**Olen Underwood Juvenile Justice Center**



**Have a Good Day!**

**The Choice is YOURS!**

**-Anonymous**

# JUVENILE DETENTION CENTER AND

**CONROE I.S.D. CAMPUS #201**

**Resident Handbook**

Rev. Feb 1989 Rev. May 2000 Rev. Dec 2012

Mar1989 May 2001 Jan 2014

Apr 1990 July 2002 Feb 2015

Mar 1991 Sep 2003 Sept 2016

May 1992 Mar 2004 July 2017

Mar 1993 Dec 2004 April2018

Mar 1994 Jan 2005 Oct 2018

Apr 1995 Nov 2006

Mar 1996 Apr 2007

Mar 1997 July 2009

Nov 1997 Aug 2010

Aug 1998 July 2011

Aug 1999 Dec 2011

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#### INTRODUCTION

The resident handbook has been created for your benefit in order to help you adjust during your stay in detention. You are required to read the resident handbook and will be held accountable for learning the information contained in it. If at any time you are uncertain of your expectations, you should consult with a staff member in order to receive clarification on any misunderstandings. Remember we are here to assist you in having a positive and productive learning experience while here in detention.

The reason you have been detained is because you have allegedly committed either a violation of the law and/or violated a juvenile court order. There may be other factors or concerns that affected the decision to detain you. Your county will assign a Juvenile Probation Officer (JPO) to serve as your caseworker.

If you are from Montgomery County a JPO will visit or call while you are in detention to check on how you are doing and to discuss the Department’s recommendations concerning your case. You can submit a Request to a Montgomery County Juvenile Probation Department Employee form to request to see your Montgomery County caseworker while you are in detention. All Request to a Montgomery County Juvenile Probation Department Employee forms are delivered within 1 work day of being placed in the mail system. Forms are available to you to make your request to see a Montgomery County JPO. Remember that your case is one of many they have been assigned. Your JPO will try to call or visit you at least once each week.

If you are from another county your JPO may not come to the detention center to visit you. They often call to check on you while you are at the detention center and they receive reports concerning your behavior. You are allowed to receive phone calls from your JPO and you can write to him/her using the U.S. Postal System. If you do not know your, out-of-county, JPO’s address you can request it from the Assistant Deputy Director of Detention by sending him a Request to a Montgomery County Juvenile Probation Department Employee form. You are allowed to receive visits from your out-of-county JPO if your JPO decides to come visit you.

If you are from Montgomery County you will have an initial detention hearing within 2 working days of being admitted to detention. If, at your initial detention hearing, it is determined that you will be detained, you will receive a subsequent detention hearing within 10 working days. Residents from counties that do not have a detention center will have a subsequent detention hearing within 15 working days. These subsequent detention hearings are repeated at the same intervals until you are released from detention or your case is disposed of.

If you are detained at your initial detention hearing you must to be represented by an attorney at subsequent hearings. Your family can hire an attorney or an attorney may be appointed to represent you if your parent(s) or guardian(s) cannot afford to hire one. If your family meets the criteria to qualify for an appointed attorney you will be assigned an attorney by the court. Your parent(s) or guardian(s) will be notified and required to attend all of your hearings. A guardian ad litem may be appointed for you if your parents do not appear in court or to protect your interests.

Upon being detained every resident will have a MAYSI (evaluation) performed within 2 hours by a departmental counselor or a designee. This is a screening instrument used to determine if further evaluation is warranted in areas such as alcohol/drug use, suicide ideation, depression, etc.

After being detained you will have the opportunity to make 1-5 minute phone call to your parent, guardian, or attorney during the orientation process. You will be given the opportunity to contact your attorney while you are in detention. Your attorney can visit or call you at any time while you are in detention.

Your first responsibility in detention is to familiarize yourself with the resident handbook in order to understand and comply with all rules, procedures, and expectations of the detention center. Your behavior while in detention can have an impact on the outcome of your case. You should seek to achieve and maintain Senior or Honor Level. The level you are on will be reported to the court each time you have a hearing. You will be expected to make a positive effort to become involved in all aspects of the program and you will be encouraged to have a positive and productive experience during your stay in detention.

## JUVENILE DEPARTMENT STAFF

While in detention you will come in contact with numerous staff members. The following is a list of staff members, their positions held, and a brief description of their responsibilities.

Director- Mr. Bruce Gusler manages and oversees the entire juvenile department and all staff to ensure that the department is in compliance with TJJD and PREA standards and county and departmental policies and procedures.

Deputy Director- Mr. Josh Henry manages and oversees the entire juvenile department and all staff, including directly supervising the Assistant Deputy Director for Probation, the Assistant Deputy Director for the Juvenile Justice Alternative Education Program (JJAEP), the Assistant Deputy Director for Detention, the Medical Department, the Counseling Unit Supervisor, the Training and Human Resource Department and the Maintenance Department. As Deputy Director he ensures the department and all units are in compliance with all TJJD and PREA standards, departmental policies and procedures and operate accordingly on a daily basis.

* Counseling Unit Supervisor- Mrs. Susan Badger supervises the Department’s counselors who perform assessments and conduct group and individual counseling for residents attending the JJAEP, in Detention, and juveniles who are not in detention but are subject to the authority of the Juvenile Court.
* Quality Assurance Supervisor- Mr. Derek Henderson is the agency’s PREA Coordinator and ensures the detention facility is in full compliance with all TJJD and PREA standards.
* Medical Unit- The Detention Medical staff includes a contract doctor, a nurse, and a registered medical assistant. Nurse Rosemary Bonner and Certified Nursing Assistant Monica Sandoval provide on-site medical and health care services for residents while in detention.
* Maintenance Department- Mr. Todd Cox provides preventive maintenance and repair for all Department facility grounds and buildings.

Assistant Deputy Director for Probation- Mrs. Heather Williams directly supervises the supervisors over the Intake, Field sections of Casework and The Court Unit.

* Intake Supervisor- Ms. Lisa Emshoff directly supervises all Juvenile Probation Officers assigned to the Casework-Intake Section to ensure they are in compliance with all TJJD standards and departmental policies and procedures. Intake Services conducts intake and social history interviews that assist them in developing recommendations to the juvenile prosecutors and ultimately to the court regarding the outcome of your case.
* Court Unit- Mrs. Amy Cullen is the department’s Court Liaison Officer and Ms. Celia Contreras is the department’s Juvenile Records Coordinator. Their duties are to coordinate court appearances, represent the Department during court, and record all court actions. If you are appointed an attorney by the court it will be from the Law Offices of Chris Allen and Bill Pattillo—(936) 539-5522
* Field Supervisor- Ms. Carrie Yanez directly supervises all Juvenile Probation Officers assigned to Casework-Field Services Section to ensure they are in compliance with all TJJD standards and departmental policies and procedures. The Juvenile Probation Officers assigned to Field Services supervise juveniles who have been placed on probation or some other form of supervision by order of the Juvenile Court. Officers assigned to Field Services act as an extension of The Court to assure those placed under court ordered supervision comply with all of their court ordered requirements. This supervision extends to the clients home, school, counseling/program requirements and/or placement.

Assistant Deputy Director for the Juvenile Justice Alternative Education Program (J.J.A.E.P.)- Ms. Joanna Rodriguez directly supervises all staff assigned to the J.J.A.E.P., the daily operation of the J.J.A.E.P, and the students who have been expelled from their Montgomery County school district who must attend school at the J.J.A.E.P.

Assistant Deputy Director for Detention- Mr. Tony Patterson directly supervises all detention Shift Supervisors and Juvenile Supervision/Probation Officers in the daily operation of the facility and ensures that they are in compliance with all TJJD standards and departmental policies and procedures.

* Detention Shift Supervisors– Mr. Joseph Bailey, Mr. Lance Fenske, Mr. Irving Gonzales, Mr. Samuel Rivera, and Mr. Avery Thompson directly supervise all Juvenile Supervision/Probation Officers assigned to their detention shifts in order to ensure that the facility is in compliance with all TJJD standards and departmental policies and procedures. Ms. Pamela Mills serves as the Administrative Assistant to Detention Management.
* Juvenile Supervision Officers/Juvenile Probation Officers assigned to Detention- Staff who monitor your behavior while you are in detention and provide feedback to your assigned Intake or Field Juvenile Probation Officer, the Juvenile Prosecutors, and the Court. They supervise all residents, oversee daily operations, and assist in all aspects of programming concerning the detention center. They also make disciplinary recommendations to detention supervisors and ensure the safety and security of the Detention Center is maintained.

Conroe Independent School District Campus #201 Principal- Principal Jeff Eldridge supervises all academic instruction at the Juvenile Justice Alternative Education Program and at the Juvenile Detention Center. All teachers are employed by the Conroe Independent School District.

1. RESIDENT RIGHTS AND RESPONSIBILITIES

You will need to become familiar with the resident’s rights and responsibilities. If at any time you feel your rights have been violated, you can follow the guidelines of the grievance process. Likewise, if for any reason you fail to comply or accept your responsibilities, you may be in violation of the rules of detention and will be subject to disciplinary actions.

Resident’s Rights:

(1) The Montgomery County Juvenile Detention Center strictly prohibits any type of sexual conduct (youth-on-youth, staff-on-youth, youth-on-staff), and the facility adheres to a ZERO TOLERANCE policy regarding sexual abuse and sexual harassment in accordance with the Prison Rape Elimination Act (PREA) of 2003.

(2) Illegal Discrimination- Residents shall not be subjected to discrimination based on race, national origin, religion, sex, sexual orientation, gender identity, or disability.

(3) Supervision-Residents shall not be subjected to supervision and control by other residents.

(4) Medical, Mental Health, and Dental Services- Residents have the right to referrals to medical, mental health, and dental services, either self-reported or identified by staff. For more information on medical and mental health services, refer to pages 21-22 of this Handbook.

(4) Legal Counsel-Residents have the right to confidential contact with attorneys through telephone, uncensored letters, and personal visits. You can write to your attorney as frequently as you wish.

(5) Work-Residents may not be required to work unless the activity is related to general housekeeping or as required by a court order for community service restitution. Residents will be provided with appropriate tools, cleaning implements, clothing, a safe working environment and the necessary supervision to safely and effectively complete their assignments. Work will not be imposed as a disciplinary sanction. Residents will be excused or temporarily excused from work if medically necessary.

(6) Visitation and Communication-Residents are allowed visitation by a parent, legal guardian or custodian at least once a week for at least thirty minutes. Restrictions on a resident’s visitation rights shall not be imposed as a disciplinary sanction. Residents have the right to receive visitors and to communicate and correspond subject only to the limitations necessary to maintain facility security and control.

(7) Telephone-Residents shall be provided the opportunity for a least one five minute phone call once a week. Restrictions on a resident’s telephone usage shall not be imposed as a disciplinary sanction. However, a resident who is serving a Disciplinary Seclusion on the day and time of their allotted phone call forfeits their phone call opportunity.

(8) Use of Medication-Except upon the order of a physician, dentist, or nurse practitioner no stimulant, tranquilizer, or psychotropic drug shall be administered to residents. This facility will not dispense any prescription medication to a resident unless the medication is ordered by a licensed physician and has not expired.

(9) Experimentation-Participation by residents in medical, pharmaceutical, psychological, or cosmetic experiments is prohibited.

(10) Grievances-The facility shall have a written grievance procedure with at least one level of appeal. Residents shall have full access to the facility’s grievance process including forms and methods of submission. Staff members shall not deny a resident the opportunity to submit a grievance upon request, unless it would interfere with safety and security or is during non-program hours.

(11) Religion-Residents may participate in religious services and religious counseling voluntarily, subject to the limitations necessary to maintain facility security and control.

(12) Treatment and Safety-Residents shall not be subjected to abuse, exploitation or neglect as defined in Chapter 261, Texas Family Code.

Resident’s Responsibilities:

All residents will be held accountable for following all detention rules, emergency procedures, guidelines, and program schedules while in detention.

(1) Residents will not discriminate against other juveniles, staff, or use any offensive language or behave in a manner, which would imply prejudice or discrimination.

(2) Residents will help clean sections of the facility that are used by the residents.

(3) Residents are responsible for asking for medical and dental care as needed.

(4) Residents will conduct themselves appropriately and properly during all visits and will not violate any laws through the mail.

(5) Residents will report any infringements of their rights to detention staff.

(6) Residents will maintain acceptable hygiene levels at all times.

(7) Residents will follow the grievance process and report any improper actions taken against them by staff or other juveniles to a detention supervisor or the Assistant Deputy Director of detention.

(8) Residents will use the grievance process to address circumstances or actions they consider to be unjust and grounds for complaint or resentment.

(9) Residents will not discuss any of their past or present offenses with any resident or staff.

Confidentiality:

Staff will maintain confidentiality of all information and records about you and other juveniles referred to our department in accordance with the Texas Family Code. This confidentiality continues after you leave this facility.

1. THE LEVEL SYSTEM

The Montgomery County Juvenile Detention Center operates on a level system that monitors and records your behavior while you are in the Detention Center. Your behavior in detention and your level are reported to the court and can influence the court’s decision regarding how long you remain in detention. Maintaining good behavior and achieving the highest possible level while you are in detention can help you get released from detention. Not following the Detention Center’s rules or exhibiting bad behavior while you are here can cause you to stay in detention longer and can make the outcome of your pending case worse. If you cannot follow the rules of the Detention Center the court may not feel you can be trusted to follow court orders and release requirements. Your behavior is also reported to your assigned Juvenile Probation Officer (JPO) so it can be considered when your JPO makes recommendations to the court. The court is advised of your level on the day you go to court. The level system is designed to help you understand that there are rewards for positive behavior and consequences for negative behavior. In the Detention Center, as in life, there are bad consequences for bad choices. It is in your best interest to only have good reports go to the court and your JPO about your behavior in the Detention Center.

As you are promoted to higher levels you will be rewarded with an increase in privileges. Positive behaviors are encouraged and rewarded in addition to your JPO and the court receiving positive reports about you. You are encouraged to evaluate your behavior to determine the personal goals you will need to achieve in order to successfully progress through the level system. This system allows you to take full responsibility for your own behavior and actions.

The level system is a point based system. You can earn points due to positive behavior or have them withheld due to unacceptable or poor behavior. You will not be awarded points if you have not earned them. You will be advised of your point total(s) at approx. 2:30pm on the 7:00am-3:00pm shift and again at 9:00pm on the 3:00pm-11:00pm shift.

On weekdays you can earn points for: On Saturday or Sunday you can earn points for

wake up(2 points), wake up(2 points),

cleaning your room(2 points), cleaning your room(2 points),

goals and self-evaluation(4 points), goals and self-evaluation(4 points),

routine chores(2 points), routine chores(2 points),

meal times(4 points) meal times(4 points),

programming (3 points), programming (3 points),

recreation(5 points), recreation(5 points),

free time(3 points), free time(6 points),

group project(2) group project (2 points),

shower time(2 points), shower time(2 points),

bedtime(2 points), bedtime(2 points)

communication(10 points), communication(10 points),

responsibility(10 points), and responsibility(10 points), and

extra duties you perform(8 points) extra duties you perform(8 points)

group rap(2 points) group rap(2 points)

academics(3 points) Daily Total-64 points

Daily Total-64 points

The following is a description of each level, the expectations of that level, and the privileges you can receive while on that level.

Freshman level (0-47 points)

* Newly received and residents who have been demoted to Freshman level (F) begin an 8 day progression (F1-F8) to Junior level on their first program day as a Freshman. A new resident entering the program begins as a F1 level (no matter the time of entry). If a new resident is unable to earn at least 48 points for the entire day, he/she will begin the following day as a F1 again. If a resident makes Freshman level points, receives a disciplinary seclusion, safety-based seclusion or withdraws from program he/she will immediately be dropped to Freshman level (F) and will become F1 at 0700 hrs the next day.
* To progress through the 8 Freshman levels (F1-F8) you will need to earn at least 48 points for 8 consecutive days. If you do not earn at least 48 points you will immediately drop back to F and have to start the 8 day progression over beginning at F1 at the start of the next day.
* You will be demoted to Freshman level (F) if after having been promoted to Junior level or higher you earn less than Junior level points (48 points), receive a disciplinary seclusion, safety-based seclusion, or withdraw from the program.
* After being demoted to Freshman level (F) you will begin the 8 day progression the first full day you are on Freshman level (beginning at F1).

You should learn the following behaviors that are expected of all residents:

Expected Behaviors for All Residents:

As a resident of the Montgomery County Juvenile Detention Center I will:

1. Wake at first call, make my bed, and be prepared for morning inspections,
2. Clean my room and help clean the facility,
3. Have good behavior while in my room,
4. Maintain proper personal hygiene and grooming,
5. Complete my goals for the day,
6. Listen to staff and follow their instructions,
7. Fully Participate in the program,
8. Not speak unless I have raised my hand and have been recognized by staff,
9. Follow all general and specific area rules,
10. Use equipment, materials, and supplies only as directed,
11. Use the grievance process to address circumstances with grounds for complaint,
12. Avoid negative behavior to include horseplay,
13. Conduct myself appropriately during visits or when away from the facility,
14. Avoid any behavior that constitutes a threat to self, other residents, or staff,
15. Report improper actions taken by other juveniles or staff,
16. Request medical or dental care when needed,
17. Be honest and show respect for others,
18. Avoid any type of confrontation with staff or peers,
19. Not discuss past or present offenses with residents or staff,
20. Not discriminate against others and not use profanity.

You can take the Junior Test on what should be the 8th consecutive day you have been a Freshman and have earned 48 points or more on each of those days. You will take the Junior test on the 3 PM-11 PM shift. You must pass the Junior Test before you can become a Junior. If you do not pass the test you will remain on Freshman level (F8) until you pass the test, you earn less than 48 points, receive a Disciplinary Seclusion, safety-based seclusion or withdraw from program. As long as you continue to receive 48 points or more you will be allowed to retake the Junior Test each day until you pass it or get released from detention.

* If you fail to earn 48 points or better before passing the Junior Test or you are placed in disciplinary seclusionor safety-based seclusion you will have to start over at F1 and begin the 8 day progression again.
* Privileges you may receive while on Freshman level include:
* Reading books, dayroom activities
* Educational television
* Access to board games and cards
* 1-30 minute visit with 2 adults or 2-30 minute visits with one adult (cannot be the same person) each week. The day you visit depends on the first letter of your last name
* 5 minute showers
* 1-5 minute phone call on Monday nights
* You will be allowed to mail 1 personal letter on Monday and 1 personal letter on Wednesday to anyone you wish unless it violates another mail rule or the facility Rules of Separation
* Freshman level residents will be last in line for any activity or benefit

Junior Level (48-53 points)

* Residents will be eligible to advance to Junior level after displaying Junior level behavior and

earning Junior level points (48 or more) for a minimum of 8 consecutive days

* By having passed the Junior Test with a minimum score of 90 or better
* To progress through the 4 Junior levels (J1-J4) you will need to earn at least 54 points for 4 consecutive days. If you earn 48 to 53 points you will be a J1 the next day. If you do not earn at least 48 points you will drop back to F1 and start the 8 day Freshman progression over
* While on Junior level you will be expected to comply with all of the Expected Behaviors for Advanced Residents. These behaviors are listed below

Expected Behaviors for Advanced Residents (Jr., Sr., Honor)

1. Follow all directions and instructions at first call,
2. Know and follow all rules without reminders,
3. Complete all assigned tasks without delay,
4. Display good sportsmanship,
5. Utilize the grievance process appropriately,
6. Anticipate and be prepared for each activity,
7. Meet all program requirements and expectations,
8. Inform staff of unsafe or unhealthy conditions,
9. Display appropriate manners and courtesy to others at all times,
10. Display a caring attitude toward peers and staff,
11. Set an example for other residents by meeting all Expected Behaviors,
12. Assist new residents to learn facility rules and expected behaviors,
13. Assist new residents assigned to shadow me to practice facility rules and expectations,
14. Volunteer to help clean, lead exercises at recreation and serve as a mentor to new residents,
15. Strive to make good grades when school is in session,
16. Maintain a positive attitude and encourage positive peer interaction,
17. Make a positive contribution to the quality of life in your housing area,
18. Ensure that all games, equipment, and materials are accounted for and stored away,
19. Seek and accept counseling on personal problems,
20. Be a leader in your pod

Privileges you may receive while on Junior level will include:

* + All Freshman level privileges
  + 1 -10 minute phone call on Monday night, and
  + 1 -10 minute phone call on Wednesday night
* You will be allowed to mail 1 letter on Monday, 1 letter on Wednesday, and 1 letter on Friday to anyone you wish unless it violates another mail rule or the facility Rules of Separation
  + Junior level residents will be next to last in line for any activity or benefit

Senior Level (54-64 points)

* You must attain Junior level prior to advancing to Senior level
* To earn Senior level you must actively participate in the program in a positive manner
* You will be eligible to move to senior level after displaying Senior level behavior (earning 54 points or more as a Junior level, J1-J4) for a minimum of 4 consecutive days
* While on Senior level, if you earn 48 to 53 pointes you will be demoted to a J1 level the next day and have to start the Junior level process over again.
* While on Senior level, if you earn 54 to 57 points you will be a S1 the next day.

Privileges you may receive while on Senior level include:

* + All Freshman and Junior level privileges
  + Allowed to request a haircut (must request approval from your assigned JPO)
  + Access to TV and movies during Senior Time and on weekends
  + Leading exercises during recreation
  + Passing out shoes at recreation
  + You will be allowed up to five approved pictures in your room
  + 1-15 minute or 2-5 minute phone calls on Monday night
  + 1-15 minute or 2-5 minute phone calls on Wednesday night
  + 1-15 minute or 2-5 minute phone calls on Friday night
* You will be allowed to mail 1 personal letter per day (any day including weekends) to anyone you wish unless it violates another mail rule or the facility Rules of Separation
  + Access to old dayroom/radio during Senior Time on your pod’s allotted day to do so
  + Extra recreation during Senior Time
  + Second in line for any activity or benefit behind HONOR level residents
  + Allowed to possess a rubber band for your hair
  + Girls are allowed to use hair conditioner according to the hygiene policy on Tuesday, Thursday and Saturday during showers
  + Girls are allowed to shave according to the hygiene policy on Sunday during showers.
  + Boys are allowed to shave according to the hygiene policy on Wednesday and Friday at shower time or the night before you are to appear in court
  + It is the resident’s responsibility to request permission from staff to shave PRIOR to the shower process beginning
  + Allowed to earn extra points before Freshman and Juniors
* 1 one-hour visit with 2 adults or 2 one-hour visits with one adult (cannot be the same person) each weekend. The day you visit depends on the first letter of your last name
  + You will be allowed to shower for 8 minutes
  + You will be allowed to take 1 personal religious book or a book of your choice into your room
  + You will be allowed to lie down when in your room during shift change and breaks (On top of made bed. Sleeping is not allowed)
  + You will be allowed access to board games, cards, and dominos
  + You will be allowed to draw (no gang related drawings) during Senior Time. All drawings must be approved, signed, and dated by staff

Senior level is not automatically granted. Any staff member including the officers working in your housing area, your teachers, and your assigned juvenile probation officer can protest your promotion to Senior level by submitting a written statement to the Assistant Deputy Director of Detention that includes an explanation of why they feel that you have not met the expectations of a Senior level resident. An example of a legitimate reason for a protest would be if you have an extensive history of misconduct. The final decision on a protest will be decided by the Assistant Deputy Director of Detention. When a protest is upheld additional requirements may be imposed to allow a resident to progress to Senior level.

HONOR Level

* HONOR level is reserved for residents who make a significant contribution to life in their housing area, in school, and in all other aspects of the Detention Center Program
* HONOR level candidates must be exemplarily in their treatment of other residents and staff
* They must demonstrate leadership traits and set a standard for all other residents
* HONOR level is reserved for residents who have displayed exceptional Senior level behavior for a minimum of 30 consecutive days while in detention and meets the following requirements
* A resident seeking promotion to HONOR level is required to write an essay and submit it to the Assistant Deputy Director of Detention
  + The paper should explain problems the resident identifies in his/her life and what he/she intends to do to overcome those problems
  + The paper should describe goals the resident has for his/her life and how he/she intends to achieve those goals
  + The HONOR level candidate must detail what positive contributions he/she has made to life in their housing area, school, and in other aspects of the Program since being detained
* The resident must obtain signatures of approval from every officer that has worked on the resident’s pod during a 7 day period beginning on a Saturday at 07:00 A.M. and ending at 07:00 A.M. the following Saturday
* A resident seeking HONOR level must obtain the signature of his/her teachers to indicate that the resident is completing assignments in a timely manner and participating well in class. This recommendation must be submitted to the Assistant Deputy Director of Detention
* The resident must obtain the recommendation of his/her assigned juvenile probation officer to indicate that the resident is cooperating fully with the Department and is seeking to make positive changes in his/her life
* An interview will be scheduled if the resident’s submissions to the Assistant Deputy Director of Detention

are deemed sufficient. The resident must interview for advancement to Honor level

* Any resident obtaining HONOR level status must continue to earn a minimum of 58 points daily
* All the same level demotions are the same for Honor and Senior level
* Any resident obtaining HONOR level status must display exceptional leadership, behavior, and follow all expectations and rules of the Detention Center without any reminders or warnings
* HONOR level privileges include:
  + All privileges afforded Senior level residents
  + Additional specific privileges may be requested by the HONOR level candidate
  + The Assistant Deputy Director of Detention may also approve additional privileges that have not been requested by the HONOR level candidate

HONOR level is the highest level a resident can attain. It is the most difficult level to achieve and maintain. A resident seeking this level must distinguish himself/herself as a leader and as a role model for other residents. A candidate for this level must succeed in meeting every requirement before this level is bestowed on him/her and then must prove that he/she is worthy of this distinction on a daily basis. You will not remain on this level unless you are prepared to give of yourself to those around you. This level is not about what you can receive but rather what you can become and what you can help others become.

Loss of Level

* If a resident is placed on disciplinary seclusion or safety-based seclusion, his/her level will automatically be dropped to F1
* Residents placed in their room for room restriction will not be automatically dropped to F1. They are subject to the loss of points that could affect their level.
* Any resident may lose their level at any time if they fail to earn the minimum amount of points for their level. The number of points you earn for that day will determine what level you are demoted to.
* If you earn less than 48 points, regardless of what level you are on, you will be demoted to Freshman level.
* If you are on Junior, Senior, **or** Honor Level and earn 48 to 53 points you will be demoted to J1.
* If you are on Senior **or** Honor Level and earn 54 to 57 points you will be demoted to S1.
* Any Senior **or** Honor level resident who does not earn enough required points to progress the following day, loses their allotted Senior/Honor time immediately for that particular day

1. **DAILY PROGRAM SCHEDULE**

The Detention Center consists of several designated housing areas. Each area operates on a daily schedule and receives the same amount of time allotted for each daily activity. Schedules for each housing area will vary only in the time an activity takes place. Upon being detained you will be assigned a room according to the facility classification plan. Males and females are housed in the Detention Center but there will be no interaction between male and female residents, unless approved by a judge, the Director, Deputy Director, Assistant Deputy Director of Detention, or a Detention Supervisor. Once you are placed on your designated housing area you will be advised of the daily schedules and routines for that area. Daily schedules and expectations are posted in each housing area and it is your responsibility to become familiar with, comply with, and fully participate in all aspects of the program. If you have any questions, concerns, or need clarification, you will need to consult with staff as soon as possible.

1. PROGRAM EXPECTATIONS

You are expected to actively participate in each program activity. Program hours begin at 6AM and end at

9:00PM each day, including weekends and holidays. During these hours you are expected to actively participate in the programming schedule of the facility and follow all facility rules. All residents must actively participate in all aspects of the program to progress through the level system unless they have been excused by medical personnel or staff. Failure to actively participate in any part of the program activities will result in disciplinary action taken against you which will include you being dropped to Freshman level to begin the level progression at F1 your next full day in the program. If your failure to actively participate in any program activity leads to disruption of the program, then this could be considered as a serious threat to facility safety and/or security. This could also result in you being placed in a room on disciplinary or safety-based seclusion. While on disciplinary seclusion a resident will not be allowed to participate in programmatic activities unless approved by a detention supervisor

1. GENERAL RULES
2. You are expected to follow all rules.
3. You are expected to listen to staff or volunteers and follow their instructions or directives.
4. You are expected to be honest with staff.
5. Do not exhibit or attempt to exhibit any behavior, talk, action, gesture, or display that relates to threats, fighting, physical contact, sexual activity, escape, gang related activity, or destructive acting out. These actions will not be tolerated.
6. Gang related activity of any kind is prohibited and is treated with Zero tolerance
7. There will be no harassing or bullying of other residents at any time.
8. You are expected to report any infractions of the rules, expectations, or any violations to detention staff.
9. Unauthorized communication including gestures, whispering, low talking, passing notes, or any attempt to communicate will not be tolerated.
10. Any detention or county issued property found in undesignated areas will be considered as contraband and the misuse of these items will be considered destruction of county property.
11. Do not slump or lean back in chairs or sit on top of any furniture or countertops. Both feet will remain on the ground at all times. Keep your feet off of the furniture and walls.
12. Do not climb, sit, lie, or stand on table tops, counters, desks, or any fixture.
13. Shoes must be worn at all times except while in your room.
14. Do not tap, beat, or bang on any furniture, doors, walls, floor, etc.
15. Sleeping is not allowed during program hours (6AM-9PM).
16. You may not trade or share any personal information such as pictures, phone numbers, addresses, or mail with any past or present resident.
17. Personal items including mail, legal papers, approved phone numbers, and attorney business cards can be kept in your assigned folder. Nothing in your folder should be sealed or hidden in any way. Items in your folder may be read by staff during folder searches for the purposes of facility safety and security only.
18. Items a resident is allowed to possess can be placed with the resident’s personal property by placing them in an unsealed envelope and placing it into the blue, locked, mailbox on the pod. All items being placed with the resident’s personal property will be searched.
19. While lining up you are expected to form a straight line according to your level. HONOR level residents will be at the front of the line followed by Seniors, Juniors, and Freshmen. All residents will be an arm length apart and your hands will be behind your back forming a diamond shape with your index fingers and thumbs. You will face forward, and remain quiet unless you are giving the appropriate head count as you pass through a doorway. A head count is to be given in a clear voice at a level that staff is able to clearly hear with no unnecessary inflections or tones.
20. There will be absolutely no communicating while in line, during movement between activities, or during emergency procedures. The only exception to this is when you count off as you pass through a doorway.
21. You will appropriately address staff as Mr., Ms., Sir, or Ma’am.
22. You will actively participate in all aspects of the program unless medically excused by the nurse.
23. Talk of any offense past or present is prohibited.
24. Residents are not allowed to touch doors, locks, windows, fences, etc. without staff’s permission.
25. Residents are not allowed to look into any control room, isolation room, or holding room.
26. Once seated you will remain seated unless you receive permission from staff to get up or move.
27. Residents must request permission before walking behind any staff.
28. All residents will speak in English at all times unless they do not speak any English.
29. Before speaking you will raise your hand and wait for staff to give you permission to speak.
30. Residents will be well behaved while attending court and when taken outside the Detention Center for medical and psychological appointments, placement visits, and other activities approved by the Department or the court.
31. You will abide by the facility Rules of Separation (located at the end of this handbook).
32. Failure to comply with any rules of the Detention Center could result in disciplinary action.
33. You will be fully dressed wearing your Department issued uniform at all times unless you have been instructed to change into bedroom attire or to prepare to shower.

You will be held accountable & fully responsible for

your actions & behavior while in detention!

1. SPECIFIC AREA RULES

Bedrooms and Bedtime

1. Appropriate bedroom/bedtime behavior will be displayed at all times while in your room.
2. Any Disciplinary Seclusion received after 8:00pm will automatically have twelve (12) hrs added to

confinement time that would normally be issued for a major rule violation.

3. No yelling, communicating, gesturing, cursing, making noise, beating, banging, sliding items under the door, or threatening others.

4. Any unauthorized item found, by staff, in your room, door bag, or hygiene packet will be considered contraband.

5. Any issued item or part of an item that is missing from your room, door bag, or hygiene packet will be considered lost and you will be subject to disciplinary action. This does not include items that are being used by the resident or that have been removed at the direction of staff.

6. It is your responsibility to keep your room clean and neat at all times.

7. Any misuse of clothing, bed linens, pillows, mattresses, toilet paper, hygiene supplies, and tagging of any items, etc. will be considered as damage or destruction of county property and the item may be removed.

8. Beds will be made using all linens and tucked neatly under your mattress.

9. Approved linens consist of up to 2 blankets, 1 fitted sheet, 1 flat sheet, 1 pillowcase, 1 face towel, and it is your responsibility to maintain these items at all times.

10. Only T-shirts, boxers, and blue shorts are allowed to be worn during bedtime.

11. Do not stand on your bunk or toilet at any time.

12. Sleeping/lying in room must occur on designated bunk. Do not get underneath your bunk, place mattress on floor or cover your head with any item unless instructed to do so by staff.

13. Standing at your door or being in your window is prohibited unless instructed to do so by staff.

14. All residents must be sitting on their bunks during A.M. inspection unless instructed otherwise by first shift staff or allowed due to your level.

15. Bedtime is determined by your level. You will be expected to have all items put away in their designated areas and be prepared for bed at your scheduled bedtime.

16. It is each resident’s responsibility to check his/her assigned room for contraband. If any contraband is found it is the resident’s responsibility to report this to staff and immediately give the contraband to a staff member. If contraband is found in your room, you can be charged with possessing contraband.

17. Residents are expected to wake up at first call and begin preparing to enter the program.

18. If you are placed in your room during program hours Freshmen and Juniors are required to sit on their bunk, fully dressed except for their shoes. Seniors and HONOR level residents may lie down on top of their made bunk, fully dressed except for their shoes. Sleeping is prohibited during program hours.

19. Do not attempt to overflow your toilet or sink.

20. Do not push the speaker button in your room unless you are responding to a staff question or it is for an emergency situation.

Dayroom

1. Only four residents are allowed at each table at a time, unless approved by staff.

2. You must receive permission from staff before participating in any activities.

3. Only staff will operate the TV, VCR, DVD, or any other equipment unless instructed otherwise.

4. There will be absolutely no climbing, sitting, or lying on tabletops, counters, or any other furniture other than your chair.

5. When picking up items such as chairs or game boards, do not raise them above your head without staff permission. Doing so may be interpreted as a threatening gesture.

6. There will be no slumping down or leaning back in your chairs, your feet will stay on the ground at all times. Keep your feet off the furniture and walls.

7. Return all items to their proper place as soon as you are finished using them.

8. Do not look into the control room at any time unless you receive permission from staff.

9. Remain seated at all times unless you receive permission from staff to get up or move.

10. You will raise your hand and be acknowledged by staff before speaking.

11. Residents will only be allowed to view approved channels on television at times designated for television viewing. The approved list of television channels is posted in the dayroom area. Occasionally individual television shows may be approved on other channels. These shows must be approved by the Director, Deputy Director, Assistant Deputy Director of Detention, or shift supervisor on the shift when the show is scheduled to begin. Staff will monitor all shows being watched and will change the channel if a show includes violence, nudity, gambling, inappropriate language, or any other content that might be considered inappropriate for juveniles to watch. The decision by staff to change a channel due to inappropriate content is final. Residents will not operate the television or its remote control.

12. Residents will only be allowed to watch movies that are rated G or PG. Movies with a higher rating must be approved by the supervisor on duty or the supervisor on call if there is not a supervisor on duty.

13. When using the telephone you will not tamper with the phone, hit the receiver against anything, or slam the receiver down to hang up. If a conversation becomes loud, inappropriate language being used and/or is disruptive to the program, your phone call may be terminated early and further disciplinary action may be imposed.

14. Do not touch any door and remove your shoes before entering your assigned room.

15. Residents are not authorized to enter any storeroom or any room other than their assigned room. You will not enter the shower area except at the direction and under the supervision of staff.

