

 <p style="text-align: center;"><b>COLORADO</b> Division of Youth Services</p>	<b>POLICY S-14-3A</b>	<b>PAGE NUMBER</b> 1 OF 12
	<b>CHAPTER:</b> Rules and Discipline	
	<b>SUBJECT:</b> Youth Center Rules	
	<b>EFFECTIVE DATE:</b> March 18, 2024	
	 <b>Anders Jacobson, Director</b>	
<b>THIS POLICY RELATES TO:</b>  Detention Youth Centers Treatment Youth Centers		

I. POLICY:

Each Division of Youth Services youth center shall implement strengths and relationship-based behavioral management programs that positively reinforce behavioral expectations. The behavioral management programs shall be grounded in a trauma-responsive approach that addresses both individual and group needs. The programs shall include behavioral expectations and privileges, Restorative Community Justice Philosophies, and a range of possible interventions that may be assigned for various rule violations. Youth who are subject to a major rule violation shall be afforded a fair and equitable process.

II. KEY TERMS: See the Division of Youth Services website for detailed definitions.

[DYS Policy Key Terms](#)

- A. Interventions
- B. Major Rule Violation
- C. Minor Rule Violation
- D. Problem Solving Group

III. ASSOCIATED FORMS:

- A. Appreciation Group Form

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- B. Behavioral Expectations Form/Poster
- C. Division of Youth Services Minor Rule Violation Form
- D. Problem-Solving Group Form
- E. Colorado Trails Incident Report
- F. Law Enforcement Decision Matrix Form
- G. Intervention S.E.L.F Assignment A
- H. Intervention S.E.L.F Assignment B
- I. Intervention S.E.L.F Assignment C

#### IV. PROCEDURES:

##### A. Behavior Management Program:

1. All youth shall receive an orientation to the behavior management program and the Restorative Community Justice Philosophies within 24 hours of entry into the youth center.
2. The content of the youth handbook and its location shall be explained to the youth during the intake process. All youth admitted to the Division of Youth Services (DYS) shall be offered their own DYS handbook during the youth center intake process. Additionally, youth centers shall have a minimum of one handbook on each unit. A signed acknowledgment documenting that the youth was offered a personal copy of the handbook shall be maintained in the youth's file.
3. Youth who have language barriers shall receive the behavior management program in their written language and/or translated into their own language as soon as possible.
4. The handbook shall include at a minimum the strengths-based behavioral management program expectations, the privileges associated with the behavior management program, the Restorative Community Justice Philosophies, and the range of possible disciplinary interventions that may be assigned for various rule violations.

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5. The youth center’s behavior management program shall be grounded in strengths and relationship-based youth and employee interactions with identified pro-social behavior expectations that support commitments to social responsibility, emotional intelligence, democracy, social learning, and nonviolence. The behavioral management program shall be data-driven and skill-based, designed to positively reinforce behavioral expectations. This framework is evidence-supported and consistent with the Eight Evidence-Based Principles.

B. Problem-Solving Groups:

1. When using problem-solving groups to address incidents within the youth center, the group should be conducted as soon as possible after the incident.
2. The group should include all impacted parties, whenever possible.
3. The description of the group and the outcome shall be documented on the problem-solving group form and kept on file.

C. Minor Rule Violations:

1. Responses to minor rule violations are utilized as a lower-level intervention to redirect and correct negative or inappropriate youth behaviors that could have an impact on safety and security if not corrected.
2. Minor rule violations shall be documented on a minor rule violation form.
3. Minor rule violations may be issued for the following infractions:
  - a. Failure to comply/program.
  - b. Horseplay.
  - c. Inappropriate language.
  - d. Minor destruction of property: The act of minor defacing of state property by the method of defacement; including but not limited to drawing, writing, or otherwise marring the surface of the property.

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- e. Consensual affectionate contact: Contact and/or interactions between youth that require intervention due to their romantic nature. Consensual affectionate contact is not a PREA violation. However, it is a violation of DYS rules and there is zero tolerance for any sexual or affectionate contact in all DYS youth centers. Consensual affectionate acts include the following: kissing, hugging, caressing, holding hands, and cuddling.
  - f. Nuisance contraband: Any item other than dangerous contraband, that has never been, may be, or previously has been authorized for possession by a youth, but whose possession is prohibited when it presents a threat to the safety, security, or good order of the youth center or its condition or excessive quantities of it present a health, fire, or housekeeping hazard. Examples of nuisance contraband include excessive personal property; altered personal property; excessive accumulation of paper or letters, which cannot be stored neatly and safely in the designated area; state-issued items that have been altered, or other items made from state property without employee permission.
  - g. Other: Other program-specific infractions approved by the appointing authority or designee.
4. Youth who have A DOCUMENTED PATTERN OF RECEIVING MINOR RULE VIOLATIONS FOR SIMILAR BEHAVIOR, AND/OR FAIL TO COMPLETE INTERVENTIONS ASSIGNED FOR MINOR RULE VIOLATIONS, shall be referred to the administration or designee FOR AN ALTERNATE INTERVENTION, which could include a major rule violation AND/OR PLACEMENT ON AN INDIVIDUALIZED PROGRAM.
  5. Minor rule violation interventions shall not exceed 72 hours and shall be approved by a supervisor.
  6. Minor rule violations shall include the following requirements at a minimum, with any additional program-specific requirements.
    - a. Employees shall advise the youth of the expectations of the program.
    - b. Employees shall advise the youth of the specific violation(s) of youth center expectations.

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- c. Youth shall have the opportunity to explain their behavior/actions. Whenever possible, this discussion shall take place in a private setting. When a private setting is not available, the youth shall be afforded as much privacy as possible.
- d. Employees shall assist the youth in developing solutions and/or strategies for correcting the problematic behavior and shall assign appropriate interventions.
- e. The minor rule violation form shall be placed in the youth's file.

D. Major Rule Violations:

- 1. Major Rule incident reports shall be generated for the following categories:
  - a. Fight/Assault:
    - i. Level One Assault: Unprovoked or provoked attack that results in an injury requiring outside medical attention including spit that makes contact with the face, mouth, eyes, and/or exposed skin (e.g. stitches, x-rays, a broken bone, concussion; could not be addressed by a first aid; not merely a visit to a medical provider).
    - ii. Level Two Assault: Unprovoked or provoked attack that results in an injury requiring internal first aid, and medical attention (e.g. sterile strips for cuts).
    - iii. Level Three Assault: Unprovoked or provoked attack that results in an injury that does not require medical attention, including spit that does not make contact with the face, mouth, eyes, and/or exposed skin (e.g. bruises, scrapes; spit that makes contact with the eyes, skin).
    - iv. Fighting: Mutually aggressive physical contact.
  - b. Behavior Management:
    - i. Dangerous Contraband: Possession of any item considered contraband that can reasonably be seen

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or used as a threat to the safety and security of the youth center or anyone in the youth center. This includes any item that can be used as a weapon or combined with objects and altered into a weapon; any illegal drugs or alcohol, including alcohol created by youth; any item not authorized in the youth center or to the person in possession.

- ii. Major destruction of property: The act of defacing state property by the method of defacement; including but not limited to paint, spray paint, ink, or any other substance or object. Including, but not limited to punching holes in walls, damaging equipment, door locks, and furniture.
- iii. Gang activity: An individual and/or group who demonstrate through written, verbal, and/or gestured association with an identified group for antisocial purposes; including the use of verbal, written, and/or gestures of the associated group to threaten, harass, intimidate and/or recruit.
- iv. Harassment: To trouble, torment or confuse through consistent persistent attacks and/or questions; including but not limited to derogatory comments about race, gender, ethnicity, and sexual orientation/identification.
- v. Threaten: To indicate through written, verbal, and/or gesture of menacing intent.
- vi. Medication Abuse: Any intentional use of medication in a way not intended by the prescribing provider.
- vii. Security Violation: An intentional act that violates policy and impacts youth center safety and security. Acts that compromise safety and security and/or violate precautions taken within the youth center to protect youth, employees, and/or visitors within the youth center from crime or attack. Including but not limited to the wrongful taking of personal goods or property from another, attempting to access unauthorized areas and any unauthorized contact caused through recklessness or negligence, made person-to-person or by throwing an object, where physical harm was not intended; may occur in the

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course of a youth's resistance to physical management, spit that makes contact with skin and does not make contact with eyes during a physical response.

- viii. Youth Sexual Misconduct: Consensual sexual contact between youth is not a PREA violation; however it is a violation of Division of Youth Services rules and there is zero tolerance for any sexual contact in all DYS youth centers. Youth sexual misconduct behaviors include:
  - I. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
  - II. Contact between the mouth and the penis, vulva, or anus.
  - III. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or another instrument.
  - IV. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, excluding contact incidental to a physical altercation.
- c. Escape:
  - i. Attempted Escape: A criminal act that is a substantial step toward escaping from custody; any action of an escape effort. Mere preparation is not a substantial step toward committing the crime of attempted escape.
  - ii. Escape: A successful escape from the supervision and control of a youth center, program, home visit, work program, or a supervised activity.
- d. Sexual Abuse and Sexual Harassment Prevention (PREA):
  - i. Youth-on-Youth Sexual Abuse: Sexual abuse of a youth by another youth occurs when there is a lack of consent, the youth is coerced into such an act by

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overt or implied threats of violence, or the youth is unable to consent or refuse and includes any of the following acts:

- I. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
  - II. Contact between the mouth and the penis, vulva, or anus.
  - III. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or another instrument t.
  - IV. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, excluding contact incidental to a physical altercation.
- ii. Youth on Youth Sexual Harassment: Repeated or unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth to another youth.
- e. A DOCUMENTED PATTERN OF RECEIVING MINOR RULE VIOLATIONS FOR SIMILAR BEHAVIOR, AND/OR FAILURE TO COMPLETE INTERVENTIONS ASSIGNED FOR MINOR RULE VIOLATIONS.
- f. Other: Program-specific infractions approved by the appointing authority or designee.
2. An incident report shall be completed for all major rule violations and shall be entered into the Colorado Trails database, where available. If a youth is alleged to have violated multiple major rules during the same incident, one incident report shall be written. The incident report shall be prepared by the primary employee involved or witnessing the incident and shall include, at a minimum, the following elements:
- a. A clear statement of the violation.

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- b. A detailed description of the event, including who, what, where, when, and how.
  - c. Any youth or employee witnesses.
  - d. Any immediate action that is taken, including the use of lower-level interventions, verbal de-escalation tactics, and any physical management used, as per DYS Policy S-9-4 Physical Response and Protective Devices.
  - e. Identification of which commitment was violated by the actions, including nonviolence, social responsibility, social learning, emotional intelligence, democracy, open communication, and growth and change.
  - f. The reporting employee's name.
  - g. The date and time that the report is created.
  - h. The date of supervisory review and the supervisor's name.
  - i. Incident reports shall be reviewed by a supervisor to ensure accuracy in details, grammar, and spelling.
  - j. If the incident report is not accurate or is incomplete, the supervisor shall follow up with the employees to ensure accuracy.
  - k. Within 72 hours of the incident, the supervisor shall complete a final review of the incident report. The youth center administrator or designee shall have an internal process to review all MAJOR RULE VIOLATIONS AND INFORMATIONAL YOUTH/YOUTH CENTER reports at a minimum of once per week to ensure all the above criteria have been met and incident reports are locked in the Colorado Trails Database within 30 days.
3. The youth shall sign an acknowledgment that they have been given written notice of the alleged violation as soon as possible but no later than 24 hours from discovery of the alleged violation. This documentation shall be maintained in the youth's file.

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E. MAJOR RULE VIOLATION REVIEW PROCESS. WHEN A YOUTH RECEIVES A MAJOR RULE VIOLATION, A DYS EMPLOYEE SHALL CONDUCT AN INTERNAL REVIEW:

1. THE REVIEW PROCESS SHALL BE CONDUCTED BY EITHER:
  - a. AN EMPLOYEE AT A YOUTH SERVICES SPECIALIST II LEVEL OR ABOVE, OR
  - b. IF AN EMPLOYEE AT A YOUTH SERVICES SPECIALIST II LEVEL OR ABOVE IS NOT AVAILABLE, AN EMPLOYEE SERVING AS A LEAD WORKER.
2. IF POSSIBLE, THE REVIEW SHALL BE COMPLETED BY AN IMPARTIAL EMPLOYEE NOT INVOLVED IN THE MAJOR RULE VIOLATION.
3. THE REVIEW SHALL BE COMPLETED AS SOON AS POSSIBLE, AND NO LATER THAN 24 HOURS FOLLOWING THE EVENT.
4. THE REVIEWER SHALL GIVE CONSIDERATION TO ALL OF THE FOLLOWING:
  - a. Information obtained in the written report.
  - b. Employee reports.
  - c. Witness reports.
  - d. Video review, IF NECESSARY.
  - e. Information obtained from the youth, including if the youth has requested to present evidence or call witnesses.

F. Intervention Process for Major Rule Violations:

1. AFTER A MAJOR RULE VIOLATION HAS BEEN REVIEWED, INTERVENTIONS SHALL BE ASSIGNED TO THE YOUTH.
2. Interventions assigned shall BE BETWEEN 3-10 DAYS. The youth and involved employees, when possible, shall be engaged collaboratively in individualizing the assigned interventions.

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3. The youth shall be present for the intervention process and assignment of interventions, except when they choose not to participate.
4. If a youth has allegedly violated multiple major rules at the same time, one set of interventions shall be assigned to address all of the major rule violations.
5. If a youth receives additional major rule violations during the time initially assigned interventions are being completed, the youth shall be assigned additional interventions to address the new and/or ongoing behaviors.
6. Interventions shall include practices to assist the youth in changing their behavior(s) by promoting pro-social interactions, developing problem-solving skills, and utilizing self-control. Interventions shall be strength-based and individualized, provide the opportunity for growth and change, are emotionally intelligent and socially responsible, and reinforce non-violence and safety.
7. Interventions shall include a restorative justice component that addresses repairing the harm to the victim/community that resulted from the youth's behavior. The restorative community justice intervention shall be individualized and specifically related to the incident. The completion of the intervention shall be documented.
8. Interventions shall not violate a youth's basic rights, as defined by DYS Policy S-13-1 Basic Rights and Responsibilities of Youth.
9. Documentation of interventions for major rule violations shall be completed in the Colorado Trails Database in an incident report. Interventions assigned for minor rule violations shall be documented on a minor rule violation form, informational report, behavioral observation, and/or case note.
10. The youth shall have the opportunity to reduce the length of the intervention through the successful completion of intervention components and demonstrated positive behavior.
11. Youth who have been issued a major rule violation incident report will be placed on base privileges within the behavioral management program until which time the intervention is completed.

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12. A copy of the report shall be given to the youth.
  13. The youth center director or designee shall review all incident reports and resolutions on a monthly basis to ensure conformity with policy.
  14. When a youth disagrees with the interventions assigned, they may FILE A FORMAL GRIEVANCE AS described in DYS Policy S-13-2 Grievance Procedures. The grievance process shall be explained to the youth as part of the intervention process.
- G. Law Enforcement:
1. When a youth allegedly commits a crime, the youth center administrator or designee shall utilize the law enforcement decision matrix if appropriate (non-egregious crimes) to assess if the case shall be referred to law enforcement officials for possible filing of charges or if an internal process will be utilized.
  2. When a youth is under the age of 18, questioning by law enforcement officials concerning alleged delinquent acts shall only be done in the presence of their parent, legal guardian, or attorney or with a parent, or legal guardian's consent, and also informing the client manager, if applicable.
    - a. In these situations, DYS employees shall not act in any capacity as legal guardians.
    - b. Employees shall not attempt to obtain information from any youth regarding possible criminal involvement for the purpose of providing that information to investigating officials.