

# San Mateo County Probation Department

## Institutions Division Policy Manual



YSC-Juvenile Hall  
June 2023

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**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 1  
General Instructions  
§1302**

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**Topic**                    **Juvenile Title 15, Definitions of Key Terms**

**Policy**                    Board of State and Community Corrections, Minimum Standards for Juvenile Facilities, Title 15, Article 1, Section 1302, Definitions

**“Administering medication”** as it relates to pharmaceutical management, means the act by which a single dose of medication is given to a patient by licensed health care staff or Group Supervisor at the direction of a licensed health care staff. The single dose of medication may be taken either from stock (undispensed) or dispensed supplies.

**“Adult”** Any person 18 years of age or older.

**“Alternate means of compliance”** means a process for meeting or exceeding the intent of the standards in an innovative way as approved by the Board pursuant to an application.

**“Appeal hearing”** means an administrative procedure providing an appellant with an opportunity to present the facts of the appeal for the formal decision concerning matters raised pursuant to the purposes set forth in these regulations. Such hearing may be conducted using oral and/or written testimony as specified by the Executive Director of the Board or the Board.

**“Appellant”** means an individual or government entity, county or city which files a request for an appeal hearing.

**“Assigned staff”** The staff person assigned to investigate a youth’s grievance. The staff person may be a Group Supervisor III, an Institutions Services Manager, or the Superintendent.

**“Authorized representative”** means an individual authorized by the appellant to act as its representative in any or all aspects of the hearing.

**“Behavioral health”** means mental/emotional well-being and/or actions that affect wellness. Behavioral health problems include: substance use disorders, alcohol and drug addiction, and serious psychological distress, suicide, and mental disorders.

**“Behavioral / Mental Health Director”** means that individual who is designated by contract,

written agreement or job description to have administrative responsibility for the behavioral/mental health program of the facility or system. The health administrator shall work in cooperation with the behavioral/mental health Director to develop and implement mental health policies and procedures.

**“BHRS”** Behavioral Health and Recovery Services, which includes Mental Health

**“BHRS Business Day”** Weekdays from 8 a.m. to 5 p.m. (not including holidays).

**“Bisexual”** means a person who is emotionally, romantically, and sexually attracted to both men and women.

**“Board”** means the Board of State and Community Corrections, which acts by and through its executive Superintendent, deputy Superintendents, and field representatives.

**“Breast Binder”** Is the act of flattening breasts using constrictive materials. The term also refers to the material used in this act. Common binding materials include cloth strips, elastic or non-elastic bandages, purpose-built undergarments (often using spandex or other synthetic fiber) and layered shirts to provide further restriction.

**“Camp”** means a juvenile camp, ranch, forestry camp or boot camp established in accordance with Section 881 of the Welfare and Institutions Code, to which youth made wards of the court on the grounds of fitting the description in Section 602 of the Welfare and Institutions Code may be committed.

**“Chaplaincy Board”** A group of volunteer clergy that maintains and coordinates the rotational schedule of religious services at Probation facilities in cooperation with the Chaplain.

**“Cisgender”** means a person whose gender identity corresponds to the gender they were assigned at birth.

**“Clergy”** means persons ordained for religious duties.

**“Clothing search/Dress-out search”** Any search that involves youth removing their clothing in private to enable staff to search the clothing for contraband.

**“Committed”** means placed in a jail or juvenile facility pursuant to a court order for a specific period independent of, or in connection with, other sentencing alternatives.

**“Compelling government interest”** A legal standard 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 a mere preference, that can be furthered only by the policy under review.

**“Conditions of confinement”** Any condition of a youth’s confinement in the Juvenile Facilities 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).

**“Contraband”** is any object, writing or substance, the possession of which would constitute a crime under the laws of the State of California, pose a danger within a juvenile facility, would interfere with the safety and security of the facility, the public, youth, visitors, or staff.

**“Control Room”** is a continuously staffed secure area within the facility that contains staff responsible for safety, security, emergency response, communication, electronics, and movement.

**“Correctional Health Staff”** Nurses who practice nursing and deliver care within the unique and distinct environment of the criminal justice system.

**“Counts”** At the beginning of each shift, Admissions Staff prints a copy of the Detention Facility Population Summary, and the Juvenile Hall Population Report, which includes the Unit Roster. These reports are generated by the Probation Information Management System (PIMS).

**“County-certified 5150 clinician”** A person who has completed training on 5150, including the writing of an Application for 72-hour Detention for Evaluation and Treatment. This person may be a mental health clinician or deputy sheriff.

**“Court holding facility for youth”** means a local detention facility constructed within a court building used for the confinement of youth and adults for the purpose of a court appearance, for a period not to exceed 12 hours.

**“Crowding”** Any occasion when the facility population is above the BSCC-rated capacity at the point of the headcount at midnight.

**“Culturally Responsive”** means considering the diverse population of a facility regarding race, language, ethnicity, sexual orientation, gender, gender expression, immigration status and values.

**“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).

**“De-escalation”** pertaining to use of force, is the use and application of efforts and techniques, including conflict resolution, to discourage, decrease or prevent threatening, disruptive or violent behavior.

**“Delivering medication”** as it relates to pharmaceutical medication management, means the act of providing one or more doses of a prescribed and dispensed medication to a youth.

**“Detention Manual”** The Department Detention Manual

**“Developmentally disabled”** applies to those persons who have a disability which originates before an individual attains age 18, continues, or can be expected to continue indefinitely, and constitutes a substantial disability for that individual. This term includes intellectual disability, cerebral palsy, epilepsy, and autism, as well as disabling conditions found to be closely related to intellectual disabilities or to require treatment similar to that required for individuals with intellectual disabilities but shall not include other disabilities that are solely physical in nature.

**“Direct visual observation”** means staff must personally see youth's movement and/or skin. Audio/video monitoring and mirrors may supplement, but not substitute, for direct visual observation.

**“Direct visual observation”** Monitoring by staff such that staff are constantly in the presence of the youth, personally see youth movement and/or skin. Audio/video monitoring and mirrors may supplement but not substitute for direct visual observation.

**“Dispensing”** as it relates to pharmaceutical management and pursuant to Business and Professions Code Section 4024, means the placing of one or more doses of a prescribed medication into containers that are correctly labeled to indicate the name of the youth, the contents of the container, and all other vital information.

**“Disposal”** as it relates to pharmaceutical management, means the destruction of medication or its return to the manufacturer or supplier on its expiration date or when retention is no longer necessary or suitable (e.g. upon youth discharge from the facility) or the provision of medication to the patient upon discharge.

**“DNA”** or Deoxyribonucleic acid means a chromosomal double-stranded molecule that exists in each living cell. DNA determines an individual's hereditary characteristics and can be used to distinguish and identify an individual from another person. This becomes critical when blood, hair, skin, or any other part of the body is used to prove one's involvement or lack of involvement, in a crime scene. Board of State and Community Corrections Juvenile Title 15 Express Terms 7 rev. 3/12/2018

**“Ecto-parasite”** A parasite that lives on or in the skin but not within the body. Lice, fleas and bed bugs are common examples of ecto-parasites.

**“Emergency”** means a significant disruption of normal facility procedure, policy or operation caused by a situation that threatens the safety of the facility, youth, staff, or the public. A single incident of mass arrest of juvenile's youth, an escape, disturbance, taking of hostages, civil disturbance, fire, or natural disasters such as flood, fire or earthquake or other event that

endangers the safety and security of the facility, youth, staff, service providers, or visitors and requires immediate action to avert death, injury and to maintain security.

**“Emergency Manual”** The document describing the procedures for the maintenance of safety and security during an emergency including:

- Escape/AWOL
- Bomb Threat
- Active Shooter
- Terrorist Attack
- Disturbances/Violence/Riot /Civil Disturbance
- Hostages
- Fire
- Natural Disasters
- Evacuation
- Chemical Agents, Radios, Personal Security Devices, Weapons/Ammunition
- Documentation, Debriefing, and Follow-up
- Notification Procedures
- Periodic Testing of Emergency Equipment
- Annual Review of Emergency Procedures for Youth Supervision Staff

**“Employee”** Any person employed by the Department

**“Excessive force”** The use of more force than is objectively reasonable under the circumstances to accomplish a lawful purpose.

**“Executive Director”** means the Executive Director of the Board of State and Community Corrections.

**“Exercise”** means an activity that requires physical exertion of the large muscle groups. The physical exertion of large muscle groups

**“Exigent”** means an urgent and unanticipated event that requires immediate action.

**“Facility administrator”** means chief probation officer, sheriff, marshal, chief of police or other official charged by law with administration of the facility.

**“Facility manager”** means Superintendent, superintendent, police or sheriff commander or other person in charge of the day-to-day operation of a facility holding youth.

**“Filing date”** means the date a request for an appeal hearing is received by the Executive Superintendent of the Board.

**“Food”** means any nourishing substance that is eaten, drunk, or otherwise taken into the body to sustain life, provide energy, and/or promote growth.



**“504 plan”** means a written educational plan developed by a group of educators, administrators, parents and other relevant participants that addresses the needs of a disabled student with a physical or mental impairment which may substantially limit major life activities, including, but not limited to, caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks and learning as defined under Section 504 of the Rehabilitation Act of 1973.

**“Furlough”** means the conditional or temporary release of a youth from the facility.

**“Furlough Camp Kemp”** The three-month period following a youth's release from Camp Kemp.

**“Gay”** means a person whose emotional, romantic, and sexual attraction are primarily for individuals of the same sex, typically in reference to men.

**“Gender expression”** means the way a person expresses his or her gender is expressed through clothing, appearance, behavior, speech, etc.

**“Gender fluidity”** means a gender identity which can vary over time. A gender fluid person may at any time identify as male, female, neutrois, any other non-binary identity, or some combination of identities. Their gender can also vary at random or vary in response to different circumstances. Gender fluid people may also identify as multi-gender, non-binary, and/or transgender.

**“Gender identity”** means a person's sense of being male, female, some combination of male or female, or either male or female.

**“Gender Nonconforming”** means a youth whose appearance or manner does not conform to traditional masculine and feminine gender norms.

**“Grievance”** A formal, documented youth complaint about any condition of confinement.

**“Group Punishment,”** which is prohibited, means sanctioning a group of uninvolved youth based on the actions of one or more youth.

**“Group Supervisor”** All persons, regardless of rank, who are employees and who are selected and trained in accordance with state law as group supervisors of the San Mateo County Probation Department- Juvenile Facilities.

**“Guardian”** The parent, guardian, or person standing in loco parentis.

**“Health administrator”** means that individual or agency that is designated with responsibility for health care policy and procedures pursuant to a written agreement, contract or job description. The health administrator may be a physician, an individual or a health agency.

**“Health care”** means behavioral/medical, mental health and dental services.

**“Health care clearance”** means a non-confidential statement which indicates to youth supervision staff that there are no health contraindications to a youth being admitted to a facility and specifies any limitations to full program participation.

**“Health care provider”** is an individual appropriately licensed by the State and is designated by contract, written agreement, or job description to have responsibility to provide preventive, curative, promotional, or rehabilitative health care in a systematic way to youth.

**“Hearing panel”** means a panel comprised of three members of the Board who shall be selected by the Chair at the time an appeal is filed. A fourth member may be designated as alternate. Members designated to the hearing panel shall not be employed by, or citizens of, the county or city submitting an appeal.

**“Human trafficking”** means the trade of humans, most commonly for the purpose of forced labor, sexual slavery, or commercial sexual exploitation for the benefit of the trafficker or others.

**“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 facility.

**“Individual Education Program”** (IEP) means a written statement for each individual with exceptional needs that is developed, reviewed and revised in a meeting in accordance with Education Code Section 56345 and applicable federal laws and regulation.

**“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.

**“Intersex”** means a youth whose sexual or reproductive anatomy or chromosomal pattern does not fit typical definitions of male or female.

**“ISM-OD”** The Institutions Services Manager designated as the lead during a shift in Juvenile Hall.

**“Juvenile facility”** means a juvenile hall ranch or camp, forestry camp, regional youth education facility, boot camp or special purpose juvenile hall.

**“Juvenile hall”** means a county facility designed for the reception and care of youth detained in accordance with the provisions of this subchapter and the juvenile court authority.

**“Key indicators”** Factors that mitigate or elevate a youth’s risk of self-harm. The indicators

are current plan (elevates risk), prior suicidal behavior (elevates risk), and resources (mitigates risk). Signs of depression and possible self-harm behavior include: talk of dying; recent loss; significant changes in personality, emotions, behavior, sleep patterns, or eating habits; diminished sexual interest; fear of losing control; low self-esteem; and absence of hope for the future.

**“Labeling”** as it relates to pharmaceutical management and pursuant to Business and Professions Code Sections 4076 and 4076.5, means the act of preparing and affixing an appropriate label to a medication container.

**“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.

**“Legend drugs”** are any drugs defined as “dangerous drugs” under Chapter 9, Division 2, Section 4022 of the California Business and Professions Code. These drugs bear the legend, “Caution Federal Law Prohibits Dispensing Without a Prescription.” The Food and Drug Administration (FDA) has determined, because of toxicity or other potentially harmful effects, that these drugs are not safe for use except under the supervision of a health care practitioner licensed by law to prescribe legend drugs.

**“Lesbian”** A woman whose emotional, romantic, and sexual attractions are primarily for other women.

**“Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex (LGBTQI)”** is a diversity of sexuality and gender identity-based cultures. It may be used to refer to anyone who is non-heterosexual or non-cisgender, instead of exclusively to people who are lesbian, gay, bisexual, or transgender. To recognize this inclusion, the letter Q is for those who identify as queer or are questioning their sexual identity. The letter I stands for “intersex” which is defined above.

**“Levels of Precaution”** The intensity of intervention based on assessed risk for self-harm.

- **Mental health observation:** A safety measure in which staff assesses youth’s behavior every 15 minutes. Observation is most appropriate for youth with moderate risk of self-harm.
- **Contract for safety:** An intervention with suicidal youth in which the youth signs a contract agreeing that he or she will not harm himself or herself.
- **Suicide watch:** A safety measure in which staff maintains continuous direct visual observation of youth. Suicide watch is most appropriate for youth with high and severe risk of self-harm.
- **5150 hold:** A safety measure in which a youth is held involuntarily in a psychiatric facility for up to 72 hours for reasons of danger to self, danger to others, or grave disability. A 5150 hold is most appropriate for youth with severe risk of self-harm. A 5150 can be initiated by a peace officer, BHRS staff, or other person designated by

law by completing an Application for 72- hour Detention for Evaluation and Treatment (see Welfare and Institutions Code 5150).

**“Linguistically appropriate”** means delivered in a manner that effectively communicates with persons of limited English proficiency, those who have low literacy or are not literate, and individuals with disabilities.

**“Living unit”** shall be a self-contained unit containing locked sleeping rooms, single and double occupancy sleeping rooms, or dormitories, day room space, water closets, wash basins, drinking fountains and showers commensurate to the number of youths housed. A living unit shall not be divided in a way that hinders direct access, supervision, immediate intervention or other action if needed.

**“Local Health Officer”** means that licensed physician who is appointed by the Board of Supervisors pursuant to Health and Safety Code Section 101000 to carry out duly authorized orders and statutes related to public health within his/her jurisdiction.

**“Magnetometer search/Wand search”** A search involving a scan of the youth using a hand-held magnetometer when the youth is clothed.

**“May”** Indicates a permissive, discretionary, or conditional action.

**“Meal”** means the food served and eaten, especially at one of the customary or regular occasions for taking food during the day, such as breakfast, lunch or dinner.

**“Minor”** means a person under 18 years of age and includes individuals whose cases are under the jurisdiction of the adult criminal court.

**“Member”** Any person employed or appointed by the San Mateo County Probation Department – Juvenile Facilities, including:

- Full and par-time employees
- Sworn Group Supervisors
- Professional Staff employees
- Volunteers

**“Mental Health Staff (MH)”** Part of Behavioral Health and Recovery Services (BHRS), or BHRS licensed clinician, BHRS Associate Marriage & Family Therapist, BHRS Associate Social Worker, BHRS Supervised Intern.

**“MH Clinician”** BHRS licensed clinician, BHRS Associate Marriage & Family Therapist, BHRS Associate Social Worker, BHRS Supervised Intern.

**“MH On-Call Clinician (MH-OC)”** Overnights 5 p.m. to 8 a.m., weekends and holidays.

**“MH On-Duty Clinician (MH-OD)”** Works weekdays from 8 a.m. to 5 p.m. (not including holidays).

**“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.

**“Non-school day”** means a day when school is not in operation. It also applies when an individual youth is both not enrolled in school and not required to be in attendance.

**“Notice of decision”** means a written statement by the Executive Superintendent of the Board which contains the formal decision of the Executive Superintendent and the reason for that decision.

**“On-Duty employee”** Status during the period when the person is engaged in the performance of assigned duties.

**“On-site health care staff”** means licensed, certified or registered health care personnel who provide regularly scheduled health care services at the facility pursuant to a contract, written agreement or job description. It does not extend to emergency medical personnel or other health care personnel who may be on-site to respond to an emergency or an unusual situation.

**“Order”** A written, or verbal instruction issued by a superior.

**“Other Authorized Persons”** Persons approved by the On-Duty Officer of the Day (OD) Institution Services Manager (ISM), Director of Institutions, Deputy Probation Officer (DPO), or Court for visiting with a youth.

**“Other facility staff”** Education, food service, maintenance, and other persons working at the institution.

**“Other Supportive Adults”** Adults who have had a significant impact or relationship with the youth and approved by the Facility Superintendent or their designee.

**“Out of Control Youth”**- A youth who exhibits unruly behavior (i.e. kicking, screaming, attempting to hurt himself/herself or others and / or destroying County property) even after many failed attempts by staff to de-escalate the youth’s negative behavior.

**“Over-the-counter (OTC) drugs”** as it relates to pharmaceutical management, are medications which do not require a prescription (non-legend).

**“Parent / Youth Handbook”** The document given to each youth when admitted to the facility, explaining the rules, expectations and their rights while being detained. (“Juvenile Hall Parent /Youth Handbook” or “Margaret J. Kemp Girls Camp Parent/Youth Orientation

Packet.”

**“Pat-down search”** The normal type of search used by group supervisors within this facility to check others, including youth, for weapons or contraband. It involves manual pressing against the body, a thorough patting down of clothing, and twisting or crushing of the youth’s clothing to locate any weapons or dangerous items that could pose a danger to the group supervisor, the youth, or other youth.

**“Physical body cavity search”** A search requiring a search warrant that allows for a visual inspection of the body and may include a physical intrusion by a physician into a body cavity. Body cavity means the stomach or rectal cavity of a youth, and the vagina of a female youth.

**“Pilot project”** means an initial short-term method to test or apply an innovation or concept related to the operation, management or design of a juvenile facility, jail or lockup pursuant to an application to, and approval by, the Board.

**“Podular design”** means a design concept for detention facilities in which housing cells, dormitories or sleeping rooms are positioned around the perimeter of a common dayroom, forming a housing/living unit. Generally, the majority of services for each housing/living unit (such as dining, medical exam/sick call, programming, school, etc.) occur in specified locations within the unit.

**“Post-dispositional youth”** means a youth detained in a facility after a dispositional order by the Court.

**“Privileged mail”** Letters and correspondence to and from federal, state, and local courts; any member of the State Bar, attorneys; public officials; or other officials or agencies charged with the administration of justice.

**“Professional visitors”** Persons providing services to youth such as mental health therapists, school personnel, healthcare providers and approved clergy

**“Programs”** Structured programs designed to enhance socialization that provides a positive, pro- social experience to build positive youth development.

**“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.

**“Queer”** Historically used as a derogatory term, queer has been widely reclaimed, especially

by younger LGBTQI people, as a positive social and political identity. It is sometimes used as an umbrella term for all LGTBQI people.

**“Questioning”** Refers to the active process in which a person explores her/his own sexual orientation, and/or gender identity, and questions the cultural assumptions that they are heterosexual and/or gender conforming.

**“Rated capacity”** means the number of beds approved by the Board that can be utilized by a Juvenile Facility based on the design requirements of Title 24, Part 1, Article 2, Section 13-201(c)6, of the California Code of Regulations.

**“Reasonable and necessary force”** refers to the amount and type of force that an objective, similarly trained, experienced and competent youth supervision staff, faced with similar facts and circumstances, would consider necessary and reasonable to ensure the safety and security of youth, staff, others, and the facility.

**“Reasonable suspicion”** The belief that the youth is more likely than not concealing drugs, contraband, or weapons on their person based on the youth’s current charges, circumstances of arrest, unusual behavior, or prior conduct in the facility.

**“Recreation”** means the youth’s free time to choose from activities that occupy the attention and offer the opportunity for relaxation. Such activities may include table games, ping-pong, watching television, reading, board games, letter writing and socializing with other individuals.

**“Regional facility”** means a facility serving two or more counties bound together by a memorandum of understanding or a joint powers agreement identifying the terms, conditions, rights, responsibilities and financial obligations of all parties.

**“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.

**“Remodeling”** means to alter the facility structure by adding, deleting or moving any of the building's components thereby affecting any of the spaces specified in Title 24, Section 460A.

**“Repackaging”** as it relates to pharmaceutical management, means transferring medications from the original manufacturers' container to another properly labeled container.

**“Request for appeal hearing”** means a clear written expression of dissatisfaction about a procedure or action taken, requesting a hearing on the matter, and filed with the Executive Superintendent of the Board.

**“Resource Review Board (RRB)”** A committee consisting of Probation Services Managers, Superintendent, Institutions Services Managers, and other county partner that approves

recommendations for placement or commitment of youth.

**“Respite Care”** The short-term stay of a youth at Camp Kemp because the youth was living in an unsafe environment in the community or because there are concerns about the living situation or the youth’s guardian.

**“Responsible physician”** means that physician who is appropriately licensed by the State and is designated by contract, written agreement or job description to have responsibility for policy development in medical, dental and mental health matters involving clinical judgements. The responsible physician may also be the health administrator.

**“Restraints”** Any device designed to restrict a person’s bodily movement. Examples include handcuffs, leather restraints, and leg irons (15 CCR 1358).

**“Risk”** The degree of likelihood that a youth will act on a self-harm plan, as assessed by the key indicators of self-harm behavior.

- Low Risk: A youth reports suicidal thoughts but does not articulate a self-harm plan and is able to contract for safety.
- Moderate Risk: A youth reports suicidal thoughts and a self-harm plan but does not state an immediate time frame or a clearly stated intent to act on the plan and is able to contract for safety.
- High Risk: A youth reports suicidal thoughts, a realistic self-harm plan, and a method of harming himself or herself, an intention to complete within 24 hours and is unable to contract for safety.
- Severe Risk: A youth attempts suicide or significant self-harm, or appears imminently prepared or intent on self-harm and is unable to contract for safety. Examples include attempting hanging or suffocation, making medium- deep cuts, or possessing a weapon for self-harm.

**“Room confinement”** means the placement of a youth in a locked room with minimal or no contact with persons other than correctional facility staff and attorneys. Room confinement does not include confinement of a youth in a locked single person room for brief periods as may be necessary for required institutional operations.

**“Room Extraction”** means the forceful removal of a youth from a room. “Security glazing” means a glass/polycarbonate composite glazing material designed for use in detention facility doors and windows and intended to withstand measurable, complex loads from deliberate and sustained attacks in a detention environment.

**“Safety room”** An enhanced protective/secure housing designed to minimize the risk of injury or destruction of property used for youths who display problematic behavior that may cause immediate physical harm to themselves or others or destroy facility property (24 CCR 1230.1.13). The room provides continuous camera monitoring of a youth who may be in danger of self-harm.



**“Security Glazing”** means a glass/ polycarbonate composite glazing material designed for use in detention facility doors and windows and intended to withstand measurable, complex loads from deliberate and sustained attacks in a detention environment.

**“Self-harm”** Intentionally causing injury to oneself – not including tattooing or scarring.

**“Self -Inflicted Physical Harm”** Including but not limited to carving the skin, cutting off blood circulation to the extremities and/or the youth banging their head against a hard surface.

**“Separation”** means limiting a youth's participation in regular programming for a specific purpose.

**“Serious self-harm”** Self-harm involving bodily injury, requiring hospital admission for medical attention.

**“Sexual abuse”** is sexual activity or voyeurism by one or more persons upon another person who does not consent, is unable to refuse, or is coerced into the act by manipulation, violence, or by overt or implied threats.

**“Sexual orientation”** means a person's emotional, romantic, and sexual attraction for members of the same, opposite or both genders.

**“Shall or will”** Indicates a mandatory action.

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

**“SMMC PES”** San Mateo Medical Center Psychiatric Emergency Services

**“Snack”** means a small portion of food, drink or a light meal, especially one eaten or drunk between regular meals.

**“Sole supervision”** means independent supervision of one or more youth by youth supervision staff who have successfully completed Juvenile Corrections Officer Core Training.

**“Special purpose juvenile hall”** means a county facility used for the temporary confinement of a youth, not to exceed 96 hours, prior to transfer to a full-service juvenile facility or release.

**“Special visits”** mean visits by persons other than parents or guardians, those standing in loco parentis, and children of the youth, as outlined in Section 1374 of these regulations.

**“Status offender”** means a minor alleged or adjudged to be a person described in Section 601 of the Welfare and Institutions Code.

**“STC”** Standards and Training for Corrections Program, training certified by the state Board of State and Community Corrections **“Strip search”** - A search that requires a youth to remove or rearrange some or all 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.

**“Storage”** as it relates to pharmaceutical management, means the controlled physical environment used for the safekeeping and accounting of medications.

**“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

**“Supervisory staff”** means a staff person whose primary duties may include, but are not limited to, scheduling and evaluating subordinate staff, providing on-the-job training, making recommendations for promotion, hiring and discharge of subordinate staff, recommending disciplinary actions, and overseeing subordinate staff work. Supervisory staff may be included in the youth to supervision staff ratio when performing duties of direct youth supervision.

**“Transgender youth”** means a youth whose gender identity is different from the youth’s assigned sex at birth.

**“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.

**“Trauma”** is an experience that causes intense physical and psychological stress reactions. It can refer to a single event, multiple events, or a set of circumstances that is experienced by an individual as physically and emotionally harmful or threatening and that has lasting adverse effects on the individual’s physical, social, emotional, cognitive, or spiritual well-being.

**“Trauma-informed approaches”** are policies, practices and procedures that ensure that all parties involved recognize and respond appropriately to the impact of traumatic stress and ensure the physical and psychological safety of all youth, family members, and staff.

**“Trauma-informed care”** means an organizational structure and system framework that involves understanding, recognizing, and responding to traumatic stress reactions and the effects of all types of trauma. Trauma-informed care also emphasizes raising awareness and

providing resources about trauma and the impact of trauma on youth, family members and staff.

**“Trauma reminder”** means something that reminds a person of a traumatic event or loss and can lead to fear, panic, agitation, numbness, physiological arousal, or other traumatic stress reactions.

**“Traumatic stress”** occurs when youth are exposed to traumatic events and this exposure overwhelms their ability to cope.

**“Un-enrolled”** means an individual youth is not enrolled in school.

**“Use of force”** Any application of physical techniques or tactics to overcome resistance and controlling the threat of imminent harm to self or others, and includes chemical agents or weapons, to another person. It is not a use of force when the youth allows others to search, escort, handcuff, or otherwise restrain them

**“Use of force team technique”** The Safety Response Team (SRT) 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.

**“Vermin”:** Insects or rodents that may carry disease.

**“Voyeurism”** means an invasion of privacy of a youth by another individual during private activities such as using the toilet or undressing, or by staff for reasons unrelated to official duties, such as peering at a youth who is using a toilet in his or her room to perform bodily functions; requiring the youth to expose his or her buttocks, genitals, or breasts; or taking images of all or part of a youth's naked body or of a youth performing bodily functions.

Exceptions would include exigent circumstances or when such viewing is incidental to routine room safety checks.

**“Weekenders”** Youth serving custody time only on weekends

**“Youth”** Any person who is in the detention of the San Mateo County Probation Department-Juvenile Facilities. 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)

**“Youth Handbook”** The document given to each youth when admitted to the facility explaining the rules, expectations and their rights while being detained. (“Juvenile Hall Parent / Youth Handbook” or “Margaret J. Kemp Girls Camp Parent/ Youth Orientation Packet”)

**“Youth supervision staff”** means those acting as Group Supervisors Extra Help Group Supervisors Deputy Probation Officers working overtime and Institutions Services Managers

who are monitoring, directing and whose duty is to supervise the youth. Administrative, supervisory, food services, janitorial or other auxiliary staff is not considered youth supervision staff.

**“5150”** Involuntary Psychiatric Hold of up to 72 hours.



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**ARTICLE 2  
Application of Standards and Inspections  
§1311**

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**Topic                      Emergency Suspension of Standards Requirements**

**Policy**                      Probation management may temporarily suspend requirements or standards in the event of an emergency. Only such regulations directly affected by the emergency may be suspended. The Chief Probation Officer or authorized designee shall notify the Board of State Community Corrections in writing in the event that such a suspension lasts longer than three days. In no event shall a suspension continue more than 15 days without the approval of the chairperson of the Board for a time specified.



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**ARTICLE 2  
Application of Standards and Inspections  
§1313**

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**Topic**                      **County Inspection and Evaluation of Building and Grounds**

**Policy**                      Staff shall ensure that necessary inspections and evaluations are conducted annually or as otherwise required by law. 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.

1. The Superintendent or the authorized designee shall ensure and obtain a documented inspection and evaluation from the following (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.
  - 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
  - g) The Superintendent of the facility shall retain inspection reports.
  
2. The Superintendent or the authorized designee 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.



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**ARTICLE 3  
Training, Personnel, and Management  
§1320**

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**Topic**                      **Appointment and Qualifications**

**Policy**                      Probation managers shall ensure that all candidates and staff meet local, state, and federal requirements and are subject to regular performance evaluations as described below.

1. The Superintendent shall be appointed by the Chief Probation Officer following the regulations of San Mateo County Human Resources and applicable provisions of law. Superintendents shall be responsible for the program, employees, and operation of the facility.
2. All employees shall be hired according to the regulations of San Mateo County Human Resources and applicable provisions of law, including Government Code §1029. Employees shall possess knowledge, skills, and abilities appropriate to their job classification and duties as outlined in the civil service system.
3. Youth supervision candidates shall pass a thorough background investigation, a criminal background check including a psychological/mental evaluation, a physical and medical examination, and a polygraph prior to hire. The medical examination shall include testing for tuberculosis and immunity to contagious illnesses of childhood. The Director of Internal Affairs shall be responsible for referring the examinations of candidates.
4. Non-youth supervision candidates shall pass a criminal background check (fingerprinting) and if required, a medical examination.
5. Contract personnel, volunteers, and other non-employees shall pass a criminal background check (fingerprinting) and shall sign the Security Training Acknowledgement form. If an individual will be in the facility on a one-time basis, they do not have to pass a background check, must be

accompanied by staff or by a certified contractor or volunteer. All visitors at the facility shall be subject to the approval of the Superintendent.

6. All new staff shall be subject to a probationary period during which they may be dismissed from employment for any reason. The length of the probationary period shall be determined by the Human Resources Department.
7. Youth supervision staff shall meet selection and training requirements as set by the Board of State and Community Corrections. Youth supervision staff shall complete San Mateo County's Policy and Procedures and Defensive Tactics training, the state Juvenile Corrections Officer Core course, and training required by Penal Code §832 within the first year of employment.





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**ARTICLE 3  
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<b>Topic</b>	<b>Staffing</b>
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<b>Policy</b>	
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Probation staff shall ensure that facilities are adequately staffed to maintain the safety and security of the facility, youth, staff, visitors, and the public and to ensure that youth receive mandated services.

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

At a minimum, the staffing plan will include:

- a. Facility administration and supervision.
  - b. All facility programs, including programming, exercise, and recreation.
  - c. Post positions and assignment descriptions.
  - d. Staff break relief.
  - e. Staff-to-youth ratios.
  - f. Youth supervision.
  - g. A plan for shift relief.
  - h. Support services, including medical, food services, maintenance, and clerical.
  - i. Other facility-related functions such as escort and transportation of youth.
2. Probation management shall ensure that there are at all times adequate supervisory staff (ISMs, or Group Supervisors III or II) to monitor the activity in facilities.
  3. Only in emergency situations shall a unit, section, or facility be staffed solely by Group Supervisor I staff and/or Extra Help staff.

4. Probation management shall ensure that there is a youth supervision staff person on duty at all times and in each section or unit who has completed San Mateo County's Policy and Procedures and Defensive Tactics training, the state Juvenile Corrections Officer Core course, and training required by Penal Code §832.
5. Probation managers shall ensure that at least one youth supervision staff is on duty in a living unit with one or more youth.
6. Probation managers shall ensure that there are sufficient staff on duty to provide the following required services: nutritional monitoring; food services; food services management; clerical or administration; recreation; medical; dental; mental health; maintenance; transportation; and security.
7. The number of staff shall allow for continuous wide-awake supervision that meets the following staff to youth ratio:
  - a. Juvenile Hall: Waking hours – 1:10; Sleeping hours – 1:30; At least two youth supervision staff per unit during waking hours; At least one youth supervision staff of the same gender as youth under supervision.
  - b. Camps: Waking hours – 1:15; Sleeping hours – 1:30; At least two youth supervision staff during waking hours; At least one youth supervision staff of the same gender as youth under supervision.

In addition, the number of staff shall allow for continuous wide-awake supervision that meets the following requirements:

- c. At least two youth supervision staff shall be on duty at all times.
- d. At least one youth supervision staff of the same gender shall be on duty at all times.
- e. Personnel who are not trained as youth supervision staff shall not be counted in the staff to youth ratio for the purpose of youth supervision. Personnel with primary responsibility for other duties such as administration, supervision of personnel, academic or trade instruction, clerical, kitchen, gardening, farm or forestry and maintenance shall not be classified as youth supervision staff positions.
- f. Audio and/or video monitoring shall not be substituted for staff presence on a unit or section.
- g. No services shall be denied because of insufficient numbers of staff on duty, except in the case of an emergency.

See Procedures Manual on Staffing for further information.



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**Topic                      Youth Supervision Staff Orientation and Training**

**Policy**                      Probation management shall ensure that all staff are adequately trained on youth supervision techniques and the policies and procedures relating to youth discipline, use of force, emergencies, and other topics.

1. The Superintendent and the Institutions Services Managers (ISM) shall ensure that all youth supervision staff are adequately oriented to their duties, including:
  - a. Youth supervision duties;
  - b. The scope of the decisions they must make;
  - c. The identity of their Supervisor;
  - d. The identity of the lead staff person;
  - e. The identity of the people who they are responsible for;
  - f. The contact person for decisions beyond their scope;
  - g. Ethics;
  - h. The facility grounds and physical plant; and
  - i. The location of safety equipment
  
2. The Superintendent or designated ISM, and/or Group Supervisor III's shall plan and implement a training program that all new youth supervision staff shall complete prior to assuming the responsibility for the supervision of youth. This training, which shall be at least 40 hours, including 2 formal classroom days, shall include:
  - a. Mission, vision, and organization of the Probation Department and the facility;
  - b. New Employee Orientation;
  - c. Individual and group supervision techniques;
  - d. Policies and procedures regarding:
    - The basic rights of minors;
    - Health, sanitation, and safety measures (including first aid, CPR, universal health precautions, and cleaning/disinfecting requirements);

- Suicide prevention and response to suicide attempts;
  - Discipline;
  - Use of force (defensive tactics), de-escalation techniques, and mechanical and physical restraints;
  - Review of policies and procedures referencing trauma and trauma-informed approaches;
  - Emergency procedures;
  - Routine security measures including facility perimeter and grounds;
  - Crisis intervention and the process for referrals to mental health services;
  - Documentation (e.g. Incident Reports, Log Books);
  - Alternative Programming
- e. Fire/life safety training (including safety equipment use)
3. The Superintendent shall ensure that all sworn staff successfully complete the Juvenile Corrections Officer Core Course and peace officer training pursuant to 832 PC prior to assuming sole supervision of youth (independent supervisor of one or more youth).
4. Support staff, contract employees, school and medical staff, program providers, volunteers, and others with contact with youth in the facility shall receive Orientation and Safety and Security Training including expectations involving emergency procedures and the reporting/documenting of incidents. All individuals entering the facility that have access to youth are required to sign the Security Training Acknowledgement form.



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**Topic**                      **Fire and Life Safety**

**Policy**                      Probation staff shall be trained in fire and life safety.

1. Whenever there is a youth in the facility, there shall be always at least one person on duty.
2. All Group Supervisors shall attend the Juvenile Corrections Officer Core course that includes fire and life safety instruction. At least one staff that has completed the core training in fire and life safety shall be present on every shift.
3. Group Supervisors will be certified in CPR and first aid biannually. In addition, youth supervision staff will participate in quarterly fire drills.
4. During orientation training, Group Supervisors shall be trained in the fire and life safety policies and practices of department juvenile detention facilities, including the location of fire doors and barriers and evacuation procedures.

See Procedure Manual on Fire and Life Safety for further information.



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**Topic                      Policy and Procedures Manual**

**Policy**                      The facility Superintendent shall develop, publish, and implement written policies and procedures that address all regulations that are applicable to the facility.

1. The Deputy Chief of the Institutions Division, or their designee, shall develop, publish, and implement a manual of written policies and procedures that addresses all regulations applicable to the facility. The DCPO of Institutions, or their designee, shall develop, publish, and implement Training Manual that describes the responsibilities of all employees. The facility Superintendent shall collaborate with staff from other Probation divisions, the Health Department, the San Mateo County Office of Education, Behavioral Health and Recovery Services, and other relevant agencies and organizations in the development and implementation of the Policy and Procedures Manual.
2. The DCPO of Institutions, or their designee, shall ensure that copies of the Policy and Procedures Manual and facility Training Manual are available in the administrative office, unit offices and/or staff areas of all living units. The Superintendent, or their designee, shall further ensure that the Policy and Procedures Manual and relevant forms are published on the Department's SharePoint site. The Superintendent may make the Policy and Procedure Manual and /Training Manual available to collaborating agencies upon request.
3. The DCPO of Institutions, or their designee, shall review the Policy and Procedures Manual and the Training Manual at least once every two years and shall make any necessary updates. Changes in these manuals shall be distributed to all staff. A memo indicating review of the policies and procedures by the DCPO shall be placed in each of the copies of the Policy and Procedure Manual.

4. The Policies and procedures shall contain the following sections: regarding the
  - a. Vision, Mission, and Responsibility.
  - b. Organization Chart.
  - c. Channels of communication.
  - d. Job classifications and responsibilities.
  - e. Purpose of programs.
  - f. External relationships (including those with the Juvenile Court, the Juvenile Justice and Delinquency Prevention Commission, probation staff, school personnel, Behavioral Health and Recovery Services and other agencies that are involved in juvenile facility programs).
  - g. Initial orientation, including safety and security training and anti-discrimination policies for external stakeholders (i.e., school staff, interns, mental health staff, medical staff, program providers and volunteers).
  - h. Maintenance of record-keeping.
  - i. Supply of information to the juvenile court and those authorized by the court or by law; and
  - j. Release of information regarding youth.
  - k. Ethical responsibilities.
  - l. trauma-informed approaches.
  - m. culturally responsive approaches.
  - n. gender responsive approaches.
  - o. Non-discrimination policy that provides that all youth within the facility shall have fair and equal access to all available services, placement, care, treatment and benefits, and provides that no person shall be subject to discrimination or harassment on the bases of actual or perceived race, ethnic group identification, ancestry, national origin, immigration status, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability, or HIV stats, including restrictive housing or classification decisions based solely on any of the above mentioned categories.
  - p. Procedures for collection of Medi-Cal eligibility information and enrollment of eligible youth.
  - q. Policy that prohibits all form of sexual abuse, sexual assault, and sexual harassment.
  
5. The records relating to the standards and requirements set forth in this Policy and Procedures Manual shall be accessible to the Board of State and Community Corrections.



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**Topic                      Fire Safety Plan**

**Policy**                      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 facility on the emergency plans for fire safety and evacuation (15 CCR 1323; 15 CCR 1324; 15 CCR 1325; 15 CCR 1327).

1. The Deputy Chief of the Institutions Division, or their designee, shall work with the Fire Marshall to maintain and review the Fire Safety Plan and Fire Suppression. See Procedure Manual on Fire Safety Plan for further information.
2. Fire and life safety inspections as well as fire prevention inspections shall be conducted on a monthly basis by the Compliance Officer, or their designee. The facility Compliance Officer shall file the monthly facility inspection form in the Inspection binder and retain them for a period of no less than two (2) years.
3. The Fire Marshall shall conduct annual inspections of the Youth Services Center and Camp Kemp. The facility Compliance Officer, or their designee shall ensure that all deficiencies noted by the Fire Marshall are corrected and shall notify the Fire Marshall when the deficiencies are resolved.
4. An evacuation plan including movement and housing provisions shall be contained in the Emergency Manual.
5. The facility Compliance Officer, or designee, shall conduct quarterly fire drills. These fire drills shall be documented on the Fire Drill Form.
6. Each shift will have at least one wide awake designated staff member who meets the training standards established by the BSCC and is trained to use and maintain the facility's firefighting equipment. (15 CCR 1323).



7. In the event of a fire, the plan for housing youth is contained in the evacuation section of the Emergency Manual.



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**Topic                      Security Review**

**Policy**                      The facility Superintendent shall develop policies and procedures to annually review, evaluate and document security of the facility. The review and evaluation shall include internal and external security, including, but not limited to, key control, equipment and staff training.

1. The facility Superintendent shall designate an Institutions Services Manager (ISM) as the facility Compliance Officer. The Compliance Officer shall review the security of the facility on a monthly basis using the Monthly Facility Inspection Form and the Monthly Security Inspection Form (Juvenile Hall only). The inspection forms shall be submitted to the facility Superintendent, who shall review the form and make provisions for any necessary corrective action. The Monthly Facility Inspection Forms shall be retained for at least seven (7) years.
2. The designated ISM of the Institutions Division shall arrange with the Sheriff's Office Countywide Security Unit or other qualified entity to review, evaluate, and document the security of all juvenile facilities on a yearly basis. The Sheriff's Office or qualified entity reports shall be retained for a period of seven (7) years
3. Security inspections shall include:
  - a. External security, including perimeter issues such as lighting and fencing, as well as vehicle security.
  - b. Internal security, including access doors; key control; equipment; mechanical restraints; contraband; and alarm systems.
  - c. Staff training; and
  - d. Policies and procedures.

Following the security review, the facility Superintendent shall make any necessary changes in policies and procedures. The facility Superintendent or Compliance

Officer shall work with the Department of Public Works or contractors to correct any issues with the facility.

4. During the monthly security inspection, the Compliance Officer or their designee shall also inspect the facility and identify staff training issues related to fire and life safety and fire prevention



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**Topic                      Emergency Procedures**

**Policy**                      Probation staff shall ensure the safety, security, and well-being of youth and staff, during emergencies.

The Emergency Manual shall include the procedures for the maintenance of safety and security during following:

- a. Escape/AWOL
- b. Bomb Threat
- c. Active Shooter
- d. Terrorist Attack
- e. Disturbances/Violence/Riot /Civil Disturbance
- f. Hostages
- g. Fire
- h. Natural Disasters
- i. Evacuation
- j. Chemical Agents, Radios, Personal Security Devices, Weapons/Ammunition
- k. Documentation, Debriefing, and Follow-up
- l. Notification Procedures
- m. Periodic Testing of Emergency Equipment
- n. Annual Review of Emergency Procedures for Youth Supervision Staff

1. A copy of the San Mateo County Probation Department Emergency Manual shall be kept in a red binder on each living unit of all juvenile facilities and in the administrative offices
2. During an emergency, staff shall follow the procedures in the Emergency Manual. In the event of evacuation of the facility, staff shall take the Emergency Manual binder with them.
3. The Compliance Officer or designee shall oversee the inspection of emergency equipment on a monthly basis using the Monthly Facility Inspection Form as outlined in Section 1326, Security Review. This inspection

shall include review of the generator(s), fire alarms, smoke detectors, flashlights, fire hoses, and fire extinguishers.

4. The facility Superintendent, in collaboration with the Department of Public Works, shall make any necessary improvement identified in the monthly inspections. The facility Superintendent shall keep the Monthly Fire and Life Safety inspection forms for at least seven (7) years.

See Procedures Manual on Emergency Procedures for further information.



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**Topic                      Safety Checks**

**Policy**                      The purpose of this policy is to establish a requirement for staff to ensure that all youth are safe, and that the facility is secure by conducting periodic visual safety checks for all youth, and for creating and maintaining a log to document all safety checks (15 CCR 1328).

1. Safety checks, direct visual observation shall be conducted at least every 14 minutes on an irregular (staggered) schedule and more frequently if necessary.
2. The safety checks shall be conducted during hours when youths are asleep or when youths are in their rooms, confined in holding cells, or confined to their bed in a dormitory (15 CCR 1328).
3. Safety checks shall be conducted on an irregular schedule so youths cannot predict when the checks will occur.
4. 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.
5. Cameras and monitors may supplement the required visual observation safety checks, but they shall not replace the need for direct visual observation.
6. All safety checks shall be documented with the actual time the check is completed.

See Procedures Manual on Safety Checks for further information.



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<b>Topic</b>	<b>Suicide Prevention Plan</b>
<b>Purpose</b>	To prevent suicides through proper risk identification, monitoring, and treatment of potentially suicidal youth and appropriate intervention.
<b>Policy</b>	The Department will develop a suicide prevention plan to identify and monitor potentially suicidal youth and appropriately intervene and treat.

Any probation staff who identifies a youth who displays suicidal signs shall immediately notify a lead staff and the appropriate medical/mental health staff. 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 an Institution staff until a mental health professional can be consulted regarding the necessary level of supervision. The Superintendent or the authorized designee shall determine the supervision level of all suicidal youth in consultation with the mental health professional (15 CCR 1329).

Group Supervisor will assist with contacting a mental health professional and implementing precautionary steps, as provided in this policy.

1. Identification of Youth at Risk

- a. Upon admission, staff shall assess the level of risk of each youth by administering the Suicide Risk Assessment Instrument and by considering the key indicators of self-harm behavior. In addition, staff will communicate with the arresting officer and guardians regarding the youth's past or present suicidal ideation, behavior, or attempts, and document such information in the Admissions packet.
- b. Staff shall assess the individual's level of risk by considering the key indicators of self-harm and, where appropriate, by administering the Suicide Risk Assessment Instrument. These staff shall implement the procedures appropriate to the youth's level of risk, as identified by a mental health professional.
- c. Youth identified at risk for suicide shall not be denied the opportunity to participate in facility programs, services and activities which are available to other non-suicidal youth, unless deemed necessary for the safety of the youth or security of the facility. Any deprivation of programs, services or activities for youth at risk of suicide shall be documented and approved by the facility Superintendent or the assigned designee.

- d. Any treatment interventions utilized will include trauma-informed approaches.
2. The Suicide Prevention 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).

The Suicide Prevention Plan should be developed with the Medical Director, the Institution Superintendent, staff, treatment providers, and local public health agencies, as appropriate. See Procedures Manual on Suicide Prevention and Intervention for additional guidance.

### **1329.1 PRECAUTIONARY STEPS/SUICIDE WATCH**

Youth meeting the below-listed criteria should be placed on suicide watch:

- a. Any youth who has expressed suicidal thoughts.
- b. Any youth who has a recent history of self-injurious behavior; or
- c. Any youth who has attempted to commit suicide or committed an act in furtherance of suicide

Youth placed on suicide watch shall be housed in a room designed to be suicide resistant (15CCR 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. Staff may remove the bedding of a youth who presents a danger to themselves pending a mental health consultation. Staff shall follow the directives of mental health staff regarding the provision of bedding to youth with suicide precautions.

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 On-Duty Officer of the Day 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 Medical Director or the authorized designee will determine when the youth no longer require continuous direct visual observation.

A youth will be removed from suicide watch when the Medical Director or a mental health professional determines the youth no longer poses a threat of self-harm, with the approval of the Superintendent. 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).

Observation logs shall be maintained and documented in at least 10-minute intervals for all youth on suicide watch. Medical staff, or their authorized designee, must observe the youth at least once every five 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.



Staff shall document in the youth's log and when applicable, an Incident Report, any time a youth's suicide watch status and housing assignment changes, and the reasons for not providing clothing, personal items or facility issued items.

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 Superintendent.

### **1329.2 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 Director or the authorized designee should be notified when referral and transportation to an emergency room or local hospital are required.

Staff should preserve and collect evidence as necessary. The parent/guardian, court of jurisdiction, Chief Probation Officer, Superintendent, and involved probation officer shall be notified of the suicide attempt.

The youth's health care record should be updated to reflect all contacts, treatment, and any other relevant information.

### **1329.3 DEBRIEFING**

Any suicide or attempted suicide requires a staff debriefing. Probation management shall ensure that stress management debriefings are conducted for affected staff and youth to discuss post-incident thoughts and reactions. (15 CCR 1329).

### **1329.4 TRAINING**

All Group Supervisor shall receive eight (8) hours of initial training on suicide risk, assessment, prevention and intervention. Staff are required to complete training updates as necessary.

1. Training content shall include:

- a. Pre-disposing factors for suicide.
- b. High-risk suicide periods.
- c. Unique factors of detention and institutionalization that enhance suicidal behavior.
- d. Identification of minors at risk, warning signs and symptoms, and levels of risk.
- e. Appropriate monitoring of and response to youth according to levels of risk and precaution; and
- f. Emergency response protocols.

See Procedures Manual on Suicide Prevention Plan for further information.



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**ARTICLE 4  
Records and Public Information  
§1340**

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**Topic                      Reporting of Legal Actions**

**Policy**                      This policy acknowledges the department's responsibility for notifying the BSCC of any legal action involving the confinement of youth.

It is the department's policy 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.

Staff report to their direct supervisor any information, including hearsay information, that could lead to legal action against the department. The direct supervisor shall relay the information through their chain of command.

In the event of legal action, the Chief Probation Officer shall be responsible for notifying the BSCC of all legal action pertaining to conditions of confinement filed against persons or legal entities responsible for juvenile facility operations.



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**ARTICLE 4  
Records and Public Information  
§1341**

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**Topic                    Death or Serious Illness/Injury of a Youth While Detained**

**Policy**                    It is the purpose of this policy to ensure the proper investigation and reporting in event of a death or serious illness or injury of a youth in custody. Staff shall report and respond to any event involving the death, serious illness or injury of a youth in custody in accordance with departmental procedure.

**1341.1 DEATH OF A YOUTH IN CUSTODY**

1. The Superintendent and/or the Deputy Chief Probation Officer shall submit a report to the Attorney General no more than ten (10) calendar days following the death of an in-custody youth. The report shall follow the format provided by the Office of the Attorney General and detailed in Government Code 12525. A copy of the report shall be forwarded to the Board of State and Community Corrections (BSCC) within ten (10) calendar days of the submission of the report to the Attorney General.
2. Upon receipt of a report of the death of a youth from the Superintendent, the BSCC may within 30 calendar days inspect and evaluate the juvenile facility.
3. The Probation Department shall accommodate any legal, judicial, or BSCC investigation of the death.
4. The San Mateo County Health Department, in cooperation with the facility Superintendent, has developed policies and procedures for the medical and operational review of all deaths in custody (Health Services Policies and Procedures, §0114.00, Medical Review of Juvenile In-Custody Deaths). The review team shall include the facility Superintendent and/or Institution Services Manager (ISM), the health administrator, the responsible physician and other health care and supervision staff who are relevant to the incident.
5. The San Mateo County Health Department, in cooperation with the facility Superintendent, has developed policies and procedures regarding suicide prevention and intervention (Health Services Policies and Procedures, §0312.00, Suicide Prevention; Hillcrest Mental Health Policy Number YSCMH 15-05, Suicide Prevention and Response Plan).

## **1341.2 IN-CUSTODY DEATH REVIEWS**

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.
- 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. Youth and 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.

Notification should be sent to all relevant individuals instructing them to preserve all records related to the decedent's detention.

## **1341.3 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 facilities.
- c. District Attorney.
- d. Investigative staff.
- e. Medical Director, qualified medical/mental health care professionals, supervisors, or other staff who are relevant to the incident.
- f. Internal Affairs Managers and investigators.
- g. Local law enforcement.
- h. Child welfare agency representative.

i. Institution staff.

The in-custody death review should be initiated immediately, though it may take time to obtain all the relevant information for proper analysis (as listed above in Section A). 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.

#### **1341.4 SERIOUS INJURY OR ILLNESS OF A YOUTH IN CUSTODY**

The ISM/Officer of the Day is responsible for notifying the Juvenile Court, the parent, guardian, or person standing in loco parentis and the youth's attorney of record in the case of a serious illness or injury of a youth in custody. The ISM/Officer of the Day shall complete an Information Report and a copy of the report shall be forwarded to the Superintendent and assigned probation officer for review. A copy of the report shall be placed in the youth's unit file.

See Procedures Manual on Death and Serious Illness or Injury of a Youth While Detained for further information.



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**ARTICLE 4  
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§1342**

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**Topic                      Population Accounting**

**Policy**                      The purpose of this policy is to ensure that staff gather facility population data and report it to the Board of State and Community Corrections.

The Administrative Secretary and/or Management Analyst shall submit population and profile survey data to the Board of State and Community Corrections (BSCC) on both a monthly and quarterly basis, within 10 working days after the end of each reporting period, as required by California Code of Regulations, Title 15 Section 1342. This information is to be reported using the BSCC's Juvenile Detention Profile Survey (JDPS) online tool. The JDPS gathers pertinent data related to juvenile detention, including average daily population, charge, disposition, gender, crowding, booking, mental health, average length of stay, and age.



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§1343**

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**Topic                      Juvenile Facility Capacity**

**Policy**                      It is the purpose of this policy to ensure the proper reporting of facility crowding to the Board of State and Community Corrections (BSCC) and provide for review by the Board of the conditions of confinement.

1. The Institution Services Manager (ISM)/Officer of the Day (OD) shall notify the Superintendent of the facility immediately should the population exceed the Board of State and Community Corrections (BSCC) rated capacity. The Superintendent shall notify the Deputy Chief of the Institutions Division, the Assistant Chief Probation Officer, the Chief Probation Officer, and the Juvenile Court Judges.
2. The Superintendent of the facility shall make every attempt to bring the population within the rated capacity and shall obtain the prior approval of the Court to release youth early or transition youth to an alternative to detention program.
3. No youth shall be transferred from the juvenile hall to Camp Kemp if the camp population will exceed rated capacity. The Superintendent shall notify the juvenile presiding judge and any other interested party (e.g., District Attorney's Office, attorney of record, assigned probation officer) if a youth committed to Camp Kemp must continue to be detained at the juvenile hall.
4. Should the facility population exceed the BSCC-rated capacity, the Institutions Services Manager shall immediately notify the Superintendent. Should the population exceed the BSCC rated capacity for more that fifteen (15) calendar day a month, the Superintendent shall provide a crowding report to the BSCC in a format provided by the Board.

5. If the Executive Director of the Board determines that the facility is unsuitable for the confinement of youth, the recommendation shall be reviewed by the Board at the next scheduled meeting. Notice of the Board's findings and/or actions shall be public record and, at a minimum, will be provided to the facility administrator, presiding juvenile court judge, chairperson of the board of supervisors, Probation Commission, and juvenile justice commission within ten working days of the Board meeting.

Note: Authority cited: Sections 210 and 885, Welfare and Institutions Code.  
Reference: Section 209, Welfare and Institution Code.





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§1350/1350.5**

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**Topic                    Admittance Procedures**

**Policy**                    The San Mateo County Probation Department has a legal and standardized process for receiving youth into a juvenile facility. The admittance of youth into a facility should be conducted in a respectful, humane, trauma-sensitive, and culturally cognizant manner. This policy establishes guidelines for admittance procedures including security needs, the classification process, identification of medical/mental health issues, and the seizure and storage of personal property (15 CCR 1350).

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).

Prior to admitting youth into the juvenile facility, the ISM-OD shall review the admissions paperwork and determine if the youth should be admitted. The On-Duty Officer of the Day 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 facilities 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 (JJDP) (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).

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. Intake Screening Form
- b. Juvenile Contact Report (JCR)
- c. Detention reports.
- d. Probable cause declarations (PCD).
- e. Petitions/Warrants/Indictments/Interstate Compact verification for Juveniles or court orders.

- f. Victim notification information.
- g. Special needs related to religious practices, such as diet, clothing, and appearance (see the Religious Programs Policy).
- h. Accommodation requests related to disabilities (see the Detainees with Disabilities Policy).
- i. Information regarding suicidal statements or actions.
- j. Risk assessment of detention criteria that considers the least restrictive environment (15 CCR 1350).
- k. 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 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 shall make reasonable efforts to investigate the youth's claim of identity fraud or mistake. Staff shall notify the On-Duty Officer of the Day a supervisor when a youth makes a claim of mistaken identity or identity fraud. A youth's identity can also be verified upon receipt of fingerprint report.

1. State law (SB 395) requires that a youth seventeen (17) years of age or younger consult with legal counsel in person, by telephone, or by video conference prior to any custodial interrogation, and prior to waiving his/her rights to remain silent, to have counsel present during any interrogation and/or to have counsel appointed if he/she is unable to afford counsel. Prior to accepting a booking on a youth seventeen (17) years of age or younger, Admissions staff shall confirm whether the youth has consulted with an attorney. In the event this requirement has not been fulfilled, Admissions staff will direct the arresting agency to contact an attorney for the youth prior to booking.
2. Any Youth taken into custody, who is confirmed to be an out-of-state runaway, will be booked into the facility pursuant to Section 207 of the Welfare and Institutions Code as a 601 WIC "Status Offender." Youth will be housed separately from 602 youth and will not be permitted to come in or remain in contact with any 602 youth.
3. The ISM-OD and Admissions staff shall assess the physical condition of the youth prior to admission for signs of injury, illness, use of drugs or alcohol within the previous 12 hours, critical mental health issue, intellectual or developmental disabilities and safety issues. Youth displaying such signs shall be cleared by the San Mateo County Medical Center. Clearance by the Medical Center shall be the responsibility of the transporting authority.
4. Any staff member who suspects that a youth may be suffering from an overdose or experiencing withdrawal symptoms shall promptly notify the On-Duty Officer of the Day and Admissions Lead staff supervisor, who shall ensure that the appropriate medical staff is notified (see the Youth Screening and Evaluations Policy) (15 CCR 1431).
5. 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) [Include link here](#)

6. Admissions staff shall read the youth their Miranda rights. The youth and Admissions staff shall sign and date the “Rights of the Minor” section at the bottom of the Property Inventory Sheet.
7. Admissions staff shall have the youth change into Juvenile Hall clothing and perform a search according to the regulations in Section 1360 Searches.
8. At the time of Admission, the Admissions staff inventories the youth’s personal belongings and clothing in detail on the appropriate form. Admissions staff shall collect the youth’s personal property and log it on a Property Inventory Sheet. Admissions staff shall seal valuables except cash of \$10 or more in an envelope. Admissions staff and the youth shall sign the Personal Property Sheet.
9. Admissions staff shall secure the youth’s personal property in the Property Room
10. If staff identifies a youth who shows symptoms of active suicidal behavior or sudden onset of bizarre or deranged behavior, they must take appropriate action and fill out a Mental Health Memorandum Include link here and contact Mental Health Department during business hours. For all after-hours incidents, the Mental Health On Duty On Call must be contacted, as well as the On Duty ISM/OD.
11. For youth on active probation who are being booked on a new charge, the Probation Officer shall obtain the authorization from the Court to detain the youth on probable cause. For youth not previously on probation, the Assessment Center shall determine whether or not to detain. On weekends and holidays, Admissions staff will fax the Probable Cause Declaration form to the on-call Judge to continue holding the youth on probable cause.
12. Admissions staff shall complete the Receiving Screening Form (see San Mateo County Correctional Health Services, Youth Services Policies and Procedures, Section 0302.00, Receiving/Screening and Section 1329, Suicide Prevention Program). Include link here If it is determined that the youth should not be admitted, staff shall take appropriate measures to ensure the safety of the youth until such time as the youth can be transported to San Mateo County Medical Center Psychiatric Emergency Services (see Section 1329, Suicide Prevention Program).
13. Within one hour of assuming custody of the youth, Admissions staff shall telephone the guardian of the youth and inform them of the rules, programs, expectations, and available visiting hours.
14. Admissions staff will inform the guardian that they have a right to visit the youth and ask if they wish to schedule a visit or if they wish to contact Juvenile Hall Reception to schedule a visit with their child when they will be given the opportunity to sign the Medical Consent form.
15. In addition, staff will ask the guardian if the youth have any past or present suicidal ideation, behaviors or attempts and document the answer on the medical screening form. If the guardian does not answer, Admissions staff shall leave a message or call later. If language interpretation services are needed, Admissions staff shall obtain necessary translation services.
16. All youth detained in this facility shall be entitled to at least two free phone calls within one hour of admittance, unless physically impossible and no later than three hours after arrest (15CCR 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.

17. Admissions staff shall distribute the booking sheets to the Medical Unit, Behavioral Health and Recovery Services, the YSC School, and Probation Services.
18. Admissions staff shall make two files containing all forms and documents, including any paperwork from previous admissions, and keep one in Admissions and send the other to the Housing Unit where the youth will be housed.
19. Youth will be allowed to shower before being dressed in clean juvenile facilities 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).
  - a. If a youth refuses to shower, staff shall complete a Mental Health Memorandum requesting that a mental health staff member talk to the youth.
20. Admissions staff shall issue basic clothing, bedding, hygiene items and offer food upon arrival. (see Article 10 Clothing and Personal Hygiene).

### **1350.1 UNDOCUMENTED YOUTH**

No youth should be held 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).

Prior to providing notice to a federal authority regarding the pending release of a youth, authorization should be obtained from the Superintendent.

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).

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.

Group supervisors shall not inquire into a youth's immigration status for immigration enforcement purposes (Government Code § 7284.6).

### **1350.2 INTERSTATE COMPACT FOR JUVENILES**

When the admission group supervisor identifies a youth, whose residence is in another state and the youth is wanted, the Officer of the Day or the authorized assigned designee will notify the Assessment Probation Officer to coordinate the return/transfer of the youth to the youth's home state.

### **1350.5 SCREENING FOR THE RISK OF SEXUAL ABUSE**

Staff shall assess the youth to determine if the youth is capable of understanding the admissions process. Staff shall also screen all youth for the risk of sexual abuse (CCR 1350.5) Staff shall provide youth with the appropriate resources to meet their language and/or literacy needs. Staff shall be sensitive to the trauma history of youth and ensure their physical and psychological safety.

Within 72 hours of admission, staff shall assess the youth for:

- a. Prior sexual victimization or abusiveness
- b. Gender nonconforming appearance or manner; or gender identification
- c. Current charges and offense history
- d. Age
- e. Level of emotional and cognitive behavior
- f. Physical size and stature
- g. Mental illness or mental disabilities
- h. Intellectual or developmental disabilities
- i. Physical disabilities
- j. The youth's Perception of vulnerability
- k. Any other specific information about the individual youth that may indicate heightened needs for supervision, additional safety precautions, or separation from certain other youth.
- l. And then contact Mental Health OD. In addition, staff shall notify the ISM/OD.

Staff shall ascertain this information through conversations with the youth during the admittance process, medical and behavioral health screenings; during classification assessments; and by reviewing court records, case files, facility behavioral records, and other relevant documentation from the youth's files.

The facility administrator shall implement appropriate controls of the dissemination of information within the facility relative to responses received pursuant to this assessment in order to ensure that sensitive information is not exploited to the youth's detriment by staff or other youth.

See Procedures Manual on Admittance Procedures for further information.



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**ARTICLE 5  
Classification and Separation  
§1351**

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**Topic                      Release Procedures**

**Policy**                      The purpose of this policy is to establish and maintain procedures governing the release of youth from detention

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, Probation Information Management System (PIMS) identification number, birthdate and photograph, and a facility identification number or a single digit fingerprint match system, if available. Staff shall update the photo in PIMS if necessary.

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.
- c. All youth should be cleared by a qualified medical and mental health staff member prior to release.
- 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 On-Duty Officer of the Day and the Admissions Lead staff.
- e. Notify the facility's medical and mental health units of the release (15 CCR 1408; 15 CCR 1437).
- f. Notify the facility's school registrar of the release.

**1351.1 POST-DISPOSITION YOUTH**

The Superintendent or the authorized designee 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).

See Procedures Manual on Release Procedures for further information.

**1351.2 FURLOUGH YOUTH**

The Superintendent or the authorized designee shall develop and implement policies and

procedures for the furlough of youth from custody (15 CCR 1302; 15 CCR 1351; 15 CCR 1355).

See Procedures Manual on Release Procedures for further information.



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**ARTICLE 5  
Classification and Separation  
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<b>Topic</b>	<b>Classification</b>
<b>Policy</b>	<p>Probation staff shall classify youth to ensure the appropriate housing and programming of youth and to maintain the safety and security of the facility.</p> <ol style="list-style-type: none"><li>1. Classification shall not be a tool for punishment or discipline.</li><li>2. Classification of youth shall:<ol style="list-style-type: none"><li>a. Provide for the safety of the youth, other youth, facility staff, and the public.</li><li>b. Allow youth to be housed in the least restrictive setting possible and consider the facility population and the physical design of the facility.</li></ol></li><li>3. Classification factors shall include, but are not limited to age, maturity, sophistication, emotional stability, program needs, legal status, public safety considerations, medical/mental health considerations, gender, and gender identity of the youth actors such as compatibility with other youth, size, non-association orders, protective custody orders, and gang affiliation may also influence housing assignments. In addition, classification decisions may be influenced by information from the youth, records, parents, victims, the police, and other sources. Factors determining roommate status shall include, but are not limited to: Sex, body type, sexual orientation, charge(s), criminal sophistication, safety concerns, protective (non-association), mental health issues, medical issues, physical disabilities, gang affiliation, and history of violence and/or sexual assault.</li><li>4. Youth shall not be separated from the general population or be assigned a single occupancy room based solely on the youth's actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability, or HIV status. Staff are not precluded from placing a youth in a single occupancy room at the youth's specific request or in accordance with Title 15 regulations regarding separation.</li><li>5. Probation staff shall not consider lesbian, gay, bisexual, transgender,</li></ol>



questioning or intersex identification or status as an indicator of likelihood of being sexually abusive.

6. A youth may appeal a housing assignment or security status decision through the facility grievance process (see Section 1361, Grievance Procedures).

See Procedures Manual on Classification procedures for further information.



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§1352.5**

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**Topic                    Transgender and Intersex Youth**

**Policy**                    This policy establishes operational practices that reinforce the Probation Department’s commitment to respect the dignity of all youth including transgender, intersex, and gender non-conforming youth, creates a safe environment for all youth, and ensures that all youth have equal access to all available services, care and treatment.

Refer to the Detention Policy Manual for LGTBQI definitions. See Prison Rape Elimination Act (PREA) Policy for additional guidance.

1. Staff shall respect every youth’s gender identity and shall refer to the youth by the youth’s preferred name and gender pronoun, regardless of the youth’s legal name; however, staff may prohibit the use of gang or slang names or names that otherwise compromise facility operations as determined by the Superintendent or authorized designee and shall document any decision made on this basis.
2. Staff shall permit youth to dress and present themselves in a manner consistent with their gender identity and shall provide youth with the institution clothing and undergarments consistent with their gender identity.
3. Staff shall house youth in the unit or room that best meets their individual needs and promotes their safety and well-being. Staff may not automatically house youth according to their external anatomy and shall document the reasons for any decision to house youth in a unit that does not match their gender identity. In making a housing decision, staff shall consider the youth’s preferences, as well as any recommendations from the youth’s health or behavioral health provider.
4. Transgender and intersex youth shall be given access to medical and behavioral health providers qualified to provide care and treatment to transgender and intersex youth.
5. Consistent with reasonable and necessary security considerations and the physical layout of the facility, staff shall make every effort to ensure the safety and privacy of transgender and intersex youth when the youth are using the bathroom or shower or dressing or undressing. Staff shall not conduct physical searches of any youth for the purpose of determining the youth’s anatomical sex. Whenever feasible, staff shall respect the youth’s

preference regarding the gender of the staff member who conducts any search of the youth.

See Procedures Manual on Transgender and Intersex Youth for further information.



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**Topic                      Orientation**

**Policy**                      This policy provides for the orientation of youth detained at the Youth Services Center (YSC) and Camp Kemp. The purpose of the orientation is to inform parents and youth of the facilities' daily routine, rules, youth rights, and available services (15 CCR 1353).

The department shall provide an effective method of orienting all youth detained at the YSC or Camp Kemp and for youth participating in the Girls Empowerment Program. The department shall provide a handbook for parents and youth (regardless of whether the youth has been previously admitted to a probation facility) explaining the youth's rights and the facility's rules and services. The department shall make accessible orientation information to all parents and youth, including those with disabilities, limited English proficiency, or limited literacy. Both written and verbal information will be provided.

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 parents and their youth throughout their entire time in detention. Parents or guardians may receive information regarding the youth's stay in the facility via the On-Duty Officer of the Day or Admissions staff.

After being transferred to a housing unit, housing staff shall explain any rules specific to that unit.

To assist with the youth's transition into the detention environment, the orientation shall include the following topics, supplemented by a more detailed orientation handbook provided to each youth (15 CCR 1353):

1. Facility rules including contraband and searches and disciplinary procedures
2. Behavior modification program including facility's system of positive behavior interventions and supports including behavior expectations, incentives that youth will receive for complying with facility rules, and consequences that may result when youth violate the rules of the facility.
3. Correspondence, visiting, and telephone rules
4. Availability of personal care items and opportunities for daily showers and personal

- hygiene
5. Youth grievance procedures, including all steps and deadlines necessary to exhaust the grievance process, the youth's right to be free of retaliation for reporting a grievance, and the name of the person or position designated to resolve the issue
  6. Medical, dental, and mental health and counseling services available
  7. Programs and activities including the identification of any services and programs available in a language other than English.
  8. Classification/housing assignments
  9. The court process and access to legal services
  10. Access to educational services, religious services, and recreational activities
  11. Availability of reading materials
  12. Use of force/physical restraint
  13. Use of restraints and chemical agents
  14. Age-appropriate sexual abuse and sexual harassment information, including (28 CFR i. 115.333):
    - a. Zero-tolerance policy
    - b. Prevention and intervention of sexual abuse/harassment
    - c. Instruction on how youth can avoid being victims of sexual abuse and sexual harassment through self-protection techniques
    - d. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously
    - e. Treatment and counseling provided for victims of sexual abuse or sexual harassment
    - f. 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)
    - g. Information regarding confidentiality, monitoring, and mandatory reporting of sexual abuse/harassment
  15. Contacting foreign consuls
  16. Immigration legal services
  17. Emergency and evacuation procedures (e.g., fires)
  18. Voting rights, including registering to vote
  19. An approved list of items that youth are permitted to possess
  20. Non-discrimination policy and the right to be free from physical, verbal, or sexual abuse and harassment by other youth and staff
  21. Identification of key staff and their roles
  22. Room confinement
  23. How to request different housing, education, programming, and work assignments
  24. How parents/guardians receive information regarding the youth's stay to include answers to frequently asked questions and provides contact information to the facility, school, and mental health.
  25. 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.

The 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.

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 hearing impaired shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the youth in understanding the information.

A written and signed acknowledgement of the orientation, Facility Rules for the Youth Services Center and Camp Kemp, and receipt of the parent / youth handbook should be maintained in the youth's permanent file (28 CFR 115.333). If the youth refuse to sign the Facility Rules page, Admissions staff shall write "refuses to sign" in the space for the youth's signature. Admissions staff shall notify the ISM/On-Duty Officer of the Day and the housing lead staff that the youth refused to sign. Housing staff will attempt to review the Facility rules and obtain the youth's signature.

Admissions staff will provide the Prison Rape Elimination Act (PREA) pamphlet and mark the boxes on the Juvenile Hall Classification/Room Assignment Evaluation form for the items received (Facilities Rules; YSC Parent/Youth Handbook; and PREA pamphlet).

### **CAMP KEMP YOUTH ORIENTATION**

Camp Kemp staff shall review and provide youth with the Camp Kemp handbook.

During the Orientation Meeting the parents or guardians will receive the Camp Kemp Parent/Youth Orientation Handbook, permissions slips, Mental Health forms and San Mateo County Office of Education form.

For youth returning to Camp on a furlough violation or from therapeutic time in Juvenile Hall for violation of rules, staff shall provide a copy of the Parent /Youth Handbook and review the Camp rules. Staff may review other portions of the Handbook as necessary.



**SAN MATEO COUNTY  
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**ARTICLE 5  
Classification and Separation  
§1354/1354.5**

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**Topic                      Separation**

**Policy**                      This policy provides guidelines for the separation or room confinement of youth. Probation staff may separate youth to maintain the order, safety, and security of the facility and shall provide for the continuance of all youth rights during such separation.

Separation of youth for reasons that include, but are not be limited to, medical and mental health conditions, assaultive behavior, disciplinary consequences, and protective custody.

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 and Room Confinement policies (15 CCR 1354). [Create link here](#)

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).

There shall be a daily review of separated youth to determine if separation remains necessary, unless more frequent review is required (15 CCR 1354):

- a. No youth should be separated from the general population unless an assessment of available alternatives has been made and the ISM-OD or the authorized designee 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.
- b. Youth may only be separated from the general population until an alternative means to keep all youth safe can be made.
- c. 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).
- d. Separated youth shall also receive daily visits from a medical or mental health care

provider (28 CFR 115.342; 15 CCR 1354). Youth separated for medical or mental health reasons must be cleared by the appropriate mental health or medical professional prior to being returned to general population.

1. Staff may separate a youth from the general population for reasons that include, but are not limited to, disciplinary consequences, medical and mental health conditions, placement on Observation and Assessment, assaultive behavior, and protective custody.
2. Prior to separation, staff shall discuss the purposes of the separation with the youth. Staff shall allow the youth to make a statement. Staff shall develop an individualized plan that includes the goals and objectives to be met in order to reintegrate the youth to general population. If there is a safety or security issue, the youth can be moved prior to discussing the purpose of the separation.
3. Youth who are separated shall not be denied normal privileges during separation; including large muscle activity, medical or mental health care, opportunity for hygiene, education, or meals (see §1390 Discipline).
4. Youth shall be separated only as long as there is a threat to safety or security of other youth, staff members, or visitors, and necessary to accomplish the objectives of the separation.
5. Staff shall follow all procedures related to safety checks of youth, including the direct visual observation of youth in separation (§1328 Safety Checks).
6. Staff shall review the separation of youth to determine whether it is appropriate for the youth to remain in separation. In the case of youth separated for protective custody, an Institutions Services Manager shall review the need for separation at least once per day. If a youth is separated for the purposes of a “time out” or “cool down,” staff shall evaluate the need for continued separation at least every 15 minutes. Separation of a youth for 30 minutes or longer for any purpose shall be approved by lead staff. In the event of the separation of the youth for medical reasons, only Medical staff shall approve removing the youth from separation status.

#### **1354.1 ADULT AND YOUTH SEPARATION**

Staff ensures separation between youth and adult offender in the event that an adult offender is on the YSC premises awaiting a court hearing.

#### **1354.2 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:

- 1) To treat and protect against the spread of communicable disease for the shortest amount of time required to reduce the risk of infection.



- 2) For required extended care after medical treatment.

### **1354.3 ROOM CONFINEMENT**

1. Discipline shall be imposed at the least restrictive level which promotes the desired behavior.
2. Discipline shall not include corporal punishment, group punishment, physical or psychological degradation, or use of restraint.
3. Per California Welfare and Institutions Code, Article 1, Section 208.3, room confinement shall not be used for the purposes of punishment, coercion, convenience, or retaliation by staff.
4. Per California Welfare and Institutions Code, Article 1, Section 208.3, a youth, or ward may be held up to two hours in room confinement. After the youth or ward has been held in room confinement for a period of two hours, staff shall do one or more of the following:
  - a. Return the youth or ward to the general population.
  - b. consult with mental health or medical staff.
  - c. develop an individualized plan that includes the goals and objectives to be met in order to reintegrate the youth or ward to general population.
5. Per California Welfare and Institutions Code, Article 1, Section 208.3, if room confinement must be extended beyond two hours, staff shall do the following:
  - a. Document the reason for room confinement and the basis for the extension, the date and time the youth or ward was first placed in room confinement, and when he or she is eventually released from room confinement.
  - b. Develop an individualized plan that includes the goals and objectives to be met to reintegrate the youth or ward to general population.
  - c. Obtain documented authorization by the facility superintendent or his or her designee every two hours thereafter.
6. Restrictions on the use of room confinement are not intended to limit the use of single-person rooms for the housing of youth and do not apply to normal sleeping hours. In addition, restrictions on the use of room confinement do not apply during an emergency circumstance that requires a significant departure from normal operations, including a natural disaster or facility-wide threat that poses a substantial risk of harm to staff and youth.
7. At no time is room confinement used for the purposes of punishment, coercion, convenience, or retaliation by staff.
8. Room confinement shall not be used to the extent that it compromises the mental and physical health of the youth.

9. Room confinement does not apply when a youth is placed in a locked youth 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.
10. Room confinement does not apply when a youth is placed in a locked youth 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 an illness.
11. This section does not apply to youth or wards in court holding facilities or adult facilities.

See Procedures Manual on Separation for further information.



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§1355**

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**Topic                    Institutional Assessment and Plan**

**Policy**                    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.

It is the policy of the Department to provide effective case management of youths while they are detained in the San Mateo County Probation Department - Juvenile Facilities. The facility administrator shall develop and implement written policies and procedures for assessment and case planning. Probation staff shall assess, develop a case plan for, and reassess youth with longer stays in juvenile facilities.

**1355.1 ASSESSMENT** (create link here)

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):

- a. Documentation that supports appropriate program placement and also includes consideration of the health care treatment plan (15 CCR 1413).
- b. Facilitation of counseling services, contacts, and communication with parents/ guardians, families, attorneys, clergy, probation/parole officers, and others when indicated (15 CCR 1356).
- c. Coordination of discharge planning to link the youths and families with supportive aftercare programs and other resources to continue to meet the needs of youths and/or families after youths are released into the community (15 CCR 1413).
- d. Within 72 hours of admission, each youth shall have an assessment completed by their assigned Group Supervisor.

The assessment is based on information collected during the admission process with periodic review, which includes the youth's risk factors, needs and strengths including but not limited to, identification of substance abuse history, educational, vocational, counseling, behavioral health, consideration of known history of trauma, and family strengths and needs.

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.

Staff 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.

### **1355.2 INSTITUTIONAL CASE PLAN**

A case plan, and post-adjudicated transition plan shall be developed for each youth held for at least 30 days or more and created within 40 days of admission. The case plan, including the transition plan, shall include, but not be limited to, written documentation that provides:

- a. A plan for meeting the objectives that includes a description of program resources needed and individuals responsible for assuring that the plan is implemented.
- b. 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.
- c. Periodic evaluation of progress toward meeting the objectives, including periodic review and discussion of the plan with the youth.
- d. A transition plan, the contents of which shall be subject to existing resources, shall be developed for post-dispositional youth in accordance with Section 1351.
- e. As much as possible and if appropriate, the plan, including the transition plan, shall be developed with input from the family, supportive adults, youth, and Golden Gate Regional Center (Regional Center for the Developmentally Disabled).



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§1356**

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**Topic                      Counseling and Casework Services**

**Policy**                      The purpose of this policy is to establish a process for providing counseling, casework, and crisis intervention services to youth (15 CCR 1356;15 CCR 1437).

Probation staff shall make counseling, crisis intervention, and casework services and resources available to all youth in juvenile facilities who request or are determined to need them.

The Superintendent or authorized designee should develop and maintain procedures to facilitate the availability of appropriate counseling and crisis intervention services for youth in need.

The facility Superintendent shall coordinate with the Medical Department and Behavioral Health and Recovery Services (BHRS) to develop and maintain procedures to document counseling or crisis intervention services provided to youth.

The Facility Superintendent shall coordinate with the Medical Department and BHRS to identify personnel who will provide counseling and crisis intervention services.

Youth will receive assistance with needs or concerns that may arise. Services may be provided by medical/mental health staff assigned to the facility, the chaplain, or religious volunteers (see the Religious Programs Policy), group supervisors assigned to the facility who have specific training and expertise in this area, or other qualified professionals.

**1356.1 REQUESTS AND REFERRALS**

Probation staff 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 BHRS staff-On Duty (OD).

Staff shall assist youth in requesting contact with parents, other supportive adults, clergy, probation officers, or other public official.

Staff who observes behavior in a youth that may indicate a need for counseling or crisis intervention services shall notify the BHRS staff-OD. the Counseling Supervisor. BHRS staff  
The

Counseling Supervisor shall assess the need and 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).

### **1361.2 REQUIRED COUNSELING SERVICES**

Staff 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.

### **1361.3 NON-CRISIS COUNSELING**

The Probation Department shall, when reasonably practicable, make counseling services and/or case management services available to assist youth who are being released into the community.

See Procedures Manual on Counseling and Casework Services for further information.



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**Topic                    Use of Force**

**Policy**                    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).

Institutions staff may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Institutions staff 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, and training on techniques to use when responding to resistance and violent encounters. While various degrees of force exist, each Institutions staff 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 sworn staff may reasonably believe it would be impractical or ineffective to use any of the standard tools, weapons, or methods provided by the Department. Institutions staff 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 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, sworn staff should, when practicable, attempt verbal persuasion, orders, or other tactics to avoid or mitigate the need for forceful action (15 CCR 1357).

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.

Institutions staff will fill out a Mental Health Memorandum and contact Mental Health staff to check in with the youth who have been subjected to force as soon as practicable regardless of apparent injury.

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.

### **1357.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE**

When determining whether to apply force and evaluating whether a Institutions staff 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 staff or others (Penal Code § 835a).
- b) The conduct is perceived as an immediate threat by the Institutions staff.
- c) Institution's staff/youth physical factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of Institutions staff available versus youth).
- d) The conduct of the staff involved. (Penal Code § 835a).
- e) The effects of drugs or alcohol on the youth.
- f) Youth's apparent mental state or capacity (Penal Code § 835a).
- g) The youth's apparent ability to understand and comply with Institutions staff 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 Institutions staff.
- m) Potential for injury to Institutions staff, youth, and others.
- n) Whether the youth appear to be resisting or is attacking the staff or others.
- 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 Institutions staff 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 environmental factors or property damage.



u) Any other exigent circumstances.

### **1357.2 DUTY TO INTERCEDE**

Any Institutions staff 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 CCR1357).

### **HEALTH CARE**

The Superintendent should include the Medical Director 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).

### **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).

A pregnant youth in labor, during delivery, or in recovery after delivery, shall not be restrained by the wrists, ankles, or both, unless deemed necessary for the safety and security of the youth, the staff, or the public.

Penal Code Section 6030(f) and Welfare and Institutions Code Section 222.

### **1357.3 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, an immediate use of force by Institutions staff may be necessary to stop a youth from inflicting life-threatening self-injuries or to stop an assault on any other person. The destruction of government property may require the immediate use of force by Institutions 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, Institutions 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-sworn staff (e.g., psychologists, Mental Health counselors) should be considered when attempting to resolve a situation without confrontation.

Whenever possible, an Institutions Services Manager (ISM) or the On-Duty Officer of the day (OD) should be present in any situation involving the calculated use of force. The staff shall notify the ISM/OD for approval and consultation prior to any calculated use of force action.

#### **1357.4 CONFRONTATION AVOIDANCE PROCEDURES**

Prior to any calculated use of force, Institutions staff shall confer with the appropriate persons to gather pertinent information about the youth and the immediate situation. Based on the available information, the ISM/OD should direct Institutions staff to attempt to obtain the youth's voluntary cooperation and consider other available options before determining whether force is necessary.

The ISM/OD should consider including the following persons and resources in the process:

- a) Mental health specialist
- b) Qualified health care professional
- c) Chaplain
- d) Unit logbook and youth's juvenile hall file
- e) Assigned Deputy Probation Officer
- f) 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, informational 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 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 who have a rapport with the youth and could possibly resolve the incident peacefully, without the use of force.

If force is determined to be necessary and other means of gaining control of a youth are deemed inappropriate or ineffective, then the appropriate use of force 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.

#### **1357.5 REPORTING THE USE OF FORCE**

Every use of force is an incident that shall be reported on the appropriate report form (15 CCR 1362). Any Institutions staff who uses force and any staff directly observing the incident 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 an ISM/OD

The documentation will reflect the actions and responses of each staff 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 date and time 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 youth's Deputy Probation Officer.
- d) The specific reasons for the application of force.
- e) The threat as perceived by the staff involved.
- f) Efforts made to temper the severity of a forceful response, and if there were none, the reasons why.
- g) 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.
- h) Documentation regarding the use of force including chemical agents (e.g., type of chemical agents deployed, decontamination procedures, notification to medical staff and parents/guardians) (15 CCR 1357).
- i) A notation of Behavioral Health Recovery Services (BHRS) Mental Health referrals made to assist the youth with problem issues. A notation of youth being seen and cleared by Medical.
- j) A notation of parent/guardian notification.
- k) Debrief of incident with the staff and youth.

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 as required and approved by the Deputy Chief of Administration or authorized designee. The ISM/OD should ensure the recording is properly processed for retention and a copy is forwarded with the incident report to the Deputy Chief of Administration or authorized designee.

The ISM/OD 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 Institutions staff.

Absent ISM/OD approval, written reports on the use of force should be submitted by the end of the shift (15 CCR 1362).

ISM/OD 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 Superintendent by the end of the shift (15 CCR 1362).

In addition to the notification of medical and mental health staff, the ISM/OD should ensure the parent or legal guardian of the youth is informed of any use of force.

### **1357.6 Institution Services Manager/Officer of the Day (ISM/OD) RESPONSIBILITY**

When an ISM/OD is able to respond to an incident in which there has been a reported use of force, the ISM/OD is expected to (15 CCR 1357):

- a) Obtain the basic facts from the involved staff. 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 staff. 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 oral statement into the Incident Report, review and download any video recording of the incident, and submit all documentation to the Superintendent and the Deputy Chief of Administration or authorized designee.
- d) Ensure that the appropriate investigative authority is notified, if required.
- e) Ensure that any youth 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. Ensure all staff injuries are reported via Worker's Compensation procedures.
- f) Contact mental health
- g) Attempt to notify Parent/Legal Guardian.
- h) Separately obtain an interview with all youth upon whom force was used. If this interview is conducted without the person having voluntarily waived Miranda rights, the ISM/OD should ensure the following in the event a report is submitted to a prosecuting authority:
  - a. The fact that an interview was conducted by an ISM/OD and retained for the use of force review should be clearly documented.
  - b. The content of the interview should not be summarized or included in any related reports submitted to the prosecuting authority.
- i) All interviews should be attached to the Incident Report.
- j) Once any initial medical assessment or first aid has been completed, ensure that photographs have been taken of any areas involving visible injury or complaint of pain as well as overall photographs of uninjured areas. These photographs should be retained into the youth Probation Information Management System (PIMS) file.

- k) Identify any witnesses not already included in related report.
- l) Review and approve all related reports.

If the ISM/OD determines that any application of force was not within policy, the ISM/OD should detail those findings in a separate report and forward the report to the Superintendent and the Deputy Chief of Administration or authorized designee. If there is an injury or complaint of an injury, the assigned supervisor should also prepare a risk management report and should submit all reports to the Superintendent.

In the event that the ISM/OD believes the incident may give rise to civil litigation, a separate claim form should be completed and routed to the Superintendent and the Deputy Chief of Administration or their authorized designee.

In the event that an ISM/OD is unable to respond to the scene of an incident involving a reported application of force, the ISM/OD is still expected to complete as many of the above items as circumstances permit.

If a youth has made an allegation of an unnecessary or excessive use of force, the interview shall be documented on the appropriate report form and forwarded to the Superintendent and the Deputy Chief of Administration or authorized designee.

### **1357.7 GRIEVANCES**

ISM/OD responding to, or reviewing, a reported use of force should provide the involved youth a grievance form and explain the process as needed (15 CCR 1357). Grievances alleging excessive force should be referred to the Superintendent and the Deputy Chief of Administration or authorized designee.

### **1357.8 USE OF DEADLY FORCE**

If an objectively reasonable Institutions staff would consider it safe and feasible to do so under the totality of the circumstances, Institutions staff Supervisors should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force (Penal Code § 835a).

An Institutions staff may use deadly force to protect the staff, youth, or others from what the Institutions staff reasonably believes is an imminent threat of death or serious bodily injury to the staff, youth, or another person. (Penal Code § 835a).

Institutions staff shall not use deadly force against a youth based on the danger that the youth pose to themselves, if an objectively reasonable Institutions staff would believe the youth does not pose an imminent threat of death or serious bodily injury to the Institutions staff 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 Institution staff 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 staff, youth, or another person. An imminent threat is one that from appearances is reasonably believed to require instant response. (Penal Code § 835a).

Institutions staff who intentionally or accidentally uses deadly force, whether on- or off-duty, shall ensure that an ISM/OD is notified of the incident without delay.

The ISM/OD shall ensure that the chain of command is notified and all necessary health and safety, medical, and security measures are initiated.

The ISM/OD shall promptly notify the Superintendent of any incident involving an Institutions staff employing deadly force, or any incident where a death or serious bodily injury may have been caused by a Institutions staff member.

### **1357.9 USE OF FORCE REVIEW**

The ISM/OD shall review all related reports of use of force incidents occurring during their shift. 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 ISM/OD should also ensure that a review packet containing a copy of all pertinent reports and materials is prepared and forwarded for Administrative review (15 CCR 1357).

The ISM/OD should also make recommendations for mitigating the effects of trauma that may have been experienced by staff and/or youth involved as appropriate (15 CCR 1357).

### **1357.10 TRAINING**

The Superintendent shall work with the Training Manager 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) Arrest and Control for Institutions
- (c) Self-defense
- (d) Confrontation avoidance procedures:
  - 1. Communication techniques
  - 2. De-escalation techniques
  - 3. Communicating and interacting with individuals with mental health issues
  - 4. Interacting with youth
  - 5. Application of restraints
- (e) Room removal techniques
- (f) Use of force team techniques
- (g) General restraint training (soft and hard restraints)
- (h) Reporting procedures and chain of command
- (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
- (l) Training also includes scenarios for team development, use of specialized equipment, documentation procedures, and review of policies and procedures.

#### **1357.10.1 TRAINING FOR CONTROL TECHNIQUES**

The certified instructors shall ensure that all Institutions staff who are authorized to use control techniques have been properly trained to carry out the specific control techniques and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified control- technique tactics instructor.
- (b) All training and proficiency for control techniques will be documented in the Institutions staff training file.
- (c) Institutions staff who fail to demonstrate proficiency with the control techniques or knowledge of this facility's Use of Force Policy will be retrained until demonstrating proficiency. If a Institutions staff cannot demonstrate proficiency and knowledge of this facility's Use of Force Policy after remedial training, the Institutions staff may be subject to discipline.







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**Topic                    Use of Physical Restraints**

**Policy**                    This policy establishes guidelines for the application of, supervisory oversight of, and restrictions on the use of restraints on youth detained in these juvenile facilities (15 CCR 1358). It is the policy of this facility that the use of restraints should be reserved only for situations where they are reasonably necessary, and as outlined in policy. no case shall restraints be used as punishment.

Restraint devices include any devices which immobilize a youth's extremities and/or prevent the youth from being ambulatory. This policy does not apply to the use of handcuffs, shackles or other mechanical restraints used to restrain youth for movement or transportation within the facility.

The following apply to the use of restraints (15 CCR 1358):

1. Restraints shall only be applied by probation staff trained and authorized to use them, and in a manner consistent with their training.
2. Restraints used should be only those approved by the Department and should not have been altered from their original design.
3. Restraints shall be used only to prevent self-injury, injury to others, serious property damage or escape.
  - a. The danger to themselves or others should be immediate.
4. An Institution Services Manager/Officer of the Day (ISM/OD) shall be notified as soon as practicable when restraints are used, or before they are applied if time allows. An ISM/Should monitor the situation until the restraints are removed.
  - a. The Superintendent or the authorized designee in the Superintendent's absence (i.e., the ISM/OD shall be notified as soon as practicable when restraints are applied, or before they are applied if time allows.
  - b. The Superintendent or the authorized designee in the Superintendent's absence shall review, approve and document the use, and continued use, of any restraints hourly.
5. A medical opinion on the safety of placement and retention shall be secured as soon as

- possible, but no later than two hours from the time of placement.
6. The youth shall be medically cleared for continued retention at least every three hours thereafter.
  7. A mental health consultation shall be secured as soon as possible, but no longer than four hours from the time of placement, to assess the need for mental health treatment.
  8. Continuous direct visual supervision shall be conducted to ensure that the restraints are properly employed, and to ensure the safety and well-being of the youth.
  9. Observations of the youth's behavior and any staff interventions shall be documented at least every 15 minutes, with actual time of the documentation recorded. In addition to the requirements above, policies and procedures shall address:
    - a. documentation of the circumstances leading to an application of restraints.
    - b. known medical conditions that would contraindicate certain restraint devices and/or techniques.
    - c. acceptable restraint devices.
    - d. signs or symptoms which should result in immediate medical/mental health referral.
    - e. availability of cardiopulmonary resuscitation equipment.
    - f. While in restraint devices all youth shall be housed alone in a specified housing area for restrained youth which makes provision to protect the youth.
    - g. Provision for hydration and sanitation needs.
    - h. Exercising of extremities



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**Topic**                    **Use of restraint devices for movement or transportation within the facility.**

**Policy**                    This policy establishes guidelines for the application of, supervisory oversight of, and restrictions for the use of restraints on detained use during the movement or transportation within the facility. It is the policy of this facility that the use of restraints should be reserved only for situations where they are reasonably necessary.

1. The use of restraint devices should require an individual assessment of the need to apply restraints for movement or transportation within the juvenile facility 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).
2. Staff shall document all the circumstances leading up to, during, and after the application of restraints.
3. Staff shall take into consideration any known medical conditions that would contraindicate certain restraint devices and/or techniques prior to placing a youth in restraints.
4. Staff shall only place youth in department approved acceptable restraint devices.
5. Use of restraints shall be discontinued as soon as practicable when it is reasonably believed the need for them no longer exists.
6. Restraints shall never be used to inflict pain, punishment, discipline, retaliation, harassment, compliance, or intimidation, or as a substitute for treatment.
7. Plastic cuffs should be used only in unusual situations where handcuffs are not available.
8. A supervisor should be notified of any restraints that are faulty or malfunctioning.

9. Staff shall conduct constant direct visual supervision of a restrained youth.
10. Staff shall ensure that restrained youth are protected from other youth and supervised by always sworn staff.
11. Youth shall 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.
12. Restrained youth shall have access to water, meals, and toilet facilities when they can be reasonably accommodated.

#### **1358.5.1 PREGNANT YOUTH**

Restraints will not be used on youth who are known or suspected to be pregnant unless it is determined that restraints are reasonably necessary for the legitimate safety and security of the youth or others. Should restraints be necessary, the restraints shall be the least restrictive available and the most reasonable under the circumstances.

Youth who are known or suspected 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).



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**Topic                    Transportation of Youth Outside the Secured Facility**

**Policy**                    The purpose of this policy is to establish guidelines for the transportation of youth outside The San Mateo County Probation Department’s juvenile facilities and to ensure that the staff assigned transportation duties is qualified and adequately trained.

This policy also provides guidelines 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.

Only staff members who have completed facility-approved training on youth transportation should be assigned youth transportation duties.

All staff members who operate transportation vehicles shall hold a valid license for the type of vehicle being operated.

Any transportation staff who transports a youth outside the secure confines of the facility is responsible for obtaining all necessary paperwork for the youth being transported (e.g., medical/dental records, commitment documents) and submitting a completed Transportation Documentation Form that includes the transportation plan to the transportation staff.

Prior to transporting a youth outside the secure facility, the transportation staff shall ensure the following occurs:

1. That an assessment of the need to apply restraints and, if necessary, the type of restraints to be used on the youth being transported and that any restraint device applied shall be used in accordance with the restraint policy for movement within the juvenile facility. (Welfare and Institutions Code § 210.6).
2. That all youth are thoroughly searched, and appropriate restraints are properly applied.
3. Thoroughly searching the transporting vehicle for contraband before any youth is placed inside, and again after removing the youth from the transporting vehicle.
4. Transportation staff should advise a supervisor at the receiving facility of any circumstances the transportation staff reasonably believes could lead to potential safety

- concerns or medical risks (e.g., uncooperative, or violent, prolonged struggle, extreme agitation, medical conditions) that have occurred before or during transportation (see the Suicide Prevention and Intervention and Release, Transfers, and Continued Care policies) (15 CCR 1329).
5. The least restrictive mechanical restraints shall be used when necessary to prevent physical harm to the youth or another person or due to a substantial risk of flight as outlined in the Restraints Policy.

When transporting youth, transportation staff should not:

- a. Transport youth with adults.
- b. Transport youth of the opposite sex. When possible, transgender, or intersex youth should be transported with staff 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 member. Youth with a Court ordered non-association condition should not be transported together.
- d. Leave the vehicle unattended with a youth inside.
- e. Handcuff a youth to any part of a vehicle.
- f. Handcuff a youth to another youth.
- g. Stop to conduct any personal activities.
- h. Respond to calls or engage in other activities except in exigent circumstances.
- i. Transport a youth in a vehicle not equipped to safely transport a youth, except in an emergency. A properly equipped vehicle should be requested.
- j. 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).

### **1358.5.1 TRANSPORTATION LOGS**

Youth transportation logs shall be developed by the Superintendent or the authorized designee and be used to log all youth transportation. The logs shall include:

- a. Name and identification number of the youth.
- b. Date and start/stop time of the transport.
- c. Location where the youth was transported.
- d. Name and identification number of the transporting staff
- e. Circumstances of any unusual events associated with the transportation.

The logs shall be retained by the facility in accordance with established records retention schedules.

### **1358.5.1.2 OFFICE OF INTERSTATE COMPACT FOR JUVENILES**

The Interstate Compact for Juveniles (OICS) is a contract between states that regulate 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 Admittance Policy).

The San Mateo County Probation Department shall coordinate through the Office of Interstate Compact for Juveniles the movement of youth to and from sending and receiving states.

- a. When transporting a male youth, there must be at least one male transportation staff present. When transporting a female youth, there must be at least one female transportation staff present. There are no exceptions. At least two staff members will be present. The transportation staff will each sign for the discharge packet.
- b. Youth shall not to be given any information regarding their travel arrangements or port of departure.
- c. Transportation staff assigned to transportation duty must have their department identification as well as their valid driver's license in their possession when transporting youth.
- d. Youth shall be transported and restrained according to the Restraints Policy.

#### **1358.5.1.3 TRANSPORTATION OF YOUTH REQUIRING AIR TRAVEL**

Upon arrival at the airport, the transporting staff will request airport security personnel, or other law enforcement, to escort the transportation staff and the youth to the departure gate.

- a. The transporting staff will accompany the youth, without restraining devices, through airport security to the appropriate departure gate.
- b. Once in the boarding area, one of the transportation staff will provide identification to the gate attendant and request to board the plane last.
- c. After the youth boards the plane, the transporting staff will remain in the boarding area until the plane departs.
- d. If at any time the transporting staff are instructed by an outside agency to deviate from the standard operating procedures, the transporting staff shall immediately contact the On-Duty Officer of the Day or the authorized designee.
- e. The On-Duty Officer of the Day 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.

See Procedures Manual on Transportation of Youth Outside the Secured Facility (Camp Kemp Youth) for further information.



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**Topic                      Safety Rooms**

**Policy**                      This policy establishes the requirement for placing and maintaining youth in safety rooms (15 CCR 1359). The department shall only use safety rooms to protect youth from injury or to prevent the destruction of property by youth in accordance with applicable law.

The Superintendent or the authorized designee, and the Charge Nurse (where applicable), shall develop procedures for the implementation of this policy in accordance with 15 CCR 1359.

**SAFETY ROOM GUIDELINES**

The following guidelines apply when placing any youth in a safety room (15 CCR 1359):

A safety room shall not be used for the purposes of punishment, coercion, convenience, discipline, retaliation by staff, substitute for treatment and to the extent that it diminishes the mental and physical health of the youth.

1. When a Housing staff discovers a youth, who presents an immediate danger to themselves or others, who exhibits extreme or out of control behavior which results in the destruction of property or the intent to cause self-inflicted physical harm. The Institution Services Manager/Officer of the Day (ISM/OD) shall be notified immediately, and staff shall complete a Restraint/Safety Room Log.
2. Safety room 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.
3. Placement of a youth into a safety room requires the prior approval of the Superintendent, or their authorized designee. The Superintendent shall determine if less restrictive means of control have been explored.
4. A Safety Room Observation log shall be initiated every time a youth is placed in a safety room and the log shall be maintained for the entire time the youth is housed in the room. Room logs will be retained in accordance with established facility retention schedules.
5. Continuous direct visual monitoring/supervision shall be conducted, and the youth's



behavior and any staff intervention documented at least every 15 minutes, with the actual time recorded. ISM/OD shall inspect the logs for completeness every two hours and document this action on the safety room log.

6. Youth should be permitted to remain normally clothed or provided a safety suit or other suitable clothing to provide privacy.
7. Youth in a safety room shall be given the opportunity to obtain nutrition, access to a toilet and have fluids (e.g., water, juice) at a minimum of every 30 minutes. Staff shall provide the fluids in paper cups. 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 safety room log.
8. 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 safety room log.
9. If the need for confinement extends beyond four hours, ISM/OD shall consult with medical and mental health staff and develop an individualized plan to reintegrate the youth to general population (15 CCR 1359).
10. A medical assessment of the youth in the safety room shall occur immediately when appropriate, or an assessment at the next daily nurse call or at the next nurse sick call.
11. A mental health assessment shall be conducted at intervals consistent with the medical assessment above upon the youth's placement in the safety room.
12. All involved staff shall complete and submit an Incident Report. Documentation shall include the reason for placement and shall include attempts to use less restrictive means of control and decisions to continue and end placement (15 CCR 1359).

See Procedures Manual on Safety Rooms for further information.



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**Topic                      Searches**

**Policy**                      This policy provides 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).

Contraband in the juvenile facility poses a serious risk to the safety and security of staff, detained youth and others. Contraband such as intoxicants or weapons can seriously jeopardize the safety and security of our juvenile facilities. Carefully restricting the flow of contraband into our facilities can only be achieved by thorough searches of youth and their facility environment.

The purpose of this policy is to minimize the presence of contraband in the facility to ensure the safety of staff, detained youth, and others by conducting appropriate searches of youth and frequent searches of areas within the facility in accordance with applicable laws.

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from a youth.

Searches shall not be used for intimidation, harassment, punishment, or retaliation.

**1360.1 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 Group Supervisors should conduct pat-down searches in circumstances that include:

- a. When youth return from any activity outside of the facility.
- b. During institution searches.
- c. When youth return from visiting with people who do not have security clearance from the Probation Department.
- d. Any time staff reasonably suspects the youth may have contraband on their persons. Except in emergencies, male Group Supervisors shall not pat down female youth and female Group Supervisors shall not pat down male youth. Absent the availability of a

same-sex group supervisor, it is required 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 shall be documented (28 CFR 115.315; 15 CCR 1360)

### **1360.2 STRIP SEARCHES AND MODIFIED STRIP**

Institution staff 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.

- 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 other contraband (Penal Code § 4030; Penal Code § 4031).

### **SEARCHES**

Strip searches shall be conducted as follows:

1. 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).
2. 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 group supervisors of the same sex as the youth being searched (Penal Code § 4030; Penal Code § 4031).
3. Under special circumstances (cross gender youth; safety concerns), a second staff member of the same sex should be present during the search for security purposes and to witness the discovery of evidence.
4. Staff shall consider whether the youth have a history of physical or sexual abuse and, when reasonable to do so, consider having the search conducted by a qualified health care professional.
5. The group supervisor 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.

Factors to be considered in determining reasonable suspicion include but are not limited to:

1. The detection of an object during a pat-down search that may be a weapon or other contraband that 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.
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. Credible information that the person possesses, weapons, or other contraband.

- a. 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 Institution Services Manager/Officer of the Day (ISM/OD) (Penal Code § 4030).

Any youth held after a detention hearing shall only be strip searched with prior approval of an ISM/OD when there is reasonable suspicion based on specific and articulable facts to believe that youth is concealing contraband. The reasonable suspicion shall be documented in the log.

Staff conducting the modified strip search or strip search shall use the Search Authorization Form to document the following (15 CCR 1360):

1. the name and sex of the person subjected to the modified strip search or strip search.
2. the facts that led to the decision to perform a strip search of the youth.
3. the reasons less intrusive methods of searching were not used or were insufficient.
4. the supervisor's approval.
5. the time, date, and location of the search.
6. the names, sex, and roles of any staff present.
7. written itemization of any contraband discovered by the search.
8. Staff shall process all contraband in accordance with the Department's current evidence procedures.
9. If appropriate, staff complete a crime report and/or Incident report.
10. Staff shall ensure any 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).

### **1360.3 PHYSICAL BODY CAVITY SEARCH**

Physical body cavity searches shall be completed as follows:

1. No person shall be subjected to a physical body cavity search without approval of the 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).
2. Only medical personnel may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is responsible for providing ongoing care to the youth may conduct the search (Penal Code § 4031).
3. Except for the medical professional 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).
4. Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
5. All such searches shall be documented on an Incident Report, including:
  - a. The facts that led to the decision to perform a physical body cavity search of the youth.
  - b. The reasons less intrusive methods of searching were not used or were insufficient.
  - c. The Superintendents approval.
  - d. A copy of the search warrant.

- e. The time, date, and location of the search.
  - f. The medical personnel present.
  - g. The names, sex, and roles of any other staff present.
  - h. Any contraband or weapons discovered by the search.
6. 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).
  7. All weapons and other contraband shall be processed in accordance with the Department's current evidence procedures.
  8. If appropriate, the staff member shall complete a crime report and/or disciplinary report.

#### **1360.4 MAGNOMETER SEARCH/ WAND SEARCH**

A magnometer/wand search shall be conducted as follows:

1. When youth leave their housing units to participate in activities elsewhere in the facility upon their return.
2. When youth return to the housing unit following contact with other youth housed outside of their unit, such as for work details or while attending school.
3. Staff may also conduct a magnetometer search at their discretion if there is reasonable suspicion that such a search would reveal contraband. The search shall include all areas of the body as well as the interior of the youth's shoes and other property.

#### **1360.5 TRANSGENDER SEARCHES**

Institution staff 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 should consider the youth's preference regarding the gender of the staff member who conducts the search (15 CCR 1352.5). (See Transgender and Intersex Policy for additional guidance).

#### **1360.6 HOUSING UNIT SEARCHES**

Housing unit searches shall occur as directed by an ISM/OD. 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.

1. Any weapons or other contraband located shall be processed in accordance with the current evidence procedures.
2. The staff shall attempt to identify the youth who possessed the contraband and file appropriate youth discipline and/or reports.
3. Any allowable item found in excess of the allowable amount, (e.g., food items,

newspapers) shall be seized and discarded.

If contraband is located, staff shall document their findings in an Incident Report. A copy of the Incident Reports shall be forwarded to the Superintendent for review.

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.

### **1360.7 PHYSICAL FACILITY SEARCHES**

The following areas of this juvenile facilities shall be periodically searched for contraband:

1. Exercise yards should be scanned for contraband prior to and after each youth group occupies the yard.
2. Holding rooms shall be searched prior to and after each youth occupies the room.
3. Program areas, such as classrooms and multipurpose rooms, shall be frequently searched after each use by a youth or youth group.
4. Laundry areas shall be searched after each youth group occupies the area.
5. Kitchen areas shall be searched prior to, and after every meal for contraband and to account for tools, knives, and food items.
6. Youth visiting areas with public areas shall be searched for contraband following every youth visit.
7. The facility perimeter shall be scanned at least once each shift for contraband.

### **1360.8 CRIMINAL EVIDENCE SEARCHES**

The Superintendent or their 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. The Superintendent is responsible for notifying the chain of command.

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.

### **1360.9 TRAINING**

Staff shall be provided training to conduct pat-down searches, modified strip searches, strip searches, and wand/magnometer searches in a professional and respectful manner and in the least intrusive manner possible. Training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex youth. All training shall be consistent with this policy. (28 CFR 115.315).



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**Topic                    Youth Grievances**

**Policy**                    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).

All youth shall be provided with a grievance process for resolving complaints arising from matters and conditions of confinement 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 handbook. Information regarding the grievance process will be provided to youth in the language they understand.

The information will include (15 CCR 1361):

1. A grievance form, free access, and instructions for registering a grievance.
2. Instructions for resolving the grievance at the lowest appropriate staff level.
3. The appeal process to the next level of review.
4. Written reasons for denial of a grievance at each level of review.
5. A provision of required time frames for responses.
6. A provision for resolving questions of jurisdiction within the juvenile facilities.
7. Consequences for abusing the grievance system.
8. A provision for confidential filing or delivery to any supervisory detention staff.

**1361.1 GRIEVANCE PROCEDURES**

Institution Services Managers (ISM) shall ensure that Grievance Forms are readily available on each unit and that grievance procedures are posted nearby.

Staff shall attempt to informally resolve all complaints at the lowest level. All attempts to resolve a youth complaint shall be documented in the youth's file. If there is no resolution at this level, the youth may file a grievance and place in the unit grievance box

A youth may help another youth prepare a grievance. Staff members may take reasonable steps to help the youth prepare a grievance if requested. A translator shall be provided as needed or

requested by the youth.

The initial review and response to grievances shall occur within three business days; however, grievances related to health, security or safety issues must be addressed immediately.

In the case of a grievance about health, mental health, food, or education services, the ISM shall forward the grievance to the appropriate manager in those departments.

### **1361.2 EXCEPTION TO INITIAL GRIEVANCE FILING**

Youth may request to submit the grievance directly to a lead staff, Institution Services Manager/Officer of the Day (ISM/OD) or the Superintendent or deposit the grievance in a locked box within their housing unit.

A parent/guardian may also mail a grievance/complaint via the United States Postal Service to the Superintendent, submit it directly to a supervisor, or deposit the grievance in a locked grievance box located in the visitation area. All parent/guardian complaints shall be handled in the same manner as a youth grievance.

### **1361.3 TIMELY RESOLUTION OF GRIEVANCES**

Upon receiving a completed youth grievance form, the supervisor shall ensure that the grievance is properly investigated. Every attempt shall be made to resolve the youth's grievance in a timely manner. The ISM/OD shall forward the grievance to the manager in charge of the department or service area the youth is grieving.

Findings relating to the investigation will be forwarded to the (ISM/OD). Any appeals shall be forwarded to the Superintendent as the final level of appeal.

Grievances related to health and safety issues shall be addressed, immediately. A review and initial response to other grievances shall be provided to the youth within three business days (15 CCR 1361).

Resolution of all grievances should occur within 10 business days unless additional time is necessary. Youth shall be notified of any delay (15 CCR 1361).

The Superintendent shall maintain all resolved youth grievances in the grievance log. The Superintendent shall periodically review the log to ensure that grievances are being handled properly and in a timely manner. The review shall also help identify any training issues or if any policy or procedure changes are warranted.

A copy of each grievance should be filed in the youth's Unit file and maintained throughout the youth's period of detention.

### **1361.4 GRIEVANCES RELATED TO SEXUAL ABUSE**

Youth may submit a grievance regarding an allegation of sexual abuse at any time.

1. 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 wish to have the grievance processed and shall document the youth's decision and may condition the processing of 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.
2. Grievances may be submitted to any staff member and need not be submitted to the member who is the subject of the complaint.
  3. Grievances involving an allegation of sexual abuse or sexual harassment shall immediately be forwarded to the Superintendent. In all reports involving allegations of sexual abuse staff shall follow the department's Prison Rape Elimination Act (PREA) policy.

#### **1361.4.1 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 ISM-OD. The ISM-OD shall determine whether immediate action is reasonably necessary to protect the youth and shall provide an initial response within 48 hours.

The ISM-OD shall refer the grievance to the Superintendent or the authorized designee, 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).

#### **1361.5 TRAINING**

The Superintendent shall ensure that all staff receive training regarding all aspects of this policy and the grievance process.

See Procedures Manual on Youth Grievances for further information



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**ARTICLE 5  
Classification and Separation  
§1362**

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**Topic                      Reporting of Incidents**

**Policy**                      It is the policy of the San Mateo County Probation Department - Juvenile Facilities that staff shall act with promptness and efficiency in the preparation and processing of all incident reports.

Written reports relating to any incident resulting in death, serious physical injury or harm, use of force, 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 Institution Services Manager/Officer of the Day (ISM/OD) as soon as practicable, but no later than the end of the shift unless additional time is necessary and authorized by the ISM/OD. (CCR 1362).

The purpose of these reports is to document incidents at the facility, refresh the staff'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.

The incident report, write-up, or informational report shall be forwarded to the Administrative Secretary and shall be maintained in accordance with the department's retention schedule.

All staff involved or witness to an incident shall complete an Incident Report prior to the end of their shift, unless a delay in reporting is approved by an ISM/OD. Reports shall include the date and time of the incident, the name(s) of the youth involved, the location of the incident, the type of incident (assault on staff, use of force, etc.), staff and youth witnesses, and a complete description of the incident. If the documented incident could lead to youth discipline, staff shall indicate the disposition of the incident on the Incident Report and notify the youth(s) of their appeal rights. The staff will ensure any youth involved are medically cleared and Mental Health staff notified to check in with the youth. Staff and youth should be debriefed at the end of every incident. The reporting staff shall sign and date the report.

**1362.1 AMENDED REPORTS**

Reports that have been approved by an ISM/OD and submitted to Admissions for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to Admissions may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor. Reviewing ISM/OD should not alter reports. When modifications are required, these should be the responsibility of the authoring employee.

## **1362.2 REQUIRED REPORTING**

Incident reports generally serve as an in-house documentation of occurrences in the facility and 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:

1. Non-criminal incidents of rule violations by youth.
2. Attempted suicide or suicidal ideation by a youth (15 CCR 1329).
3. Non-criminal breaches of security or evidence of an escape attempt.
4. Non-criminal security threats, including intelligence related to juvenile facilities activities.
5. Significant incidents related to medical issues, health, or safety in the juvenile facilities.
6. Discovery of contraband in the possession of youth or their housing areas.
7. Detaining or handcuffing any youth at the facility.
8. Traffic collisions involving facility vehicles.
9. Risk management incidents, including injuries to youth and lost or damaged property.
10. Accidental injuries of staff, youth, or the public.
11. Use of Force.
12. Deaths.
13. Unusual occurrences.

### **1362.2.1 DEATHS**

All deaths shall be investigated, and a report completed by a trained professional. All involved staff, with the assistance of the ISM/OD, shall complete an incident report listing the manner of death and to gather information, including statements of youth and staff 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. See Procedure Manual on Reporting In-Custody Deaths for further information.

### **1362.2.2 INJURY OR DAMAGE BY DEPARTMENT PERSONNEL**

Reports shall be completed if an injury occurs that is a result of an act of an employee. Reports shall be completed if there is damage to facility property or equipment.

### **1362.2.3 CRIMINAL ACTIVITY REPORTING**

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

### **1362.2.4 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.



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**Topic                    Biological Samples**

**Policy**                    This policy provides guidelines for the collection of biological samples from youth required by California law to provide a biological sample to the San Mateo County Probation Department - Juvenile Facilities 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.

Youth who are in the custody of the San Mateo County Probation Department and who have an adjudication for a felony offense, including an adjudication for an equivalent out of state offense, must submit a biological sample (Penal Code 296.1).

Admissions staff shall collect or cause to be collected by Health Department staff all DNA specimens, samples, and impressions, including blood specimens, buccal swab samples, and thumb and palm print impressions in accordance with Penal Code Section 298 and/or as directed by the Court.

**1363.1 OBTAINING BIOLOGICAL SAMPLES FROM NON-COMPLIANT YOUTH**

If a youth refuses to cooperate with the sample collection process, Staff 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 prior written authorization from the court order. Any refusal to submit a sample and the steps taken in an attempt to obtain voluntary compliance should be documented in an Incident Report and placed in the youth's Admissions file. Methods to consider when seeking voluntary compliance include contacting: (15 CCR 1363):

1. The youth's probation officer. The Probation Officer shall prepare written documentation pursuant to Penal Code Section 298.1 of the youth's failure to comply with the collection and of the efforts made to achieve voluntary compliance. The Probation Officer shall prepare any appropriate documentation to the Court and to the District Attorney if the youth is to be charged under Penal Code Section 298.1.
2. The Superintendent.
3. 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).
4. The judge at the youth's next court appearance.
  5. The youth's attorney, parent/guardian, or custodian.

Should the court order the use of force in obtaining a biological sample from a non-compliant youth, the On-Duty Officer of the Day shall be present to supervise and document the use of force. A video recording shall be made any time force is used to obtain a biological sample (15 CCR 13) The recording should be part of the youth's Admission's file and shall be retained by the Department for the length of time required by statute. Probation staff shall only use reasonable force to obtain compliance with laws regarding the collection of DNA specimens, samples, and impressions.

See Procedures Manual on Biological Samples for further information

### **1363.2 DOCUMENTATION RELATED TO FORCE**

The On-Duty Officer of the Day 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).

The Superintendent shall prepare a report to the Board of State and Community Corrections in the event of any use of force necessary to obtain compliance with Penal Code Section 298. The report shall include: the type of force used, the efforts to obtain voluntary compliance, and whether medical attention was needed by the youth or other persons as a result of the reasonable use of force.

### **1363.3 BLOOD SAMPLES**

A blood sample should only be obtained under this policy when (Penal Code § 295; Penal Code § 298):

1. The California DOJ requests a blood sample and the subject consents.
2. A court orders a blood sample following a refusal.

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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**ARTICLE 6  
Programs and Activities  
§1370**

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**Topic                    Educational Services**

**Policy**                    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).

It is the goal of this facility 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 as defined by state and federal guidelines.

When providing instruction, culturally responsive and trauma-informed approaches should be applied. Education staff should collaborate with the Superintendent to use technology to facilitate learning and ensure safe technology practices (15 CCR 1370).

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.

**1370.1 SUPERINTENDENT OF SCHOOLS**

The facility Superintendent should work in conjunction with school administrators to develop and manage the facility education program. The Superintendent of Schools shall (15 CCR 1370):

1. 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.)
  - a. 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 alternative placements, and manifestation determination reviews.
2. 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.
  - a. The 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.
3. Confirm that procedures are in place for the effective screening and placement of all youth at intake.
    - a. The screening process should include procedures for obtaining and reviewing education records from the 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.
    - b. If needed, state-required or provided testing should be considered to determine the appropriate placement.
  4. 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).
  5. 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.
  6. Confirm that procedures are in place to ensure that the program's educational staff are qualified.
    - a. Procedures should include ensuring that all staff meet and maintain applicable education credentials and licensing.
  7. Develop, in conjunction with the educational staff, procedures that address the rights of any student who has continuing difficulty completing a school day.
    - a. 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.
  8. Maintain education records for all youth.
  9. 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 Probation Department, in compliance with local, state, and federal laws (20 U.S.C. § 1232g).
  10. Confirm that the Department designates adequate space for youth education.
  11. 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.
  12. Conduct an annual needs assessment of the education program.
  13. Confirm that procedures are in place for identifying and addressing English learners (EL) in accordance with state and federal laws and regulations.
  14. Develop procedures to meet the transition needs of youth, including the development of an education transition plan.
  15. Coordinate with local post-secondary education providers to facilitate access to educational and vocational opportunities for youth with appropriate technology, when practicable.
    - a. Take steps to make online public post-secondary academic courses and career technical programs accessible to eligible youth (Welfare and Institutions Code § 858).
  16. 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).

### **1370.2 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.

### **1370.3 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 facilities procedures to deliver youth to their educational program shall not interfere with the time afforded for the minimum instructional day. The education staff shall document absences, time out of class, or educational instruction, both excused and unexcused (15 CCR 1370).

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, and post-secondary education. Information and preparation for the High School Equivalency Test for eligible youth shall also be provided. (15 CCR 1370).

Supplemental instruction shall be provided to youth who do not demonstrate sufficient progress towards grade level standards (15 CCR 1370).

### **1370.4 ADDITIONAL COURSE OFFERINGS**

Youth who have obtained a high school diploma or GED equivalent may participate in school with their assigned unit or college courses offered with the approval of the principal or the authorized designee. Youth may participate in vocational programs with the approval of the Principal or the authorized designee.

Beyond mandated education requirements, additional educational services and curriculum may be offered to youth, including but not limited to:

- a. English Language Development (ELD).
- b. Basic literacy.
- c. Substance abuse and healthy lifestyles education.
- d. Basic computer instruction.
- e. Basic life skills.
- f. Vocational skills such as:
  - Cooking and food services.



- Landscaping and horticulture.
- Financial Literacy.
- Employment Soft Skills.
- Basic Communication Skills.
- Basic office skills.
- Other courses as deemed appropriate by school administrators.

### **1370.5 DISCIPLINE**

The education program is integrated into the juvenile facilities' 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.

Educational staff will be advised of and updated on disciplinary issues with any youth and will be notified of administrative decisions made by juvenile facilities 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).

### **1370.6 CARE CLASS**

The Court Alternative Restorative Education Program is designed to provide students an alternative learning space for students who need additional support during the school day. See Procedures Manual on Youth Education Services for Further Information.

### **1370.7 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 Superintendent of Schools or the authorized designee 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 Procedure Manual on Youth Education Services for Further Information.



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**ARTICLE 6  
Programs and Activities  
§1371**

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**Topic                    Programs, Exercise, and Recreation**

**Policy**                    This policy establishes guidelines and procedures to ensure that juvenile facilities have sufficiently scheduled programs, exercise, and recreation periods, and sufficient space for these activities, as required by law (15 CCR 1371).

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 outdoor Large Muscle Activity (LMA), weather permitting.

A youth's participation in programs, recreation, and exercise may be suspended upon the approval and in writing by the Superintendent or the authorized designee when a youth represents a threat to the safety and security of self, others, or the facility. The Superintendent or the authorized designee may suspend access to recreation for a period not to exceed 24 hours. Any suspension of program, recreation, and/or exercise that exceeds a 24-hour period must be re-evaluated by the Superintendent or the authorized designee. Reasons for program, recreation, and/or exercise suspension must be documented in the unit logbook and youth log.

The 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).

Daily unit log sheets shall be collected monthly and shall be maintained in accordance with established records retention schedules.

There will be an annual written review of the programs, exercise, and recreation to ensure content is current, consistent, and relevant to the population (15 CCR 1371).

If the 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.

### **1371.1 ACCESS TO EXERCISE**

Youth, including those on discipline, shall have an opportunity for at least one hour of large-muscle activity each day. When weather permits, the youth' exercise time shall be outdoors (15 CCR 1371).

Staff shall ensure that youth appropriately wear necessary personal protective equipment during exercise as required.

No staff shall deprive any youth of the required one hour of large muscle activity unless there is a written finding by the Facility Superintendent or the authorized designee that the youth represent a threat to safety and security.

Recreation activities other than exercise should not be substituted for the required one hour of large muscle activity.

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).

### **1371.2 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, newspapers, table games, and other items may also be provided to enhance recreation time (15 CCR 1371).

### **1371.3 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 facilities 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).

#### **Programs**

1. All youth shall be provided with the opportunity for at least one hour of daily programming to include, but not limited to, trauma focused, cognitive, evidence-based, best practice interventions that are culturally relevant and linguistically appropriate, or prosocial interventions and activities designed to reduce recidivism.

2. These programs are based on the youth's individual needs. Such programs may be provided under the direction of the Chief Probation Officer or the assigned designee, with the collaboration of the County Office of Education, and county partners such as mental health agencies, community-based organizations, faith-based organizations, or Probation staff.

Programs may include but are not limited to:

1. Cognitive Behavior Interventions.
2. Management of Stress and Trauma.
3. Anger Management.
4. Conflict Resolution.
5. Juvenile Justice System.
6. Trauma-related interventions.
7. Victim Awareness.
8. Self-Improvement.
9. Parenting Skills and support.
10. Tolerance and Diversity.
11. Healing Informed Approaches.
12. Interventions by Credible Messengers.
13. Gender Specific Programming.
14. Art, creative writing, or self-expressions.
15. CPR and First Aid Training.
16. Restorative Justice or Civic Engagement.
17. Career and Leadership opportunities; and
18. Other topics suitable to the youth population.

#### **1371.4 COMPUTER AND INTERNET ACCESS**

The Superintendent or the authorized designee 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).

#### **1371.5 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 is 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 by staff to stop the behavior. Whenever an exercise or recreation period is involuntarily terminated, the staff will document the incident and the rationale for terminating the exercise period. The ISM or authorized designee will determine whether disciplinary action is warranted. The Superintendent or the authorized designee may suspend for a period not to exceed 24 hours

access to recreation and programs (15 CCR 1371). Any suspension of program, recreation, and/or exercise that exceeds a 24-hour period must be re-evaluated by the Superintendent or the authorized designee.

A youth's participation in programs and recreation may only be suspended upon a written finding by the Superintendent or the authorized designee that a youth presents a threat to the safety and security of the facility. The Superintendent or authorized designee shall document the reasons why suspension occurs (15 CCR 1371).

### **1371.6 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 Superintendent or authorized designee should notify the Chief and the Board of State and Community Corrections-that there is a deficiency in space for exercise, that the deficiency may violate the law and/or space requirements, and that the Superintendent requests funds to remedy the situation. The Superintendent or the authorized designee 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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**ARTICLE 6  
Programs and Activities  
§1372**

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**Topic                      Religious Programs**

**Policy**                      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)

All youth shall have the right to religious services, and/or counseling, and/or instruction at least once per week including services and access to clergy.

Staff 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. ~~Facility~~ All 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 shall provide youth choosing not to participate in religious programs with alternative activities outside their rooms (15 CCR 1372). Youth on disciplinary status shall have the right to religious services, although special provisions may need to be made to accommodate the youth.

Staff shall ensure youth have the right to provision of a religious diet.

**1372.1 CHAPLAIN AND SPECIAL CLERGY VISITS**

The Chief Probation Officer or the authorized designee shall appoint an individual to serve as the chaplain for the facility. The chaplain and the Chaplaincy Board shall be responsible for assisting the Superintendent or the authorized designee with supervising, planning, directing, and coordinating religious programs. 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).

All youth shall have reasonable access to clergy members or other spiritual advisers (15 CCR 1372). Communication between clergy and youth shall be subject to the confidentiality regulations of state law.

Youth may have religious material or items in their personal space unless staff determine that the material presents a safety and/or security risk. Staff shall pre-screen such material.

Clergy shall be afforded the same visiting rights of attorneys and mental health clinicians.

### **1372.2 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.

All requests for religious accommodations 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 an Institution Services Manager (ISM). In determining whether to grant or deny a request for accommodation of a religious practice, the ISM will consult with the chaplain to determine the sincerity of the youth's religious claim. Requests should be denied only if the accommodation presents a health or safety risk to the youth and/or staff or threatens the security of the facility.

An ISM who does not grant the accommodation, either in part or in full, should promptly forward the request to the Superintendent or the authorized designee, who, after consultation with legal counsel as appropriate, should make a determination regarding the request. The Superintendent or the authorized designee will respond to the requesting youth as soon as reasonably practicable.

All youth requests for religious accommodations and related determinations shall be fully documented in the youth's record and shall include a description of the accommodation and justification for any denials.

### **1372.3 SUSPENSION OR REVOCATION OF ACCOMMODATIONS OR RELIGIOUS SERVICES**

In an emergency or extended disruption of normal facility operations, the Superintendent or authorized designee may suspend any religious services and/or accommodations. The Superintendent may also revoke or modify an approved religious accommodation if the accommodated youth violate the terms or conditions under which the accommodation was granted.

### **1372.4 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS**

Youth may appeal the denial, suspension, or revocation of an accommodation through the youth grievance and appeal process.

### **1372.5 DIETS AND MEAL SERVICE**

The Superintendent or the authorized designee 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 food services manager shall establish a process for managing religious meal accommodations (see the Food Services and Prescribed Therapeutic Diets policies) (15 CCR 1372).

### **1372.6 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.

### **1372.7 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.

### **1372.8 UNAUTHORIZED PRACTICES OR MATERIAL**

No religious practices or materials shall be approved if it violates any federal or state law, or if it violates a facility rule.

### **1372.9 GROUP RELIGIOUS SERVICES**

The Superintendent or the authorized designee 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 the use of religious reading material or access to 1:1 religious counseling.

Whenever the chaplain is unable to represent or provide faith-based services to youth, a religious leader, or other volunteers 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.

### **1372.10 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).

### **1372.11 RELIGIOUS GARMENTS AND CLOTHING**

Youth who practice a religion that requires 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 facility-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.



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**Topic                    Youth Work Program**

**Policy**                    This policy establishes 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).

Work programs within the facility include Community Care Program (CCP), Kitchen Patrol (KP), the Culinary Arts Program (CAP) and PREP. All 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).

Work programs shall not be imposed as disciplinary measure (15 CCR 1373).

All youth who are physically and mentally able are eligible for a work program; however, only post disposition youth shall be eligible to participate in the PREP program. The Department will abide by all laws, ordinances, and regulations when using youth to work in the facility.

**1373.1 YOUTH WORKER SELECTION**

All youth shall be eligible for the Work Program unless they 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 the following when selecting youth for the Work Program:

1. The youth's charges and classification are such that the youth will not pose a security risk to other youth, staff, or the public.
2. The youth's physical limitations in performing a particular task.
3. The special interests or abilities of the youth.

Health screening shall be done for any youth who work in the kitchen around food products or who serve meals to the youth population (15 CCR 1414).

All Work Program youth shall be properly trained if using specialized equipment (e.g., kitchen or gardening equipment).

See Procedures Manual on Community Care Program (CCP) Staff Duties for further information



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**Topic                    Youth Visitations**

**Policy**                    This policy establishes rules for visitation and provides a process for youth visits and visitors.

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.

All visits are subject to safety and security requirements and staff should consider the facility schedule, operations and the amount of secure space available to accommodate visitors.

Postings indicating fire escape routes should be located throughout the visiting area.

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.

Parents and/or guardians can visit if they are listed in the Department's case management system. Other family members, such as grandparents, siblings, and supportive adults, may be allowed to visit with the approval of the Superintendent or the authorized designee, and in conjunction with the youth's case plan or in the best interest of the youth.

A youth may refuse a visit and shall not be disciplined for it. Staff will document and initial in the youth log and unit log the date and time of the visit refusal.

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. Provisions for special visits, in addition to the two-hour minimum and/ or outside of the regular visiting hours, shall be accommodated as necessary and within the discretion of the Superintendent or their designee.

At no time during the visit are visitors allowed to take pictures of the youth. Failure to comply with this may result in the loss of visitation privileges.

As an alternative, the facility may provide access to technology, in the event there is an isolated incident and the youth visitor is unable to show up, but not as a replacement, to in person visiting and within the direction of the Superintendent or their authorized designee. Parents and/or guardians may have video visits if they are unable to visit in person. Other family members, such as grandparents, siblings, supportive adults and service providers may be allowed a video visit with the approval of the Superintendent or the authorized designee, and in conjunction with the youth's case plan or in the best interest of the youth. At no time during the video visit are pictures allowed to be taken of the youth. Failure to comply with this may result in the loss of Video Visitation privileges.

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

#### **1374.1 AUTHORIZATION TO SEARCH VISITORS**

The Superintendent or authorized designee shall ensure that signs are clearly posted for visitors describing what materials or items are not allowed while visiting with youth. The inspection of visitors' personal belongings shall be dependent on the security needs of the facility. All visitors requesting to enter the Youth Services Center must provide proper identification, walk through a metal detector, scanned by passing by Cell Sense, and store all belongings in the visiting lockers in the reception area.

#### **1374.2 RELATIVE AND NON-RELATIVE EMPLOYEE VISITS**

Relative employees must notify the Deputy Chief of Institutions, pursuant to departmental policy B. 22, if they are related to any youth in custody. A Relative Employee may only visit the youth during visiting hours and such visits are considered personal visits. If the relative employee is not a parent or guardian, a visiting request form from the supervising Deputy Probation Officer (DPO) must be submitted and the visits must be approved by the Superintendent of Institutions, or the Institutions Services Manager (ISM) or the authorized designee. A relative employee is prohibited from visiting with a relative youth anywhere other than in a visiting room.

Any employee who is associated with a non-relative youth in custody must notify the Deputy Chief of Institutions pursuant to departmental policy B. 22. Any employee wishing to visit with a non-relative youth (e.g., God child, neighbor, family friend) in custody must make a request through the supervising DPO and the visits must be approved by the On-Duty Officer of the Day or Superintendent of Institutions. All non-relative employee visits must be made during visiting hours and are considered personal visits. A non-relative employee is prohibited from visiting with a non-relative youth anywhere other than in a visiting room.

#### **1374.3 VISITING SCHEDULE**

The Superintendent or authorized designee 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 Parent / Youth handbook at orientation. The visiting hours will also be posted in the public area of the facility and in visiting areas. Parents may request a

visiting brochure provided by Admissions staff.

Opportunity for visitation shall be a minimum of two, one-hour visits per week from Sunday to Saturday, and unlimited Professional and after-court visits. Visits may be supervised, but conversations shall not be monitored unless there is a security or safety need.

Court ordered special visits will be accommodated.

#### **1374.4 DENIAL OR TERMINATION OF VISITING PRIVILEGES**

Visitation shall not be denied solely based on the visitor's criminal history. Any denial of visitation or limitation on visitations shall be communicated to the youth, the person denied, and the assigned DPO. The staff shall determine on a case-by-case basis whether the visitor's criminal history poses a safety risk (15 CCR 1374).

If a parent/guardian is a registered sex offender, or would pose a safety threat to any youth, visits with that parent/guardian will be conducted when there are no other visitors or other youth in the visiting area.

Visitation may be denied or terminated by the ISM or authorized designee supervisor if the visitor poses a danger to the security of the facility or there is other good cause, including but not limited to:

1. The visitor appears to be under the influence of drugs and/or alcoholic beverages.
2. The visitor refuses to submit to being searched.
3. The visitor or youth violates facility rules or posted visiting rules.
4. The visitor fails to supervise and maintain control of any minors accompanying the visitor into the facility.
5. The visitor attempts to enter this facility with contraband.
  - a. In addition to being denied a visit, the visitor may face criminal charges.
6. The staff determines that the visitor's criminal history poses a safety risk

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 on the visiting form or the Admissions File. Staff may be directed to complete an Incident report when appropriate. A copy of the Incident Report shall be placed in the Youth's file and a copy shall be forwarded to the Superintendent.

#### **1374.5 ATTORNEY AND PROFESSIONAL VISITS**

Visits from attorneys and/or their representatives, investigators, and other professionals associated with the youth shall not be restricted, there is no time limit or the number of visits a youth can receive, unless the youth is exhibiting disruptive behavior and it is determined by the Superintendent or the authorized designee that allowing the visit could threaten the safety or security of the staff, other youths, visitors, or the facility (15 CCR 1374) (see the Youth Access to Courts and Counsel Policy). All other professional visits must take place during general visiting hours.

A youth may be searched after a professional visit if a safety or security risk is present.

All County and non-County employees and clergy members with a professional interest in the youth must have an approved request on file prior to visiting.

All professional visitors must present proper photo identification (ID and/or BAR Card) and sign the Visitor Logbook located at the Reception Desk.



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**Topic                      Youth Mail**

**Policy**                      This policy provides guidelines for the receipt, rejection, inspection, and sending of youth mail (15 CCR 1375). Youth shall have ample opportunity to send and receive mail. Mail shall only be restricted when there is a legitimate government interest to do so

Youth may 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 Superintendent or the authorized designee. Excess mail will be stored with the youth's personal property and returned when the youth is released.

**1375.1 CONFIDENTIAL CORRESPONDENCE**

Youth may correspond confidentially with courts, legal counsel, officials of this facility, elected officials, juvenile facilities inspectors, government officials, and officers of the court (15 CCR 1375).

These juvenile facilities will also accept and deliver a fax or interoffice mail from these entities.

Institution staff may inspect incoming confidential correspondence for contraband. Institution staff 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).

**1375.2 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES**

Mail privileges may be suspended or restricted upon approval of the Superintendent or the authorized designee whenever staff learn that mail sent or received by a youth involves:

- 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 facilities, members, or the public.

The District Attorney or County Attorney 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.

### **1375.3 PROCESSING AND INSPECTION OF MAIL BY INSTITUTION STAFF**

Institution staff 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 institution staff should open and inspect all incoming and outgoing general mail of current youth. The incoming correspondence, other than confidential correspondence, may be scanned 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 institution staff when:

1. There is reason to believe the mail would:
  - a. Interfere with the orderly operation of the juvenile facilities.
  - b. Be threatening to the recipient.
  - c. Facilitate criminal activity.
2. The youth is on a restricted mail list.
3. The mail is between youth in detention.

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 facilities, the material may be returned to the sender or held in the youth's property or unit file to be given to the youth upon release.

Youth shall be notified in writing whenever their mail is held or returned to the sender. Mail logs and records, justification of censoring or rejection of mail, and copies of hold or return notices shall be maintained in the youth's file in accordance with established records retention schedules.

### **1375.4 STAFF AUTHORIZED TO READ MAIL**

Only institution staff designated by the Superintendent, or the authorized designee may scan incoming and outgoing non-confidential mail. These institution staff should receive training on legitimate government interests for reading and censoring mail and related legal requirements.

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 institution staff 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, but not limited to:

1. Maintaining facility security.
2. Preventing dangerous conduct, such as an escape plan.
3. Preventing ongoing criminal activity, such as threats of blackmail or extortion, or other similar conduct.
4. 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 On-Duty Officer of the Day 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.

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:

1. The youth's name and number.
2. A description of the mail.
3. A description of the action taken and the reason for such action.
4. The disposition of the item.
5. Signature of the Institution Staff.
6. Notification to the youth and sender (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).

### **1375.5 BOOKS, MAGAZINES, NEWSPAPERS, AND PERIODICALS**

Unless otherwise in conflict with this policy and prohibited by the Superintendent or the assigned designee, youth may, receive and read any book, newspaper, periodical, or writing accepted for distribution by the U.S. Postal Service.

Publications, magazines, and newspapers shall be accepted only if they are mailed directly from the publisher to a named youth. Youth are not allowed access to any local newspapers or periodicals.

The Department may reject magazines, periodicals, and other materials that may be offensive or impact the safety and security in the daily operation of this facility. (Books, newspapers, and magazines that are on the Approved Books and Magazines list are permitted.). Materials that may be rejected include but are not limited to:

1. Materials that advocate violence or a security breach.

2. Literature that could incite racial unrest.
3. Sexually explicit material, including pornographic magazines, nude pictures, and pictures or descriptions of sexually explicit activities.
4. Publications or writings and mail that are Obscene in nature or incite violence or other criminal activity.
5. Material that could lead to sexual aggression or an offensive environment for youth.
6. Material that could create a hostile, offensive, or dangerous work environment within the institution.
7. Any material with content that is deemed inappropriate or conflicts with the youth's rehabilitation.

Staff shall notify the Officer of the Day whenever a decision is made to reject books, magazines, or periodicals. The 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 facilities-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.

#### **1375.6 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. Obvious legal mail should be forwarded to the former youth's new address if it is reasonably known. Otherwise, legal mail should be returned to the sender.

#### **1375.7 YOUTH REQUESTS FOR WRITING MATERIALS**

Youth may receive the opportunity to write letters and be provided with writing materials upon request as provided by an approved schedule established by the Superintendent or the authorized designee. Writing materials should include (15 CCR 1375):

- a. Postage.
- b. Writing paper.
- c. One pencil.
- d. Envelopes

Youth shall receive envelopes and writing paper sufficient to maintain communication with courts, legal counsel, officials of this facility, elected officials, inspectors with the Board of State and Community Corrections, government officials, and officers of the court (15 CCR 1377).

Youth should not be permitted to maintain an excess supply of writing materials without the approval of staff.



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**Topic                      Youth Telephone Access**

**Policy**                      To encourage and maintain positive relationships within the family and community, the Institutions facilities will provide access to telephones for use consistent with federal and state law.

Youth housed in general population will be permitted reasonable access to the housing telephones, if available, at scheduled times unless such access may cause an unsafe situation for the facility, members, or other youth.

- a. Telephone use shall not interrupt the youth from receiving mandatory services.
- b. Institution Staff will provide youth with a minimum of four 10-minute phone calls per week –however, phone calls to legal representatives may be of any length. Institution Staff will log in the youth log any phone call refusals.

With the exception of telephone calls from legal counsel, youth are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

Teletypewriter/telecommunications device for the hearing impaired (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 maximum time allowed per call should be 10 minutes unless there are substantial reasons to justify further limitations. Reasons for denial or refusal of telephone access shall be documented in the youth log 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 on the unit orientation board.

**1376.1 TERMINATION OF TELEPHONE PRIVILEGES**

The institution 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.

Institution staff may terminate or disallow any phone call if such call represents a risk to safety and security and notify the Institutions Services Manager (ISM) or authorized designee. Any improper telephone use shall be documented in an Incident Report.

### **1376.2 COURT-ORDERED TELEPHONE CALLS**

If a court order specifying telephone calls is received by the facility, or the ISM or authorized designee determines there is a legitimate need for a telephone call for a specific youth, the ISM may direct that a youth use a facility telephone. Calls placed from a facility telephone should be dialed by the institution staff. The institution 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. Institution staff shall allow youth to make any phone calls ordered by the Juvenile Court. Institution staff shall ensure that the phone calls are made to the individuals listed in the Court Memorandum.

### **1376.3 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). Youth shall have unlimited free telephone access for legal consultation.

See Procedures Manual on Telephone Access for further information.



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**Topic                      Youth Access to Courts and Counsel**

**Policy**                      This policy protects the constitutional rights of youth to access the courts and legal counsel. Youth shall have unlimited access to the Courts and the ability to consult with legal counsel. (15 CCR 1324).

Institution staff should not unreasonably interfere with a youth's attempt to seek counsel, and where appropriate should assist youth with making confidential contact with attorneys and authorized representatives.

1. 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, this facility will minimally provide:
  - a. Confidential attorney visiting areas that allow the attorney and the youth to share legal documents.
  - b. Youth allowed confidential attorney-client calls.
  - c. Reasonable access to legal materials.
2. The Superintendent or the authorized designee 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).

**1377.1 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).

**1377.2 YOUTH REQUEST FOR ASSISTANCE**

Written materials addressing how a youth can access local attorneys and key legal documents shall be available in Admissions and each housing unit. Institution 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.

### **1377.3 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). Contact visits may be approved by the Superintendent or the authorized designee for special circumstances.

Visits shall be as frequent as needed and be of a reasonable length of time to discourage any allegation that the defense of the youth was hindered due to the number and 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, or rules 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.

Only materials brought to this facility by an approved legal assistant shall be allowed.

1. All materials shall be subject to security inspections by the staff and shall be routed through the Officer of the Day for logging and distribution.

### **1377.4 MAIL**

Legal mail shall be handled in accordance with the Youth Mail Policy.



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**ARTICLE 7**

**Discipline**

**§1390**

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**Topic                      Youth Discipline**

**Policy**                      This policy addresses the application of youth rules and disciplinary sanctions for youth who fail to comply with facility rules. It is the goal of this facility to promote acceptable behavior through the use of positive interventions and supports.

Youth discipline shall be imposed at the least restrictive level required to achieve the desired behavior. Discipline shall not include corporal punishment, group punishment, physical or psychological degradation.

**1390. DISCIPLINE**

The Superintendent or authorized designee shall develop and implement written policies and procedures for the discipline of youth that shall promote acceptable behavior; including the use of positive behavior interventions and supports. Deprivation of the following is not permitted as a form of discipline:

- a. bed and bedding.
- b. daily shower, access to drinking fountain, toilet and personal hygiene items, and clean clothing.
- c. full nutrition.
- d. contact with parent or attorney.
- e. exercise.
- f. medical services and counseling.
- g. religious services.
- h. clean and sanitary living conditions.
- i. the right to send and receive mail.
- j. education.; and,
- k. rehabilitative programming.

The Superintendent or authorized designee shall establish rules of conduct and disciplinary penalties to guide the conduct of youth. Such rules and penalties shall include both major violations and minor violations, be stated simply and affirmatively, and be made available to all youth.

Provision shall be made available to provide accessible information to youth with disabilities, limited English proficiency, or limited literacy.

### **1390.1 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. 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.

Institution staff shall issue a Disciplinary Due Process Ticket for all minor rule violations, documenting the violation and consequences. All Due Process Tickets shall be issued in a timely manner and reviewed by the lead Institution staff.

Institution staff shall issue an Incident Report for all major rule violations documenting the violation and consequences. Incidents Reports shall be issued in a timely manner and approved by the Institutions Services Manager or Office of the Day (ISM/OD)

A youth may choose to appeal a disciplinary action through the grievance process by submitting a signed and dated Grievance Form to any person or placing it in the grievance box on the youth's unit.

To ensure due process, Institution staff shall make reasonable accommodations for youth with disabilities, limited English proficiency or literacy, consistent with the Youth Grievances Policy.

The process for a youth accused of a major rule violation includes (15 CCR 1391):

- a. A fair hearing in which the discovering Institution staff member or investigating ISM/OD presents factual evidence supporting the rule violation and the disciplinary action.
- b. Advance written notice to the youth of the disciplinary hearing, to allow the youth time to prepare a defense.
- c. Assignment of a neutral 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.
- 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 in a Disciplinary Due Process Hearing Report.
- h. Reasonable sanctions for violating rules that relate to the severity of the violation.
- i. The opportunity to appeal the finding.
- j. All major disciplinary actions shall be reviewed at the Superintendent level to ensure proper rules and procedures were followed. This review shall occur once discipline or alternative programming is carried out.



### **1390.2 YOUTH RULES AND SANCTIONS**

The Superintendent or the authorized designee 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.

### **1390.3 MINOR RULE VIOLATIONS**

Institution staff are authorized to recommend informal discipline for minor violations.

Minor rule violations generally include those that do not have an impact on the safety, security, or efficiency or operation of the facility and its personnel, staff, and/or youth. Minor rule violations may result in informal counseling, advising the youth of expected behavior, and/or a “cooling off” time away from other youth for a maximum of 30 minutes, all of which are not considered discipline. Minor rule violations also may result in disciplinary actions such as loss of privileges, loss of behavior points, and/or alternative programming such as completing a book report, essay, art project or other constructive activity separate from the group.

Any staff member imposing informal discipline should issue a Disciplinary Due Process Ticket and document the information in the Youth Log.

A youth may request that an Institution staff review the imposed sanction. The Institution staff 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 Procedures Manual on Alternative Program for further information.

### **1390.4 MULTIPLE MINOR RULE VIOLATIONS**

Institution staff may initiate an incident report listing the major rule violations 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. The Superintendent or the authorized designee shall assign the staff responsible to conduct the hearing according to the applicable procedures.

### **1390.5 MAJOR RULE VIOLATIONS**

Major rule violations are considered a threat to the safety, security, operation or efficiency of the juvenile facilities, 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 an ISM or authorized designee as soon as practicable. The institution staff shall assess the situation and initiate any emergency action, if necessary, and notify the ISM or the authorized designee.

Major rule violations may result in loss of privileges, loss of behavior points, alternative programming or room confinement if other less restrictive options have been attempted and exhausted or attempting those options poses a threat to the safety and security of the youth, ward, or staff.

The staff member who learned of the rule violation shall write and submit a disciplinary report, along with all relevant evidence, to the appropriate ISM or authorized designee prior to the end of the shift.

### **1390.6 PREHEARING SEPARATION**

Youth who are accused of a major rule violation may be removed from the general population of youth with the ISM or authorized designee 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).

### **1390.7 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 Institution staff will request more time in writing from the ISM or authorized designee. The youth will be notified in writing of the delay.

If, upon completion of the investigation, the investigating lead staff finds insufficient evidence to support a major rule violation, the investigating lead staff may discuss alternative sanctions with the On-Duty Officer of the Day, 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 lead staff determines that sufficient evidence exists to support a major rule violation, the investigating lead staff will act as the hearing coordinator and will be responsible for:

- a. Reviewing all reports for accuracy and completeness.
- b. Overseeing or conducting any required additional investigation.
- c. Determining the final charges.

- d. Making preliminary decisions about the appointment of a staff member to act as an assistant to the youth.
- e. Identifying any witnesses who may be called to the hearing.

### **1390.8 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.

### **1390.9 HEARINGS**

The Superintendent shall appoint at least one hearing officer to preside and conduct disciplinary hearings of major rule violations. The hearing officer should be a qualified ISM or authorized 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. Institution 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 Superintendent.

Hearings may be postponed or continued for a reasonable period for good cause. Reasons for postponement or continuance shall be documented and forwarded to the Superintendent.

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.

### **1390.10 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 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.

#### **1390.11 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.

#### **1390.12 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 literacy, developmental disabilities, 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.

#### **1390.13 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)).

#### **1390.14 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.

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 Superintendent or the authorized designee as soon as practicable after the final disposition.

### **1390.15 DISCIPLINARY APPEALS**

Youth wishing to appeal the decision of the hearing officer must do so in writing within five (5) days of the decision. All appeals will be forwarded to the 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.

Superintendent

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.

### **1390.16 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):

1. In no case shall any youth or group of youth be delegated the authority to punish any other youth or group of youth.
2. In no case shall a safety room be used for disciplinary purposes.
3. In no case shall any restraint device be used for disciplinary purposes.
4. Food or access to drinking fountain shall not be withheld as a disciplinary measure.
5. Correspondence privileges shall not be withheld as a disciplinary measure.
6. In no case shall access to the courts and/or legal counsel be suspended as a disciplinary

measure.

7. 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.
8. 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)).
9. 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)).
10. 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)).
11. No confinement in excess of four (4) hours inside their room and without an opportunity for at least one (1) hour of exercise daily outside of the immediate living quarters may be imposed unless the Superintendent or the authorized designee determines and documents that this opportunity will jeopardize the physical safety of the youth or others or the security of the facility.
12. No youth may be subject to a substantial change in heating, lighting, or ventilation or dirty and unsanitary living conditions.
13. No youth may be subject to restrictions on clean clothing, bed and bedding, the use of hygienic facilities, or reading or writing materials as a disciplinary measure.
14. Restrictions shall not be placed a youth's living conditions.
15. Restrictions shall not be placed on medical and dental care as a disciplinary measure.
16. Restrictions shall not be placed on a youth's access to government officials as a disciplinary measure.
17. Restrictions shall not be placed on a youth's access to grievance proceedings as a disciplinary measure.
18. No youth may be prohibited from contact with the youth's parents or guardian as a disciplinary measure.
19. No youth may be deprived of education, rehabilitative programming, mental health counseling, or religious services as a disciplinary measure.

20. In no case shall any youth be subjected to corporal punishment or physical or psychological degradation.

Discipline shall not include group punishment, where a group of uninvolved youth are denied programming or treatment due to the actions of one or more youth except when the safety and security of the unit and/or facility may be in jeopardy. Necessary measures to maintain the safety and security of the facility and youth shall not be considered group punishment. Denial of special privileges that are not programming or treatment is not considered group punishment.

Exceptions must be justified in writing and approved by the 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).

### **1390.17 GUIDELINES FOR DISCIPLINARY SANCTIONS**

Any Institution Staff, teacher, Institution Services Manager, or Superintendent may impose discipline using trauma-informed approaches and positive behavior interventions. Special consideration should be given to youth with disabilities, limited literacy and English language learners.

Institution Staff are prohibited from delegating the responsibility for discipline to any youth, volunteer, or support staff person.

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 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.

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).

### **1390.18 RECORDS**

A record of all rule violations and sanctions will be made and maintained in accordance with the juvenile facilities' records retention schedule.

At a minimum, Disciplinary Due Process Tickets or incident reports are required for rule violations. The Institution Staff member who observed or detected the rule violation or who was charged with investigating a rule violation is responsible for completing the Disciplinary Due Process Ticket or incident report. The Disciplinary Due Process Ticket or incident 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 group supervisor.
- i. Date and time of the report.

The Institution Staff investigating the violation and preparing the prehearing details for major rule violations shall ensure that documentation in the rule violation report includes:

- a. Date and time that the explanation and the written copy of the complaint and appeal process were provided to the youth.
- b. The youth's response to the charges.
- c. The reasons for any sanctions.
- d. The identity of any staff or witnesses involved or requested by the youth.
- e. The findings of the hearing officer.
- f. The youth's appeal, if any.
- g. The appeal findings, if applicable.

### **1390.19 TRAINING**

The 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 Superintendent or the authorized designee 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).





**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 10  
Communicable Diseases  
§1410**

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**Topic                      Communicable Diseases**

**Policy**                      It is the San Mateo 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. This policy provides general guidelines to assist in minimizing the risk of contracting and/or spreading communicable diseases.

**1410.1 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 San Mateo County Probation Department - Juvenile Facilities. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

**1410.2 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 staff may obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that facility staff 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.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them (15 CCR 1051; 15 CCR 1207).

- (e) Procedures to ensure youth in custody are not assigned activities where it is reasonably anticipated that they may experience an exposure.
- (f) 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 in custody who have been exposed to or infected with a communicable disease and making notifications to staff 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 staff request exposure notification from health facilities when transporting a person that may have a communicable disease and that the is notified of any exposure as required by Health and Safety Code § 1797.188.
  7. Informing Staff 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 Director of a receiving facility, when a youth in custody who is known or suspected to have tuberculosis is transferred to another facility (15 CCR 1408).
- (g) 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 facility 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).

### **1410.3 EXPOSURE PREVENTION AND MITIGATION**

#### **1410.3.1 GENERAL PRECAUTIONS**

All staff 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 vehicles, 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.
- (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.

#### 1410.4.2 IMMUNIZATIONS

Staff 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).

### 1410.4 POST-EXPOSURE

#### 1410.4.1 INITIAL POST-EXPOSURE STEPS

Staff 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.

#### 1410.4.2 REPORTING REQUIREMENTS

The supervisor or designated administrator 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.

#### 1410.4.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Department staff 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 staff has been informed of the results of the evaluation

(b) Whether the staff 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.

#### 1410.4.4 COUNSELING

The Department shall provide the staff, and the staff's family, if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

#### 1410.5 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 (8 CCR 5193). 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 Director or designee to ensure testing is sought.

Source testing may be achieved by:

(a) Obtaining consent from the individual.

(b) Complying with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.

(c) 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).

(d) Requesting test results or information provided by the source individual pursuant to Health and Safety Code § 121070.

(e) 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).

(f) 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.

#### **1410.6 CONFIDENTIALITY OF REPORTS**

Medical information shall remain in confidential files and shall not be disclosed to anyone without the staff 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.

#### **1410.7 TRAINING**

All staff shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193):

- (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 staff'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.



**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
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**ARTICLE 10  
Clothing and Personal Hygiene  
§1480**

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<b>Topic</b>	<b>Standard Facility Clothing Issue</b>
<b>Policy</b>	<p>Facility staff shall provide for clothing and footwear that is clean, reasonably fitted, and appropriate to the youth. Clothing and footwear shall be appropriate for indoor and outdoor environments.</p> <ol style="list-style-type: none"><li>1. Once a youth is in custody, youth must exchange personal clothing for juvenile institution-issued clothing. If personal clothing is infested, needs to be washed, or retained for evidence, Admissions staff must follow appropriate procedures for laundering and retaining evidence.</li><li>2. The Superintendent and Institutions Services Managers shall ensure that youth who are in a facility are issued institutional clothing and footwear that are:<ol style="list-style-type: none"><li>a. Clean, reasonably fitted, durable, easily laundered, in good repair, and free of holes and tears.</li><li>b. Clothing is laundered at the temperature required by local ordinances for commercial laundries and dried completely in a mechanical dryer or other laundry method approved by the local health officer.</li><li>c. Suitable clothing is issued to pregnant youth.</li></ol></li><li>3. The standard issue of climatically suitable clothing for youth shall consist of but not be limited to:<ol style="list-style-type: none"><li>a. socks and serviceable footwear.</li><li>b. outer garments.</li><li>c. new non-disposable underwear which shall remain with the youth throughout their stay, and.</li><li>d. undergarments, that are freshly laundered and free of stains, including shorts and tee shirts, and bras. for males, and bra and panties for females.</li></ol></li><li>4. Youth shall be issued climatically suitable clothing consisting of socks, appropriate footwear, outer garments, and new non-disposable underwear which shall remain with the youth throughout their stay. Youth shall be provided with fresh laundered and free of stains undergarments, including t-shirts and bras every day. Should a youth's clothing become dirty or contaminated, staff shall issue the youth clean clothing. Staff shall place</li></ol>

contaminated clothing in a clearly labeled plastic bag or water soluble “sugar bags” (contaminated stains) and shall notify Housekeeping

5. Youth shall be supplied with clothing that is appropriate to indoor and outdoor environments.

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 and Superintendent. Staff shall allow youth to exchange clothing more frequently if indicated by climatic conditions, activities, illness, excessive soiling, or other reasons. Staff shall allow youth to exchange footwear that is excessively soiled or worn.

#### **1480.1 TRANSGENDER AND INTERSEX YOUTHS**

Transgender and intersex youths shall be permitted to present themselves in a manner consistent with their gender identity. The 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).

#### **1480.2 LAUNDRY SERVICES**

Laundry services shall be managed so clothing, needs are met.

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).



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**Topic**                      **Special Clothing**

**Policy**                      Staff shall provide special clothing, protective equipment, items appropriate and issue additional essential clothing to perform special work assignments where the issue of regular clothing would be unsanitary or inappropriate to the activities in which the youth participate.

1. Staff shall provide special clothing or protective equipment for work assignments, or other activities that are potentially injurious. These items include, but are not limited to, latex or work gloves, shoes, boots, knee pads, helmets, sports equipment and protective gear, face masks, and eye shields. Clothing shall be appropriate to the environment of the activity.
2. Staff shall not assign youth to potentially injurious activities without proper protective equipment. Staff shall not assign youth to activities that pose a risk to a youth's safety even if protective equipment is worn or utilized.
3. Prior to youth participating in an activity, staff shall evaluate what special clothing, safety equipment, or personal protective equipment is required. If necessary, clothing or equipment is not available at the facility, staff shall notify an Institution Services Manager/ Officer of the Day (ISM/OD) of the need to order such items.





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**Topic                      Clothing Exchange**

**Policy**                      Staff shall allow youth to exchange clothing on a regular basis, or as necessary.

Staff shall provide for youth to exchange outer garments, except footwear at least once per week. Staff shall provide for youth to exchange tee shirts, bras, underwear and socks daily; youth shall receive their own underwear back at exchange. Staff shall allow youth to exchange clothing more frequently if indicated by climatic conditions, activities, illness, excessive soiling, or other reasons. Staff shall allow youth to exchange footwear that is excessively soiled or worn.



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**Topic                    Clothing, Bedding, and Linen Supply**

**Policy**                    Probation management shall ensure an appropriate quantity of clothing, bedding, and linens are available and replacement needs of the facility population.

1. The facility shall maintain an adequate amount of clothing, bedding and linens. Staff shall monitor supplies and shall notify Housekeeping staff if additional items need to be purchased. The Superintendent shall approve for the purchase of clothing, bedding and linens from an approved County vendor.
2. Staff shall transport or supervise the transportation of soiled laundry to the laundry room (Juvenile Hall) or laundry area (Camp Kemp). Housekeeping staff shall arrange for the transportation of some or all youth bedding and clothing at the Camps to and from Juvenile Hall laundry facilities. Housekeeping staff shall launder items or facilitate laundering through a contracting agency chosen through the Department's and County's purchasing and contract procedures.
3. Soiled clothing, bedding, and linen shall be kept separate from clean items in the exchange and storage of items. Clean clothing, bedding, and linen shall be kept in the storage closets allocated for this purpose.
4. Staff shall use latex gloves and use the Biohazard Response Personal Protective Equipment Kits to clean the area and place items that are soiled with potentially infectious materials or contain vermin in a plastic bag that is clearly marked "contaminated" or "Sugar Bag" and shall contact Housekeeping regarding the disposal of such items. Staff shall ensure that such items are contained in a sealed container. Housekeeping staff will work with trash disposal authorities regarding the disposal of biohazard materials and medical waste. All units and Camp are supplied with Biohazard Response Personal Protective Equipment Kits and Germ Kits for their protection when dealing with cleaning up biohazardous waste and must notify an Institution Services Manager or authorized designee for replacement after soiled suits have been discarded.



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**ARTICLE 10  
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**Topic                      Control of Vermin in Youth’s Personal Clothing**

**Policy**                      Probation staff shall take precautions to control the contamination and/or spread of vermin and ecto-parasites in youth’s personal clothing.

1. Admissions staff shall inspect the clothing of incoming youth for vermin and ecto-parasites. Should vermin or ecto-parasites be detected, Admissions staff shall immediately notify the ISM-OD and the Medical Unit. Medical staff shall examine and treat the youth. Staff shall use latex gloves to place items that contain vermin in a sealed plastic bag or container that is clearly marked “contaminated.” Clothing shall be cleaned or stored in a closed container to eradicate or stop the spread of the vermin. Staff shall notify the youth’s parent or guardian to pick up the clothing.
2. All staff shall monitor youth clothing and rooms for potential vermin/ecto-parasites. Staff who detect or suspect vermin/ecto-parasites in an area shall immediately notify the ISM- OD, the Medical Unit, and Housekeeping staff. Staff shall prevent youth from entering the area of contamination. Medical staff shall examine and treat the youth. Housekeeping staff shall collaborate with the Medical Unit and as indicated, County Environmental Health on the decontamination of the area and extermination of pests.

See Procedures Manual on Control of Vermin in Youth’s Personal Clothing for further information.

3. Staff shall use latex gloves to place items that contain vermin/ecto-parasites in a sealed plastic bag or container that is clearly marked “contaminated.” Housekeeping staff shall work with trash disposal authorities regarding the disposal of vermin-infested items.
4. Housekeeping staff shall ensure that contaminated items are laundered at an appropriately high temperature and with an appropriate amount of laundry soap and bleach to kill any potentially infectious agents that have not been identified by staff.



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**ARTICLE 10  
Clothing and Personal Hygiene  
§1485**

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<b>Topic</b>	<b>Issue of Personal Care Items</b>
<b>Policy</b>	<p>Staff shall provide youth with adequate bathing and hair care articles to maintain acceptable standards of personal hygiene.</p> <ol style="list-style-type: none"><li>1. At admission, staff shall provide youth with a Parent /Youth Handbook, which lists the personal hygiene items available to them.</li><li>2. Youth who are held for over 24 hours shall be provided with a hygiene bag with the following items:<ol style="list-style-type: none"><li>a. toothbrush</li><li>b. toothpaste</li><li>c. soap</li><li>d. comb</li><li>e. deodorant</li></ol><p>The following items are provided on the unit:</p><ol style="list-style-type: none"><li>a. shaving implements</li><li>b. lotion</li><li>c. shampoo</li><li>d. post-shower conditioning hair products.</li><li>e. Hair ties.</li><li>f. Hairbrushes (upon request)</li></ol></li><li>3. Youth will be provided an opportunity to replace hygiene items at least weekly or as needed.</li><li>4. Youth shall not share personal hygiene items.</li><li>5. Disposable razors shall be provided for shaving and shall not be shared among youth. Razors must be stored and disposed of in an area not assessable to youth. Youth may not store razors with their property.</li><li>6. Youth shall have access to sanitary napkins, panty liners and tampons at all times.</li></ol>



**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 10  
Clothing and Personal Hygiene  
§1486**

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**Topic                      Personal Hygiene**

**Policy**                      Probation staff shall allow youth to shower and brush their teeth daily or as needed to maintain acceptable standards of personal hygiene.

1. All youth shall shower when they are admitted to the facility. If a youth refuses to shower upon intake or refuses to shower after being assigned to a housing unit while in custody, staff shall complete a Mental Health Memorandum requesting that a mental health staff member talk to the youth. All refusals will be logged.
2. Staff shall allow youth to shower at least once per day. If youth are involved in work assignments or exercise, staff shall allow them to shower on a more frequent basis as appropriate. Youth shall obtain permission before showering.
3. Staff shall allow youth to brush their teeth after each meal and at bedtime.



**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 10  
Clothing and Personal Hygiene  
§1487**

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**Topic                    Shaving**

**Policy**                    Probation staff shall allow youth to shave daily.

1. Staff shall allow both male and female youth with the opportunity to shave daily.
2. Youth shall not be permitted to shave their heads or shave in a manner that would be associated with gang activity.
3. The right to shave daily may be suspended if a youth's appearance must be maintained for reasons of identification in Court or if the youth is a danger to themselves or others.
4. Disposable razors shall be provided for shaving and shall not be shared among youth. When disposable razors are used by a youth multiple times, staff shall write the name of the youth on the razor. Youth shall not use electric or double-edged razors. Razors shall be stored and disposed of in an area that cannot be accessed by youth.



**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 10  
Clothing and Personal Hygiene  
§1488**

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**Topic                    Hair Care Services**

**Policy**                    Probation staff shall allow youth monthly access to hair care services.

1. Staff shall not provide youth with a haircut unless the youth's parent or guardian has signed a Haircut Permission Form. If a parent or guardian is not available to sign the form, a youth's Probation Officer may authorize a haircut.
2. Youth shall have access to hair care services at least once per month.
3. Youth shall not cut another youth's hair. Parents or guardians are not permitted to cut a youth's hair.
4. Youth shall not be permitted to shave their heads or cut their hair in a manner that would be associated with gang activity. Staff shall not permit uncommon or rare haircuts.
5. Staff shall clean and disinfect equipment after each haircut or procedure by a method approved by the State Board of Barbering and Cosmetology (see attachment, [http://www.barbercosmo.ca.gov/forms\\_pubs/pc2001.pdf](http://www.barbercosmo.ca.gov/forms_pubs/pc2001.pdf)).
6. Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all hair care personnel and youths.
7. Staff shall not allow 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 Director. Any person infested with head lice shall not be given hair care service until cleared by the medical staff.
8. 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. Staff will ensure to sweep and vacuum any area used for haircutting immediately after every use.



**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 10  
§1489**

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**Topic                      Meal Services**

**Policy**                      The Department recognizes the importance of providing nutritious food and services to the youth to promote good health, to reduce tension in the juvenile facilities, and ultimately to support the safety and security of the juvenile facilities. This policy provides guidelines on the preparation of food services items and dietary considerations for youths housed in the facility (15 CCR 1460 et seq.).

It is the policy of this facility that food services shall provide youths 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.

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.

**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 Director, 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 food services supervisory staff to ensure adherence to established daily servings.



Copies of menus, foods purchased, annual reviews, and quarterly evaluations should be maintained by the food services manager in accordance with established records retention schedules (15 CCR 1463).

Menus readily available and posted on every living unit for the youth.

### **RELIGIOUS DIETS**

The food services manager, to the extent reasonably practicable, will provide special diets for youths in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA) (15 CCR 1372).

### **FOOD SERVICES REQUIREMENTS**

All reasonable efforts shall be made to protect youths from food-borne illness. Staff and youth shall adhere to sanitation and food storage practices. Youth shall be cleared by medical screening prior to handling food.

In the event that the youth food supply drops below that which is needed to provide meals for two days, the Director or the authorized designee shall purchase food from wholesale or retail outlets to maintain at least a four-day supply during the emergency.

See Procedures Manual on Meal Services for further information.



**SAN MATEO COUNTY  
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**ARTICLE 11  
Bedding and Linen  
§1500, 1501, & 1502**

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**Topic                    Bedding and Linen Exchange**

**Policy**                Staff shall issue clean bedding, linens and mattress to all youth who are expected to remain overnight in the facility. All youth may exchange bedding and linens on a weekly basis.

**1500. Standard Bedding and Linen Issue.**

Clean laundered, suitable bedding and linens, in good repair, shall be provided for each youth entering a living area who is expected to remain overnight, shall include, but not be limited to:

- a. one mattress or mattress-pillow combination which meets the requirements of Section 1502 of these regulations.
- b. one pillow and a pillowcase.
- c. one mattress cover and a sheet or two sheets.
- d. one towel; and,
- e. one blanket or more, upon request. Depending upon climatic conditions.

**1501 BEDDING AND LINEN EXCHANGE**

Staff shall allow youth to exchange towels daily. Youth shall be allowed to exchange sheets, mattress covers, and pillowcases at least once per week. Staff shall allow youth to exchange bedsheets or blankets at least once per week.

Staff shall allow youth who soil their bedding to exchange their linen more frequently as appropriate. Policies and procedures regarding the handling of linen soiled with body fluids, vermin, or potentially infectious agents are contained in Section 1483, Clothing, Bedding, and Linen Supply.

Staff may remove the bedding of a youth who presents a danger to themselves pending a mental health consultation. Staff shall follow the directives of mental health staff regarding the provision of bedding to youth with suicide precautions

## **1502 MATTRESSES**

One clean, firm, nontoxic fire-retardant mattress will be issued to each youth. 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.

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). Staff shall ensure that youth mattresses are cleaned and disinfected according to the product recommendations.

Staff shall consider what mattress type is suitable for pregnant youth or youth with other medical-related needs (15 CCR 1483).

Linen exchange shall occur at least weekly. (15 CCR 1501). Towel exchange shall occur daily.



**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 12  
Facility Sanitation and Safety  
§1510**

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**Topic**                    **Facility Sanitation, Safety, and Maintenance**

**Policy**                    This policy establishes a site-specific plan 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). The plan provides for a regular schedule of housekeeping tasks, equipment, including restraint devices, and physical plant maintenance and inspections to identify and correct unsanitary or unsafe conditions or work practices in a timely manner.

**1510.1 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).

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.

The use of chemicals shall be done in accordance with the product label and Safety Data Sheet. Safety Data Sheet will be updated and provided by the Housekeeping Department.

**1510.2 INSPECTIONS**

Compliance officer shall meet with Risk Management annually to inspect the Facility for any safety concerns.

Each Institutions Services Manager (ISM) is responsible for a facility or unit within a facility and shall inspect their area of control every week to inspect for cleanliness, safety, and organization.

If staff discover an issue which requires routine or emergency repair to the facility or equipment, they shall immediately contact the ISM Compliance Officer or authorized designee. For emergency repairs or service, staff should contact the Department of Public

Works (DPW)

Personal Protection Equipment (PPE) items on the living units such as Germ Kits, Biohazardous suites, AED's and Emergency Kits are inspected monthly by the Compliance Officer or the authorized designee.

### **1510.3 SANITATION SCHEDULE**

The daily, weekly, and monthly cleaning schedule of the facility shall be as follows:

1. Daily cleaning:
  - a. Sweep and then wet mop the entire juvenile facilities floor
  - b. Clean all housing areas
  - c. Empty all trash receptacles
  - d. Clean all toilets and sinks
  - e. Clean all showers
  
2. Weekly cleaning:
  - a. Dust bars and window ledges
  - b. Clean air conditioning/heating grates
  - c. Clean mattresses (mattresses are also to be cleaned prior to being issued to a new youth)
  - d. Pour water down floor drains to test for flow
  
3. Monthly cleaning:
  - a. Walls
  - b. Ceilings
  - c. Bunk pans

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.

### **1510.4 MEDICAL DEPARTMENT**

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).



**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 12  
Facility Sanitation and Safety  
§1511**

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**Topic                      Smoke Free Environment**

**Policy**                      This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty in a juvenile facility. (15 CCR 1511). The use of tobacco products within County facilities or vehicles is prohibited.

Staff shall ensure that youth detained in a juvenile facility shall not be exposed to the use of tobacco products. For the purpose of this policy, smoking and tobacco use includes, but is not limited to, any tobacco 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.

Staff shall not smoke or use tobacco products in County facilities or vehicles.

Staff shall only smoke during breaks and in designated areas.



**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 12  
§1512**

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**Topic                      Central Control**

**Policy**                      It is the policy of this facility 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.

**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). Their oversight is maintained by the use of CCTV.

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.

The Control Staff is responsible for authorizing, controlling, and monitoring all movements within the facility. They have several additional responsibilities, all of which are performed with the care necessary to ensure the facility remains safe and secure. Much of their control is dependent upon the use of the Control Monitor, which provides a thorough and complete overview of the entire facility. By using the Control Monitor they are able to open and close all doors, acknowledge all duress alarms, as well as monitor all movements in and out of the individual units, and secure perimeter.

**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.

See the Procedures Manual on Central Control for additional guidance.