

YOUTH SERVICES POLICY

Title: Shower Procedures	Type: C: Field Operations Sub Type: 2. Security Number: C.2.26
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References: U.S. DOJ PREA Standards 115.315, 115.318, and 115.342; Applicable local, state, and federal laws; ACA Standard 4-JCF-1C-04 (Performance-Based Standards for Juvenile Correctional Facilities); YS Policy Nos. A.1.14 “Unusual Occurrence Reports”, A.2.14 “Secure Care Facility Staffing”, A.2.62 “Staff/Youth Relationships”, A.7.3 “Facility Design/Space Management”, B.2.20 “Non-Discriminatory Services to Lesbian, Gay, Bisexual, Transgender, Intersex, Questioning (LGBTIQ), and Nonconforming Youth”, C.2.3 “Searches of Youth”, and C.2.11 “Prison Rape Elimination Act (PREA)”	
STATUS: Approved	
Approved By: <i>William A. Sommers, Deputy Secretary</i>	Date of Approval: 08/10/2022

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To provide guidance to facility staff on the procedures and facility requirements for showers.

III. APPLICABILITY:

All YS employees and all youth within the custody of YS.

Facility Directors and supervisory staff are responsible for ensuring established procedures are adhered to.

IV. DEFINITIONS:

Gender Identity - A person’s internal, deeply felt sense of being male or female, regardless of the person’s assigned sex at birth.

Harassment - Includes but is not limited to: repeated and unwanted name calling; sexual advances, requests for favors, or verbal comments, or gestures of a derogatory or offensive sexual nature, disrespectful gestures, jokes or comments; inappropriate touching; threats of physical or emotional acts, or negative consequences (including religious condemnation); physical abuse; sexual abuse; including unwanted sex acts; touching, pantomime and threats; and emotional abuse, such as shunning or isolation. Attempting to change a youth's sexual orientation or gender identity is also a form of harassment.

Intersex – A person who's sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

LGBTIQ -- Youth who have identified themselves as lesbian, gay, bisexual or transgender, intersex or questioning their sexual orientation, or gender nonconforming youth. (Refer to YS Policy No. B.2.20)

Prison Rape Elimination Act (PREA) - An Act signed into law by President George W. Bush in September 2003. This legislation requires the Bureau of Justice Statistics (BJS) to initiate new national data collections on the incidence and prevalence of sexual violence within correctional facilities. PREA defines four categories of sexual abuse for purposes of data collection: abusive sexual contacts, nonconsensual sexual acts, staff sexual harassment and staff sexual misconduct.

Sexual Abuse - Any sexual activity that has been deemed improper or harmful between an adult and minor or two or more minors by the Prison Rape Elimination Act (PREA), state or local laws, and Agency policy with or without the consent of the victim.

Sexual Orientation - A person's emotional, romantic, and sexual attraction or interests towards individuals of the same sex different sex or both sexes.

Transgender - A person whose gender identity (internal sense of male or female) is different from the person's assigned sex at birth.

Training Records Entry Completed (TREC) - The database used to track training hours of YS employees at some secure facilities.

Unusual Occurrence Report (UOR) - A document that must be completed by staff to report incidents or observations of events that may have an impact on any aspect of the agency. UOR forms shall be made available to all employees, working in all areas at all times. Employees must complete and submit a UOR prior to the end of their tour of duty on the day the incident was observed or comes to the employee's attention in any way. If a UOR form is not available, the employee must use any paper available to report the

pertinent information. UORs may also be submitted by email. (Refer to YS Policy No. A.1.14)

V. POLICY:

It is the Deputy Secretary's policy that rules and procedures shall be established to ensure that staff provide proper supervision to youth who are showering while preventing sexual abuse, sexual harassment and other misconduct. LGBTIQ youth shall be treated with sensitivity and respect on an individual basis when it comes to bathing and bathroom use. The requirements of the Prison Rape Elimination Act and all other federal and states laws will be followed when it comes to shower and bathroom activity.

VI. PROCEDURES

A. Facility Requirements and Guidelines:

1. At least one shower will be provided for every eight juveniles (1:8).
2. Showers shall provide thermostatically controlled hot and cold running water at temperatures ranging from 100 degrees to 120 degrees Fahrenheit.
3. When the agency designs, acquires a new facility, or is planning substantial expansion or modification of existing facilities, the agency will consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect youth from sexual abuse.
4. If the facility has a video or electronic monitoring system, youth shall not be recorded or viewed when showering, performing bodily functions, or changing clothing.
5. Staff will adhere to YS Policy C.2.11 and the OJJ PREA Manual attached to that policy, specifically Sections II.D.3 and VI.D.10 in the OJJ PREA Manual.

B. Shower Procedures:

1. Showers are to be offered to youth on a daily basis.
2. Shower schedules are to be posted in each dormitory.
3. Showers shall be equipped to provide privacy in a communal setting. If the showers are not equipped to provide privacy, youth shall be allowed to shower one at a time.

4. Intersex and Transgender youth shall be given the opportunity to shower one at a time.
5. Facility staff shall determine a consistent time when showers shall occur. Special or additional times may be allowed for showers after very strenuous activity or work details. The need for such showers and the time allowed shall be determined by facility supervisory staff.
6. Youth shall be able to shower, perform bodily functions, and change clothing without staff of the opposite gender (excluding medical staff) viewing. Staff shall supervise the youth and prevent horseplaying, pushing, shoving, throwing of objects or any similar type of behavior.
7. Staff shall make sure that each youth turn the shower off and clean the shower area before leaving the area.

VII. TRAINING OF EMPLOYEES

- A. In order for secure care employees to have the awareness and capacity to effectively work with youth, they shall be required to receive training on shower policies and procedures during orientation.
- B. All training shall be documented and entered into the "Training Records Entry Completed" (TREC) database and/or Louisiana Employees Online (LEO).

Previous Regulation/Policy Number: C.2.26

Previous Effective Date: 07/28/2020

Attachments/References: