



<p>COLORADO DEPARTMENT OF HUMAN SERVICES DIVISION OF YOUTH CORRECTIONS</p> 	<p>POLICY S 14.3 B</p>	<p>PAGE NUMBER 1 of 8</p>
<p>THIS POLICY RELATES TO:</p> <p>State-Operated Treatment Facilities State-Operated Detention Facilities</p>	<p>CHAPTER: Security and Control</p>	
	<p>SUBJECT: Time-out; Seclusion and Program Refusal</p>	
	<p>EFFECTIVE DATE: October 1, 2015</p>	
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I. Policy

In order to keep the environment safe, self-initiated time-outs, staff-directed time-outs and seclusion may be used.

II. Key Terms

- A. Collaborative Review Team
- B. Emergency (Section 26-20-102(3), C.R.S.)
- C. Self-Initiated Time-Out
- D. Staff-Directed Time-Out
- E. Seclusion (Section 26-20-103, C.R.S.)
- F. SECLUSION INDIVIDUALIZED ACTION PLAN

III. Procedures

- A. Self-Initiated Time-Out

A SELF-INITIATED TIME-OUT IS A TOOL FOR JUVENILES TO USE WHEN THE JUVENILE REQUIRES TIME AWAY FROM OTHERS FOR THE REASONS NOTED BELOW. SELF-INITIATED TIME-OUT IS NOT A FORM OF SECLUSION AS THE JUVENILE MUST BE AFFORDED THE ABILITY TO EXIT THE TIME-OUT AREA UPON REQUEST.

1. A JUVENILE MAY REQUEST SEPARATION FROM OTHERS (SELF-INITIATED TIME-OUT). THE REASONS MAY INCLUDE BUT ARE NOT LIMITED TO, TIME TO COLLECT THEIR COMPOSURE AND/OR GAIN CONTROL OVER THEIR BEHAVIOR.

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2. Staff have the discretion to approve or deny a juvenile's request for a time-out.
3. A SELF-INITIATED TIME-OUT SHALL NOT EXCEED ONE (1) HOUR IN DURATION. STAFF MAY END THE TIME-OUT AT ANY POINT DURING THE ONE (1) HOUR PERIOD.
4. Staff shall process with the juvenile using strength-based milieu management techniques, (SUCH AS VERBAL DE-ESCALATION AND MOTIVATIONAL INTERVIEWING) prior to the juvenile taking a self-initiated time-out, in an attempt to keep the juvenile safely engaged in programming.
5. Self-initiated time-outs shall take place in an open area unless doing so will compromise safety or not sufficiently meet the needs of the juvenile.
6. Juveniles may be placed in a room during a self-initiated time-out for the purposes of safety and security.
 - a. Juveniles in a room during a self-initiated time-out shall remain behind a locked door for safety. WHEN the juvenile requests egress the door shall be unlocked.
 - b. WHEN the juvenile is placed behind a locked door, there shall be safety checks made at minimum every 15 (fifteen) minutes, at variable intervals and documented on the APPROPRIATE form. DURING SAFETY CHECKS, STAFF SHALL INQUIRE OF THE JUVENILE IF THEY ARE READY TO EXIT THE TIME-OUT AREA AND DOCUMENT THE RESPONSE ON THE APPROPRIATE FORM.
 - c. AT THE CONCLUSION OF THE ONE (1) HOUR PERIOD, IF THE JUVENILE REFUSES TO LEAVE THE TIME-OUT AREA, REFER TO PROCEDURE D. PROGRAM REFUSAL.
7. All self-initiated time-outs IN A LOCKED ROOM shall be reported to the shift supervisor or lead worker within ten (10) minutes after the juvenile starts the self-initiated time-out. THE SUPERVISOR OR LEAD WORKER SHALL DOCUMENT THE NOTIFICATION ON THE TIME-OUT FORM.

B. Staff-Directed Time-Out

A STAFF-DIRECTED TIME-OUT IS DESIGNED AS A TOOL FOR STAFF TO DIRECT A JUVENILE TO SPEND TIME AWAY FROM OTHERS FOR THE REASONS NOTED BELOW. STAFF-DIRECTED TIME-OUT IS NOT A FORM OF SECLUSION AS THE JUVENILE MUST BE AFFORDED THE ABILITY TO EXIT THE TIME-OUT AREA UPON REQUEST AND UPON JUVENILE'S AGREEMENT TO COMMIT TO SAFE BEHAVIOR.

1. Staff may direct a juvenile to take a time-out when the staff observes behaviors and/or attitudes that would lead a reasonable person to believe the juvenile is escalating and posing a risk to safety and security. Staff-directed time-out in a room is utilized only for the purposes of ensuring and maintaining the safety and security of the juvenile, other juveniles and staff.

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2. Staff shall process with the juvenile using strength-based milieu management techniques (SUCH AS VERBAL DE-ESCALATION OR MOTIVATIONAL INTERVIEWING) prior to directing the juvenile to take a staff-directed time-out, in an attempt to keep the juvenile safely engaged in programming.
3. Staff-directed time-outs shall take place in an open area unless doing so will compromise safety or not sufficiently meet the needs of the juvenile.
4. Staff-directed time-outs shall NEITHER exceed ONE (1) HOUR in duration, NOR SHALL TIME-OUTS BE "STACKED".
5. Juveniles in a room during a STAFF-DIRECTED time-out shall remain behind a locked door.
6. STAFF-DIRECTED TIME-OUTS OCCURRING IN A LOCKED ROOM REQUIRE SAFETY CHECKS BE MADE AT A MINIMUM OF EVERY FIFTEEN (15) MINUTES AT VARIABLE INTERVALS AND DOCUMENTED ON THE APPROPRIATE FORM.
7. DURING EACH FIFTEEN (15) MINUTE SAFETY CHECK, STAFF SHALL INQUIRE OF THE JUVENILE IF THEY ARE READY TO LEAVE THE TIME-OUT AREA.
8. IF, AT THE FIFTEEN (15) MINUTE CHECKS THE JUVENILE AFFIRMS THEY ARE READY TO EXIT AND COMMIT TO SAFETY OR IF AT ANY OTHER TIME DURING THE TIME-OUT THE YOUTH REQUESTS EGRESS AND READY TO COMMITMENT TO SAFETY:
 - a. STAFF SHALL PROCESS WITH THE JUVENILE TO CONFIRM THE COMMITMENT TO SAFETY AND DOCUMENT THIS ON THE APPROPRIATE FORM.
 - b. WHEN THE JUVENILE REQUESTS EGRESS THE DOOR SHALL BE UNLOCKED AND STAFF SHALL PROCESS WITH THE JUVENILE TO ESTABLISH A COMMITMENT TO SAFETY. IF THE JUVENILE DOES NOT COMMIT TO SAFETY, THE TIME-OUT CONTINUES.
 - c. AT THE ONE (1) HOUR MARK, IF THE JUVENILE HAS NOT MADE A COMMITMENT TO SAFETY DURING THE FIFTEEN (15) MINUTE SAFETY CHECKS OR WHEN THEY HAVE REQUESTED EGRESS, SECLUSION STATUS BEGINS IMMEDIATELY. REFER TO PROCEDURES IN SECTION III. C.
10. IF THE JUVENILE REFUSES TO LEAVE THEIR ROOM, REFER TO PROCEDURE D. PROGRAM REFUSAL.
11. All staff-directed time-outs IN A LOCKED ROOM shall be reported to the shift supervisor or lead worker within 10 minutes after the juvenile

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starts the staff-directed time-out. THE SUPERVISOR OR LEAD WORKER SHALL DOCUMENT THE NOTIFICATION ON THE TIME-OUT FORM.

C. Seclusion

SECLUSION DIFFERS FROM SELF-INITIATED AND STAFF-DIRECTED TIME-OUTS IN THAT (1) A JUVENILE WHO IS BEHIND A LOCKED DOOR AND IS NOT AFFORDED THE ABILITY TO REQUEST AND RECEIVE EGRESS FROM IS IN SECLUSION, AND (2) SECLUSION IS ONLY ALLOWABLE IN CASES OF EMERGENCY, (DEFINED AS A SERIOUS PROBABLE, IMMINENT THREAT OF BODILY HARM TO SELF OR OTHERS WHERE THERE IS THE PRESENT ABILITY TO EFFECT SUCH BODILY HARM).

