

**SAN JOAQUIN COUNTY PROBATION DEPARTMENT
JUVENILE DETENTION POLICY AND PROCEDURE MANUAL**

TO: ALL STAFF

BULLETIN #: D-105

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REPLACES: NEW

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SUBJECT: DEFINITIONS

POLICY

The Probation Department is committed to ensuring staff understand the definitions of terms contained in Title 15.

PROCEDURES

A. Definitions

1. **“Administering medication”** as it relates to pharmaceutical management, means the act by which a single dose of medication is given to a patient by licensed health care staff. The single dose of medication may be taken either from stock (undispensed) or dispensed supplies.
2. **“Alternate means of compliance”** means a process for meeting or exceeding the intent of the standards in an innovative way as approved by the Board pursuant to an application.
3. **“Appeal hearing”** means an administrative procedure providing an appellant with an opportunity to present the facts of the appeal for the formal decision concerning matters raised pursuant to the purposes set forth in these regulations. Such hearing may be conducted using oral and/or written testimony as specified by the Executive Director of the Board or the Board.
4. **“Appellant”** means a county or city which files a request for an appeal hearing.
5. **“Authorized representative”** means an individual authorized by the appellant to act as its representative in any or all aspects of the hearing.
6. **“Behavioral Health”** means mental/emotional well-being and/or actions that affect wellness, behavioral health problems include: substance use disorders, alcohol and drug addiction, and serious psychological distress, suicide, and mental disorders.
7. **“Behavioral /Mental Health Director”** means that individual who is designated by contract, written agreement or job description to have administrative responsibility

for the behavioral/mental health program of the facility or system. The health administrator shall work in cooperation with the behavioral/mental health director to develop and implement mental health policies and procedures.

8. **“Board”** means the Board of State and Community Corrections, which acts by and through its Executive Director, Deputy Directors, and Field Representatives.
9. **“Camp”** means a juvenile camp, ranch, forestry camp or boot camp established in accordance with Section 881 of the Welfare and Institutions Code, to which youth made wards of the Court on the grounds of fitting the description in Section 602 of the Welfare and Institutions Code may be committed.
10. **“Cisgender”** means a person whose gender identity corresponds to the gender they were assigned at birth.
11. **“Clergy”** means persons ordained for religious duties.
12. **“Committed”** means placed in a jail or juvenile facility pursuant to a court order for a specific period of time, independent of, or in connection with, other sentencing alternatives.
13. **“Contraband”** is an object, writing or substance, the possession of which would constitute a crime under the laws of the State of California, pose a danger within a juvenile facility, would interfere with the orderly day to day operations or a juvenile facility, or violate facility rules.
14. **“Control room”** is a continuously staffed secure area within the facility that contains staff responsible for safety, security, emergency response, communication, electronics and movement.
15. **“Courts holding facility for youth”** means a local detention facility constructed within a court building used for the confinement of youth or youth and adults for the purpose of a court appearance, for a period not to exceed twelve hours.
16. **“Culturally responsive”** means considering the diverse population of a facility with regards to race, language, ethnicity, sexual orientation, gender, gender expression, immigration status, and values.
17. **“De-escalation”** in regards to use of force, is the use and application of efforts and techniques, including conflict resolution, to discourage, decrease or prevent threatening, destructive or violent behavior.
18. **“Delivering medication”** as it relates to pharmaceutical management, means the act of providing one or more doses of a prescribed and dispensed medication to a youth.

19. **“Developmental disability”** applies to those persons who have a disability which originates before an individual attains age 18, continues, or can be expected to continue indefinitely, and constitutes a suitable disability for that individual. This term includes intellectual disability, cerebral palsy, epilepsy, and autism, as well as disabling conditions found to be closely related to intellectual disabilities or to require treatment similar to that required for individuals with intellectual disabilities, but shall not include other disabilities that are solely physical in nature.
20. **“Direct visual observation”** means staff must personally see youth’s movement or skin. Audio/visual monitoring and mirrors may supplement but may not substitute for direct visual observation.
21. **“Direct visual supervision”** means staff are constantly in the presence of the youth. Audio/visual monitoring and mirrors may supplement but may not substitute for direct visual supervision.
22. **“Dispensing”** as it relates to pharmaceutical management and pursuant to Business and Professions Code Section 4024 means the placing of one or more doses of a prescribed medication into containers that are correctly labeled to indicate the name of the youth, the contents of the container, and all other vital information.
23. **“Disposal”** as it relates to pharmaceutical management means the destruction of medication or its return to the manufacturer or supplier on its expiration date or when retention is no longer necessary or suitable (e.g. upon youth discharge from the facility) or the provision of medication to the patient upon discharge.
24. **“DNA”** or Deoxyribonucleic Acid means a chromosomal double strand molecule that exists in each living cell. DNA determines an individual’s hereditary characteristics and can be used to distinguish and identify an individual from another person. This becomes critical when blood, hair, skin, or any other part of the body is used to prove one’s involvement or lack of involvement in a crime scene.
25. **“Emergency”** means a significant disruption of normal facility procedure, policy, or operation caused by civil disorder, single incident of mass arrest of youth or natural disasters, such as flood, fire, or earthquake and which requires immediate action to avert death or injury and to maintain security.
26. **“Executive Director”** means the Executive Director of the Board of State and Community Corrections.
27. **“Exercise”** means an activity that requires physical exertion of the large muscle groups.
28. **“Exigent”** means an urgent and unanticipated event that requires immediate action.

