

PROFESSIONAL STANDARDS–FACILITIES

AUTHORITY: Administrative Directive
California Penal Code (Sections 273a and 673)
Policy Manual
Miscellaneous Court Order 520.4

RESCINDS: Procedure Manual Item **3-4-002**, dated **08/18/23**

FORMS: None

PURPOSE: **Professional standards and responsibilities for facility staff.**

I. PROCEDURE

- A. Facility staff are responsible for the care, guidance, supervision, custody and treatment of youth who are detained or committed. Notification shall be forwarded to the Division Director (DD) any time youth, parents or guardians contact staff for assistance or advice after a youth's release from custody. Youth who attempt to continue their association with staff outside of work hours shall be reported to the DD. Staff will not initiate or continue associations with youth after release without the approval of the DD.
- B. Persons who were former residents may not visit with staff except in the front office area by appointment. Any exceptions must be approved by the DD.
- C. There can be no confidentiality between the **staff** and youth. Youth must be made aware of this fact and that staff work as a treatment team.
- D. Probation Department records, legal files and facility records are confidential and may not be given to or discussed with anyone **other than Probation staff**, with only exception being persons who have an official need **and right** to know. i.e., Deputy Probation Officers (DPOs), court or by court order. (Note: **Clinical Evaluation Guidance Unit, Department of Education** and other outside agencies or **collaboratives** may have access to a youth's facility file per **Superior Court of Orange County Local Rule 903.1 Exchange of Confidential Information, adopted and effective July 1, 2013**. Any information that an outside agency has a need or right to know, is to be shared by facility staff. Only that information which is specifically requested is to be shared with such agencies). Youth may not have access to their own or any other youth's files. No **Deputy Probation Correctional Officer (DPCO)** may take any legal document or facility file off premises unless authorized to do so by the DD. Every staff member shall ensure that all records are kept in a locked filing cabinet in a secure area.
- E. Volunteers in Probation (VIPs) may not have access to logbooks, **the Integrated Case Management System**, legal or facility files. VIPs and student interns must be instructed that there can be no confidentiality between themselves and youth in custody.

- F. Probation staff may not allow youth or parents to read psychological evaluations or tell parents about their contents. Parents may review Mental Health evaluations only upon review and approval of the Juvenile Court Judge in consultation with the evaluating Mental Health professional.
- G. If **DPCOs** at the Youth Guidance Center (YGC) or Youth Leadership Academy (YLA) cannot adequately respond to inquiries by a youth's parent or guardian regarding the youth's health, the unit supervisor or Duty Officer (DO) should be contacted in order to request sufficient information from the assigned facility nurse or Juvenile Hall Medical Unit. Parent or guardian inquiries about a youth's health or medications **can also be directly** referred to the nursing staff on duty **as well as the Juvenile Hall Medical Unit.**
- H. If **DPCOs** cannot adequately respond to inquiries by a youth's parent or guardian regarding a youth's academic progress, the unit supervisor or DO should be contacted, who in turn, will contact **the Department of Education Administrators or school counselor at the specific school site to follow up with the inquiry.**
- I. **Staff** while on duty, or at any other time that they may be perceived as a representative of **the Orange County Probation Department** are to avoid discussion of personal political and religious beliefs. Similarly, staff may not disseminate political or religious literature or materials on county time or use their position as a county employee to further the advancement of a personal religious or political belief.
- J. Youth in custody are not to be permitted to work on the private property or projects of staff members.
- K. No staff member may accept a gift from any youth in custody. If a youth or their family wishes to present a gift, it may only be accepted with the DD's approval if the donor understands that it is presented to the facility as a whole.
- L. Corporal, or degrading, punishment shall not be used on any youth. Striking, slapping, paddling, pushing, holding a rigid attention, forcing physical exertion or any similar disciplinary action is forbidden (Sections 273a and 673 of the California Penal Code). Corporal punishment of any type is prohibited.
- M. Force shall not be used except when essential to prevent injury to self, staff or youth. In such emergencies, every reasonable and practical effort must be made to avoid hurting or injuring the youth. A supervisor should be called in advance, or as soon as possible, to advise and assist. Probation Department employees are not to use physical restraint as a method of control unless required by exceptional or emergency situations to maintain facility security, to prevent injury, and serious damage or escape from custody. When confronted with an escape situation, the employee must evaluate the situation and decide whether to use physical restraint and to what degree. The decision to use physical restraint will be based on the general safety issues including potential danger to the community and the likelihood of physical injury to either the fleeing **youth** or the employee(s).