1. COLORADO REVISED STATUTES, SECTION 26-20-103(1), DEFINES THE CONDITIONS UNDER WHICH SECLUSION MAY BE USED:

IN CASES OF EMERGENCY (AS DEFINED ABOVE); AND

- (a.) AFTER THE FAILURE OF LESS RESTRICTIVE ALTERNATIVES; OR
- (b.) AFTER A DETERMINATION THAT SUCH ALTERNATIVES WOULD BE INAPPROPRIATE OR INEFFECTIVE UNDER THE CIRCUMSTANCES, AND

2. SECTION 26-20-103(2), C.R.S., STATES THAT AGENCIES THAT USE SECLUSION SHALL DO SO:

- (a.) FOR THE PURPOSE OF PREVENTING THE CONTINUATION OR RENEWAL OF AN EMERGENCY;
- (b.) FOR THE PERIOD OF TIME NECESSARY TO ACCOMPLISH ITS PURPOSE.

3. SECLUSION MAY ALSO BE USED IN CASES WHERE there is a court order mandating that the juvenile be kept separate from the general population.
4. Seclusion shall never be used as a form of punishment.
5. JUSTIFICATION FOR THE CONTINUED USE OF SECLUSION SHALL BE BASED UPON THE CONTINUATION OF THE EMERGENCY; OR A COURT ORDER REQUIRING SECLUSION CONTINUES.
6. Placing juveniles in their rooms DURING SCHEDULED SLEEPING HOURS is not seclusion.
7. Juveniles shall never be subjected to corporal or unusual punishment, humiliation, mental or emotional abuse. There shall not be punitive interference with the daily functions of living, such as eating, sleeping, or bathroom functions, unless there is an imminent safety issue documented on the room sheet.
8. The shift supervisor or lead worker shall be responsible for the oversight and monitoring of all seclusion incidents. The shift supervisor or lead worker shall

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ensure adherence to policy and that appropriate documentation requirements are being accurately and completely met.

9. ONCE SECLUSION BEGINS:

- a. THE SHIFT SUPERVISOR OR LEAD WORKER MUST BE IMMEDIATELY NOTIFIED OF THE SECLUSION.
- b. THE SHIFT SUPERVISOR OR LEAD WORKER MUST NOTIFY THE FACILITY DIRECTOR OR DESIGNEE WITHIN FIFTEEN (15) MINUTES OF THE START OF AN EPISODE OF SECLUSION.
- c. WITHIN THE FIRST FIFTEEN (15) MINUTES OF THE SECLUSION EPISODE THE SHIFT SUPERVISOR OR LEAD WORKER MUST:
 1. MEET WITH THE JUVENILE AND THE STAFF WHO PLACED THE JUVENILE IN SECLUSION TO GAIN AN UNDERSTANDING OF THE CIRCUMSTANCES AND REASONS FOR THE SECLUSION, THE LESS RESTRICTIVE ALTERNATIVES ATTEMPTED OR WHY UNDER THE CIRCUMSTANCES SUCH ALTERNATIVES WOULD BE INAPPROPRIATE OR INEFFECTIVE.
 - n. IF THE SUPERVISOR DETERMINES THAT THERE IS NO EMERGENCY, OR THAT THE EMERGENCY HAS CEASED, THE JUVENILE SHALL BE REMOVED FROM SECLUSION.
 - m. THE SHIFT SUPERVISOR SHALL USE THIS INFORMATION TO BRIEF THE FACILITY DIRECTOR OR DESIGNEE AT THE FIFTEEN (15) MINUTE NOTIFICATION.
- d. IF A COMMITTED JUVENILE CONTINUES TO BE SECLUDED, THE SHIFT SUPERVISOR OR LEAD WORKER SHALL NOTIFY AVAILABLE BEHAVIORAL HEALTH STAFF. THE SHIFT SUPERVISOR OR LEAD WORKER, THE BEHAVIORAL HEALTH STAFF, AND DIRECT CARE STAFF SHALL DEVELOP AN INDIVIDUALIZED ACTION PLAN TO PROCESS THE JUVENILE OUT OF SECLUSION AS SOON AS POSSIBLE, ENSURING THE SAFETY AND SECURITY OF THE JUVENILE AND OTHER JUVENILES AND STAFF. IF THE INCIDENT OCCURS ON A WEEKEND OR AFTER HOURS, THE SHIFT SUPERVISOR SHALL CONTACT THE ON-CALL BEHAVIORAL HEALTH STAFF, IF AVAILABLE, TO PARTICIPATE IN THE ACTION PLANNING.
- e. IF A DETAINED JUVENILE CONTINUES TO BE SECLUDED, THE SHIFT SUPERVISOR OR LEAD WORKER AND DIRECT CARE STAFF SHALL DEVELOP AN INDIVIDUALIZED ACTION PLAN TO PROCESS THE JUVENILE OUT OF SECLUSION AS SOON AS POSSIBLE, ENSURING THE SAFETY AND SECURITY OF THE JUVENILE AND OTHER JUVENILES AND STAFF. IF CONTRACT BEHAVIORAL HEALTH CARE STAFF ARE AVAILABLE AND ABLE TO PARTICIPATE IN ACTION PLANNING, THEIR INPUT SHALL BE INCLUDED IN THE DEVELOPMENT OF THE PLAN.

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- f. IF SECLUSION CONTINUES FOR TWO (2) HOURS, THE SHIFT SUPERVISOR SHALL AGAIN NOTIFY THE FACILITY DIRECTOR OR DESIGNEE WITHIN TEN (10) MINUTES OF THE COMPLETION OF THE SECOND HOUR.
 - g. IF SECLUSION CONTINUES FOR TWO (2) HOURS THE SHIFT SUPERVISOR OR LEAD WORKER SHALL NOTIFY THE JUVENILE'S PARENT OR GUARDIAN WITHIN TWELVE (12) HOURS OF THAT HOUR MARK.
 - h. SECLUSION SHALL NOT EXTEND BEYOND FOUR (4) HOURS, EXCEPT IN THE RARE CASE WHERE AN EMERGENCY CONTINUES BEYOND THIS TIME PERIOD. THE CONTINUATION OF SECLUSION BEYOND THE FOUR (4) HOURS MUST BE APPROVED IN WRITING ON THE SECLUSION FORM BY THE FACILITY DIRECTOR OR DESIGNEE DURING BUSINESS HOURS AND/OR VERBALLY AFTER HOURS AND ON WEEKENDS. THE FACILITY DIRECTOR MUST BE NOTIFIED EACH HOUR AFTER THE FOUR HOUR MARK AND SUCH NOTIFICATION MUST BE DOCUMENTED.
10. Any staff member working with the juvenile may remove the juvenile from seclusion after consultation with an administrator, or shift supervisor, or lead worker.

D. PROGRAM REFUSAL

- l.a. IF AFTER ONE (1) HOUR A JUVENILE REFUSES TO LEAVE A SELF-INITIATED OR STAFF-DIRECTED TIME-OUT AND RETURN TO PROGRAMMING, THE JUVENILE'S STATUS SHALL BE CHANGED TO PROGRAM REFUSAL.
 - l.b. IF ONCE THE EMERGENCY CEASES AND THE JUVENILE REFUSES TO LEAVE SECLUSION, THE JUVENILE'S STATUS SHALL BE CHANGED TO PROGRAM REFUSAL.
 - l.e. UNDER ANY OTHER CIRCUMSTANCES, JUVENILES WHO REFUSE TO EXIT THEIR ROOMS AND JOIN PROGRAMMING ARE DEEMED PROGRAM REFUSAL STATUS AND THE FOLLOWING PROCEDURES APPLY.
- 2. Once the PROGRAM REFUSAL status begins, the shift supervisor or lead worker shall notify the Facility Director or Designee WITHIN FIFTEEN (15) MINUTES; and,
 - 3. The shift supervisor or lead worker shall notify, FOR COMMITTED JUVENILES, available behavioral health staff. The shift supervisor or lead worker, the behavioral health staff (FOR COMMITTED JUVENILES), and direct care staff shall develop an individualized action plan to process the juvenile out of PROGRAM REFUSAL as soon as possible, ensuring the safety and security of the juvenile and other juveniles and staff. If the incident INVOLVES A COMMITTED JUVENILE, AND occurs on a weekend or after hours, the shift supervisor shall notify the on-call

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behavioral health staff, IF AVAILABLE, to participate in the action planning.