16. Any unauthorized item found in your folder, on your person, or under your control will be considered contraband. You will be subject to disciplinary action if you use, possess, or control any unauthorized item(s).

Classroom

1. If you have any questions or need help you must raise your hand.

2. Remain seated and quiet at all times unless instructed otherwise.

3. Only block lettering and standard cursive writing is allowed.

4. No trading of assigned books.

5. Sleeping in the classroom is prohibited. Behaviors that make it appear that you are sleeping such as nodding, closing your eyes, or laying your head on your desk, etc. will be considered sleeping.

6. Do not tap, beat, bang, or make unauthorized or excessive noise.

7. Only books issued by the teacher are allowed in class.

8. Restroom and water breaks are taken prior to class and at break time only.

9. There will be no drawing or doodling unless authorized by staff.

10. Non-school related questions are not allowed during class time.

11. Always turn in your pen/pencil before leaving class.

12. Only two sheets of paper are allowed at a time. Do not wad-up any paper.

13. Do not change any settings on the computer unless instructed to do so by the teacher.

14. Any violations concerning misuse of the computer will result in disciplinary action and may result in computer restriction for the remainder of your stay in detention.

15. You are expected to attend class every school day.

16. When picking up items such as chairs, do not raise them above your head without staff permission. Doing so may be interpreted as a threatening gesture.

17. Disrespect for your teacher or staff will not be tolerated.

18. You will not use, possess, or control any unauthorized item(s) during class.

Gym and Recreation

1. You are expected to fully participate in all recreation and PE activities unless the nurse medically excuses you. If you have been placed on restricted physical activity you will not participate in any physical activity that violates your restrictions.

2. You will be expected to show good sportsmanship at all times. Negative behavior will not be tolerated.

3. You will be expected to follow and comply with all rules of the games and activities assigned, as they are set-up for detention.

4. Shoes will be worn at all times.

5. You will be expected to use and care for all equipment and supplies properly and return them to their appropriate place when you are finished using them.

6. Water breaks and restroom breaks will be at staff’s discretion.

7. Residents on Senior or HONOR level will be afforded the first opportunity to lead exercises and assist with the storage closet.

8. All games, activities, and exercises will require staff approval.

9. Any type of horseplay is strictly prohibited.

10. There is to be no talking while sitting out or on the sidelines.

11. Staff is not allowed to participate in recreation or at PE times with residents.

12. Residents are not allowed to approach or touch any fence in the outdoor recreation area. Residents who get within 6 feet of any fence including interior fences without specific authorization from staff are subject to being disciplined and/or charged with attempted escape.

13. You will be provided the opportunity to shower after participating in strenuous exercise at the discretion of staff. When the morning recreation period is supervised by school staff, they will determine if some or all residents in the class need to shower following recreation. When showers are necessary, the morning recreation period will be reduced by 15 minutes to allow time to shower. Residents will be allowed 3 minutes to shower and will not change clothes after the shower.

Activity Time (Includes the following)

Free Time

1. Activities determined by the individual resident.
2. Staff permission is required before using any items and staff must approve all activities during this time.

Group Projects and Life Skills

1. A variety of activities will be assigned and presented to you during this time, and you are expected to fully participate in all activities during Group Projects and Life Skills.

2. You will work quietly on all projects.

3. You will fully cooperate with and be courteous to your peers and staff while working together on group projects.

4. Any negative or inappropriate behavior will not be tolerated.

Group Rap

1. This is a group discussion and everyone is encouraged to appropriately share their ideas, thoughts, concerns, opinions, and questions with the group. You are expected to fully participate in Group Rap.

2. You will raise your hand and be acknowledged by staff before speaking. Any outburst, rude, or inappropriate behavior will not be tolerated.

3. You will show respect to your peers and staff while they are speaking. They are expected to show the same respect to you when you speak.

4. You will be told how many points you received at the end of the 7 AM-3 PM and the 3 PM-11 PM shifts. If you have any concerns relating to your points they must be discussed with the appropriate staff member or supervisor only. Do not ask staff about any points received or deducted on other shifts.

5. Staff manipulation will not be tolerated.

6. Confidentiality rules apply during Group Rap time except that staff is required to report any information relating to abuse, neglect, or exploitation.

Pen Time

1. Pen time is a designated time to write letters, read books, complete any writing assignments, and/or take the Junior test.

2. You are responsible for the pen that is assigned to you. Do not damage or misuse it.

3. Drawing and doodling are prohibited at all times unless authorized by detention staff.

4. Talking is not allowed during pen time without staff’s permission.

5. Writing, drawing, tagging, or doodling on tables, countertops, walls, folders, envelopes, or in any area that has not been authorized will be considered destruction of county property and you will be disciplined accordingly. Additional charges may also be filed when county property is damaged.

Mealtimes

1. All meals will be eaten in the dayroom unless it is necessary for facility safety and security for residents to eat in their room.

2. Residents will not provide, accept, receive, take, trade, traffic, give, or pass food to/from another resident or residents.

3. All uneaten food will be discarded into the trashcan at the end of mealtime.

4. Staff must account for all eating utensils, dinner bags, and containers. You are responsible for the items that you have received. Do not throw any items away unless instructed to do so by staff.

5. Residents will be given a minimum of 10 minutes to eat from the time the last resident receiving a meal sits down to eat.

6. When lining up to receive a meal, residents will line up according to their level. HONOR level residents will be the first to receive their meals followed by Seniors, Juniors, and finally Freshmen.

7. There will be no talking during meal time.

Free Time/Senior Time/HONOR Time

1. Staff permission is required before using any items and staff must approve all activities during this time.

2. Residents are only allowed to participate in activities according to their current level.

3. Activities may include, but are not limited to, writing letters, reading books, watching TV, listening to the radio, or playing games with your peers and / or staff.

4. Seniors and HONOR Level residents may be allowed additional recreation time or access to the old dayroom if sufficient staff are available for adequate supervision.

5. Senior and HONOR Level residents may be allowed to draw during Senior Time. A staff member must approve, sign, and date any resident’s drawings. Gang related writing or drawing is not allowed and treated with zero tolerance.

Shower Time

1. You will use proper hygiene care and shower daily.

2. You will have access to your hygiene packet during wake-up and shower time only, and will be provided with the appropriate hygiene supplies as needed.

3. New hygiene products will be issued during shower time only on Mondays, Wednesdays, and Fridays.

4. If you are in need of new hygiene products you must first turn in your old or used item before receiving a new one from staff.

5. You will receive clean underclothing each day at shower time. Clean scrubs or jumpsuits will be issued on Mondays, Wednesdays, and Fridays.

6. Males and females who are on HONOR or Senior level may use razors during shower time only under the strict supervision of staff. All razors will be kept in the pod control room and all used razors will be discarded in the pod control room trash can immediately following their use. HONOR and Senior level residents are not required to shave but those who elect to shave must do so according to the Detention Center’s hygiene policy. Males electing to shave must shave all facial hair and sideburns must not extend below the middle of the ear. Females electing to shave must shave under arms and legs only. Shaving the area of the body normally covered when wearing gym shorts is not authorized. Violators of these rules will no longer be allowed to shave and will be subject to disciplinary action.

7. You will use soap each time you shower.

8. Showers are to be taken as quickly as possible in an appropriate manner. Freshmen and Juniors will be allowed 5 minutes to shower. Seniors and HONOR level residents will be allowed 8 minutes to shower. Any type of horseplay is strictly prohibited and will not be tolerated.

9. Upon completion of your shower you are responsible for: placing all dirty laundry in the laundry basket, wiping down and cleaning the shower area, and returning to your room in a quiet and orderly fashion.

10. Shoes must be worn during shower time.

11. All bedroom and bedtime rules will apply during shower time.

12. When showers are allowed after morning recreation or after participating in strenuous exercise, residents will be allowed 5 minutes to rinse off and they will not change clothing after the shower. Staff will determine who will be allowed to shower after recreation. The time allowed for morning recreation will be reduced when staff determines that showers are necessary. When the morning recreation period is supervised by school staff, the supervising school staff member will determine if some or all residents in the class need to shower following recreation.

All detention rules will apply to specific program areas. Any violation of these rules will result in loss of points, loss of level, disciplinary action, or possible criminal prosecution.

Room Restriction/Resident-Initiated Separation/Safety-Based and Disciplinary Seclusion

1. When you are removed from the program by, room restriction, resident-initiated separation, safety-based or disciplinary seclusion you are expected to maintain good behavior in your room.
2. You are expected to participate in the program. You subject yourself to disciplinary action if you withdraw from the program.
3. When you are placed on room restriction, staff will counsel you to determine when you can return to the program. You should listen to what they say to you.
4. Being placed on room restriction does not automatically cause you to lose your level. You are subject to having points withheld for misbehavior that could result in the loss of your level if you lose too many points.
5. If you are placed on room restriction your attitude assists in determining the end of the restriction period. Room restriction can be terminated upon staff determining that the resident can act appropriately in the detention program. Receiving a verbal commitment that the resident will act appropriately is an important factor when making that determination.
6. If you receive a safety-based or disciplinary seclusion you will lose your level and will be demoted to Freshman level. The length of your seclusion may be influenced by the behavior that caused your confinement, your disciplinary history, and your behavior during your disciplinary seclusion.
7. If you misbehave and earn a major infraction while serving a disciplinary seclusion, you may receive additional Disciplinary Seclusions for each major infraction proved through a disciplinary review by a supervisor.
8. Bedrooms and Bedtime Specific Program Area Rules apply while you are on, room restriction, resident-initiated separation, safety-based or disciplinary seclusion.
9. PHONE CALLS

Residents will only be allowed to call approved individuals who have been placed on their approved phone list by their assigned probation officer. Phone calls will be made on Monday, Wednesday, and Friday between 5:30 PM and 8:30 PM. Frequency and length of calls will be determined by the resident’s current level. You will be eligible to make at least one phone call per week.

1. VISITATION POLICY

Visitation is a privilege and visitation with parents or legal guardians is encouraged. You will also be allowed to visit with your attorney, caseworker, clergy, or counselor. All visitors must be approved by your assigned probation officer or supervisory staff and be placed on your approved visitation list. All visitors must provide positive identification before being allowed to visit. Visitation is intended to be with parents or legal guardians.

The length of a resident’s visit with parent(s) or guardian(s) is determined by the resident’s current level. Freshmen and Junior level residents will be allowed to visit 2 adults (21 years old or older) for 30 minutes and Seniors and Honor level residents will be allowed to visit 2 adults (21 years old or older) for 1 hour. The 2 adult visitors can come at separate times on the same day or they can visit together. Visits with children are not allowed. Any items accepted or passed during visits will be considered contraband and you will be subject to disciplinary action that could include having your visitation privileges terminated for the remainder of your stay in detention. Visitation will be held on Saturdays and Sundays from 8:00 AM to 7:00 PM. Residents whose last name begins with A–L will visit on Saturdays and residents whose last name begins with M-Z will visit on Sundays. All residents will be strip searched after each visit. Any violation of these policies could result in termination of your visitation privileges. Weekend visitation is reserved for parents and guardians. Other visitors are encouraged to visit on weekdays and should call before coming to visit. Attorneys may visit at any time.

1. RESIDENT GRIEVANCE PROCEDURE

Problems can arise between residents or between a resident and a staff member. When the problem is between two residents you should make a staff member aware of the situation. Often the staff member can discuss the situation with you and the other resident to resolve the problem. When the problem is with a staff member you should discuss it with the staff member and attempt to understand the situation and resolve it between the two of you. Each staff member is responsible for making sure you follow the rules.

A grievance is a circumstance or action considered to be unjust and grounds for complaint or resentment.

In the event a situation or circumstance should arise you should first try to solve your grievance by simply discussing the matter with the staff member involved or a detention supervisor. If the matter cannot be resolved by discussing the problem, you should fill out the Level 1 section of a Montgomery County Juvenile Detention Center Grievance Form and submit it to the Grievance Officer. If you have any trouble completing your grievance form, you may ask for assistance from any detention staff member.No punishment or retaliation will be taken against anyone using or participating in the resident grievance process.

You have the right to use the resident grievance procedure to seek resolution of issues that have not been resolved informally. Grievances should be filed according to the procedures outlined below. All grievances shall be handled expeditiously, confidentially, and without threats or reprisals against the individual grievant. Meaning; they will be addressed as soon as possible in a confidential setting and the person writing the grievance should not be fearful of receiving any punishment or retaliation as a result of writing a grievance. Unresolved grievances submitted by any resident who has been released will be forwarded to the Deputy Director or designee to determine if any action is needed.

To file a grievance you should complete the Level 1 section of a Montgomery County Juvenile Detention Center Grievance Form. These forms can be obtained from the bins located in the rear of each housing area. You can ask one of the officers working your housing area to get a grievance form for you if you are unable to locate one. When filling out a grievance be sure to include your name, the date, the person or policy grieved, and the nature of the grievance. Submit it by dropping it into the blue secured boxes located outside the pod control rooms. These locked boxes are for mail and grievances and they keep your grievance secure and confidential. The Assistant Deputy Director of Detention or designee will retrieve the completed grievances daily, when the outgoing mail is collected. The Assistant Deputy Director of Detention is designated as the Grievance Officer.

The Grievance Officer will investigate and respond in writing to grievances no later than ten (10) calendar days from the receipt of the grievance. There shall be at least one face-to-face contact between the designated grievance officer and the resident per grievance prior to finalizing the grievance resolution. You will be asked to sign your original grievance when you are given the response to your grievance to show that you received it. Signing for your response does not indicate that you agree with the response.

If you are not satisfied with the Level 1 response, you can appeal the findings to Level 2 of the grievance procedure. You can do this by completing the Level 2 section on the response to your original grievance and place it in the blue secured box on your pod. The Deputy Director will review your appeal and submit his findings in a written response to you no later than ten (10) calendar days from the receipt of the grievance.

The findings of the Deputy Director can be appealed to the Director of the Juvenile Probation Department as Level 3 of the Grievance Procedure. This can be done by completing the Level 3 Appeal section of the grievance form and submitting it by placing it in the blue secured box on your pod. The Director will submit his findings in writing to the resident no later than ten (10) calendar days from the receipt of the grievance. The Level 3 decision is final.

During all grievance levels residents can fully participate in the resolution of their grievance to include calling witnesses who have specific knowledge of the situation. Residents can utilize a juvenile supervision officer (JSO), their assigned caseworker, or their attorney as an intermediary.

If a resident believes that, after the appeal process is exhausted, his/her civil rights have been violated and are still in jeopardy, he/she is free to pursue legal action to address the grievance.

1. GENERAL INFORMATION AND SERVICES

Religious Services

You have the right to participate in religious counseling on a voluntary basis. You will have access to clergy, spiritual advisors, religious publications, and related services provided it does not compromise the safety and security of this facility. If you choose to not participate in scheduled or planned religious activities, then an alternative activity will be provided. Notify an officer assigned to your pod if you choose to not participate in a particular religious activity.

Library Services

Reading materials will be provided in each pod for residential use at designated times. Only approved reading material will be allowed in the detention facility.

Volunteer Services

The department utilizes volunteers from the community who donate their time and talents in order to offer you additional activities. While they are here you are expected to treat them with courtesy and respect. Failure to do so could result in disciplinary action.

Medical Services

You will receive a complete and confidential physical assessment by medical staff within 7 days of your admission to the detention center. While in detention your medical and health needs will be met in a timely manner and you will be provided proper health care. If you become ill or injured at any time you must notify staff immediately. Fill out a sick call request form and give it to one of the officers working your pod if your medical needs do not need immediate, emergency care. You will then be screened by the nurse. Daily sick call screening will be held at the beginning of each shift and once per day on weekends. If the medical staff determines that you need further medical attention, arrangements will be made through your caseworker and your family to allow you to be seen by a doctor, dentist, or mental health professional as needed

Sick call requests can be found in the bins located near the rear of your housing area. If none are available, you can ask one of the officers assigned to your housing area to get one for you. If you give your sick call request to an officer, it will be given to the medical staff and your situation will be addressed. You do not need to discuss your specific medical needs with non-medical staff. Placing your sick call request in the blue secured box near the pod control room is not the quickest method of getting it to our medical staff but it does allow for maximum confidentiality if you feel it is needed. This box is also used for outgoing mail and grievances and is collected daily, Monday through Friday.

Mental Health Services

The Department has several Mental Health counselors who serve detention residents and other juveniles who have been referred to the Department but are not in detention. If it is an emergency and you would like to talk to a counselor, you can tell any staff member. They will notify a counselor of your request or will have the control room officer locate and notify a counselor. There is an on-call counselor available at all times for situations that require immediate mental health attention. The department is committed to maintaining the safety of all residents. We take any statements or behaviors regarding self-harm or suicidal ideation very seriously. If staff see any behaviors that suggest that any juvenile is exhibiting warning signs (withdrawal from programming, crying, change of behavior, suicidal statements, emotional pain, depression, or evidence of self-harm), staff will contact a counselor to meet with that juvenile. If it is not an emergency and you wish to speak with a counselor, you can request to speak with a counselor by completing the “Request to a Montgomery County Juvenile Probation Department Employee” Form. The completed form then can be dropped into the blue secure box near the pod control room (one on each pod). The blue secure boxes are checked daily (Monday through Friday) by a supervisor and delivered to the counselor’s mailbox the same day.

Food Service

Residents will be provided 3 nutritional, well-balanced, meals each day and snacks will be provided in the evenings. You will be provided a minimum of two hot meals and one sack lunch each day. Residents are not allowed to trade or give food items to another resident.

Mail Privileges

You will be allowed to write and receive letters while you are in the Detention Center. The number of personal letters you are allowed to mail will be determined by your level. You will only be allowed to mail 1 personal letter per day on the days you are eligible to mail a letter. You will be allowed to mail at least 2 personal letters a week and you can correspond with anyone, as long as it does not violate the facility’s rules of separation (section P of this handbook). Stationary and postage are provided for your correspondence. Doodling or drawings are not allowed on any outgoing mail envelopes. All mail must be received and sent through the United States Postal Service. Correspondence privileges may be restricted by the facility’s rules of separation, at the request of a parent or guardian, or at the direction of the court. Do not use the mail system to violate or attempt to violate the facility’s rules. This could result in disciplinary action or rejection of your mail.

All incoming personal mail will be opened and inspected in front of you by staff. If you receive money through the mail, it will be secured with your personal property, you will receive a receipt for the amount received, and it will be returned to you upon your release from detention. Mail that is denied under the facility’s correspondence rules will be returned to its sender. If you receive an item that you are not allowed to receive, it will be placed with your personal property and provided to you when you are released. Items that are illegal, dangerous, or perishable will be confiscated and turned over to the Assistant Deputy Director or Deputy Director to be disposed of. If you choose to keep letters you have been sent they must be placed in your folder that is kept in your housing area. Letters in your folder whether received through the mail or un-mailed are subject to review during folder checks. Letters or items you request to have placed with your property are subject to search. Correspondence with your attorney is unrestricted and not counted as personal mail.

Outgoing letters must have the name of the resident sending the letter, but no return address, in the upper left-hand corner of the envelope. They should also include the full name and address of the person being written to. Outgoing letters will not be mailed unless they are properly addressed in this manner.

You are permitted to submit letters to the Judge, and all letters to the Judge will be inspected by the Assistant Deputy Director of Detention, the Juvenile Prosecutor, and your defense attorney before being submitted to the Judge. After completing your letter to the Judge, place your letter in an unsealed envelope and place the envelope in the pod blue box (with your name & return information).

Media Communications

While in detention, you will be allowed to speak with members of the news media at your request or at the request of the news media. All media communications will go through the Director of the facility. There are very strict guidelines and limitations that you must fully understand and comply with before an interview can take place. These guidelines and limitations will be explained to you upon your request.

Searches

A variety of searches will be conducted daily to ensure your safety, security, and wellbeing.

1. Frisk or Pat searches – will be performed upon your return to the program after any visits with your attorney, counselor, or caseworker. You will remain clothed while being patted down by same gender officers.

2. Strip searches – will be conducted upon your admittance into detention, after visits with parents / guardians, upon returning to the facility, and when you are suspected of being in possession of contraband. You will be required to remove all clothing and be searched by same gender officers.

3. Room searches – will be conducted randomly on a daily basis by Juvenile Supervision Officers.

4. Facility searches – staff will conduct routine searches on the entire facility including all areas occupied by residents in order to provide a safe and secure environment.

1. EMERGENCY PROCEDURES

All emergency evacuation routes are posted throughout the detention facility and you should become familiar with the evacuation route posted in your area. Fire drills, severe weather drills, and all other emergency procedures will be conducted randomly in order to provide a safe and secure environment for all residents and staff members. At the sound of the alarm, you will be expected to remain calm, follow all staff instructions, remain quiet, and move in an orderly manner to your designated evacuation area. Once it has been determined it is safe to re-enter the building you will be expected to re-enter in the same manner you were evacuated. Failure to comply with all emergency procedures, directives given during an emergency, or misbehavior may result in disciplinary action and/or possible criminal prosecution.

1. RESIDENT DISCIPLINE & SEPARATION PLANS

I. POLICY

All residents shall be treated fairly and consistently and shall not be subjected to deprivation of rights, corporal punishment or humiliation. The Resident Discipline & Separation Plans provide~~s~~ for the fair and consistent application of resident rules, sanctions, separations, and seclusions.

II. DEFINITIONS

1. Major Rule Violations: Violations which constitute a serious threat against persons or property and/or a serious threat to facility safety and/or security. A resident who commits more than two (2) Minor Rule Violations during a single staff work shift can be considered a serious threat to facility safety and/or security and can be charged with a Major Rule Violation for Repeated Minor Rule Violations. Rule infractions or resident behaviors which constitute probable cause for an offense of a Class B misdemeanor or above shall be referred to the law enforcement agency with applicable jurisdiction for possible investigation and/or prosecution.

1. Minor Rule Violations: Violations of rules which do not represent a serious threat against persons or property and do not pose a serious threat to facility safety and/or security.
2. Prohibited Sanctions:
3. Corporal punishment;
4. Humiliating punishment**,** including verbal harassment Allowing or directing one resident to sanction another resident;
5. Group punishment for the acts of individuals;
6. Deprivation or modification of required meals and snacks;
7. Deviation from normal food service procedures
8. Deprivation of clean and appropriate clothing;
9. Deprivation or intentional disruption of scheduled sleeping opportunities;
10. Deprivation or intentional delay of medical or mental health services; and
11. Physical exercises imposed for compliance, intimidation, or discipline and
12. Denial of the following as a disciplinary sanction:
    1. the right to visitation
    2. the right to send mail
    3. the right to receive mail
    4. the right to participate in large muscle exercise
    5. the right to receive required educational programming; and
    6. the right to participate in religious services or to receive religious counseling
13. Disciplinary Seclusion (D/S): The separation of a resident from other residents for disciplinary reasons and the placement of the resident alone in an area from which egress is prevented for more than 90 minutes. Disciplinary Seclusion may only be used when a resident commits a **Major Rule Violation proved in a formal disciplinary review and shall NOT exceed a total of 48 hours per major infraction.** Major Violations constitute a serious threat against persons or property and/or a serious threat to facility safety and/or security.A resident who commits more than two (2) Minor Rule Violations during a single staff work shift can be considered a serious threat to facility safety and/or security and can be charged with a Major Rule Violation for Repeated Minor Rule Violations. Placing a resident on a disciplinary seclusion for self-harming behavior is prohibited.
14. Safety Based Seclusion (SBS): The separation of a resident from other residents for safety and security related reasons and the placement of the resident alone in an area from which egress is prevented.
15. Room Restriction (R/R): The placement of a resident alone in an area from which egress is prevented for 90 minutes or less for behavior modification purposes as directed by staff.
16. Resident-Initiated Separation (RIS): The separation of a resident from other residents at the resident’s request for 90 minutes or less (e.g., a cooling-off period).
17. Activity Restriction: Detention staff may exclude a juvenile from participation in activities for a period of time if it is imposed as a result of misbehavior that occurred during that activity.
18. Written Assignment: A disciplinary method used to modify behavior. It should have a specified topic that relates to the misbehavior. The assignment may take the form of a behavior contract between the resident and the staff stipulating appropriate specified behavior for the duration of this stay in detention.
19. Early Bed Time (EBT): A disciplinary action requiring an HONOR, Senior, or Junior level resident to go to bed at the same time as Freshman level residents. Freshman level residents may be required to go to bed up to 60 minutes prior to their normal bed time. This may be done as a minor form of punishment in lieu of more severe punishment. A single act of misconduct can be punished with the imposition of an Early Bed Time for one (1) night.
20. Formal Disciplinary Review: A resident shall receive a formal disciplinary review before disciplinary seclusion is imposed unless the review is waived in writing by the resident. For sanctions other than disciplinary seclusion that result from a major rule violation, a formal disciplinary review shall be held if requested by the resident. Upon such a request, the review shall be held within five calendar days after the resident’s request. Any delay beyond five calendar days must be supported by documented justification explaining why it was impossible, impractical, or inappropriate to hold the review within five calendar days.
21. Resident Appeals: Residents may appeal the findings of a formal disciplinary review and be supplied the findings of their appeal within ten (10) calendar days. Any delay beyond ten (10) calendar days must be supported by documented justification explaining why it is impossible, impractical, or inappropriate to answer the appeal within ten calendar days.
22. Isolation: The separation of a resident from other residents for assessment, medical, or protective purposes and the placement of the resident alone in an area from which egress is prevented.
23. Safety-Based Seclusion Review: Residents that receive a Safety-Based Seclusion shall have a review of their seclusion to determine if continued seclusion is warranted.
24. Rule Violation: Conspiring, attempting, planning, or taking any action that intentionally or unintentionally violates any facility rule.
25. Resident Handbook: A manual distributed to all detention staff and detained juveniles outlining the level system, facility rules, regulations, program expectations, disciplinary actions, grievance procedures, and general information/services. The manual is reviewed annually and updated, if needed.
26. Seclusion Time: The period of time from when a resident was initially placed in a room on Disciplinary Seclusion, or Room Restriction, until the completion of the seclusion based on the seclusion time assessed. The begin time can be the time the report was completed if the resident was already confined to a room due to the normal schedule. Likewise, a resident may continue to remain in a room after the scheduled completion time of the confinement if the resident would normally be confined to a room due to the usual schedule. Residents should be removed from confinement as near as possible but not after the confinement end time. **SECLUSION TIME IS CONTINUOUS, CANNOT BE STOPPED, AND TIME IS CALCULATED USING CLOCK HOURS/MINUTES.**
27. Separation Time: The period of time from when a resident was initially placed in a room on a Safety-Based Seclusion (SBS), Resident Initiated Separation (RIS) or a Protective Isolation (PI) until the time he/she is formally released from the separation. The begin time can be the time the report was completed if the resident was already secured in a room due to the normal schedule. Likewise, a resident may continue to remain in a room after the scheduled completion time of the separation if the resident would normally be confined to a room due to the usual schedule. **SEPARATION TIME IS CONTINUOUS, CANNOT BE STOPPED, AND IS CALCULATED USING CLOCK HOURS/MINUTES.**
28. Types of Resident Separations: Resident Initiated Separation (RIS), Safety Based Seclusion (SBS), and Protective Isolation (PI).
29. Non-confinement Actions: Consequences or disciplinary actions that do not include the confinement of a resident.
30. Protective Isolation: The exclusion of a threatened resident from the group by placing the resident in an individual room that minimizes contact with the residents from a specific group.
31. Serious Property Damage: Any damage equal to or greater than $50.00.
32. 12 Hour Negative Bedtime Behavior Clause: Any Disciplinary Seclusion received after 8:00 pm will automatically have twelve (12) hours added to the Confinement seclusion time that would normally be issued for a Major Rule Violation (with a maximum total seclusion time to remain under 48 hours).

III. PROCEDURES

### General Procedures

1. Changes to the rules contained in the handbook will be made as an addendum added to the handbook.
2. The Detention Center rules have been established to help ensure resident safety, security, and well-being. Residents will be held accountable for their actions and behaviors while in detention. Residents can expect to earn additional benefits as they are promoted to higher levels of the Level System due to good behavior. Residents can expect to lose benefits and face consequences or disciplinary action if they misbehave. It is the job of the detention staff to ensure that residents are in compliance with all rules, regulations, expectations, and procedures.
3. Room Restriction may be used in increments of up to 90 minutes to allow the resident an opportunity to self-correct any inappropriate or potentially disruptive behavior rather than affording the resident additional opportunity to escalate the behavior and agitate other residents or disrupt resident programming activities.
4. Resident Initiated Separation (RIS) is a tool a resident can use to avoid acting out and an opportunity to regain composure after receiving bad news or becoming upset. Staff cannot impose a RIS but can grant or deny a resident’s request for one. A RIS may not be granted if doing so would jeopardize safety and security and/or staff believes the request is disruptive, manipulative or insincere. Residents who are found to be abusing the RIS process are subject to progressive disciplinary sanctions. The time the resident requests to be released from RIS and the actual time the resident is released from the RIS shall be documented on the RIS form. Residents will be housed in individual sleeping quarters during a Resident Initiated Separation.
5. Safety Based Seclusion may be used when a reasonable belief exists, based on a resident’s current behavior, that one or more of the following is true:
6. The resident is a serious and probable escape risk;
7. The resident is a serious and probable physical danger to others and staff cannot protect them except by placing the resident in safety-based seclusion;
8. Confinement is necessary to prevent probable and substantial damage to property
9. Confinement is necessary to control behavior that disrupts programming to the extent that the current program cannot continue except by placing the resident in safety-based seclusion; or
10. The resident is likely to interfere with a pending or ongoing investigation or a requested or scheduled disciplinary review hearing.
11. Disciplinary Seclusion may be imposed only when a resident commits a Major Rule Violation proved in a formal disciplinary review. A resident who commits more than two (2) Minor Rule Violations during a single staff work shift can be considered a serious threat to facility safety and/or security and can be charged with a Major Rule Violation for Repeated Minor Rule Violations.
12. A resident shall be provided written notice of an alleged Major Rule Violation against him or her no more than 24 hours after the violation.
13. The secluded resident will be provided the disciplinary mechanisms contained in this plan.

**Disciplinary Reviews and Resident Appeals**

1. Formal Disciplinary Reviews
2. Residents that receive a Major Rule Violation or sanction, not involving Disciplinary Seclusion, are eligible to request a Formal Disciplinary Review. The review shall be requested through the resident grievance process. Upon receipt of a written request, a resident shall receive a Formal Disciplinary Review within five (5) calendar days by either the Assistant Deputy Director of Detention or a Shift Supervisor. Any delay beyond five (5) calendar days must be supported by documented justification explaining why it was impossible, impractical, or inappropriate to hold the review within five calendar days.
3. A resident shall receive a Formal Disciplinary Review BEFORE disciplinary seclusion is imposed unless the review is waived in writing by the resident.
4. Formal Disciplinary Review Process
5. The reviews for residents in Disciplinary Seclusion will be conducted in a face-to-face setting by either the Assistant Deputy Director of Detention, Shift Supervisor or another member of departmental management. The presiding member of management shall not have been involved in the alleged Rule Violation or the imposed sanction. Upon completion, the procedure shall be documented on the appropriate disciplinary review forms and maintained in the resident’s file. A copy shall be forwarded to the Assistant Deputy Director of Detention.
6. All reviewers shall remain neutral and impartial and shall not have had any involvement in the Rule Violation or imposed sanction. The reviewer shall be referred to as the Disciplinary Review Officer (DRO).
7. A resident may choose to waive the right to a disciplinary review provided the process has been reviewed with the child prior to signing the waiver.
8. A formalized disciplinary review or appeal will not be denied or restricted to any resident who is of eligible standing and requests such.

### The DRO will review and disclose evidence against a resident accused with a Rule Violation or the imposed sanction, unless a law enforcement officer or prosecuting authority requests the facility to withhold certain evidence or the facility administrator documents that certain evidence may create a breach of facility security or compromise the safety of a resident or others.

1. The resident shall have the opportunity to be heard in person and to present evidence.
2. The resident shall have the opportunity to present relevant witnesses.
3. A staff member and/or translator shall be appointed to assist the resident if the resident is illiterate, limited English proficient, unable to understand the nature of the proceedings or the resident requests assistance.
4. If the review determines that the resident did not commit a rule violation or that the sanction is not appropriate, facility staff shall:
5. not impose the sanction; or
6. if the sanction has already been imposed, restore or reinstate any denied or modified privileges or determine some form of appropriate relief, if available.
7. If the DRO determines that the resident violated the law the case will be referred to local law enforcement or the Montgomery County Attorney’s Office for possible prosecution.
8. At the conclusion of a disciplinary review the individual or board who conducted the disciplinary review shall prepare a written statement indicating the evidence relied upon and the justification for the disposition. The statement shall be made available to the resident for review and a copy shall be retained in the resident’s file.
9. Formal Disciplinary Reviews that have not been disposed of prior to a resident’s discharge or release will be reviewed by the neutral and impartial person or board designated to conduct disciplinary reviews. If there is any indication of staff misconduct the review will be closed and copy will be forwarded to the facility administrator for administrative action. If there is no indication of staff misconduct the review will be closed. The action will be documented and filed in the former resident’s file.
10. Resident Appeals:A resident may appeal the findings of a formal disciplinary review. The appeal process shall include the following elements
11. Discipline reviews must be conducted by a neutral and impartial person or board that shall not include any staff member directly involved in either the Formal Disciplinary Review or the disciplinary process. A resident may appeal the findings of a disciplinary review to the Departmental Deputy Director or Director in the Deputy Director’s absence, unless either was involved in the resident’s Disciplinary Seclusion or sanction for the Major Rule Violation. In that case, the Departmental Deputy Director will assign another neutral and impartial person not involved in the resident’s disciplinary situation to conduct the appeal.
12. The resident shall be allowed to submit the request for an appeal within seven calendar days after a disposition is rendered in the formal disciplinary review. The appeal shall be requested through the resident grievance process or indicated on the Formal Disciplinary Review Form.
13. The DRO who decides the appeal shall prepare a written response to the resident’s appeal that:
14. indicates the evidence to be relied upon in making the appeal decision and the justification for the decision; and
15. is completed within ten (10) calendar days after the date the resident requested the appeal. Any delay beyond ten (10) calendar days must be supported by documented justification explaining why it was impossible, impractical, or inappropriate to answer the appeal within ten calendar days.
16. If the appeal determines the resident did not commit the violation or that the sanction given was not appropriate, staff shall restore or reinstate any denied or modified privileges or determine some form of appropriate relief, if available.
17. The appeal response shall be made available to the resident for review and a copy shall be retained in the resident’s file. A copy of the appeal shall be forwarded to the Assistant Deputy Director of Detention.

**Safety-Based Seclusion Reviews**

SBS Reviews will be conducted by various department personnel dependent on the amount of time a resident is placed in Safety-Based Seclusion. SBS reviews shall be documented on the back of the SBS report which led to child’s seclusion.

1. Initial Safety-Based Seclusion review shall be held by the facility administrator or designee no later than four (4) hours after a resident is placed in SBS. If the fourth hour of seclusion occurs during non-program hours, the review shall be held no later than two hours after the start of the ensuing day’s program schedule.
2. The initial safety-based seclusion review shall determine whether the alleged behavior meets criteria for SBS and whether continued seclusion is appropriate.
3. If the review results in a finding that the alleged behavior does not meet criteria for placement in SBS or that continued seclusion is not appropriate, the seclusion shall be immediately discontinued.
4. If SBS is continued, documentation shall be maintained that shows the resident was notified of the reason for continued seclusion.
5. A safety-based seclusion review is required before the end of each 24-hour period of seclusion. If the 24th hour of seclusion occurs during non-program hours, the review shall be held no later than two hours after the start of the ensuing day’s program schedule.
6. The review shall be held by a supervisor who was not directly involved in the decision to place the resident in seclusion and the resident shall be present for the review.
7. The review shall determine if continued seclusion is warranted. Seclusion shall not be continued unless:
8. there is a reasonable belief that the resident continues to meet the criteria for continued SBS, &
9. the facility administrator or designee approves the continued seclusion.
10. A resident shall not be secluded beyond five (5) consecutive calendar days unless:
11. the Juvenile Director or designee determines the resident continues to meet the criteria for continued SBS, and
12. the placing agency, if different from the agency operating the facility, is notified of the resident’s status

The SBS review requirements of each 24 hour period of seclusion continues to apply for safety-based seclusions beyond five calendar days.

