

BEHAVIOR MANAGEMENT

AUTHORITY:	Administrative Directive California Code of Regulations, Title 15 1390
RESCINDS:	Procedure Manual Item 3-1-043 dated 12/11/20
FORMS:	Behavior Notice (F057-6259) Juvenile Facilities Incentives Grid (Attachment A) Juvenile Facilities Sanctions Grid (Attachment B)
PURPOSE:	To define a behavior management system of sanctions and incentives to promote pro-social behavior change while ensuring disciplinary due process in Orange County Probation Juvenile Facilities.

I. GENERAL INFORMATION

- A. Behavior management promotes positive behavior by encouraging adherence to facility rules, providing pro-social and skill-building to youth, and recognizing hard work and good behavior with enhanced privileges.
- B. Behavior Management is designed to provide a means of reinforcing positive behavior and reducing the reinforcement of negative behavior. The goal is to encourage positive behavior through a system of rewards.
 1. Every interaction with a youth is an opportunity to shape behavior positively.
 2. Rewards and sanctions shape human behavior and are essential to any behavior management system.
 3. Research indicates that positive reinforcement of pro-social behaviors is more effective and should be used more frequently than sanctions in facilitating long-term changes in behavior.
 4. Increased frequency of positive reinforcement enhances youth's intrinsic motivation to continue exhibiting pro-social behaviors.

The type of positive reinforcement used should depend on the circumstances and the extent to which the pro-social behaviors are new or repeated.
 5. Important considerations in positive reinforcement of pro-social behaviors include:
 - a. Ensure conditions allow the youth to exhibit the desired behaviors.
 - b. Tailor rewards to the individual to ensure the reinforcements are meaningful.

c. Apply reinforcements frequently for optimal learning.

C. While rewards play an important role in shaping behavior, so do sanctions. Important elements to ensure sanctions have the desired effect on shaping behavior include:

1. Youth should know what behaviors are desired and not desired.
2. The consequences of negative behavior should be clear.
3. Sanctions should be as timely as possible to link the behavior to the response directly.
4. Sanctions should not be harsh or more punitive than necessary.
5. Sanctions should be fair and equitable.
6. Whenever possible, sanctions should be linked to the behavior.

II. Procedure for Minor or Intermediate Misbehaviors and their Consequences

A. The staff member observing and recommending/initiating the discipline must:

1. At the time of the incident, inform the youth of the observed misbehavior(s).
2. Solicit youth's input regarding their side of the incident (mitigating circumstances).
3. Inform the youth of their right to call witnesses.
4. After consideration of youth input, staff shall inform them of the recommended or actual consequences.

B. Examples of Minor Misbehaviors:

1. Minor Horseplay
2. Refusal to Participate in Activities
3. Disrespectful Comments or Use of Profanity
4. Use or possession of minor contraband
5. Dress Code Violation
6. Refusing to Follow Staff Directions (Non-security issue)
7. Refusal to Follow Institutional/Unit Rules (Non-security issue)
8. Room Inspection Failure

- C. The Deputy Juvenile Correctional Officer (DJCO) can impose and execute one or more of the following responses for minor misbehaviors by completing a Behavior Notice which provides for informal due process:
1. Loss of privileges up to one day.
 2. Verbal reprimand, warning, and counseling.
 3. Restricted location (chair status)/restricted status up to one day
 4. Other sanctions, e.g., short essays, assigning a seminar, behavior contracts, redoing poor work, adjustment of daily scores, etc.
- D. Examples of Intermediate Misbehaviors:
1. Serious Horseplay
 2. Excessive Profanity, Shouting, and Offensive Remarks
 3. Out of Assigned Area
 4. Lying or Cheating
 5. Verbal Threats (non-serious)
 6. Refusal to attend, removal, or suspension from school
 7. Banging or Kicking on the Door, Walls, or Bedframe
 8. Persistent or Repetitive Violations
 9. Disobeying Staff Directions (Security Issue)
 10. Disrespectful Behavior Toward Probation or Collaborative Staff
 11. Violation of a Furlough Agreement (e.g., late return)
 12. Refusal to Follow Facility/Unit Rules (Security issue)
- E. The Deputy Juvenile Correctional Officer (DJCO) can impose and execute one or more of the following responses for intermediate misbehaviors by completing a Behavior Notice which provides for informal due process:
1. Loss of privileges up to one day.
 2. Verbal reprimand, warning, or counseling.
 3. Restricted location (chair status) up to one day
 4. Other sanctions (e.g., short essays, assigning a seminar, behavior contracts, redoing poor work, adjustment of daily scores, etc.)

F. The following consequences for intermediate misbehaviors require Supervising Juvenile Correctional Officer (SJCO) approval:

1. Restricted location (chair status)/restricted status or loss of free time in excess of one day.

Discipline for intermediate misbehaviors requiring SJCO approval shall be documented in a Special Incident Report (SIR). All such SIRs shall be completed before the staff completes their shift unless an SJCO or Administration approves a different accommodation.

G. Administration may require SJCO concurrence before the imposition of any intermediate discipline or SJCO review at an earlier interval than specified herein.

H. All intermediate discipline requiring an SIR must be reviewed by an SJCO or Duty Officer within 24 hours.

I. Any appeal by a youth for discipline resulting from minor or intermediate misbehavior is accomplished by filing a grievance form. Such appeals shall be handled as outlined in PMI 3-10-006 (Resident's Grievance Procedure), except 72-hour limits for responding shall be imposed at each step of the appeal process.

III. Procedure for Major Misbehaviors, Consequences

A. Examples of Major Misbehavior:

1. Use or Possession of Major Contraband: Any item on the youth or in their assigned room (or living area to which others do not have access) that can be used as a weapon or for escape; alcohol, drugs, intoxicants or amounts of money indicative of escape plans or delinquent conduct.
2. Provoking a Fight: Instigating a physical altercation.
3. Riotous Behavior: Instigating or supporting group violence or rebellion.
4. Escape Attempt: Any act to undermine the security of the unit or the facility, such as obtaining a key, conspiring to escape, aiding or abetting, attempting to escape, or creating or acquiring implements that could be used to escape (warrants court action).
5. Assault: Threats of violence (with existing means) to do bodily harm to another without the actual doing of the bodily harm threatened.
6. Sexual Misconduct: Sodomy, oral or vaginal copulation, or sexual penetration of another by any object (warrants court action).
7. Battery: Any willful and unlawful use of force or violence upon the person of another. An intentional physical attack on an individual inflicting severe injury or harm (warrants court action).
8. Destruction of Property or Fire: Intentional or malicious destruction of County property (warrants court action based on value).

9. Stealing: The knowing and unauthorized taking of an item belonging to another from a person or place (warrants court action based on value).
10. Persistent refusal to follow facility, unit, or classroom rules.

B. Consequences for Major Misbehavior:

The Disciplinary Hearing Officer may impose and execute one or more of the following consequences:

1. One or more of the consequences listed for minor or intermediate misbehaviors.
2. Disciplinary transfer to another unit.
3. Disciplinary Removal transfers to Juvenile Hall from Youth Guidance Center, the Accountability Commitment Program (ACP), or the Youth Leadership Academy (except for emergency removals) shall be served with the required due process notifications before removal.
4. Any of the above sanctions are suspended for 30 days.

C. Procedure for Implementation of Major Due Process:

1. Staff member observing the misbehavior will:
 - a. Prepare an SIR documenting the observed major behavior by including the incident, witnesses' names, evidence disposition, any immediate action taken, and the date and time of the offense and forward it to the SJCO/DO, not a party to the incident.
 - b. In all cases, the SIR documenting the incident must be written before the staff completes their shift unless instructed otherwise by an SJCO or administration.
2. The Supervising Juvenile Correction Officer/Duty Officer or ACP Deputy Probation Officer (DPO), not a party to the incident, will:
 - a. Review the SIR and decide whether the incident has been investigated and documented sufficiently for referral to the Disciplinary Hearing Officer.
 - b. Provide the youth with copies and obtain the youth's signatures on the "Notice of Discipline Hearing before the Disciplinary Hearing Officer (DHO)" and "Rights at Discipline Hearing" forms at least 24 hours before a due process hearing, unless the youth waives such notice.
 - c. Forward the above documents and related information to the DHO.
3. The Hearing Officer will be an Administrator or Supervising Juvenile Correction Officer and may not be the reporting staff (observing

misbehavior), investigator, or witness to the incident. The duties of the Hearing Officer will be:

- a. To verify that the youth received a copy of their rights and Notice of Hearing 24 hours before the hearing unless waived.
 - b. To ensure the youth has the right to call witnesses.
 - c. To ensure the youth has staff representation if required.
 - d. To ensure the youth has an interpreter if needed.
 - e. To allow youth to make statements and be present throughout the hearing.
 - f. To consider the evidence presented.
 - g. To advise youth in writing on their decision and advise youth of their right to appeal.
4. The Disciplinary Hearing Officer may dismiss any charge(s) upon finding that the youth did not commit the act alleged.
 5. The decision of the DHO is final and is subject only to the review of the Director (or designee) and by appeal through the disciplinary appeal procedure. Appeals to the Director (or designee) of the facility conducting the hearing may be approved, modified, reversed, or sent back with directions, including ordering a rehearing, but may not increase sanctions to be imposed.
 6. In the case of major discipline, a youth may fill out a Discipline Hearing Appeal form and submit it to any staff member for immediate forwarding to the Director or designee. Such appeal forms shall be reviewed and resolved within 72 hours, and written notification of the decision will be given to the youth.

D. Procedure for Implementation of the Appeal Process:

An appeal by a youth for discipline resulting from minor, intermediate, or major misbehavior must fit into one of the following criteria:

1. There is new evidence available that will affect the findings.
2. There are procedural errors (i.e., youth not given 24 hours' notice, not given the opportunity to call witnesses, etc.)
3. The discipline the youth received differed from that others received for the same offense.
4. To appeal, youth must state specific reasons for their appeal.
5. Discipline resulting from minor or intermediate misbehaviors is resolved via the Grievance procedure.

6. Serious discipline issues are resolved via the DHO appeal procedure.

REFERENCES:

Procedures:	3-10-003	Deterrence of Unacceptable Behavior
	3-6-002	Handcuffs/Transportation Belts/Shackles
	3-5-015	Residents' Grievance Procedure
	3-6-001	Use of Force – Facilities
	3-1-018	Custody/Medical Transportation
	3-2-009	Youths' Rights/Orientation
	3-11-002	Integrated Case Management System (ICMS) Automated Logbook and Manual Logbook
	3-12-003	Referral of Youth to Mental Health
	3-15-001	Special Incident Reports/Routing SIR and DHO Paperwork
Policy:	A-1	Policy, Procedure and the Law
	A-2	Upholding Departmental Philosophy and Principles
	C-16	Employee Conduct – On Duty
	D-2	Use of Physical Restraint/Corporal Punishment

Attachment

K. Carvo

APPROVED BY:

INCENTIVE PROGRAM

The Incentive Program (IP) consists of four levels designed to reward positive behavior with increased privileges and activities as facility residents of Orange County Juvenile Hall (OCJH). Upon being booked into OCJH, every Youth will start out as a Phase 1 Phase Youth, regardless if the Youth is a new booking, a camp removal (for disciplinary reasons), or a probation violator. Advancement to Phases 3 & 4 will require the completion of the IP Level Advancement Form and may also involve assignments from Youth's assigned Correctional Officer. Advancement in Levels will come with specific privileges. Phases earned may be lost or suspended as a result of a major rule violation or repetitive minor rule violations and/or the declining of court order programming/assessments (such as Drug Treatment programs or Camp Assessments), which will also result in privileges being lost and/or suspended.

LEVEL DESCRIPTIONS

Phase 1

Phase 1 is the starting point for youth once they enter OCJH. **In phase 1, the youth begins to EARN** privileges through our **Incentive Program**. As the youth advances in Level Phases, they will begin to earn more privileges.

All youth that enter Juvenile Hall will begin at **Phase 1** and remain at Phase 1 for at least **two weeks**. After that time, advancement to **Phase 2** will be based on the Youth's behavior and the discretion of the assigned staff.

During the **Phase 1 stage**, Youth will be provided with all items that meet the Youth's basic rights during the **Phase 1 stage**. All Youth in the **Phase 1 stage** will be given individual hygiene items provided by the OCPD and County of Orange, such as deodorant, shampoo, conditioner, toothbrush, toothpaste, and slippers. County shoes will also be provided but only used during PE, LME, and or any physical activity the Correctional Officer sees fit. All other personal items can be earned through the advancements in phases (such as personally owned shoes or vending machine hygiene purchases).

All items bought during visiting will be stored in the Youths' unit personals. Any personal effects deemed appropriate may be returned to the Youth, as a privilege, pending the phase achieved.

Phase 2

Privileges include:

- Consideration for Cart Crew.
- White poster paper in room with **appropriate** pictures on it.
- Access to any personal hygiene items.
- Access to the items in Unit Store once a week (no currency needed).
- Extra time on the county pay phone at staff discretion and if time permits.

Requirement to advance to Phase 3: One month minimum at Phase 2 and completed Level Advancement Form.

Phase 3

Privileges include:

- **All Phase 2 privileges**
- Roommates (with permission from both youth's assigned staff).
- Approved games in room (paper chess set, etc.....)
- Additional family members added to visiting with supervisor approval (no one underage allowed).
- Personal shoes brought in by parents with staff approval (each unit will designate a set date and time for shoe pick up at reception).

The requirement to advance to Phase 4: One-month minimum at Phase 3, a completed Level Advancement Form, and a oral presentation to the unit.

Phase 4

Privileges include:

- **All Phase 2 & Level 3 privileges**
- MP3 player with headphones in room.
- DVD movie rentals.
- Handheld Gaming Devices.
- Quarterly on-grounds furlough with approved family members.
- Eligible for extra free time, (each unit will designate a day when they can offer extra free time for youth on Level 4).
- The use of shoes at the youth's discretion.

Phase Zero – Restricted Status

Any involvement in a major rule violation (fight, gang activity, destruction of county property, etc....) could result in a one-week suspension to **Phase Zero**. **Phase Zero** youth will have all meals and free time apart from the group until reinstated to a higher Phase. Assigned Correctional Officer discretion and the severity of the action will determine whether you will return to your previous level or if you will be required to start over again from **Phase 1**.

Juvenile Facilities Sanctions Grid

CATEGORIES OF BEHAVIOR	EXAMPLES OF MISCONDUCT	FACILITY		
		Sanctions at Juvenile Hall	Sanctions at YLA	Sanctions at YGC
Minor Misbehavior	Minor Horseplay Refusal to participate in activities Disrespectful comments or swearing Use or Possession of minor contraband Dress code violation Refusing to follow staff direction (non-security issue) Refusal to follow Facility/Unit Rules (non-security issue) Room inspection failure School Removal	Counseling/Verbal Warning Loss of Privileges Special Assignments Work Time Essay Assigned Seating/Restricted Status Behavior contract Counseling/Verbal Warning	Counseling/Verbal Warning Loss of Privileges Special Assignments Work Time Essay Assigned Seating/Restricted Status Behavior contract Counseling/Verbal Warning	Counseling/Verbal Warning Loss of Privileges Special Assignments Work Time Essay Assigned Seating/Restricted Status Behavior contract Counseling/Verbal Warning
Intermediate Misbehavior	Persistent or repetitive infractions Cursing/Yelling/Offensive remarks Out of Assigned Area Verbal Threats Stealing Lying or Cheating Refusal to attend school Banging or Kicking on the door, walls, or bed frame Disobeying staff direction (security issue) Disrespectful behavior toward Probation or Collaborative staff Youth violation of Furlough Agreement (e.g. late return) Refusal to follow Institutional/Unit rules (security Issue) School Removal/Suspension	EPICS/Decision Points Loss of Privileges Special Assignments Work Time Assigned seating/Restricted Status Loss of citizenship level Loss of Furlough Behavior Contract Assign a seminar Contact Probation Officer Family Conference	EPICS/Decision Points Loss of Privileges Special Assignments Work Time Assigned seating/Restricted Status Loss of citizenship level Loss of Furlough Behavior Contract Assign a seminar Contact Probation Officer Family Conference	EPICS/Decision Points Loss of Privileges Special Assignments Work Time Assigned seating/Restricted Status Loss of citizenship level Loss of Furlough Behavior Contract Assign a seminar Contact Probation Officer Family Conference
Major Misbehavior	Riotous Behavior Serious Horseplay Provoking a fight Stealing Verbal Threats Use/Possession of contraband (serious) Escape attempt Serious violation of a Furlough Agreement Assault and Battery Sexual Misconduct Destruction of Property/Arson Persistent or repetitive violations (serious)	Disciplinary transfer to another unit (with SJCO Approval) New law violation filed Level Suspension/Reduction Combination of various	Disciplinary transfer to another unit (with SJCO Approval) New law violation filed Loss of Citizenship Loss of Furlough Combination of various	Disciplinary transfer to another unit (with SJCO Approval) New law violation filed Loss of Citizenship Loss of Furlough Combination of various

