the right to participate in activities and to receive available services which benefit their well-being and may assist in fulfilling their treatment goals.

II. KEY TERMS:

- A. Confinement Room
- B. Discrimination
- C. Rights

III. PROCEDURES:

A. Basic Rights of Juveniles:

- 1. All juveniles in Division of Youth Corrections' facilities have the right not to be discriminated against because of race, religion, color, creed, sex, age, national origin, disability, sexual orientation, GENDER IDENTITY, socioeconomic background, or political affiliation.

CHAPTER	SUBJECT	POLICY	PAGE 2 of 6
Juvenile Rights	Basic Rights and Responsibilities of Juveniles	S 13.1	6/1/05, 7/1/14

2. Juveniles have the right to be treated respectfully, impartially, and fairly and to be addressed by name in a dignified manner.
3. Juveniles have the right to be informed of the rules, procedures, and schedules of the facility in which they reside within 24 hours of placement into the facility.
4. Rules, procedures, and schedules of the facility shall either be sent by U.S. Mail, personally presented to the juveniles' parents, guardian, or designated relatives or made available in the visitor's area.
5. Juveniles have the right not to be subjected to corporal punishment, harassment, mental or physical abuse, personal injury, disease, intimidation, property damage, threats, harm, assault, humiliation or interference with the normal bodily functions of eating, sleeping or bathroom functions by any person. Juveniles shall be under the supervision and control of staff, interns, and/or trained volunteers only.
6. Juveniles have the right to practice their faith/religion and to participate in related services and counseling on a voluntary basis, subject only to the limitations necessary to maintain order and security.
  - a. Juveniles shall have access to clergy, spiritual advisors, publications, and related services which allows them to adhere to their faith/religious practices.
  - b. Juveniles shall be given the opportunity to adhere to dietary and other requirements of their faith/religion upon authorization of the Facility Director, or designee.
  - c. Faith/religious practice such as devil worship and satanic practices may be prohibited by the Facility Director if the practices are disruptive to the orderliness, safety, and/or security of the facility.
7. Juveniles have the right to vote if 18 years of age or older. To register, the resident must contact the

CHAPTER	SUBJECT	POLICY	PAGE 3 of 6
Juvenile Rights	Basic Rights and Responsibilities of Juveniles	S 13.1	6/1/05, 7/1/14

Registrar of Voters in the county where they are from. If registered and in a Division of Youth Corrections' facility on an Election Day, the resident must have requested an absentee ballot in advance in order to assure voting privileges

8. Juveniles have the right to reasonable access to information available through the media and to reasonable access to the general public through the media, subject only to the limitations necessary to maintain the order and security and/or to protect the juvenile's rights.
9. All juveniles in Division of Youth Corrections' facilities have the right not to participate in uncompensated work assignments unless the work is related to facility housekeeping, maintenance of the facility, restorative community justice programs or the work is part of an approved vocational training program.
  - a. Work tasks or chores performed repetitively beyond that which is reasonable shall not be permitted under any circumstances.
  - b. Work not related to normal housekeeping, maintenance, Restorative Community Justices programs or an approved vocational training program shall be compensated.
10. All juveniles in Division of Youth Corrections' facilities have the right to participate in programs in that facility, subject to State and local laws concerning education or other relevant, governing requirements.
11. All juveniles shall be given full, fair, and equal opportunity to participate in educational and/or vocational programs. If the right to educational or vocational services must be denied to a juvenile for any reason, substantial evidence must be present to justify the denial of this right.
12. When enrollment in an educational or vocational program is restricted, whether by admission or criteria, available funding, or the like, the reason shall be documented in writing with a copy placed in the juvenile's file.
13. A committed juvenile has the right to review his/her case file while in a Division of Youth Corrections facility. The resident, his/her parents or guardian, and his/her attorney may, upon request, review the case file. The resident, if 18 years of age, must give his/her written approval for a review of the case file by the parents or guardians. Such reviews shall be conducted according to facility procedures and shall

CHAPTER	SUBJECT	POLICY	PAGE 4 of 6
Juvenile Rights	Basic Rights and Responsibilities of Juveniles	S 13.1	6/1/05, 7/1/14

be scheduled at a time convenient to both the facility and the reviewer, as professional staff **MUST** be present to clarify the materials. The facility may remove the following kinds of confidential information before the juvenile or others review the file:

- a. Information that may threaten the security of the facility.
  - b. Information that may result in other peers being put in danger of physical injury.
  - c. Information which, if revealed, could be psychologically damaging.
14. Juveniles have the right to have their Discrete Case Plan administratively reviewed and if necessary revised within fifteen (15) days of each new placement.
15. Each juvenile has a right to freedom of expression, as long as it does not interfere with the rights of others or the safety and security of the facility.
16. Juveniles have the right to due process in disciplinary proceedings.
17. Male and Female juveniles shall be allowed to participate equally in all facility programs and activities, unless the activity is a gender responsive program and the Facility Director or designee determines that participants of the opposite sex would be disruptive to the group.
18. Juveniles have the right to maintain their physical, mental and emotional health by exercising on a daily basis. Approximately one hour of daily exercise involving large muscle activity shall be provided for all juveniles. Daily structured leisure time opportunities shall also be available to alleviate boredom and to provide opportunities for positive interaction with others.
  - a. Juveniles confined to a room because they are placed on administrative seclusion or special management program status shall be afforded approximately one hour of daily exercise outside of the room to the extent possible. Denial of the opportunity to exercise outside of the

CHAPTER	SUBJECT	POLICY	PAGE 5 of 6
Juvenile Rights	Basic Rights and Responsibilities of Juveniles	S 13.1	6/1/05, 7/1/14

confinement room shall be approved in writing by the Facility Director or designee. A copy of the reasons and/or justification for a denial of exercise outside of a confinement room and the written approval shall be placed in the juvenile's file.

- b. Whenever a juvenile refuses their TIME out of the confinement room staff shall document the refusal and place it in the juvenile's file.

B. Basic Responsibilities of Juveniles:

1. Each juvenile has the responsibility for following the rules, procedures, schedules, and directions of staff while in the facility. Juveniles shall treat staff members, volunteers and other juveniles with respect and shall not engage in an activity which is disruptive to the living environment.
2. Juveniles have the responsibility to clean and maintain their living quarters. Juveniles are expected not to damage public or privately owned property located within the facility.
3. Juveniles have the responsibility of asking for medical and dental care when needed.
4. Juveniles have the responsibility of maintaining their clothes and hair in a clean and odor free condition.
5. Juveniles have the responsibility not to infringe upon the rights of other Juveniles, volunteers, and/or staff.
6. Juveniles have the responsibility to obey all orders of the Court, remain in placement and to participate fully, to the best of their ability, to achieve the goals they have identified in the Youth Discrete Case Plan.
7. Juveniles have the responsibility to personally refrain from and discourage others from possessing, using, buying, selling, or otherwise providing or having weapons, alcohol, narcotics, or other illegal drugs, or from abusing any other substance as an intoxicant or stimulant.
8. Juveniles have the responsibility to practice and encourage honesty in all interactions.

<b>CHAPTER</b>	<b>SUBJECT</b>	<b>POLICY</b>	<b>PAGE 6 of 6</b>
Juvenile Rights	Basic Rights and Responsibilities of Juveniles	S 13.1	6/1/05, 7/1/14

9. Juveniles have the responsibility to respect peers and staff by obeying all reasonable staff requests and by refraining from the use of verbal abuse, ethnic slurs, slander, and/or obscene gestures/comments.