- N. All County services, supplies, equipment, including but not limited to stationery supplies and telephone services, are provided for official business purposes only. Their use for personal reasons is prohibited.
- O. All employees must meet the obligations of their work assignments as specified in the Departmental Policy and Procedure Manuals, written and verbal operational directives, performance standards and the law.
- P. Employees are to conduct themselves in a professional manner while on duty by being respectful and courteous to others. They will not make disparaging, uncomplimentary, discourteous or disruptive remarks. The staff will set an example of courtesy and consideration with the youth, as well as with each other. Avoid sarcasm, ridicule or threats. Under no circumstances will staff use profanity or derogatory remarks to a youth or another staff. Nicknames are not to be used by youth when speaking to their peers or by staff when speaking to the youth.
- Q. Staff must be willing to accept training, directions, instructions and corrections from supervisors and administrative staff.
- R. In addition to specific job tasks, employees are expected to report for duty as scheduled unless specifically excused; to remain awake, alert, and sober while on duty and shall not falsify any records, reports, time sheets, legal documents, etc.
- S. All employees shall provide accurate, complete and appropriate information to the Courts, to management, and to other employees of the Department, related agencies and professional contacts, as directed.
- T. Any employee whose job performance is not in compliance with departmental and county guidelines or laws is assuming independent and personal responsibility for those actions or omissions which may result in a civil or criminal inquiry or suit.
- U. Any employee who has specific questions regarding the performance of their duties, their obligations and their liability for their job performance, or who confronts a complex situation for which there are no guidelines, shall seek additional information and guidance through their immediate supervisor at the earliest possible moment. If the situation requires immediate action, the employee is expected to use good judgment and professional skills in responding and follow this action by advising their immediate supervisor (or Duty Officer) as soon as possible. All such actions and the reasons must be thoroughly documented.
- V. In matters pertaining to public relations, staff are expected to present a professional appearance and attitude. Staff will **always** support the philosophy and policies of the Probation Department. Staff must keep in mind that statements made, and attitudes communicated in their day-to-day contact with others may be interpreted as general policies and procedures of the Probation Department. Therefore, care must be taken to ensure that statements are accurate and are in accord with Probation Department policies and procedures. The above pertains to contacts with parents, visitors, service personnel and other county employees and all contacts with the general public.
- W. Any outside employment or business venture held in addition to departmental employment must be reported annually (in writing) by the employee to the Chief **Deputy** Probation Officer, via the appropriate chain of command.

- X. Each employee is responsible to attend scheduled training to **ensure** their individual training requirements are fulfilled. Changes in **training** schedules and cancellations must be approved by your immediate supervisor.
- Y. Employees are expected to obey all laws and ordinances when off duty and must report to their immediate supervisor any arrest, incident or allegation of criminal or other misconduct which could result in criminal prosecution no later than the following workday.

II. CONCLUSION:

All staff must be a positive and appropriate role model for the youth and represent themselves as a professional.

REFERENCES:

Procedures:	3-6-001	Use of Force – Facilities
	3-10-003	Deterrence of Unacceptable Behavior
Policies:	A-1	Policy, Procedure and the Law
	A-2	Upholding Departmental Philosophy and Principles
	A-3.1	Dress, Grooming and Personal Appearance Guidelines
	A-7	Employees as Departmental Representatives
	A-15	Employee Participation in Corrections Related Organizations and Collateral Activities
	A-16	Training
	A-17	Conflicts of Interest
	A-18	Staff Relationships with Clients
	A-19	Gifts
	A-20	Political Activities
	A-21	Liability
	B-1	Case Confidentiality-Client's Right to Privacy
	B-2	Inter- and Intra-Agency Confidentiality
	B-3	Case File Management and Security
	C-16	Employee Conduct-On Duty
	C-17	Employee Conduct-Off Duty Law Violations
	D-2	Use of Physical Restraint/Corporal Punishment
	D-5	Arrests/Temporary Detention
	G-7	Distribution and Use of County Services, Supplies and Equipment

Management Performance Standards Orange County Probation Department

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APPROVED BY: