

Policy 6.20– Managing Residential Youth Communications Summary

- Provides enhanced guidelines for managing communications in accordance with ACA standards

Background:

In March of 2020, a global pandemic called COVID-19 was declared. JR leadership decided to minimize the number of policy changes so JR staff could focus on the many additional ways they need to protect and support the JR youth and young adults in our care.

The existing policy did not undergo the typical sunset review, but rather was extended until the spring.

Policy Summary

The policy includes ACA standards relating to communication. Sections include approved contacts, mail, telephone access, screening/monitoring and restriction of mail and telephone, communication with attorneys or legal representatives, and internet access and social media, and communication regarding sexual abuse (PREA).

Changes from Current Practice

- There are no changes to our current practice or timelines.
- The policy sunset review date is extended to June 1, 2021.

Training Required: No

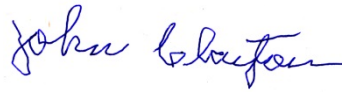
Policy Effective Date: November 1, 2016

POLICY 6.20 MANAGING RESIDENTIAL YOUTH COMMUNICATIONS

Policy Committee Chair

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Approved



John Clayton, Assistant Secretary
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10/10/2016

Authorizing Sources

28 CFR Part 115 PREA Juvenile Facility Standards
ACA Performance-Based Standards for Juvenile Correctional Facilities

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Effective Date (*Technical Edit 9/17/2020¹*)
11/1/2016

Sunset Review Date
6/1/2021

I. PURPOSE AND SCOPE

This policy establishes the expectations for youth and young adult² (referred to as “youth” throughout policy) communication, including mail, legal mail, telephone, and internet access. *Family involvement is critical to a youth’s rehabilitation.*

All staff, contractors, volunteers, and interns working in or for Juvenile Rehabilitation (JR) are responsible for reviewing and complying with JR policies.

II. POLICY

- 1. JR encourages communication to develop, strengthen, and maintain family and pro-social relationships in order to promote a successful reentry into the community.**
- 2. JR will encourage, facilitate and seek family involvement in each youth’s case planning, supervision and treatment.**
 - 2.1. JR staff will engage parents, guardians and family members unless:
 - 2.1.1. they pose a threat to the youth’s safety
 - 2.1.2. they have an adverse impact on the youth’s rehabilitation, as determined by a staff team
 - 2.1.3. there is a legal restriction such as a no-contact order.

¹ 11/18/19 Technical Edit: Changed DSHS references and forms to DCYF and added hyperlinks.

² 9/17/2020 Technical Edit: Added “young adult” clarifying policy also covers JR individuals ages 18+.

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- 2.2. Other relatives and supportive people may be included as long as they make a positive contribution toward the youth's goals.
3. **Expectations regarding youth communication will be provided to youth in writing and will be mailed to the youth's family within 24 hours of intake to a JR facility. (ACA 4-JCF-3A-07)**
 - 3.1. Rules and expectations will be placed in each facility's youth handbook and reviewed at facility orientation. (ACA 4-JCF-3A-07)
 - 3.2. Rules and expectations will be included in the parent letter mailed from the institution or community facility.
4. **JR materials must be translated in accordance with Policy 2.50, *Accessing Interpreter and Translation Services for Youth and Families*.**

APPROVED CONTACTS

5. **Youth will be provided the opportunity to list contacts, subject to verification, at intake to a JR facility. The list may be updated at any time during their commitment.**
6. **Youth may be allowed to communicate with non-family members, as long as there is a positive impact on the youth's treatment goals.**
 - 6.1. Institution program manager, community facility administrator or designee must approve the contact. Approved youth will be added to the Client Relationships screen in ACT.
 - 6.2. If the contact is under 18, case managers must obtain consent from the parent or legal guardian of the contact prior to allowing communication. When consent is received, youth will be added to the Client Relationships screen in ACT.
7. **If the youth is a parent, youth will be allowed to communicate with the child to facilitate parent-child bonding and healthy growth for the child, unless prohibited by a court order.**
8. **Residential youth may be allowed to communicate with former JR youth or youth in a different part of the JR continuum.**
 - 8.1. Upon approval of administrator or designee, communications will be coordinated and monitored by case managers. Approved youth will be added to the Client Relationships screen in ACT.
 - 8.2. Decisions will be made on a case-by-case basis with expectation the communication is beneficial for each youth.
9. **Youth may communicate with the media unless communication compromises confidentiality, health, treatment, safety or security. (ACA 4-JCF-3A-15) Communications must comply with Policy 1.40, *Managing JR Juvenile and Operations Records*.**

Policy **6.20**, **Managing Residential Youth Communications 11/1/2016****YOUTH MAIL****10. There is no limit on the number of letters mailed per week. (ACA 4-JCF-3A-08)**

10.1. JR will provide each youth a minimum of two stamps per week, if requested, to facilitate access to mail. (ACA 4-JCF-3A-08).

11. Mail will be delivered to residential youth within 24 hours excluding weekends and holidays. (ACA 4-JCF-3A-12)**12. Packages will be delivered to residential youth within 48 hours excluding weekends and holidays. (ACA 4-JCF-3A-12)****13. Youth may have access to publications such as magazines or journals, provided the content does not potentially create a health, treatment, safety or security concern. (ACA 4-JCF-3A-14)****14. Money arriving by mail will be deposited into the youth's resident account and managed in accordance with Policy 2.30, *Managing Youth Property and Residential Accounts*. (ACA 4-JCF-3A-13)**

14.1. Youth will be notified when money arrives by mail and is deposited into their account.

15. JR will forward mail to youth after release or transfer at the last known address. Mail for released youth without a known address will be returned to sender. (ACA 4-JCF-3A-10)**16. Parole and other non-residential JR offices should not open youth mail if it is received at their facility.**

16.1. Youth mail will be forwarded or returned in accordance with Section 16.

16.2. If staff contact with the youth is expected within seven days, mail may be given to the youth at that time.

16.3. Mail will not be held longer than 14 days.

ACCESS TO TELEPHONES**17. Youth telephone use will be fair, equitable and provide a reasonable amount of privacy.****18. Access to interpreters will be provided in accordance with Policy 2.50, *Accessing Interpreter and Translation Services for Youth and Families*.****19. Youth with hearing or speech disabilities or who wish to communicate with someone who has such disabilities will be afforded access to a TDD or comparable equipment. (ACA 4-JCF-3A-16)**

Policy **6.20, Managing Residential Youth Communications 11/1/2016****20. Youth may have a minimum of two regular telephone call attempts per week with an approved family member or contact.**

20.1. The length of the phone call will be at least ten minutes in duration unless programming or safety and security concerns prohibit otherwise.

20.2. Scan calls may be used for therapeutic purposes outside the ten minute limit.

20.3. Staff will screen incoming calls to identify the caller.

21. Telephone calls beyond the minimum are a privilege which may be allotted according to the facility's behavior management system. More calls may be provided for good behavior depending on staff availability and programming.³**22. Each facility will establish and post the hours during which a telephone call is available for youth.****23. In the event of an emergency, youth will be allowed to place and receive additional calls as approved by staff.****24. Telephone calls terminated by staff, due to problems involving the use of the telephone by youth, or loss of telephone privileges will be documented in an Incident Report.**

24.1. Calls may be limited for youth who have engaged in inappropriate telephone behavior (including, but not limited to, calling unapproved numbers, using vulgar language on phone, refusing to get off the phone or bullying others to get off the phone)

25. Youth in the JR residential facilities may not be in possession of personal cell phones.**SCREENING, MONITORING AND RESTRICTION OF MAIL AND TELEPHONE USE****26. With the exception of legal correspondence, JR will screen incoming and outgoing mail and packages to identify any potential health, treatment, safety, or security issues, including contraband, restricted property or items with sexually explicit content.**

26.1. Upon a youth's admission to facility, JR will inform the youth verbally and in writing communication (including property received through the mail) may be monitored or restricted for known or potential health, treatment, safety, or security issues using the Communication Notice form (DCYF Form 20-261).

26.2. Personal notes or letters belonging to youth which are identified during a search conducted in alignment with Policy 5.70, *Conducting Searches*, may be screened in the same manner as incoming mail.

27. Screened mail must be documented. Each facility will develop a local process for the screening and documentation.

³ 9/17/2020 Technical Edit: Added second sentence to clarify additional calls.

Policy **6.20, Managing Residential Youth Communications 11/1/2016****28. With the exception of legal correspondence, incoming packages for a youth in a JR residential facility or contracted program must be opened and screened for issues of health, treatment, safety, and security.**

28.1. Packages containing an order from an approved vendor may be received and processed by Consolidated Institution Business Services (CIBS) staff.

28.2. Packages must be received and screened by staff during business hours.

28.2.1. Packages will be opened in the presence of two staff or with one staff and the youth.

28.2.2. If a package is sent to the facility without identifying information, two staff will open the package and document the contents.

28.2.3. If the package is opened without the youth present, staff will ensure contents are approved, reseal the package, and provide the package to the youth.

28.3. If contraband or restricted property is found, it will be handled in accordance with Policy 2.30, *Managing Youth Property and Residential Accounts*.

29. Mail identified during the screening process as compromising or potentially compromising health, treatment, safety, or security will be restricted. (ACA 4-JCF-3A-09)

29.1. Authorization of the Superintendent, Regional Administrator, or designee, is required for communications to be restricted.

29.2. If mail is restricted, it will be returned to sender.

30. JR will inform youth verbally and in writing when a decision is made to monitor or restrict communication. Notification of monitoring or restriction will include reason, type, time frames (if known), and information about the appeal process. (ACA 4-JCF-3A-09)**31. Youth and other individuals may appeal communication monitoring or restriction. (ACA 4-JCF-3A-09)**

31.1. Youth may appeal monitored or restricted communication by using Policy 2.10, *Handling Youth Complaints*.

31.2. Family members or others who are placed on communication monitoring status or restricted from communication with youth may appeal the restriction.

31.2.1. Appeals must be in writing to the Superintendent, Regional Administrator, or designee.

31.2.2. If the response is unsatisfactory, the decision may be further appealed in writing to the Director or designee. The Director's or designee's decision is final.

Policy **6.20, Managing Residential Youth Communications 11/1/2016****COMMUNICATION WITH ATTORNEYS OR LEGAL REPRESENTATIVES**

32. Youth must have the ability to communicate with attorneys, their authorized legal representatives, courts and to legal material. (ACA 4-JCF-3A-01)

33. Legal mail is confidential. (ACA 4-JCF-3A-11)

- 33.1. Staff must inform youth mail sent to or received by the youth's attorney is confidential.
- 33.2. Mail from an attorney or legal representative must be screened. Youth will be required to open legal correspondence in the presence of staff only to screen for the presence of contraband.
- 33.3. Legal mail will not be read by staff unless youth provides written consent for each occurrence using the One-Time Consent for Reading Legal Correspondence form (DCYF Form 20-262). This consent will be filed in the youth's case file.
- 33.4. Youth may consult with an authorized legal representative before consenting to staff reading their legal mail.

34. Telephone conversations with an authorized legal representative are confidential.

- 34.1. Youth may call or receive calls from an authorized legal representative.
- 34.2. Staff may regulate the frequency and duration of telephone calls.
- 34.3. Legal representative calls and visits may be limited or denied when youth pose an immediate health, treatment, safety or security risk.

INTERNET ACCESS AND SOCIAL MEDIA

35. Youth may be granted access to email. This does not grant access to DCYF computers.

36. Youth will not be allowed to communicate via social media without supervision.

YOUTH COMMUNICATION REGARDING SEXUAL ABUSE

37. For incidents of sexual abuse, youth must be provided reasonable access to:

- 37.1. Outside victim advocates for emotional support services (PREA Standard 115.353 (a))
 - 37.1.1. JR will provide a phone number for victim advocacy.
- 37.2. Their attorney or other legal representation (PREA Standard 115.353 (d))
- 37.3. Parents or other legal guardians (PREA Standard 115.353 (d))
- 37.4. JR must enable reasonable communication between youth and representatives of these organizations in as confidential a manner as possible. (PREA Standard 115.353 (a))
- 37.5. JR must inform youth communications may be monitored and reports of abuse will be reported in accordance with mandatory reporting requirements. (PREA Standard 115.353 (b))

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III. DEFINITIONS

Approved Contact: Immediate family and other individuals involved in the youth's treatment who are a positive and motivating influence on the youth. If the JR youth is a parent, the other parent of the child is eligible to be included for communication and visitation. Contacts must be approved by the youth's case manager.

Communication: The act or process of exchanging ideas, messages or information by speech, signals or writing, including visits, mail and telephone calls.

Communication Monitoring: Authorized reading, listening or observing of a youth's communication.

Communication Restriction: Authorized monitoring or withholding of the exchange of ideas, messages or information by speech, signals or writing.

Contraband: An article or item which a residential youth is prohibited from obtaining or possessing by statute, rule, regulation, policy or order of a court, including items altered by the youth without authorization.

Legal Mail: Written communication between a youth and attorney, law firm, or legal organization. Legal correspondence does not include copies of court orders or other court paperwork.

Mail: Materials handled in the postal system such as letters and packages.

Restricted Contact: Persons with whom a youth may not maintain contact for legal, security, or treatment reasons.

Restricted Property: Items which may jeopardize the safety, health, security, or treatment of youth, staff, visitors or of a facility. Restricted property may include contraband, but not all restricted property is contraband.

Screening: Scanning for issues may affect health, safety or security. Screening must not involve reading word-for-word in order to protect the privacy of the sender and recipient.

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IV. REFERENCES

Accessing Interpreters:

<https://www.ctslanguagelink.com/int/client/Login.aspx>

(each location must have a local username and password to access the system and place requests)

V. RELATED JR POLICIES

Policy 1.40 - Managing JR Juvenile and Operations Records

Policy 2.30 - Managing Youth Property and Residential Accounts

Policy 2.10 - Handling Youth Complaints

VI. FORMS AND DOCUMENTS

Document Title	Available In ACT	Link to Form
Communication Notice		DCYF Form 20-261
One-Time Consent for Reading Legal Correspondence		DCYF Form 20-262
