

## YOUTH'S RIGHTS/ORIENTATION

<b>AUTHORITY:</b>	Administrative Directive California Code of Regulations, Title 15 – Minimum Standards for Juvenile Facilities, Section 1353
<b>RESCINDS:</b>	Procedure Manual Item <b>3-5-004</b> , dated <b>09/11/23</b>
<b>FORMS:</b>	<b>Detainee Grievance Form</b> <span style="float: right;"><b>(F057-6005.1)</b></span>
<b>PURPOSE:</b>	To familiarize staff and youth with those rights of detained youth. A copy is to be permanently posted in each unit/dorm.

### I. GENERAL INFORMATION

**Youth** entering a juvenile facility **who meet criteria to transfer to a living unit**, will receive orientation **prior to placement in a living unit**. Youth will be informed **both in writing and verbally** of their rights while in the facility, and will be provided information related to available services, how to access those services, the facility rules for expected behavior, and other information needed for a successful transition from the community to a detention setting. **Provisions shall be made to provide accessible orientation information to all detained youth including those with disabilities, limited literacy, or English language learners.** **Orientation also applies and must be completed prior to youth being transferred to the Youth Leadership Academy or a living unit at the Youth Guidance Center.**

#### A. Basic Rights Explained to Youth during Orientation:

1. A place to sleep. This includes a clean and usable bed or cot, pillow, blankets, sheets, etc.
2. A housing assignment based on individual needs, not based solely on anatomy or birth gender. Youth may request housing based on their chosen gender identity. Housing requests of this nature will be authorized by Administration based on the safety of individual youth and other security concerns.
3. Full meals and a balanced diet. This includes three meals per day that meet prescribed nutritional standards.
4. Full complement of clean clothes, including a set of new, personal underwear.
5. Monthly Hair Care Services.
6. The opportunity to have regular visits from parents, stepparents and legal guardians at least two hours per week. Persons under 18, friends or extended family members are permitted to visit (this includes grandparents, uncles, aunts, boy/girlfriends, counselors, and teachers) based on space

available and if determined their relationship is supportive. Advance approval by the SPCO, Assistant Director or Director is required. **Child visits are also mandatory and can take place in the MRC's "baby Elmo room" or in the visiting rooms at control.**

7. Items necessary for personal hygiene. This includes soap, toothpaste, toothbrush, comb, deodorant, shampoo, lotion, post-shower conditioning hair products, and shaving implements.
8. Programs, **access to** recreation and exercise a minimum of three hours a day during the week and five hours a day each Saturday, Sunday or other non-school days, of which one hour shall be an outdoor activity, weather permitting.
9. Visits with attorneys.
10. Immigration **Legal** Services.
11. Telephone contacts with attorneys. Messages may be left for attorneys in their absence.
12. Receive and send unlimited letters each week. All legal mail to be posted at County expense.
13. The opportunity for a daily hot shower and access to toilet and water as needed.
14. The opportunity to attend religious services and/or religious counseling of his/her choice.
15. Clean and sanitary living conditions.
16. **Access to routine and emergency medical care/psychiatric and/or psychological assistance.**
17. Access to an education.
18. Availability of reading materials, programming, and other activities.
19. Age appropriate information explaining the facility's zero tolerance policy prohibiting sexual abuse and sexual harassment **by other youth, collaboratives, vendors and staff.** This information will include how a youth can report incidents, or suspected incidents, of sexual abuse or sexual harassment, as outlined in PMI 1-4-123.
20. Advisement of the rules of the facility, including contraband and searches and disciplinary procedures. The consequences for violation and access to procedure which provides for a fair hearing and resolution of complaints pertaining to his or her care in juvenile facilities (e.g. Resident's Grievance Procedure, 3-5-015, Disciplinary Due Process, 3-10-001, and **Incentives and Discipline Due Process** 3-10-002) including the confidential grievance procedure, access to grievance forms, **youth's right to be free**

**from retaliation for reporting a grievance, and the name of the person or position designated to resolve the issue.**

21. Explanation of the facility's system of positive behavior interventions and supports, incentives that youth will receive for complying with facility rules.
22. Youth will be given the opportunity to access the phones at no cost daily.
23. **A non-discrimination policy and the right to be free from physical, verbal, or sexual abuse and harassment by other youth and staff.**

B. Additional Orientation Information Provided to Youth

1. Facility policy of the use of force, including physical and mechanical restraints, and the use of chemical agents.
2. An explanation of the different types of room confinement and their purpose.
3. All disciplinary action is determined and administered by staff and never delegated to youth. No corporal punishment or cruel, degrading punishment, either physical or psychological is permitted.
4. Youth will participate in a school program approved by the State. Youth who have already received their high school diploma or GED equivalent may participate in college courses, as available.
5. Youth have access to counseling and casework services, including services by those qualified to address transgender and/or intersex youth concerns.
6. Description of all emergency **and evacuation** procedures, including earthquake, fire, and evacuation plans.
7. Youth may possess newspapers, books and magazines permitted in the amount and manner as determined by the Facility Director.
8. Youth may possess photos, personal papers and similar material in a single 9x12 envelope in their rooms or lockers as determined by the Facility Director.
9. Youth may access legal books by presenting a written request to staff identifying the title of the book.
10. Youth will participate in a minimum of one hour of programming daily.
11. Youth will be notified of services and programs which are available in languages other than English.
12. Information will be provided to parents or guardians which describes how they can receive information regarding the youth's stay in the facility, which includes answers to frequently asked questions, and provides contact information for facility administrators, medical and school personnel, and mental health providers.

**13. Youth will be advised of court dates and once they receive their commitment, will be advised of their estimated length of stay.**

II. PROCEDURE

Facility staff conducting the orientation are responsible for:

- A. Identification of key staff and their roles within the facility, including medical, mental health, religious, and educational services.
- B. Advising all youth of their rights and of program elements listed above upon their entry into a juvenile **facility**.
- C. Posting a list of Youth's Rights, Rules of Conduct and Grievance Procedure in each living area, accessible to all resident youth.
- D. Ensuring that no youth is deprived of his/her basic rights as a means of discipline.
- E. Ensuring youth understand the process for requesting different housing, education, additional programming, or work assignments within the facility.
- F. Advising youth of the process by which they may access Title 15 Minimum Standards for Juvenile Facilities.
- G. Advising youth of upcoming court dates, information on the court process, and access to legal services.**
- H. Ensuring youth have reviewed the Orange County Probation Intake Handbook, signed all applicable paperwork in the Handbook, placing signed paperwork in the youths file, and documenting in our Integrated Case Management System (ICMS) that the Orientation Process has been completed.**

**REFERENCES:**

Procedures:	3-5-001	Intake – Juvenile Hall
	3-5-006	<b>Youth Housing and Classification</b>
	3-5-015	Resident's Grievance Procedure
	3-8-007	Recreation/Exercise Program
	3-8-011	Meeting the Religious and Spiritual Needs of <b>Youth in Probation Facilities</b>
	3-8-012	Visiting/Video Conferencing
	3-9-001	Youth's Mail
	3-9-003	Youth's Use of Telephones in Facilities
	3-9-005	Attorney Contact with Incarcerated Youth
	3-10-001	Disciplinary Due Process
	3-10-002	<b>Incentives and Discipline Due Process</b>
	3-10-003	Deterrence of Unacceptable Behavior
	3-11-004	Counseling vs. Therapy Appropriate Techniques Youth Leadership Academy

3-12-001	Health Care Procedures for Probation Staff
3-14-002	Dress Code – Youth in Facilities
3-14-003	Personal Hygiene Guidelines
Policies:	
D-2	Use of Physical Restraint Corporal Punishment
F-4	Visits with Minors in, Juvenile Institutions; Placements
F-5	School Programs in Probation Department Juvenile Institutions
F-6	Religious Programs and Services at Probation Department Juvenile Institutions
F-10	Medical Examinations and Treatment for Juveniles

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**APPROVED BY:**