E. Documentation

1. TIME-OUT

- a. A TIME OUT IN A LOCKED ROOM SHALL USE A time-out form noting the reasons for the time-out, the start time and end time, and the safety checks, INCLUDING THE JUVENILE'S SAFETY AND DOCUMENTING THAT THE STAFF HAS ASKED THE JUVENILE IF THEY ARE READY TO EXIT THE TIME-OUT AND THE JUVENILE'S ANSWER TO THIS QUESTION.
- b. The time-out form shall also be used in situations of program REFUSAL.
- c. The room check sheet(s) and other documentation related to the time-out and/or program REFUSAL shall be placed in the juvenile's case file.

2. SECLUSION

- a. FOLLOWING THE SHIFT SUPERVISOR'S MEETING WITH STAFF AND YOUTH, THE SHIFT SUPERVISOR SHALL DOCUMENT ON THE SECLUSION ROOM CHECKSHEET A DESCRIPTION OF THE EMERGENCY, OUTLINING THE FACTS DEMONSTRATING THAT THE JUVENILE IS A SERIOUS, PROBABLE AND IMMINENT DANGER OF BODILY HARM TO SELF OR OTHERS, THAT THERE IS A PRESENT ABILITY TO EFFECT SUCH BODILY HARM, A DETERMINATION THAT THE EMERGENCY IS CONTINUING, THE LESS RESTRICTIVE ALTERNATIVES ATTEMPTED OR WHY, UNDER THE CIRCUMSTANCES SUCH ALTERNATIVES WOULD BE INAPPROPRIATE OR INEFFECTIVE.
- b. DOCUMENTATION OF THE 15 MINUTE SAFETY CHECKS SHALL BE PLACED ON THE SECLUSION ROOM CHECK SHEET. IN ADDITION TO DOCUMENTING WHETHER THE JUVENILE IS SAFE, STAFF SHALL DOCUMENT THE REASONS TO BELIEVE THAT AN EMERGENCY IS CONTINUING.
- c. An incident/informational report shall be prepared and entered into the Colorado Trails database, where available.
 - i. The juvenile's room type shall be updated in the Colorado Trails database to reflect seclusion (pathway: admit/rei, admit, room assignment, ad sec room).
 - ii. Documentation regarding the need for seclusion shall be completed in the Colorado Trails database (pathway: admit/rei, admit, room assignment, ad sec room, and comments).
- d. The seclusion room check sheet, incident report, and any other associated documents shall be combined into one packet, be placed in the juvenile's case file and shall, at a minimum, include:

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- i. Specific behaviors the juvenile displayed demonstrating an emergency, and
- ii. Summary of all dialogue(s) between the juvenile, staff and any other persons involved, and
- iii. Expectations for the juvenile to process out of seclusion, and
- iv. Agreements made between the juvenile and staff, and
- v. Clear documentation of the time and reason the juvenile is removed from seclusion and who authorized the removal.

F. DOCUMENTATION AND MONITORING

1. Any juvenile placed on seclusion shall be afforded access to medical services, education, living conditions and other basic rights available to the general population, e.g. the use of toilet facilities, mail and EQUIVALENT meals as the general population.
2. Any exceptions to or denial of these rights shall be justified by clear evidence of risk and shall be documented on the juvenile's seclusion room check sheet and in the Colorado Trails database, where available.
3. Juveniles on suicide precaution monitoring shall be checked according to Division of Youth Corrections' policy, Suicide Assessment, Monitoring and Intervention. Safety checks shall be placed on both the suicide room check form and the seclusion room check form.
4. EACH FACILITY DIRECTOR SHALL, ON A MONTHLY BASIS, REVIEW A REPORT OF ALL SECLUSIONS OCCURRING WITHIN THAT MONTHLY PERIOD. THE REPORT SHALL INCLUDE: THE JUVENILE, LENGTH OF SECLUSION AND STAFF MEMBERS INVOLVED IN EACH SECLUSION.
5. THE FACILITY DIRECTOR SHALL IMMEDIATELY ADDRESS ANY INDICATION THAT A STAFF MEMBER OR STAFF MEMBERS HAVE BEEN USING SECLUSION EXCESSIVELY OR INAPPROPRIATELY OR THAT A PARTICULAR JUVENILE HAS BEEN PLACED IN SECLUSION MORE OFTEN THAN OTHER JUVENILES IN THE FACILITY.
6. THE DYC LEADERSHIP TEAM SHALL REVIEW STATEWIDE SECLUSION DATA ON A PERIODIC BASIS.