29. **“Facility administrator”** means chief probation officer, sheriff, marshal, chief of police, or other official charged by law with administration of the facility.
30. **“Facility manager”** means the director, superintendent, police or sheriff commander, or other person in charge of the day to day operation of a facility holding youth.
31. **“Filing date”** means the date a request for an appeal hearing is received by the Executive Director of the Board.
32. **“Food”** means any nourishing substance that is eaten, drunk, or otherwise taken in to the body to sustain life, provide energy and/or promote growth.
33. **“504 plan”** means a written educational plan developed by a group of educators, administrators, parents, and other relevant participants that addresses the needs of a student with a physical or mental impairment which may substantially limit major life activities, including but not limited to caring for one’s self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks and learning as defined under Section 504 of the Rehabilitation Act of 1973.
34. **“Furlough”** means the conditional or temporary release of a youth from the facility.
35. **“Gender expression”** means the manner in which gender is expressed through clothing, appearance, behavior, speech, etc.
36. **“Gender identity”** means a person’s sense of being male, female, some combination of male or female or either male or female.
37. **“Gender fluidity”** means a gender identity which can vary over time. A gender fluid person may at any time identify as male, female, neutrois, any other non-binary identity, or other combination of identifies. Their gender can also vary at random or vary in response to different circumstances. Gender fluid people may also identify as multi-gender, non-binary, or transgender.
38. **“Gender nonconforming”** means a youth whose appearance or manner does not conform to the traditional masculine or feminine gender norms.
39. **“Group punishment”** which is not allowed, means sanctioning a group of uninvolved youth based on the actions of one or more youth.
40. **“Health administrator”** means that individual or agency that is designated with responsibility for health care policy and procedures pursuant to a written agreement, contract, or job description. The health administrator may be a physician, an individual, or a health agency.
41. **”Health care”** means behavioral/medical, mental health and dental services.

42. **“Health care clearance”** means a non-confidential statement which indicates to youth supervision staff that there are no health contraindications to a youth being admitted to a facility and specifies any limitations to full program participation.
43. **“Health care provider”** is an individual appropriately licensed by the State and is designated by contract, written agreement, or job description to have responsibility to provide preventative, curative, promotional, or rehabilitative health care in a systematic way to youth.
44. **“Hearing panel”** means a panel comprised of three members of the Board who shall be selected by the Chair at the time an appeal is filed. A fourth member may be designated as an alternate. Members designated to the hearing panel shall not be employed by, or citizens of, the county or city submitting an appeal.
45. **“Human Trafficking”** means the trade of humans most commonly for the purpose of forced labor, sexual slavery, or commercial sexual exploitation for the benefit of the trafficker or others.
46. **“Individual Education Program”** (IEP) means a written statement for each individual with exceptional needs that is developed, reviewed and revised in a meeting in accordance with Education Code Section 56345 and applicable federal laws and regulations.
47. **“Intersex”** means a youth whose sexual or reproductive anatomy or chromosomal pattern does not fit typical definitions of male or female.
48. **“Juvenile facility”** means a juvenile hall, ranch or camp, forestry camp, regional youth education facility, boot camp or special purpose juvenile hall.
49. **“Juvenile Hall”** means a county facility designated for the reception and care of youth detained in accordance with the provision of this subchapter and the juvenile court law.
50. **“Labeling”** as it relates to pharmaceutical management and pursuant to Business and Professions Code Section 4076 and 4076.5, means the act of preparing and affixing an appropriate label to a medication container.
51. **“Legend drugs”** are any drugs defined as dangerous drugs under Chapter 9, Division 2, Section 4022 of the California Business and Professions Code. These drugs bear the legend, “CAUTION Federal Law Prohibits Dispensing without a Prescription.” The Food and Drug Administration (FDA) has determined, because of toxicity or other potentially harmful effects, that these drugs are not safe for youth except under the supervision of a health care practitioner license by law to prescribe legend drugs.

52. **“LBGTQI”** lesbian, gay, bisexual, transgender, questioning, intersex is a diversity of sexuality and gender identity based cultures. It may be used to refer to anyone who is non-heterosexual or non-cisgender, instead of exclusively to people who are lesbian, gay, bisexual or transgender. To recognize this inclusion, the letter Q is for those who identify as queer or are questioning their sexual identity. The letter I stands for “intersex” which is defined above.
53. **“Linguistically appropriate”** means delivered in a manner that effectively communicates with persons of limited English proficiency, those who have low literacy or are not literate, and individuals with disabilities.
54. **“Living unit”** shall be a self-contained unit containing locked sleeping rooms, single and double occupancy sleeping rooms, or dormitories, day room space, water closets, wash basins, drinking fountains and showers commensurate to the number of youth housed. A living unit shall not be divided in a way that hinders direct access, supervision, immediate intervention or other action if needed.
55. **“Local Health Officer”** means that licensed physician who is appointed by the Board of Supervisors pursuant to Health and Safety Code Section 101000 to carry out dually authorized orders and statutes related to public health related to his/her jurisdiction.
56. **“Meal”** means the food served and eaten especially at one of the customary or regular occasions for taking food during the day such as breakfast, lunch, or dinner.
57. **“Minor”** means a person under 18 years of age and includes individuals whose cases are under the jurisdiction of the adult criminal court.
58. **“Non-school day”** means a day when school is not in operation. It also applies when an individual youth is both not enrolled in school and not required to be in attendance.
59. **“Notice of Decision”** means a written statement by the Executive Director of the Board which contains the formal decision of the Executive Director and the reason for the decision.
60. **“On-Site Health Care Staff”** means licensed, certified or registered health care personnel who provide regularly scheduled health care services at the facility pursuant to a contract, written agreement or job description. It does not extend to emergency medical personnel or other health care personnel who may be on-site to respond to an emergency or an unusual situation.
61. **“Over-the-County Drugs (OTC) Drugs”** as it relates to pharmaceutical management, are medications which do not require a prescription (non- legend).

62. **“Pilot project”** means an initial short-term method to test or apply an innovation or concept related to the operation, management or design of the juvenile facility, jail or lock-up pursuant to an application to, and approval by, the Board.
63. **“Podular design”** means a design concept for detention facilities in which housing cells, dormitories, or sleeping rooms are positioned around the perimeter of a common day room, forming a housing/living unit. Generally, the majority of services for each housing/living unit (such as dining, medical exam/sick call, programming, school, etc.) occur in specified locations within the unit.
64. **“Post-Dispositional youth”** means a youth detained in a facility after a dispositional order by the court.
65. **“Procurement”** as it relates to pharmaceutical management, means the system for ordering and obtaining medication for facility stock.
66. **“Proposed decision”** means a written recommendation from the hearing panel/hearing officer to the full Board containing a summary of facts and a recommended decision on an appeal.
67. **“Prosthesis”** means artificial devices to replace missing body parts or to compensate for defective bodily function. Prosthesis are distinguished from slings, crutches, or other similar assistive devices.
68. **“Psychiatric medication”** means those drugs that are used to treat psychiatric symptoms. Drugs used to reduce the toxic side effects of psychotropic medications are not included.
69. **“Rated capacity”** means the number of beds approved by the Board that can be utilized by a juvenile facility based on the design requirements of Title 24, Part 1, Article 2, Section 13-201(c)6, of the California Code of Regulations.
70. **“Reasonable and necessary force”** refers to the amount and type of force that an objective, similarly trained, experienced and competent youth supervision staff, faced with similar facts and circumstances, would consider necessary and reasonable to ensure the safety and security of youth, staff, others and the facility.
71. **“Recreation”** means the youth’s free time to choose from activities that occupy the attention and offer the opportunity for relaxation. Such activities may include ping-pong, TV, reading, board games, and letter writing.
72. **“Regional facility”** means a facility serving two or more counties bound together by a memorandum of understanding or a joint powers agreement identifying the terms, conditions, rights, responsibilities and financial obligations of all parties.

73. **“Remodeling”** means to alter the facility structure by adding, deleting, or moving any of the building’s components thereby affecting any of the spaces specified in Title 24, Section 460A.
74. **“Repackaging”** as it relates to pharmaceutical management, means transferring medications from the original manufacturer’s container to another property labeled container.
75. **“Request for appeal hearing”** means a clear written expression of dissatisfaction about a procedure or action taken requesting a hearing on the matter, and filed with the Executive Director of the Board.
76. **“Responsible physician”** means the physician who is appropriately licensed by the State and is designated by contract, written agreement or job description to have responsibility for policy development in medicine, dental and mental health matters involving clinic judgements. The responsible physician may also be the health administrator.
77. **“Room confinement”** means the placement of a youth in a locked room with minimal or no contact with persons other than correctional facility staff and attorneys. Room confinement does not include confinement of a youth in a locked single person room for brief periods as may be necessary for facility operations.
78. **“Room extraction”** means the forceful removal of a youth from a room.
79. **“Security glazing”** means a glass/polycarbonate composite glazing material designed to fuse in detention facility doors and windows and intended to withstand measureable, complex loads from deliberate and sustained attacks in a detention environment.
80. **“Separation”** means limiting a youth’s participation in regular programming for a specific purpose.
81. **“Sexual abuse”** is sexual activity or voyeurism by one or more persons upon another person who does not consent, is unable to refuse, or is coerced into the act by manipulation, violence, or by overt or implied threats.
82. **“Sexual orientation”** means a person’s emotional, romantic and sexual attraction for members of the same, opposite or both genders.
83. **“Shall”** is mandatory; **“may”** is permissive.
84. **“Snack”** means a small portion of food, drink or a light meal, especially one eaten or drunk between regular meals.

- 85. **“Sole supervision”** means independent supervision of one or more youth by youth supervision staff who have successfully completed Juvenile Corrections Officer Core Training.
- 86. **“Special purpose juvenile hall”** means a county facility used for the temporary confinement of a youth, not to exceed 96 hours prior to transfer to a full service juvenile facility or release.
- 87. **“Special visit”** means visits by persons other than parents or guardians, those standing in loco parentis, and children of the youth as outlined in Section 1374 of these regulations.
- 88. **“Status offender”** means a minor alleged or adjudged to be a person described in Section 601 of the Welfare and Institutions Code.
- 89. **“Storage”** as it relates to pharmaceutical management, means the controlled physical environment for the safekeeping and accounting of medications.
- 90. **“Supervisory staff”** means a staff person whose primary duties may include, but are not limited to, scheduling and evaluating subordinate staff, providing on-the-job training, making recommendations for promotion, hiring and discharge of Subordinate staff, recommending disciplinary actions, and overseeing subordinate staff work. Supervisory staff may be included in the youth to supervision staff ratio when performing duties of direct youth supervision.
- 91. **“Transgender youth”** means a youth whose gender identity is different than the youth’s assigned sex at birth.
- 92. **“Trauma”** is an experience that causes intense physical and psychological stress reactions. It can refer to a single event, multiple events, or a set of circumstances that is experienced by an individual as physically and emotionally harmful or threatening and that has lasting adverse effects on the individual’s physical, social, emotional, cognitive, or spiritual well-being.
- 93. **“Trauma-informed approaches”** are policies, practices and procedures that ensure all parties involved recognize and responds appropriately to the impact of traumatic stress and ensure the physical and psychological safety of the youth, family members, and staff.
- 94. **“Trauma-informed care”** means 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.

- 95. **“Trauma reminders”** means something that reminds a person of a traumatic event or loss and can lead to fear, panic, agitation, numbness, psychological arousal, or other traumatic stress reactions.
- 96. **“Traumatic stress”** occurs when youth are exposed to traumatic events and this exposure overwhelms their ability to cope.
- 97. **“Un-enrolled”** means an individual youth is not enrolled in school.
- 98. **“Use of Force”** means an immediate means of overcoming resistance and controlling the threat of imminent harm to self or others.
- 99. **“Voyeurism”** means an invasion of privacy of a youth by another individual during private activities such as using the toilet or undressing, or by staff for reasons unrelated to official duties, such as peering at a youth who is using a toilet in his or her room to perform bodily functions; requiring a youth to expose to his or her buttocks, genitals, or breasts; or taking images of all or part of a youth’s naked body or of a youth performing bodily functions. Exceptions would include exigent circumstances or when such viewing is incidental to routine room safety checks.
- 100. **“Youth”** means any person who is in the custody of the juvenile facility. This person may be a minor under the age of 18 or a person over 18 years of age. This includes persons whose cases are under the jurisdiction of the juvenile court and persons whose cases are under the jurisdiction of the adult court.
- 101. **“Youth supervision staff”** means a juvenile facility employee, whose duty is to supervise the youth. Administrative, supervisory, food services, janitorial or other auxiliary staff is not considered youth supervision staff.