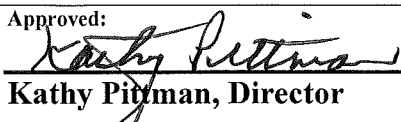


**MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
DIVISION OF YOUTH SERVICES
JUVENILE INSTITUTIONS**

Subject: Due Process Isolation		Policy Number: 11
Number of Pages: 3		Section: VII
Attachments	Related Standards & References	
A. Isolation Monitoring Sheet	ACA 3-JTS-3E-02 ACA 3-JTS-3E-03 ACA 3-JTS-3E-04 ACA 3-JTS-3E-05	
Effective Date: January 13, 2009 Revised: April 5, 2010	Approved:  Kathy Pitman, Director	

I. POLICY:

It is the policy of the Mississippi Department of Human Services, Division of Youth Services (DYS), that isolation, lockdown, seclusion, and other similar restrictions shall only be used when appropriate and in an appropriate manner, and shall be documented fully. Youth confined for more than 24 hours shall receive an appropriate due process hearing by an impartial staff member to determine whether cause exists for continued disciplinary confinement. Due Process Isolation shall only be imposed after a hearing has been conducted. The purpose of Due Process Isolation is to change behavior and achieve compliance with facility rules and regulation, as well as to ensure the safety and security of youth and staff. Due Process Isolation shall never exceed seventy-two (72) hours unless approved by the Facility Administrator.

II. DEFINITIONS

As used in this policy and procedure, the following definitions apply:

- A. **Due Process Hearing Officer** – An impartial supervisory staff member or designee assigned to conduct major disciplinary hearings.
- B. **Qualified Mental Health Professional (QMHP)** - Mental health care provider licensed and sufficiently trained to provide the services he or she undertakes to provide.
- C. **Due Process Isolation** - Any instance when a youth is confined alone for over 15 minutes in a room other than the room or cell in which he or she usually sleeps as a result of a due process hearing or major conduct disorder/rule violation.
- D. **Observation Management Unit (OMU)** – The area designated for the placement of youth in Isolation.

III. PROCEDURE

The Due Process Isolation shall be implemented according to the following parameters:

- A. **Youth Rights** – Due Process Isolation does not include the loss of regular meals, clothing, sleep, health and mental health care services, school, exercise, correspondence rights, and contact with parents/legal guardians, or legal assistance. In order to have Visitation privileges, the resident's behavior must be under control. Telephone calls requested by

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youth to contact his/her attorney may be initiated by any staff person. All other telephone calls shall be initiated by the youth's Counselor or a QMHP.

1. Meals – Youth in Due Process Isolation shall be given their meals in their rooms.
 2. Visiting – During the time the youth is in Due Process Isolation, visits shall take place in a special area away from the general population. Access to visits shall be comparable to youth in the general population.
 3. Education – During the time a youth is in Due Process Isolation, a teacher shall visit the pod on days when general population students are in school, provide learning materials and tutoring.
 4. Exercise – Youth shall be allowed one hour of large muscle activity in the dayroom, daily.
 5. Hygiene – Staff shall distribute personal hygiene items at regularly scheduled times. As well, youth shall have reasonable access to toilet facilities.
 6. Property – Youth shall be allowed to keep reading materials unless they abuse those materials. Pens and pencils shall not be allowed in the rooms for safety and security purposes. When a youth is placed on Due Process Isolation, their shoes shall be placed outside the room.
- B. Searches - All youth shall be searched for contraband prior to placement in a room for the purposes of Due Process Isolation.
- C. Placement - The Juvenile Care Worker on duty shall visually observe the youth at least six (6) times an hour and no more than ten (10) minutes apart at staggered intervals. These observations shall be recorded on the Isolation Monitoring Sheet, which shall be posted on the door. In addition, the Shift Supervisor shall review and initial the Isolation Monitoring Sheet as verification of the validity of all documentation for each hour that a youth is held in Due Process Isolation. Supervisors must ensure that the youth knows why he/she is being isolated.
1. Only one (1) youth may be placed in a particular room at a time. Two (2) youth shall never be isolated in the same room at the same time.
 2. During Due Process Isolation, a youth services counselor shall visit daily with the youth to monitor adjustment to confinement and contact a QMHP as indicated.
 3. While on Due Process Isolation, youth exhibiting additional negative behaviors, which result in the generation of an additional Incident Report and request for a Due Process Hearing, may have a hearing held by a Due Process Officer before completion of the current sanction of Due Process Isolation.
 - a. Due Process Isolation cannot be extended due to continued or additional negative behaviors. A subsequent hearing must be held.

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- b. A youth must have completed and be released from the initial Due Process Isolation for at least one (1) hour prior to the start of any subsequent Due Process Isolation.

D. Documentation - The Supervisor shall ensure that all logs and monitoring sheets are completed accurately by conducting periodic inspections. The following information shall be documented and highlighted in the Unit Logbook:

1. Name of the youth on isolation
2. Date/Time of the initial isolation
3. Name of the staff isolating the resident
4. Specific description of the behavior(s) necessitating the isolation
5. Date/Time the youth was taken off isolation
6. Name of the Supervisor placing youth on isolation
7. Name of the Supervisor removing the youth from isolation
8. Documentation of exercise/recreation and education time.
9. Date/Time of Due Process Hearing