SANCTIONS & CONSEQUENCES

All youth are expected to follow the Rules of Conduct, which are signed upon entry. Violation of Unit and Institutional rules will be met with sanctions and consequences associated with the offense – this is also known as “the punishment fits the crime.” The following are some examples of minor rule violations and possible consequences. These examples are not exhaustive:

<u>Violation</u>	<u>Response</u>
Room Inspection Failure	Fix room before joining group
School Discipline	Removal to designated detention unit to complete work missed during unit free time hour
Disrespect to Staff/Peers	Mediation Sessions

Repetitive rule violations could also result in suspension or loss of level.

Expectations for Phase Advancement

All consequences are tracked in the Unit. To be considered for Phase Advancement, a youth must have **no more than four** minor rule violations in a **calendar month**. There can also be no major rule violations in that same month. The unit supervisor will review Level Advancement Forms on the first Monday of every month.

ADDITIONAL TERMS & INFORMATION

Cart Crew

All Phase 2 thru 4 youth will be considered for the cart crew unless restricted by medical status. Youth on the cart crew will serve for a period of one calendar month.

Roommates

Youth must be Phase 3 or higher to receive a roommate. Roommates may only be assigned with the expressed permission of the assigned Correctional Officer and the Correctional Officer of your potential roommate.

Detention

In the event of school discipline, youth will spend their free time away from the Unit in a designated detention unit for silent reading, work on an educational packet, or essay writing. If declined to attend such unit the youth will forfeit their free time voluntarily.

Electives

All regular Unit Correctional Officers will have specialized programs or activities that they will conduct for a small group of youth on their caseload. (Sports teams, art projects, Cross fit, etc....) Youth must be **Phase 3 or higher** to participate.

Phase ADVANCEMENT FORM

Phase 3

Name: _____

Date: _____

This is my official request to advance Phase 3. I certify that I meet all the requirements for advancement.

X

Signature

The following Correctional Staff and collaboratives approve my advancement:

X _____ Assigned Correctional Officer	X _____ Unit Correctional Officer	X _____ Unit Correctional Officer
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X _____ Teacher (No Substitute Signature)	X _____ Unit Supervisor
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Caseload Correctional Officer Section
Date Youth Received Phase 2:
Dates of last five Rule Violations:

Phase ADVANCEMENT FORM

Phase 4

Name: _____

Date: _____

This is my official request to advance to Phase 4. I certify that I meet all the requirements for advancement.

X

Signature

The following Correctional Staff and collaboratives approve my advancement:

X _____ Assigned Correctional Officer	X _____ Unit Correctional Officer	X _____ Unit Correctional Officer
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X

Teacher (No Substitute Signature)

X

Unit Supervisor

Caseload Correctional Officer Section
Date Youth Received Phase 3:
Dates of last five Rule Violations: