

SEPARATION

AUTHORITY: Administrative Directive California Code of Regulations, Title 15, Board of State and Community Corrections Title 15 **Sections 1328, 1352, 1354, 1354.5, and 1390;** Welfare and Institutions Code §§ 208.53, **209, and 210.**

RESCINDS: **Procedure Manual Item 3-5-013, dated 08/18/23**

FORMS: Special Incident Report (ICMS)
Behavior Notice (F057-6259)

PURPOSE: To establish and implement written policy and procedures regarding the separation of youth from group activities for reasons that include, but are not limited to, required facility operations, medical and mental health conditions, assaultive behavior, disciplinary consequences, self-placed separation, and protective custody.

I. GENERAL INFORMATION

A. Separation – Limiting a youth's participation in regular programming for a specific purpose. Separation types include:

1. **Disciplinary Separation (DS) – Separating a youth for disciplinary purposes.**
2. **Medical Separation (MS) – Youth separated for health-related issues by Medical Unit staff for the protection of the youth, other youth, and staff.**
3. **Mental Health Separation – Youth separated for mental health related issues by the Clinical Evaluation and Guidance Unit (CEGU) staff for the protection of the youth, other youth, and staff.**
4. **No Sight/No Sound – Youth 18 years of age or older, who have charges filed in adult court for offenses committed while a juvenile or offenses committed as an adult, with no open juvenile cases. Sight and sound separation of a youth based upon their age (i.e. 18 years of age or older) and the court of jurisdiction.**
5. **Protective Custody (PC) – Separating a youth from other youth to protect him or her from a dangerous situation.**
6. **Required Facility Operations – refers to the necessary activities that require the temporary placement of youth in a locked room to support facility operations. These activities include, but are not limited to, shift change, shift briefing, immediate post-incident activities, and the transition period following activities such as school and exercise.**

7. **Restrictive Status – A form of separation from the group. Youth still receives all Title 15 requirements. See PMI 3-10-002 Behavior Management**
 8. **Room Confinement – See PMI 3-5-014**
 9. **Self-Separation/Voluntary Separation – Separating a youth per their request.**
 10. **Type I Youth – Type I status is based on the legal status of the youth. If a youth is booked in on Misdemeanor charges, they will be placed on Type I. Youth on formal probation with search terms do not require Type I status when booked on misdemeanor warrants. Refer to California Penal Code (PC) Section 4030(e).**
- B. Trauma-informed care – An organizational structure and system framework that involves understanding, recognizing, and responding to traumatic stress reactions and the effects of all types of trauma. Trauma-informed care also emphasizes raising awareness and providing resources about trauma and the impact of trauma on youth, family members, and staff.**
- C. When the objective of the separation is discipline, Title 15 Section 1390 shall apply.**
- D. When separation results in room confinement, the separation shall occur in accordance with Welfare and Institutions Code Section 208.3 and Section 1354.5 of these regulations.**
- E. Policies and procedures shall ensure a daily review of separated youth to determine if separation remains necessary.**

II. POLICY

- A. Separation is authorized pursuant to the guidelines outlined in this section. When requesting separation and when separation is authorized, staff should use approaches and responses that consider positive youth development and trauma-informed care. Using these approaches and responses reduces the likelihood of re-traumatization and improves rehabilitation outcomes. Individual youth needs should be considered to support each youth's positive development.**
- B. A separated youth shall not be denied normal privileges or participation in programs, except when necessary to accomplish the objective of separation. Deprivation of the following is not permitted: bed and bedding; daily shower, access to drinking fountain, toilet, and personal hygiene items, clean clothing; complete nutrition; contact with parent or attorney; exercise; medical services and counseling; religious services; clean and sanitary living conditions; the right to send and receive mail; education; and rehabilitative programming. A review of all separated youth shall be conducted by the duty officer (DO) and unit staff on each shift to determine if separation remains necessary.**

- C. Any separation that results in a youth being placed in a room requires the approval and/or notification of a Duty Officer (DO) and the submission of appropriate documentation in the Integrated Case Management System (ICMS).
- D. Youth shall not be separated from the general population or assigned to a single occupancy room based solely on the youth's actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability or HIV status. This section does not prohibit staff from placing a youth in a single occupancy room at the youth's specific request.

