

YOUTH SERVICES POLICY

Title: Use of Interventions - Community Based Services	Type: D. Community Based Services Sub Type: 10. Supervision Number: D.10.12
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References: La. Children's Code, Arts. 412 I and 412 J, ACA Standards 2-7162, 2-7163, 2-7164, 2-7166, 2-7167, 2-7168, 2-7169 (Juvenile Probation and Aftercare Services); YS Policy Nos. A.1.14 "Unusual Occurrence Reports", A.2.19 ""Commissioned Probation and Parole Officer – Juvenile/Special Agents", C.1.8 "Firearms Training, Use and Revocation"	
STATUS: Approved	
Approved By: <i>Mary L. Livers, Deputy Secretary</i>	Date of Approval: 08/25/2015

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 establish the procedures for training of Community Based Services (CBS) staff on the proper use of interventions and when the use of interventions is authorized.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Chief of Operations, Executive Management Advisor, Regional Directors, Regional Managers, and all employees of CBS.

IV. DEFINITIONS:

Agency - Youth Services, Office of Juvenile Justice (YS, OJJ).

Chemical Agent - Any product which is dispensed by means of an aerosol spray to control an individual's combative and/or resistive behavior.

Community Based Services (CBS) - Formerly known as the Division of Youth Services, including the regional probation and parole offices located throughout the state.

Comprehensive Report – A report to be completed after any use of force with an injury to youth or staff. The report shall be completed by the Operations Shift Supervisor (OSS) on duty at the time of the use of force incident within 5 (five) working days of the occurrence, and shall include a full description of the incident, roles each

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involved staff member/youth played in the incident, alternatives to use of force, impact of the incident on staff/youth, and any corrective actions needed. The report shall include copies of all written, audio, and video reports related to the use of force incident.

Comprehensive reports shall require a formal post incident debriefing with the appropriate Facility Director, Regional Director and Administrative staff within 30 days of submission. Results of the debriefing shall be documented and maintained in a file maintained in the appropriate regional office.

Force - A physical or mechanical intervention that causes someone to act in a manner contrary to his/her intent or causes them to change their behavior to a desired action or conduct.

Formal Post Incident Debriefing – A debriefing held within 30 days of submission of a Comprehensive Report resulting from a use of force with injury to youth or staff. The applicable Facility Director shall schedule and chair the debriefing with the appropriate Regional Director, applicable Mental Health/Social Services staff, applicable Administrative staff, and the report writer. Debriefing participants shall review staff and youth actions, the incident's impact on staff and youth, corrective actions taken or recommended, and explore plans or recommendations for improvement. Results of the debriefing shall be documented in the Comprehensive Report file.

Juvenile Electronic Tracking System (JETS) - The centralized database utilized to track all youth in OJJ custody or under OJJ supervision.

Mechanical Restraints – YS approved handcuffs, handcuff belts/chains, and leg irons.

Physical Intervention - A use of force which involves the application of approved techniques or restraints by a trained staff member to physically restrain a youth whose behavior is presenting an unsafe situation.

Pressure Point Control Tactics (PPCT) Defensive Tactics System – A researched based use of force subject control system developed through tactical, legal and medical research and approved by the Peace Officer Standards & Training (P.O.S.T.) Council.

Probation and Parole Officer 1, 2, and 3/Juvenile (PPO/J) - Includes CBS probation and parole officers.

Professional Staff – Includes CBS staff in the probation and parole series (Probation and Parole Officer/Juvenile, Probation and Parole Supervisor/Juvenile, Probation and Parole Regional Manager/Juvenile, Probation and Parole Program Specialist/Juvenile, and Probation and Parole Program Manager/Juvenile).

Regional Director - The Deputy Assistant Secretary responsible for the oversight of all functions and operations of the Community-Based Services Regional Offices and the secure care facility in their assigned Region.

Secure Facility - Any juvenile detention center, secure facility for youth, adult jail, lockup, or prison.

Transport Officer – An employee who has been trained in PPCT (including impact weapon), use of chemical agents, officer survival and adolescent behavior, whose primary function is transporting youth.

Unusual Occurrence Report (UOR) – A form/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. Employees must complete and submit a UOR prior to the end of their tour of duty on the day an incident is observed or comes to the employee's attention in any way. If a UOR form is not available, the employee may 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 all CBS probation and parole series employees and Transport Officers receive a minimum of 40 hours of training in PPCT Defensive Tactics System, including the use of an expandable baton, chemical agents, officer survival and adolescent behavior.

Probation and parole series employees shall also receive weapon retention training.

A sixteen (16) hour in-service training in PPCT techniques shall be completed each subsequent year thereafter.

VI. PROCEDURES:

- A. Reasonable efforts shall be made to control the situation prior to the use of a physical intervention. In the event an intervention becomes necessary, only CBS employees who have completed PPCT training may use YS approved mechanical restraints, chemical agents and expandable batons. Tasers are not approved for use by YS/OJJ staff.
- B. Principles of escalation and de-escalation shall be used when considering the threat. The use of force is justified only in instances of self defense, protection of others and property, in the prevention of escapes, for maintaining and regaining control, and in accordance with statutory authority. Only the minimum force necessary shall be used. Uses of control shall never be used as a means of punishment. As the level of control use by staff increases, the risk of officer and/or youth injury increases.

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- C. Use of mechanical restraints on pregnant youth shall be restricted to front application of hand restraints only.
- D. Use of an intervention is authorized only in the following circumstances:
 - 1. In self-defense, when physically attacked or when the possibility of such an attack is imminent;
 - 2. In defense of a third person who is physically threatened by a youth;
 - 3. Prevention of a crime, including criminal damage to property;
 - 4. Prevention of escape or runaway;
 - 5. Preventing a youth from inflicting self-harm; or
 - 6. A passive resistant youth.
- E. In accordance with the use of force principals taught in the PPCT Resistance/Control Continuum, the employee may exercise one level of control higher than the level of resistance encountered. Verbal commands to gain compliance should be exhausted prior to use of approved techniques within the control continuum on a passive resistant youth.
- F. Use of an intervention shall be documented on an Unusual Occurrence Report (UOR) form in the youth's Juvenile Electronic Tracking System (JETS) record or on the UOR attached to YS Policy No. A.1.14, and reviewed by the Probation and Parole Supervisor/Juvenile (PPS/J) and Regional Manager.

The UOR shall also be forwarded via email to the Deputy Secretary/designee and the appropriate Regional Director.

Use of mechanical restraints during routine transportation of youth (i.e., to/from secure care, non-secure program, pre-placement interviews, court or medical appointments) do not require a UOR.
- G. Chemical agents may be used within the resistance/control continuum to bring a youth into compliance for combative and/or resistive behavior. Employees must be trained in the use of chemical agents prior to use.

Only the minimum amount of chemical agent necessary to bring the youth into compliance shall be used. Once the youth is compliant, the youth shall be given the opportunity to flush the agent off of his face.
- H. Use of chemical agent shall be reported by close of business the next working day or immediately if there is an injury.
- I. A PPO/J shall take physical custody of a youth only if the youth has been placed in YS/OJJ custody or on the explicit order of the court. The assistance of local law enforcement may be requested when taking physical custody of a youth.

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- J. YS/OJJ staff shall assist law enforcement in the apprehension of alleged delinquents by sharing identifying information.
- K. Additional procedures regarding the use of firearms are found in YS Policy Nos. A.2.19 and C.1.8.
- L. In all use of force incidents where staff or youth sustain an injury, the highest ranking employee shall complete a "Comprehensive Report" (refer to Attachment D.10.12 (a)], and submit copies to the appropriate Regional Manager and Regional Director.

The Regional Director shall provide copies of the report to the Deputy Secretary, Assistant Secretary and Chief of Operations. A hard copy of the "Comprehensive Report" shall be maintained in a file in the Regional Manager's office, and shall be documented in JETS.

The Regional Manager shall hold a formal post-incident debriefing within 30 days of receiving all Comprehensive Reports. Findings or recommendations from the debriefing shall be electronically provided to the Deputy Secretary, Assistant Secretary and Chief of Operations by the Regional Manager chairing the debriefing.

VII. POLICY VIOLATION:

Employees who violate this policy shall be subject to disciplinary action and may be required to attend additional training at the Unit Head's discretion.

The training shall be in addition to any regularly-scheduled training the employee is required to attend.

Previous Regulation/Policy Number: D.10.12

Previous Effective Date: 08/19/2013

Attachments/References:



D.10.12 (a) Comprehensive Report Aug2015.docx

COMPREHENSIVE REPORT

The "Comprehensive Report" shall be submitted within 5 (five) working days of the incident to the appropriate Regional Manager and Regional Director.

Field Office: _____

Reported by:

Type of Incident: _____

Incident Occurred: _____

Location of Incident: _____

A. Full description of incident (who, what, where, when, why and how. Include all youth and staff actions and statements during the incident):

B. Staff involved and role they played during/after the incident:

C. What events precipitated this event:

D. Youth involved:

Full Name: _____ JETS#: _____ Race: ____ Age: ____

Disposition Length: _____ Adjudicated Charge(s): _____

Legal Status: _____ Mental Health Level: _____

Medication Compliance: _____

E. Injuries sustained:

<u>Staff or Youth</u> (S or Y)	<u>Full Name</u>	<u>Type of Injury</u>	<u>Cause of Injury</u>	<u>Treatment Received</u>
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- F. Were any weapons or contraband recovered during this incident?

- G. What future impact will or could this incident have on staff and/or youth and/or their families:

- H. What corrective measures were implemented and what follow-up action should be addressed to resolve and/or prevent future incidents?

- I. What disciplinary actions/commendations for staff were recommended?

- J. Is there video/audio of this incident? If so, how many discs are included with this report?

- K. Will transfers or separations be recommended for any of the youth involved?