**Major Rule Violations**

Residents are expected to comply with all rules; both major and minor. Major Violations constitute a serious threat against persons or property and/or a serious threat to facility safety and/or security. A resident who commits more than two (2) minor rule violations during a single staff work shift is deemed to pose a serious threat to facility safety and/or security and can be charged with a Major Rule Violation for Repeated Minor Rule Violations. Conspiring, attempting, planning, or taking any action that intentionally or unintentionally violates any facility rule or rules is considered a rule violation. The following is a list of numerical codes and ranges of consequences for each Major Rule violation. Sanctions that may be imposed for Major Rule Violations include, but are not limited to, Criminal Prosecution and Disciplinary Seclusion.

**MAJOR RULE VIOLATION CODES**

|  |  |
| --- | --- |
| **Code No.** | **Violation** |
| **1.** | Aggravating/harassing/bullying/intimidating |
| **2.** | Any act that could be defined as a felony or misdemeanor |
| **3.** | Assault or fighting |
| **4.** | Being in an unauthorized/unsupervised area which poses a threat of escape or threat to facility safety and/or security |
| **5.** | Serious and persistent court misconduct, while under the supervision of Department staff, during court or traveling to/from court |
| **6.** | Damaging, destroying, misusing, or losing property belonging to the County or another - if the value of the damage is $50 or more |
| **7.** | Serious and persistent disruption of the program |
| **8.** | Escape attempt or talk of escape |
| **9.** | Gang related activity which poses a threat to facility safety and/or security |
| **10.** | Serious and persistent horseplay |
| **11.** | Misconduct: activity that constitutes serious behavior against persons or property and behavior  that poses a serious threat to facility safety and/or security but is not included under another  listed code |
| **12.** | Serious and persistent misconduct away from the facility while under the supervision of Department staff, i.e. doctor visits, etc. |
| **13.** | Possession or control of contraband (any item not authorized by staff that could be used in a manner that could constitute serious behavior against persons or property or could be used to poses a serious threat to facility safety and/or security) |
| **14.** | Seriously inappropriate sex related conduct |
| **15.** | Tattooing or scratching on any resident’s body |
| **16.** | Threats-verbal, gestures, written, or actions |
| **17.** | Unnecessary/inappropriate physical contact |
| **18.** | Covering room door window, covering head, and/or hiding behind any type of obstruction |
| **19.** | Repeated minor rule violations: committed more than two (2) minor rule violations during a single staff work shift |
|  |  |

**Minor Rule Violations**

Residents are expected to comply with all rules; both major and minor. Minor Rule Violations are violations of rules which do not represent serious behavior against persons or property and do not pose a serious threat to facility safety and/or security. Conspiring, attempting, planning, or taking any action that intentionally or unintentionally violates any facility rule or rules is considered a rule violation. The following is a list of numerical codes for Minor Rule violations. Sanctions that may be imposed for minor rule violations include, but are not limited to, Room Restriction, Writing Assignment, Activity Restriction, Early Bed Time, Loss of Points, and Loss of Level. **A resident who receives more than two (2) minor rule violations during a single staff work shift is deemed to pose a serious threat to** **facility safety and/or security and the resident can be charged with a major rule violation.**

**MINOR RULE VIOLATION CODES**

**Code Violation**

**No.**

**20.** Being in an unauthorized/unsupervised area

**21.** Court misconduct, while under the supervision of Department staff, during court or traveling to/from court

**22.** Damaging, destroying, misusing, or losing property belonging to the County or another (if the value is less than $50; approximate)

**23.** Disruption of the program

**24.** Failure or refusal to follow instructions, orders, or directions from staff

**25.** Failure to comply with program expectations

**26.** Failure/Refusal to participate/enter the program

**27.** Horseplay/misconduct

**28.** Misconduct away from the facility (doctor/dental visits, etc.)

**29.** Possession or control of contraband (any item not authorized by staff or that has been modified from its original condition)

**30.** Sex related conduct that does not meet the criteria of sexual abuse

**31.** Scratching, marking, or writing on any resident’s body

**32.** Unnecessary contact with staff or resident

**33.** Talking without permission; engaging in unauthorized or prohibited conversation to include whispering and “talking back” to staff

**34.** Trafficking, trading, or exchanging (i.e., food or personal items)

**35.** Unauthorized use of a computer, technology devices, or supplies

**36.** Violation of a written or posted rule or violation of a specific area rule

**37.** Lying to staff

**38.** Disrespect of others

**39.** Failure to follow mail rules, mail system abuse or misuse of any kind

**40.** Giving, receiving, or possession of personal information of other residents, volunteers/interns, or staff

**Protective Isolation**-may be used as a last resort only when:

A. a resident is physically threatened by a resident or group of residents;

B. less restrictive measures are inadequate to keep the resident safe; and

C. the decision is approved in writing by the facility administrator. Decision to be recorded on a Protective Isolation report form and shall be placed in the resident’s file.

1.. Protective Isolation may be used only until alternative means for keeping the resident safe can be arranged.

2. While a resident is in Protective Isolation, a juvenile supervision officer shall observe and record the resident’s behavior at random intervals not to exceed 15 minutes, unless resident is designated as a moderate or high risk of suicide.

3. If the Protective Isolation of a resident exceeds 24 hours, the facility administrator shall immediately conduct a documented review of the circumstances surrounding the level of threat faced by the resident and make a determination as to whether other, less restrictive protective measures, are appropriate and available. If continued Protective Isolation is approved, the facility administrator shall ensure that the review document includes a plan to ensure the isolated resident is provided all required program services during the period of Protective Isolation.

**Administering Discipline**

A. Staff will make every effort to maintain control of juveniles through methods of positive reinforcement and counseling techniques.

B. Discipline will be administered in a way to create a learning experience for the juvenile and will be commensurate with the seriousness of the misbehavior.

C. Discipline will never be administered in a manner that degrades or humiliates the juvenile.

D. Juveniles placed in seclusion separate from their living section must be afforded living conditions and privileges approximating those available to the general juvenile population unless clear and substantial evidence justifies an exception and verbal administrative approval has been secured.

E. During Seclusion potentially dangerous articles shall be removed by having the child change into bedtime attire; this includes shoes, bras and jumpsuit. Mattresses and/or linen may be temporarily removed if the youth abuses them and/or makes threats of suicide.

F. During seclusion residents may be visited by administrative, casework, social/religious or medical personnel.

**Law Violations**

When a resident is alleged to have committed a Felony or a Class A or B Misdemeanor while in the facility, the

case shall be referred to a law enforcement agency for possible investigation and/or prosecution.

1. **ABUSE, NEGLECT, EXPLOITATION**

As a resident of this facility, you have the right to be free from abuse, neglect, and exploitation. This includes not being subjected to sexually assaultive, abusive, and/or harassing behavior from staff, volunteers/interns/contractors, and other residents.

The following definitions of abuse, neglect, and exploitation are taken from a brochure entitled “If Abuse Happens to You…End the Silence: A Teen’s Guide to Reporting Abuse, Neglect, and Exploitation in Juvenile Justice Facilities”:

1. Physical Abuse: something done to you that causes physical pain or injury to your body, often considered an assault. It may involve hitting, kicking, punching, choking, shoving or other act done by an adult or another resident against you.
2. Sexual Abuse: a sexual act committed against you or intentional touching in a sexual manner by another person, or another person asks you to engage in any sexual behavior.
3. Youth-on Youth Sexual Conduct: Two or more juveniles, regardless of age, who engage in deviant sexual intercourse, sexual contact, sexual intercourse, sexual performance or sexual behavior, conduct or actions which are exhibited, performed or simulated. A juvenile may not consent to any of these acts under any circumstances. Consent may not be implied regardless of the age of the juvenile. In accordance to PREA 115.378, sexual activity between residents can be deemed as sexual abuse only if the department determines that the activity is coerced.
4. Neglect: when a person responsible for your care fails to do so, and may involve unreasonable delay or refusal to provide medical care or failure to provide proper supervision which results in you or another resident being assaulted, hurt, or abused.
5. Emotional Abuse: an action by another person that may cause you extreme embarrassment, mental, or emotional harm. It may involve a person cursing at you, making crude sexual remarks or comments, or comments about your race, gender, family, or the way you look.
6. Exploitation: when someone in authority takes advantage of you by asking or requiring personal favors for them or someone else.

F. Sexual Harassment: (1) repeated and unwelcome sexual advances, requests for sexual favors or verbal

comments, gestures or actions of a derogatory or offensive nature by one inmate, detainee or resident directed

toward another and (2) repeated verbal comments or gestures of a sexual nature to an inmate, detainee or

resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually

suggestive or derogatory comments about body or clothing or obscene language or gestures.

As a resident of the facility, there are some things you can do to minimize your risk of becoming a victim of sexual assault, abuse, or harassment:

* Avoid isolated or secluded areas of the facility
* Be aware of your own body language and behavior
* Never share your personal information with another resident
* Never accept gifts or favors from another resident
* Never give gifts to or do favors for another resident
* Be cautious of residents who attempt to be overly friendly with you, try to prevent you from interacting with other residents or staff, or repeatedly show interest in your personal matters
* Report all incidents of actual or attempted sexual contact, threats against you or your family, intimidation, or sexual conversations

If you are assaulted, abused, or harassed by any staff or resident(s) you are encouraged to immediately report the incident so that the facility can ensure your safety and the safety of other residents. All reports will be taken seriously by the facility and investigated.  You will be provided any emergency or on-going medical treatment needed as result of being the victim of abuse that occurs in the facility. You can report abuse or harassment to any Juvenile Supervision Officer, Juvenile Probation Officer, Counselor, nurse, volunteer, intern, Shift Supervisor, the Assistant Deputy Director of Detention, the Deputy Director, the Facility Administrator, or you can use the facility’s grievance process. You may also confidentially report any type of abuse or harassment, directly to the Texas Juvenile Justice Department at **1-877-STOP ANE (1-877-786-7263).** This reporting number is pre-programmed into the blue telephones in the pod dayrooms by dialing “S1.” Any report of abuse alleged to have occurred within the facility will be investigated to the fullest extent by the Facility Administrator or designee and will be reported to the Conroe Police Department for possible criminal investigation and prosecution.  Any report of abuse made to any facility staff, volunteer, intern, or counselor will be reported to the Texas Juvenile Justice Department and law enforcement or to the appropriate government agency.

1. **THE PRISON RAPE ELIMINATION ACT (PREA)**

Zero tolerance for sexual abuse & sexual harassment

**The Montgomery County Juvenile Detention Center is committed to maintaining a zero tolerance policy regarding sexual abuse and sexual harassment.** Sexual contact of any kind in this facility is strictly prohibited- PERIOD! There is no such thing as a consensual sexual relationship in the Montgomery County Juvenile Detention Center (MCJDC) - not between youth and not between staff or Interns/Volunteers and youth.

What is PREA?

You will learn about the Prison Rape Elimination Act (PREA) while you are in this facility. Most people call it by its initials, PREA, pronounced pree’-uh. PREA is a federal law that helps officials detect, prevent, and respond to sexual abuse and sexual harassment against people who are in prisons or juvenile detention facilities. MCJPD Policy sets the rules for reporting and investigating allegations of sexual abuse, sexual assault, and sexual harassment. Other state laws make it a crime to sexually abuse children and people in custody.

What is sexual abuse?

Sexual abuse in the Montgomery County Juvenile Detention Center (MCJDC) is any sexual contact, indecent exposure, voyeurism, or sexual harassment. This can be from an adult or youth. It may be a sudden sexual attack, or you may be tricked or lured into becoming sexually active with someone over a period of time. If you aren’t sure if something is sexual abuse, it’s better to report it just in case. If you feel that something just isn’t right, it probably isn’t.

Sexual contact is touching your genitals or groin area, anus or buttocks, breasts, inner thighs or any other part of your body in a sexual manner either directly, through clothing, or with an object.

Indecent exposure is someone showing you their genitals, buttocks, or breasts.

Voyeurism is an invasion of your privacy by a staff member or another youth. An example would be someone peering at you in the shower or making you expose yourself when it is not related to official duties.

Sexual harassment is repeated, unwanted comments or behaviors of a sexual nature toward you. This includes threats, extortion, bribery, demeaning or derogatory remarks, or profane or obscene language or gestures.

What do I do if I have been sexually abused or sexually harassed?

REPORT IT: If you have been sexually abused, sexually harassed or sexually assaulted, report it as soon as you can by telling a trusted staff member, counselor, nurse, family member, attorney, file a grievance, or call the TJJD Abuse Hotline (at **1-877-STOP ANE 1-877-786-7263-** this reporting number is pre-programmed into the blue telephones in the pod dayrooms, **DIAL “S1”**). Even if time has passed because you felt embarrassed or scared, you should still report it.

Different Ways to Report Sexual Abuse and Sexual Harassment:

1. **In Writing:** Complete a Grievance (ask staff for a Grievance Form), JPO Request Form (available on the pod or from staff), or Letter (piece of paper), and place completed form/letter in the blue pod box on the pod (only the Assistant Deputy Director of Detention or Designee has a key to this box and the box is checked daily). You may also give the form/letter to a trusted Staff Member, Counselor, Teacher, Nurse, or JPO.
2. **Verbally:** Report directly to a Supervisor, Counselor, Nurse, Intern/Volunteer, Teacher, Staff you trust, Administrator, JPO, Parent, Attorney, or TJJD Hotline.
3. **Privately:**  Ask to speak privately with a trusted staff member, Nurse, Counselor, Supervisor or Administrator or privately place a form in the pod blue box.
4. **Outside Agency:**  TJJD Hotline, Child Protective Services (CPS), Montgomery County Victim Assistance, Rape Crisis Hotline, Montgomery County Youth Services, or Children’s Safe Harbor (all contact numbers are on pages 39 & 40 of this Handbook).
5. **Anonymously** **(without giving your name):** Contact the TJJD Hotline or complete a Grievance, JPO Request Form, or Letter without giving your name and place in the blue pod box.
6. **Third Part**y: Report to any of the Outside Agency’s listed above, your family, or your attorney (there is information on the agency’s website on how someone else can report to the authorities for you).

Preserve evidence: If the sexual assault has just happened and you have reported it, do not brush your teeth, change clothes, take a shower, or eat or drink anything. Detention staff will get you to a doctor or nurse to examine you and preserve any evidence that may still be on or in your body.

Be safe: Reporting sexual assault or abuse is the fastest way the MCJPD can put a stop to it so that you are safe and can begin to heal. It is a traumatic experience, but one from which you can recover with the right counseling and help. MCJPD will protect you and get you the help you need. Victims of sexual assault who waited to tell often wish they said something sooner. Also, most abusers don’t have just one target. By reporting sexual abuse, you will be keeping others safe.

Keep Healthy Boundaries:

You can reduce your risk of being sexually abused or assaulted by keeping healthy boundaries. Some sexual predators are good at what is called “grooming.” This is where they try to break down normal, healthy boundaries so they can take advantage of you.

* Don’t ask for or accept favors or gifts that are against the rules.
* Do not have inappropriate conversations with other youth or staff.
* Avoid anyone who is overly complimentary of you, tries to get you alone, or wants to share inappropriate secrets.
* Report anyone who threatens you.
* Report anyone who has a pattern of touching you too much (like hugging, hand holding, or pretending to accidentally brush up against you).
* Report anyone who develops a pattern of looking at you in a way that causes you to feel uncomfortable.

Investigation:

Any report of sexual assault, abuse, or harassment alleged to have occurred within the facility will be investigated to the fullest extent by the Facility Administrator or designee and will be reported to the Conroe Police Department for possible criminal investigation and prosecution.  Any report of sexual assault, abuse, or harassment made to any facility staff, volunteer, intern, or counselor will be reported to the Texas Juvenile Justice Department and law enforcement or to the appropriate government agency.

Services Provided for Victims:

You will be provided any emergency or on-going medical treatment needed as result of being the victim of sexual assault or abuse that occurs in the facility, including examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). You will also be provided a mental health assessment by one of the detention center’s counselors, an advocate from a rape crisis center or an outside victim advocate trained in age appropriate emotional support services related to sexual abuse, and any needed mental health services as a result of being the victim of sexual assault or abuse that occurs in the facility. These medical and mental health services will be provided at no cost to you or your family.

Right to be Free from Retaliation for Reporting:

The Facility/Program shall strive through diligent effort to protect all children, clients, and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other children, clients or staff. Except in cases where the allegations are unfounded, the Facility’s PREA Coordinator shall incorporate measures to assure that all reporters of abuse/harassment and alleged victims of abuse/harassment are safeguarded against any behavior that could be considered retaliation.

# Abuse Is a Crime

Break the Silence…Tell Someone!

You have a right to be safe at all times.

Abuse of any kind is not tolerated in the Texas Juvenile Justice System.

This includes physical abuse, sexual abuse, and emotional abuse.

If you have been abused or are being abused please tell someone now.

No one should be abused…

Abuse is a crime and should be reported.

Stop the abuse and start the healing process now…talk to a trusted adult.

All reports of abuse are taken seriously and investigated thoroughly. Anyone who makes a false report may be charged with a serious criminal offense.

Options to Report Abuse

* Tell a facility staff member, teacher, counselor, medical professional, your parent, probation officer, attorney, or other adult that you trust.
* Use the facility’s grievance system to report any abuse that has happened to you.
* Call the Texas Juvenile Justice Department at **1-877-STOP-ANE (1-877-786-7263)**

Texas Juvenile Justice Department

Braker H Complex

11209 Metric Blvd.

Austin, TX 78758

Phone (512) 490-7130

www.tjjd.texas.gov

The Montgomery County Juvenile Detention Center

does not tolerate physical abuse, sexual abuse, emotional abuse, or any form of sexual misconduct

involving residents and/or staff.

If you have knowledge of any resident or staff member being involved in any form of abuse or sexual misconduct,

it is your responsibility to tell an adult you trust!

1. RULES OF SEPARATION

The following are rules of separation which apply to all residents of the Montgomery County Juvenile Detention Center.

1. Residents will not attempt to contact or have contact with any resident or former resident of the Montgomery County Juvenile Detention Center unless it is approved by the resident’s Juvenile Probation Officer.

2. Residents will not attempt to contact or have contact with any family member of any resident or former resident of the Montgomery County Juvenile Detention Center unless it is approved by the contacting resident’s Juvenile Probation Officer.

3. Residents will not attempt to contact or have contact with any member of the Montgomery County Juvenile Probation Department’s staff in any manner other than in their official capacity.

4. Residents will not attempt to contact or have contact with any family member of a Montgomery County Juvenile Probation Department staff member.

5. Residents will not attempt to communicate or communicate with any person currently being held in a juvenile detention center, jail, placement facility, or correctional facility unless the correspondence is specifically approved by the resident’s juvenile probation officer or the Juvenile Court.

6. Residents will not communicate or attempt to communicate any information that might violate any law or provide information related to an unlawful act.

7. The parent(s) or legal guardian(s) of a resident, who is a minor, can furnish the Montgomery County Juvenile Probation Department with a specific list of individuals indicating who they feel should not communicate with the resident. Residents will not be allowed to contact or attempt to contact any person whose name appears on that list.

8. Residents will not attempt to contact or have contact with an alleged victim of any offense the resident has been charged with or a member of an alleged victim’s family unless it is approved by the resident’s Juvenile Probation Officer or the Juvenile Court.

9. Residents will not attempt to possess or possess names, addresses, phone numbers, email addresses, or any information that might be used to contact any current resident, former resident, any person who is or has been under the supervision of the Montgomery County Juvenile Probation Department or their family members unless it is approved by the resident’s Juvenile Probation Officer.

10.Residents will not attempt to possess or possess addresses, phone numbers, email addresses, or any information that might be used to contact any current or former employee of the Montgomery County Juvenile Probation Department on a personal basis.

11. Residents will not attempt to contact or have contact with any person who has a final conviction for any offense of a sexual nature or is required to register publicly or with law enforcement due to an offense of a sexual nature.

12. Contact or attempts to contact include attempts by mail, phone calls, emails, visits, notes, or any other form of communication.

13. Residents who are found to have violated the rules of separation are subject to disciplinary action.

1. COMMUNITY RESOURCES/CLOSING STATEMENT

Montgomery County Community Resources The last two pages of this handbook consist of community resources that are available to you (printed in both English and Spanish). If at any time you would like to contact one of these agencies, complete a request to speak to a member of detention management to discuss the matter.

This concludes the explanation as to how this facility operates, your responsibilities, and what is expected of you while in detention. This handbook cannot cover every situation. If you have any questions, need clarification, or do not fully understand the contents of this handbook, consult a staff member immediately!

Montgomery County Resources

(Organizations that can help you when you are in trouble)

**Montgomery County Youth Services** [www.youthmc.org](http://www.youthmc.org)

\*Individual youth & family counseling

105 W. Lewis St.

Conroe , TX 77301 936-756-8682

Splendora 281-689-5104

Magnolia 281-259-0440

The Woodlands 281-292-6471

Huntsville 936-293-1003

**Tri-county MHMR** [www.tsmhmrs.org](http://www.tsmhmrs.org)

936-521-6300

Crisis Line 1-800-659-6994

**Montgomery County Victims Assistance** [www.mctxdao.org](http://www.mctxdao.org)

207 West Phillips St. 936-539-7800

Conroe, TX 77301

**Rape Crisis Hotline**

1600 Lakefront Circle

Spring, TX 77381

Crisis Hotline 936-441-7273

**Suicide Prevention** [www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)

English 1-800-273-8255(TALK)

Spanish 1-800-628-9454

**Youth Crisis/Runaway Hotline** 1-800-989-6884

**Montgomery County Youth Services** [**streetoutreach@youthmc.org**](mailto:streetoutreach@youthmc.org)**(e-mail)**

Bridgeway Shelter 936-890-1132/1-866-892-1132

Street Outreach Program 936-856-8015/1-888-756-8682

**Children’s Safe Harbor** [www.childrenssafeharbor.org](http://www.childrenssafeharbor.org)

A Children’s Advocacy Center

1519 Oddfellow St. 936-756-4644

Conroe, TX 77301

Recursos Montgomery County

(Organizaciones que pueden ayudarle cuando usted está en un problema.)

**Servicios para la Juventud del Condado de Montgomery** [www.youthmc.org](http://www.youthmc.org)

\*consejeria Individual para el menor & familia

105 W. Lewis St.

Conroe , TX 77301 936-756-8682

Splendora 281-689-5104

Magnolia 281-259-0440

The Woodlands 281-292-6471

Huntsville 936-293-1003

**Tri-County MHMR** [www.tsmhmrs.org](http://www.tsmhmrs.org)

936-521-6300

Linea directa de crisis 1-800-659-6994

**Ayuda para Víctimas del Condado de Montgomery** [www.mctxdao.org](http://www.mctxdao.org)

207 West Phillips St. 936-539-7800

Conroe, TX 77301

**Línea Directa para Crisis de Violación Sexual**

1600 Lakefront Circle

Spring, TX 77381

Linea directa de crisis 936-441-7273

**Prevención de Suicidio** [www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)

English 1-800-273-8255(TALK)

Espanol 1-800-628-9454

**Crisis Juvenil/Linea Directa para Jovenes Profugos de Casa** 1-800-989-6884

**Servicios para la Juventud del Condado de Montgomery** [**streetoutreach@youthmc.org(e-mail)**](mailto:streetoutreach@youthmc.org(e-mail))

Albergue Brigeway 936-890-1132/1-866-892-1132

Programa de Divulgacion Calle 936-856-8015/1-888-756-8682

**Children’s Safe Harbor** [www.childrenssafeharbor.org](http://www.childrenssafeharbor.org)

Centro de apoyo infantil

1519 Oddfellow St. 936-756-4644

Conroe, TX 77301