III. SEPARATIONS

- A. **Disciplinary Separation (DS)** – DS requires the collaboration and approval of the DO/SPCO. When a youth is placed on DS, the following steps shall be taken:
 - 1. The DO/SPCO will ensure the juvenile facility staff complete their incident reports before the conclusion of their shift, documenting the reasons for the DS. Staff will meet with the youth to explain why the youth are being placed on DS.
 - 2. Due Process shall be provided to the youth.
 - 3. The DO/SPCO will develop a behavior contract for the youth, considering the youth's developmental capacities and/or their behavioral health needs. Refer to PMI 3-10-002, Behavior Management for Behavior Contracts.
 - a. Room confinement is only to be used if the youth presents a threat to safety or security. If this occurs, staff shall follow the Room Confinement Policy.
 - 4. The DO/SPCO will review the youth's behavior contract with the youth, explain the anticipated date the youth's separation will end, and the expectations to be met while on separation. The youth will sign the behavior contract once the youth has clear understanding of the expectations and will be given a copy of the behavior contract.
 - 5. At the end of each shift, juvenile facility staff will meet with the youth to review whether or not expectations have been met. After meeting with the youth, juvenile facility staff will document the youth's overall behavior and any Title 15 requirements provided to the youth in ICMS.
 - 6. Prior to a youth rejoining the group, juvenile facility staff will meet with the youth to review expectations and review the facility rules.
- B. **Medical Separation (MS)** – Youth may be placed on MS for health-related issues per the medical staff only. Per medical staff, for the protection of the youth, other youth, and staff, youth on MS shall be separated from the group.

On-site healthcare staff shall assess the healthcare needs and requirements of each youth on MS. Staff shall employ universal precautions and adhere to the medical treatment plan when dealing with youth on medical separation status. A youth shall remain on MS until cleared by on-site health care staff. When placing a youth on MS status, staff shall notify the DO.

- C. **Mental Health Separation** – Youth may be placed on Mental Health Separation for mental health related issues by the Clinical Evaluation and Guidance Unit (CEGU) staff for the protection of the youth, other youth, and staff. CEGU staff shall assess the Mental Health needs of the youth and keep the DO apprised of the youths needs to remain on Mental Health Separation or if other measures are needed (i.e. transporting youth to a Medical Facility for a higher level of care).
- D. **Protective Custody (PC)** – Separating a youth from other youth to protect the youth from a dangerous situation. When placing a youth on PC status, staff shall obtain DO approval.
- E. **Type I** – Type I status is based on the legal status of the youth. If a youth is booked in on Misdemeanor charges, they will be placed on Type I. Youth on formal probation with search terms do not require Type I status when booked on misdemeanor warrants. Refer to California Penal Code (PC) Section 4030(e). Youth should be seated away from the group in the unit.
 - 1. A youth is placed on Type I status if the booking offense is a misdemeanor and no weapons, violence, or controlled substances were involved in the alleged offense.
 - 2. Material witnesses pursuant to 1332 PC shall be placed on Type I status.
 - 3. Youth detained on Type I status shall not be strip or visual body cavity searched or housed with the facility's general population until they have appeared for a detention hearing.
- F. **No Sight/No Sound** – Youth whose case originated in juvenile court and has been transferred to a court of criminal jurisdiction are not required to be separated from the facility's general population unless a youth meets all of the following criteria:
 - 1. A youth is between the ages of 18 to 25;
 - 2. A youth is in custody at a juvenile facility;
 - 3. The youth's case is in the court of criminal jurisdiction/adult court and;
 - 4. There has been a break in continuous stay at the juvenile facility (e.g., the detainee has been transferred to an adult jail regardless of custody or bail status and returns to the juvenile facility, separation is required). If a youth's status cannot be determined, separate until the matter can be resolved.

5. When placing a youth on No Sight/No Sound separation, staff shall obtain the DO approval.
- G. Required facility operations – The necessary activities that require the temporary placement of youth in a locked room to support facility operations.
 1. These activities include, but are not limited to,
 - a. shift change
 - b. immediate post-incident activities
- H. Self Separation/Voluntary Separation - Separating a youth per their request. Youth who are self-separating may be temporarily placed in a room. Youth may be removed from self-separation, upon their request, at any time and rejoin the group. There are times when youth may voluntarily choose to remain in their rooms, for example: Decline Large Muscle Exercise (LME); decline program or free time; or decline meal where a youth voluntarily chooses to remain in their room.

IV. Procedure

- A. If a youth requests to remain in their room, staff shall make a concerted effort via counseling, contacting CEGU, utilizing the phase system, and applying positive-behavior principles to have the youth participate in the unit program. The goal should be to identify the reason behind the youth's request to stay in their room and to rule out unit conflict, psychological, or other reasons that could be addressed.
- B. In ICMS, document the circumstance(s) of the youth's choice to voluntarily remain in their room, the time it began, and the time the youth rejoined the group.
- C. Throughout the time a youth is in their room on separation, staff will attempt to counsel the youth at a minimum of every hour in attempts to modify their behavior and safely return them to the group. Each counseling attempt and the youth's response must be recorded in ICMS.

REFERENCES:

Procedures:	1-4-123	Prevention, Detection, Reporting, and Response to Incidents of Sexual Abuse, Harassment, and Misconduct in Juvenile Facilities (PREA)
	3-5-004	Youth's Rights/Orientation Incentives and Discipline Due Process
	3-10-003	Deterrence of Unacceptable Behavior
	3-5-014	Room Confinement
	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
Disciplinary Hearing Officer Paperwork

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APPROVED BY: