

DEPARTMENT OF JUVENILE JUSTICE

BON AIR JCC



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# RESIDENT HANDBOOK

Revised September 16, 2019

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SAFETY



CONNECTION



PURPOSE



FAIRNESS





No matter what happens.....

The sun will rise tomorrow

Whenever you feel depressed or filled with sorrow

Worry not.....

Because the sun will rise tomorrow

Instead of dwelling on the negativities of To-Day

Concentrate on the new opportunities that come with the new sun rays

Of the NEXT DAY!

-MK

(resident released from direct care in 2018)



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# Department of Juvenile Justice Introduction

## Mission Statement

The Virginia Department of Juvenile Justice protects the public by preparing court-involved youth to be successful citizens.

## Vision Statement

The Virginia Department of Juvenile Justice is committed to excellence in public safety by providing effective interventions that improve the lives of youth, strengthening both families and communities within the Commonwealth. We strive to achieve this excellence by meeting the needs of our youth and staff in the following areas:

- **Safety:** Youth and staff need to feel safe in their environment and need a sense of physical and emotional well-being.
- **Connection:** Youth and staff need to feel connected to supportive and caring adults, whether they are family, staff, or coworkers.
- **Purpose:** Youth and staff need to have goals to strive toward, skills to hone, and a sense that they have a valuable role to play in the lives of people and the community around them.
- **Fairness:** Youth need to perceive their environment and interactions as fair and transparent. They need to be held accountable in a manner proportionate to their offense and offense history and similar to other youth in their situation. Staff needs to feel that they are treated fairly, compensated adequately, and supported in their efforts to meet the expectations of the department.

## What Does This Mean to Me?

It means that, starting with your first meeting with us, our goal is for you to be a healthy, productive member of your community. For you, that means taking part in what the community can offer you including school, healthy recreation, and work.

You may be surprised how much you can achieve while you are here and where it can take you. While you are with DJJ, you can:

- Earn a scholarship.
- Participate in student government.
- Join a sports team.
- Learn a new trade.
- Take an off-campus trip.
- Overall, become the best “you” you can be!

## Worst Day Ever?

Today was the absolute worst day ever  
And don't try to convince me that  
There's something good in every day  
Because, when you take a closer look,  
The world is a pretty evil place.  
Even if  
Some goodness does shine through once in a while,  
Satisfaction and happiness don't last.  
And it's not true that  
It's all in the mind and heart  
Because  
True happiness can be attained  
Only if one's surroundings are good  
It's not true that good exists  
I'm sure you can agree that  
The reality  
Creates  
My attitude  
It's all beyond my control  
And you'll never in a million years hear me say  
Today was a very good day  
Now read it from bottom to top, the other way,  
And see what I really feel about my day

*Poem by Chanie Gorkin*

## Intake Process



The intake process may take two to three weeks to complete. You may have already gone through a similar process depending on where you were before you came here. You will be given some tests to help us decide on the best services and treatments for you. You will also have a medical check-up, so we know about any health problems you may have. We will provide you with clothes and hygiene items (like soap and toothpaste) during the intake process. All of your personal things will be sent back to your family/guardians or stored at DJJ until your release. If DJJ stores your items, they will be returned to you when you are released. (If you leave anything behind, items will be disposed of six months after your release.)

You will be taken through orientation where you will learn about:

- a. Barbering and cosmetology services available and rules about how you can wear your hair.
- b. Your rights and how to protect them
- c. The Prison Rape Elimination Act (PREA)
- d. Your schedule (to include school, exercise, study, and cleaning duties)
- e. Staff members
- f. Other basic information you may need to know about living here

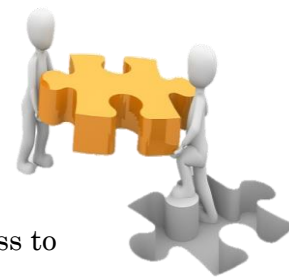
If you qualify for a residential placement based in the community but still overseen by DJJ (alternative direct care placement), you may be transferred there. These could include Community Placement Programs (CPP), Detention Reentry Programs, or privately-run residential treatment facilities.

### Facility Basics: Living in a Community Treatment Model (CTM) Unit

The Community Treatment Model (CTM) challenges you to improve your thinking and behavior while allowing you to build meaningful relationships. You will participate in many therapeutic activities and treatments that will help prepare you to successfully transition back into the community. As a part of the CTM, you will be assigned to a housing unit that will provide you with a safe and rehabilitative environment, helping you make beneficial life changes.

### Housing Logistics

The daily schedule for each unit will be highly structured with planned interactive activities that teach life skills (sports, games, crafts, music, projects, and education-oriented tasks). Your unit will have around 12-14 residents, depending on how many residents are committed at the time. You will have your own room or living space with access to storage for your personal items. You will be required to keep your housing unit clean and organized. The housing expectations will be posted in the unit.



### CTM Staff

There are many staff members who will be available to help you during your time here. Here are the people you need to know:

**Community Manager (CM)**—the community manager oversees a group of units, or cluster.

**Community Coordinator (CC)**—this individual supervises the Resident Specialists and Counselor in your unit and ensures that the unit is organized and safe.

**Resident Specialist (RSs)**—there will be RS Is and RS IIs in your unit to ensure your safety and security by providing supervision within the unit and facility. They will lead or participate in many treatment activities with you and are there to offer you guidance and support throughout your treatment.

**Personal Advocate (PA)**—this person will help you with any treatment assignments, CTM phase assignments (explained in the Phase System section below), or day-to-day decisions. Your PA will also help you with your Personal Action Plan (PAP). Your PA could be an RS, Counselor, or CC in your unit. Your CC will decide who your PA will be.

**Counselor**—your counselor will lead your monthly Treatment Team meeting, meet with you weekly, lead various unit groups and activities, and work with your Parole Officer (PO), Reentry Advocate, family, and other people important to your reentry.

**Behavioral Services Unit (BSU) Clinician**—Your BSU clinician will provide any clinical mental health treatment you may need (individual therapy, substance abuse treatment, aggression management, sex offender treatment, family therapy, etc.). Your clinician will also help lead your Treatment Team meeting, coordinate any psychiatric services you may need, and work with your CC to help you develop personal goals.



**Recreation (Rec) Staff**—these staff members will develop and coordinate all therapeutic recreational activities while you are at the facility.

**Teachers**—teachers will work with other members of your Treatment Team to help them understand how you are progressing in school. One of your teachers will be assigned to your Treatment Team and another will be assigned as your mentor.

**Reentry Advocate**—this person will work with you to review and further develop your Personal Action Plan (PAP) as it gets closer to your release date. Your Reentry Advocate will also help with your successful reentry into the community upon release.



## Personal Action Plan (PAP)

With the help of your PA and Treatment Team, you will begin to develop a PAP during Phase I (described below) of your commitment. Your PAP includes personal goals and action steps you set for yourself. It is updated as necessary throughout all phases, and you will present parts of it to the Mutual Help Group (MHG) and Treatment Team for advancement from Phase III to Phase IV.

## Meetings and Groups

There are many different meetings and groups that you will participate in as a part of your daily routine. Your participation is important for individual and unit growth. All meetings and groups have certain expectations to promote a safe and therapeutic environment. Expectations will be posted in group meeting areas, but some of the most important rules are:

- Be helpful, not hurtful.
- Respect one another.
- Use “I” statements.
- Speak one at a time.
- Listen all the time.
- What is said in the group meeting stays in the group meeting.

The specific meetings all residents will be required to attend are:

**Check-ins**—these short meetings are set in the daily schedule based on the needs of the unit. There will always be at least 3 per day: morning, midday, and evening. The purpose of each check-in is for staff to assess how you are doing. During the check-in, staff may also set the stage for the next portion of the day, acknowledge accomplishments, set or reflect on goals for the day, and/or communicate expectations for an upcoming portion of the day. The evening check-in is called a Settlement Group. Settlement Groups will focus on a variety of topics that may include acknowledging specific accomplishments, challenges, or goals.

Your job during a check-in is to:

- Set a short-term goal for the day during morning check-in (i.e., saying kind words, avoiding profanity, helping others, following specific rules, and others)



- Review your goal achievement at final check-in of the day (settlement group)



**Circle-ups**—these are to address an issue that is affecting your unit, celebrate a success for you or another resident, or introduce the next activity of the day. All residents in the unit are required to participate. These are typically very short meetings, but they are opportunities for you to talk honestly about whatever is being presented.

**Therapy Groups**—most of you will be assigned to one or more treatment programs (substance abuse, aggression management, or sexual offender treatment) led by BSU staff and/or counselors. These programs may include individual, group, or family therapies. Therapy groups will occur on a regularly scheduled basis.

**Treatment Team Meetings**—your Treatment Team will meet at least monthly throughout your commitment to DJJ and will typically last about 30 minutes. Members of your treatment team will include you, your unit staff, your PO, and other members of your support system.

During each meeting, your treatment team will:

- Assess and review your individual progress
- Assess and review your case management needs
- Develop and monitor your Comprehensive Reentry Case Plan (CRCP)
- Discuss your progress on your CRCP goals and your Personal Action Plan (PAP)
- Assess how you're doing with educational programming, recreation, free time, chores, group activities, and the CTM overall.
- Make recommendations regarding your release

**Mutual Help Groups (MHGs)**—MHGs will take place about 5 times a week and last about an hour. You will learn about and discuss a variety of topics or concerns that are important to you and your peers. Some topics may include healthy relationships, decision-making skills, positive self-care, and communication skills. You should share your feelings and ideas during MHGs to help you and your unit develop and grow. You will also present to your MHG before you move on to a new phase.

**Town Hall Meetings**—this is a meeting between all the staff and residents of a unit and typically happens once a month. All of your unit staff members are required to attend this meeting if they are scheduled to work that day. This is a time to plan events and discuss issues. This is also a time for your Student Government Association (SGA) to share reports from their previous SGA meetings and get your input.

## Phase System

There are 4 phases you will go through during your commitment. Each phase comes with certain goals for you to accomplish as well as certain privileges. If you are moved somewhere else, like a Community Placement Program, you will still work towards your phase goals unless you can't in your new environment. The goals you should accomplish for each phase are outlined below. Your unit staff will explain the process of moving up through the phases.



### Phase I: Orientation - Look, Listen, and Learn

- Participate in facility and housing unit orientation.
- Develop an understanding of the housing unit schedules, tasks, and processes.
- Attend and participate in MHGs, school, treatment, and all group activities to include check-ins/settlement groups and circle-ups.
- Meet with your PA.
- Identify community partners, mentors, and other natural supports who will help you reenter the community after release.
- Identify "I" statements, non-aggressive language, feelings, and honest and direct communication.

- Demonstrate proper hygiene and a neat appearance.
- Identify the characteristics of healthy and respectful relationships with peers, staff, and family.
- Identify expectations for appropriate behavior in all areas of the facility.
- Start on your Personal Action Plan (PAP).

### **Phase II: My Personal Discovery**

- Respectfully participate and express personal thoughts and feelings in MHGs and other group activities.
- Develop an understanding of self and family through group activities by identifying strengths, challenges, motivations, and values.
- Complete the Genogram and Lifeline Activities.
- Participate in skills activities in the following areas and use the skills in daily interactions:
  - Healthy Coping (including differences between wants and needs and the appropriate time/place for expressing each.)
  - Realistic Short-Term Goals
  - Problem Solving and Conflict Resolution
  - Communication
- Positively accept feedback from staff and peers.
- Write in a journal to help personal growth, insight, and understanding.
- Support staff and peers in a positive way.
- Accept responsibility for past and daily personal behavior and choices.
- Show improved behavior throughout the facility and off-campus (as applicable).
- Make progress in the goals and action steps in your CRCP.
- Continue to revise and update your PAP with your personal advocate.



### **Phase III: My Personal Journey**

- Continue journaling for personal growth.
- Continue to show skills from Phases I and II and identify ways to use those skills after release.
- Meet unit expectations and follow staff instructions regularly without being reminded or redirected.
- Be a leader and positive role-model by supporting, assisting, and mentoring peers.
- Complete Victim Empathy Activity and practice identifying and showing characteristics of empathy with others.
- Continue to revise and update your PAP. Review with MHG and treatment team.
  - Successfully complete off-campus trips, as applicable.
  - Write a plan with your PA and family to be considered for Phase IV furloughs and present it to the treatment team.
  - Show continued improvement of behavior throughout the facility and off-campus (as applicable).
  - Make progress in the goals and action steps of the CRCP.



### **Phase IV: Countdown**

- Write a letter for yourself to read three weeks after your release, and review it with your PA.
- Successfully complete off-campus trips and/or furloughs (as applicable).
- Continue to use the skills learned in Phases I, II, and III, and identify ways you will use them after release.
- Refine your PAP, present it to MHG, and review it with your treatment team at the transition reentry meeting.

- Finish all of your treatment programs or continue to make progress, if treatment after release is necessary/available.
- Show continued improvement of behavior in the facility and off-campus (as applicable).
- Make progress in the goals and action steps of the CRCP

### Phase Advancement

You will have to earn your way through each of the phases, and it is your responsibility to begin the phase advancement process. When you have completed the phase checklist and think you're ready to phase up:



1. Ask to meet with your PA.
2. If your PA agrees that you're ready, prepare a presentation about your phase accomplishments.
3. Present at MHG for their recommendation. Presenting to MHG is so your peers can offer you feedback and support. Even if they do not agree that you are ready, you will still move on to step 4.
4. Present to your unit staff team.
5. If the unit staff team approves, congratulations! You phase up!

If your unit staff team does not approve your advancement, there are a few things that could happen:

1. Your unit staff team will give you some things to work on before you can phase up.
2. If you disagree with their decision, you may appeal to your treatment team.
3. If you are also denied by your treatment team, you may appeal again through the case management process. Your PA, or another staff member, can help you with this.

### Phase Suspension (Frozen)

You will never be demoted to a lower phase. However, there are times when your phase could be suspended or "frozen." This means that you will not be able to phase up and you will be limited to phase I privileges. This can happen if you are placed on a special housing status because of your behavior or if you refuse to complete a formal disciplinary sanction for a chargeable offense.

You will return to your phase level and its privileges once you have been removed from special housing status and/or completed your sanction. However, individual privileges can be suspended at any time based on your behavior.

## Privileges

You will have many opportunities to earn privileges at Bon Air. Each of your phase levels will come with certain privileges and there may be additional privilege opportunities based on your unit performance and unit staff team. **It is important to remember that privileges listed in this section will be provided based on availability of items, security measures, and overall safety of you and your peers.**

### Individual Phase Privileges

#### Phase I Privileges

- Personalized room
- 9:00 pm bedtime on non-school nights
- Participation in approved unit leisure activities
- See phone privileges on page 19

#### Phase II Privileges

- All Phase I privileges
- Magazines
- 9:30 pm bedtime on non-school nights
- Create "Free Expressions" artwork on your wall
- Informal leadership tasks, as appropriate (exercise leader, co-facilitator of groups, assisting with TSAs)
- See phone privileges on page 19



### Phase III Privileges

- All Phase I and II privileges
- Off-campus trips to DJJ-hosted events
- Use of portable electronics as appropriate and available.
- Ability to purchase shoes
- Ability to receive a DJJ-issued watch
- Formal leadership roles, as appropriate (executive team of SGA)
- See phone privileges on page 19

### Phase IV Privileges

- All Phase I, II, and III privileges
- 10:00 pm bedtime on non-school nights
- Off-campus community site trips (shopping centers, sporting events, theaters, restaurants, museums, etc.)
- Furloughs
- Ability to wear approved non-uniform clothing on the first Friday of each month
- Unescorted movement with sight supervision (as appropriate / possible)
- See phone privileges on page 19

## Housing Unit Privileges

At the beginning of each month, your unit staff team will set a goal for the entire unit, and they will decide what reward you all will receive if you meet this goal. Some rewards could be: karaoke night, ice cream social, movie with staff, arts and crafts, additional rec. time, social event, spa day, game night, etc.

## Off-Campus Trips/Events

As your behavior improves and/or you phase up, you may have opportunities to go off campus for various events and activities. Take a look at the chart below to see what it takes to go off-campus:

	Off-Campus Adventure-Based Learning Activities	Off-Campus Trips hosted by DJJ	Off-Campus Trips at a Community Site	Furloughs
Description	Active, hands-on learning activities that a unit attends as a group.	An event where most of your interactions will involve DJJ staff. You will be supervised by facility staff.	An event where you will interact with the public. You will be supervised by facility staff.	An off-campus activity without any supervision from facility staff.
Phase Level	Any phase as long as the unit works well.	Phase III or Phase IV	Phase IV	Phase IV
Behavior Requirement	No BIRs for 30 days, No DRs for 60 days.	No BIRs for 30 days, No DRs for 60 days.	No BIRs for 60 days, No DRs for 90 days.	No BIRs for 90 days, No DRs for 120 days. No sexual misconduct or assault on staff for the past 180 days. No history of escape or AWOL. No DOC time.

In addition to the criteria above, you must be approved by Treatment Team, Central Classification and Review Committee (CCRC), and the Deputy Director of Residential Services before you will be allowed to participate. They will be looking at things like your behavior, your PAP goals, and your progress in your CRCP goals. If you are a serious offender, you will also need the approval of a judge.



## Personal Expression



You are allowed to place approved artwork, photographs, letters, and other personal items into a large frame on the wall in your room. In addition, you will be allowed to personalize your room even more once you reach Phase II. If you choose to do so, you may participate in the Free Expression Artwork Process where you get to create your own design and paint it on your wall (or your portion of the wall if you share with another resident).

Here's how the process works:

1. Check with your PA or another unit staff team member to get the process started.
2. Discuss your design ideas with the unit staff team. Your design must be appropriate and meaningful. It should be positive and motivational for you.
3. Once you have determined a design, you should draw it in full-color on a sheet of paper.
4. This will be presented to the unit staff team for approval.
5. If approved, the drawing will be sent to the Investigative Unit. They will be checking for gang-related images and other inappropriate design elements.
6. If the unit staff team and/or Investigative Unit find an issue, they will make recommendations for changes, and you will resubmit your design.
7. Once the design has been approved, you may request to check out art supplies to begin painting.
  - a. The paper version will be taped to your wall for reference as you work
  - b. The wall art **MUST** match the paper version.
  - c. If you attempt to change it, you must stop and the incorrect portion will be painted over.
8. NO other artwork may be added to your walls after your design is complete.

## Resident Rules and Standards of Conduct

You have lost some personal freedoms and choices because of your commitment, but there are still a number of key decisions you will have the freedom to make each day. Just as your home and community have rules, so does this facility. Your success in following the rules will be reported to your probation/parole officer and to the court in your home community. Following the rules here will help show the judge that you will be able to follow the rules when you go home.



### Facility Code of Conduct

1. I will commit no behavior that would constitute an offense against the JCC, property, or person. I will follow applicable state and federal regulations and laws.
2. I will present a neat, clean appearance at all times by following clothing and grooming standards.
3. I will maintain behavior that promotes a positive atmosphere of learning and accomplishment of the task at hand.
4. I will follow directions of staff at all times and show respect and acceptance for both staff and peers.
5. I will be responsible for learning and completing assigned tasks.
6. I will address all staff and visitors with "Yes, Sir," "No, Sir," "Yes, Ma'am," or "No, Ma'am."
7. I will always ask permission to be excused or relocate.
8. I will follow all posted "area-specific" facility and school rules.

### Facility Rules

1. When in groups of three or more, I will conduct all movement in a controlled manner as directed.
2. I will enter and exit all buildings in a single-file line and will remain standing quietly until given directions by supervisory staff.
3. I will not shout, whistle, or talk out of doorways and windows.
4. I will not wear a hat or cap inside the facility or any other buildings on campus.

5. I will use designated pathways and sidewalks, except when otherwise directed by supervisory staff.
6. I will follow the posted daily schedule.
7. I will cooperate during searches of housing units, common areas, belongings, and persons at all times.
8. I will not use obscene or abusive language nor make inappropriate noises or threatening gestures.
9. I will not possess or use tobacco or any tobacco-related substance.
10. I will refrain from “horseplay” behavior at all times.
11. I will refrain from displaying any gang signs or symbols and from participating in any gang activity.

## Dining Hall Rules



1. I will conduct myself in an orderly and respectful manner when in the serving lines.
2. After eating, I will return all utensils and trays.
3. I will use an indoor voice while in the dining hall.
4. I will only eat the food I am served. I will not exchange food items with other residents.
5. I will not take any food out of the dining hall.
6. I will remain seated unless given permission to do otherwise.
7. If there are any problems with the food service, I will report them to the unit staff calmly and quietly.

## The Cougar Classroom

If you attend the Yvonne B. Miller School, you will follow a code of conduct called “The Cougar Classroom.” This can also be found in the halls of the school and in your classrooms.

### Safety

1. Follow directions
2. Maintain personal boundaries
3. Move only with permission
4. Use classroom items correctly

### Communication

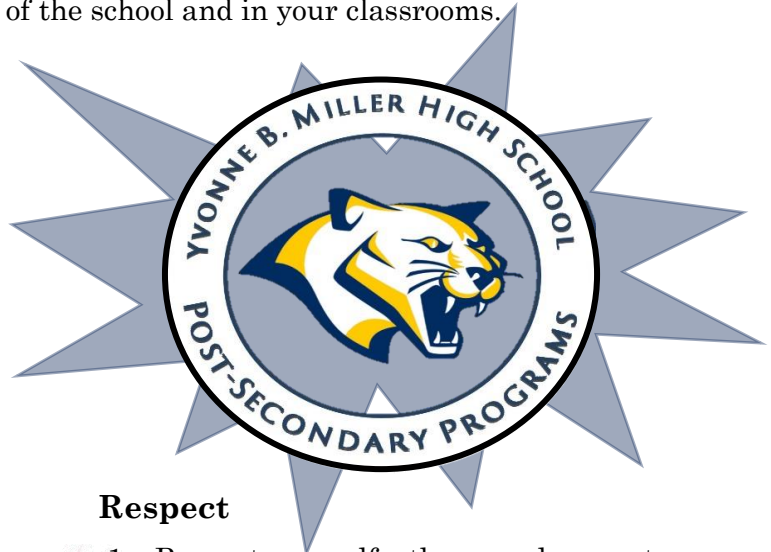
1. Be a good speaker and listener
2. Advocate for yourself

### Responsibility

1. Follow the Schedule
2. Set goals and work toward them
3. Keep a neat appearance

## Resident Appearance

Having good personal hygiene and dressing appropriately are important parts of getting ready to return to the community. This will help you be more successful when you apply for jobs, attend school, and participate in other community activities. To help you prepare for a successful life after release, you will be held to certain standards of appearance during your commitment.



### Respect

1. Respect yourself, others, and property
2. Respect the learning environment



## **Clothing**

You are expected to dress appropriately while you are committed. Polo shirts must be worn tucked inside the pants and free of any markings at all times. During the winter, the shirt collar will fit neatly over the top of the sweatshirt. Pants, shorts, and skirts must be worn at waist level and should not hang below the waist at any time. All clothing must be clean and properly fitted (not baggy). Clothing must be kept buttoned, zipped, or snapped as required at all times. You are responsible for keeping your clothing in good condition. If you damage your clothing, you may be responsible for replacing damaged items. If your clothes become damaged or need to be replaced, please tell your unit staff.

You will be issued the following clothing items when you arrive at your assigned facility:

### **General Clothing Items**

- |                       |                      |                    |
|-----------------------|----------------------|--------------------|
| • Khaki pants (3)     | • Gym shorts (1)     | • Pajamas (1)      |
| • Polo shirt (3)      | • White t-shirts (6) | • Shower shoes (1) |
| • Grey sweat suit (1) | • Socks (6)          | • Underwear (6)    |
| • Grey t-shirt (1)    | • Sneakers (1)       |                    |

### **Spring/Summer Attire (May 15 – September 14)**

- Polo
- Appropriate pants
- Swimwear as appropriate

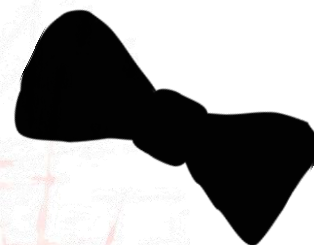
### **Fall/Winter Only Attire (September 15 – May 14)**

- |                      |                        |
|----------------------|------------------------|
| • Thermal shirts     | • Knit cap (as needed) |
| • Thermal pants      | • Gloves (as needed)   |
| • Jacket (as needed) |                        |

During the periods from September 15 to October 14 and April 15 to May 14, you may wear either fall/winter or spring/summer clothing, depending on the weather.

### **Maternity Clothing**

If you are a pregnant female resident, you will receive a white maternity top and black maternity pants. You must wear the standard white socks and tennis shoes unless medical necessity deems otherwise.



### **Non-Uniform Outfits**

You may be issued one additional, non-uniform outfit, depending on your CTM Phase.\*

- Males: slacks, collared shirt, tie/bowtie, and dress shoes
- Females: Slacks or skirt (below the knee), blouse, scarf or necklace, and dress shoes (heels no taller than 1 inch)

\*All decisions for accessories (i.e., neckties, scarves, etc.) are at the discretion of your Treatment Team.

### **Clothing Identification Marking Guidelines**

Staff will mark your clothing with the date you received them and your initials, no nicknames. No other markings should be made on your clothes. Be aware that you may only wear your own clothes. Wearing another resident's clothing may result in an institutional charge.

### **Hair**

During your commitment, you will be scheduled for regular haircuts (at least one per month). If something happens to keep you from making it to your regular appointment, your CC will schedule you for a different time. If you feel that you are in need of a haircut and another appointment has not been made for you, you may make a request to your CC. You may not go to the barber shop outside of your originally scheduled time without the permission of your CC.



You will not be allowed to have hairstyles that are distracting to the unit, school, or overall facility environment. This includes, but is not limited to, any lines or designs cut into your hair, scalp, or eyebrows as well as hair dyes, tints, bleaching, or coloring of any kind. If your hair is longer than 1 inch below the top of your collar, it must be held up with a hair tie. If you need a hair tie, be sure to ask a staff member.

Any hairstyle you choose must be well-kept and neatly groomed. That means you must tie up your hair if necessary, wash your hair regularly, attend your regular haircut appointments, and use any special products that your hair type and/or style may need to maintain good hygiene. If you are in need of a specific product that is not regularly provided to all residents, you may request that product from your unit staff.



If you are unable to maintain your hairstyle in a way that promotes good hygiene and a neat appearance, your hygiene will be discussed in Treatment Team. Continued neglect of your personal hygiene could result in an administrative decision for you to change your hairstyle or cut your hair. Similarly, if your chosen hairstyle becomes a distraction or a security issue, you may also be asked to change or cut it.

Facial hair, wigs, and/or hairpieces will only be allowed for approved medical and/or religious reasons.

### **Fingernails**

You must keep your fingernails clean and neatly trimmed so they are not a hazard. Your fingernails may not be visible past the ends of your fingers when your palm is facing you. Nails should be rounded when cut. To have your fingernails cut, please ask your unit staff for a nail clipper.

Your unit may also earn a spa day as a housing unit privilege (when available), and you may use clear polish on your nails. No other fingernail polish will be allowed.

### **Jewelry**

When you reach Phase III, you may be offered the opportunity to wear a wristwatch provided by your treatment team. Girl on Phase III or IV may also be allowed to wear stud earrings and a necklace as a part of the non-uniform outfit. Jewelry must be approved by treatment team.

The only other time jewelry will be permitted is if you are married or if there is a medical need.

### **Eyewear**

Eyeglasses will be provided by DJJ if prescribed by a doctor. Glasses must be plain and in proportion to the size of your head and face. If you have your own pair of glasses when you are committed to DJJ, those will be returned to your parent/legal guardian or stored, and you will be fitted for DJJ-issued glasses. You may only wear contact lenses if there is a medical reason preventing you from wearing glasses.



### **Cosmetics**

All residents will have access to lip balm. If you are a resident on Phase III or IV, you may wear clear lip gloss with your non-uniform outfit only. No other cosmetics of any kind will be allowed.

### **Gang Activity**

DJJ has a ZERO-TOLERANCE policy on gang activity of any type. Any participation in gang-related behavior or activity will have facility AND community consequences.



## Vandalism

DJJ also has a ZERO-TOLERANCE policy for unapproved artwork and vandalism. Your room will be inspected before you occupy it. You will be charged with the cost of replacing or repairing any items you deface.

## Accountability Procedures



DJJ's Community Treatment Model (CTM) is a therapeutic approach that focuses on good behavior which you can achieve by thinking things through and making good decisions. Behavior that disrupts this process will not be tolerated. It is important for your success that you follow the rules and expectations in this handbook. Just like in the community, there are negative consequences for breaking these rules.

If your behavior is serious, you may end up with additional criminal charges, which could extend your length of stay.

In this section, you will learn what happens when you receive a Behavioral Intervention Report or a Disciplinary Report, including how charges are handled, what to expect during a hearing, how to appeal a charge, and the right to due process.

**\*\*\*Please note that any and all rules posted in the facility and written in this handbook should be followed at all times. Knowing and following these rules is your responsibility, not the responsibility of staff members. If you do not understand a rule or have a question, please ask a unit staff member for more information.**



## Behavioral Interventions and Disciplinary Reports

Minor disruptive and non-compliant behavior may be handled with a Behavioral Intervention Report (BIR). If you receive a BIR from a staff member, it may result in a variety of interventions such as loss of privileges, extra chores, or the requirement of a written report or letter of accountability. You will be told when a BIR is written for you, and you will be asked to sign the form acknowledging your actions and consequences.

More serious offenses, also known as chargeable offenses, will result in a Disciplinary Report or DR.

**Chargeable Offenses** include:

- |   |  |
|---|--|
| 1. Serious verbal or written threats    | 11. Wearing or hiding a change of clothing   |
| 2. Threatening physical gestures        | 12. Concealment from staff   |
| 3. Escape / AWOL (Absent WithOut Leave) | 13. Lying in an official investigation or falsely accusing another                     |
| 4. Sexual Abuse                         | 14. Gang-related behavior or activity  |
| 5. Security Contraband                  | 15. Vandalism  |
| 6. Attempted escape                     | 16. Theft  |
| 7. Assault or attempted assault         | 17. Sexual misconduct  |
| 8. Fighting                             | 18. Aiding and abetting (helping and/or encouraging) another person commit any offense |
| 9. Interfering with staff duties        |  |
| 10. Tampering with facility equipment   |  |

If you are accused of committing a chargeable offense, the following will take place:

1. The staff member files a DR and notifies the shift commander.

2. If you are seen as a risk to the safety of the unit (including yourself), you may be placed in pre-hearing detention for up to 4 hours.
3. If you continue to be a risk to unit safety, your time may be extended up to 24 hours.
4. Based on reported behavior and evidence, the shift commander will decide if you deserve a charge.
5. If you receive a charge, a description of the alleged incident will be read to you within 24 hours and you will be given a copy of the disciplinary report. You may plead guilty or not guilty at that time.
6. If you plead guilty, you waive your right to a hearing and appeal, and you sign the report. This means you admit guilt, waive your rights, and accept the sanction(s).
7. If you plead not guilty:
  - a. You will be given at least 24 hours' notice of the time and place of the hearing. You may waive your right to preparation time and agree to an earlier hearing by signing a form.
  - b. The disciplinary report will be given to the Human Rights Coordinator.
  - c. If you want to have any witnesses at the hearing, ask the Human Rights Coordinator to issue a witness statement form.
  - d. Your hearing will be held within 7 work days after the alleged offense.

## Hearings

In most cases your hearing will take place within a few days and often during a time when the staff member who wrote the report is working. A staff member will always notify you at least 24 hours before the date and time of your hearing. Use this time to prepare for your hearing. You may make a request to the Human Rights Coordinator if you have witnesses you would like to include. With your consent, the hearing may be held sooner than the date/time you were originally given or continued (delayed) for up to 5 days from the original date for the following reasons: you or the staff are unavailable, or the investigation is not complete.



To make sure your hearing is fair, a Human Rights Coordinator (who does not report to facility supervisors) will act as judge, and the hearing will be recorded. Just like the rest of the facility staff, the Human Rights Coordinator wants you to be successful in the facility and in the community after release.

You will be present throughout your hearing unless your behavior is disruptive (cursing, abusive language, etc.), you waived your right to attend, or another resident's testimony must be given in private to protect their identity. You may ask a staff member or another resident to represent you and question witnesses at the hearing. This representative will be present during all parts of the hearing.

The order of events leading up to and during your hearing are as follows:



1. Before the hearing, the Human Rights Coordinator will speak with witnesses, review Rapid Eye video, and review any other available evidence.
2. Preliminary information about the hearing will be read into the recorder.
3. You will be given the opportunity to explain why you are not guilty.
4. The Human Rights Coordinator will review witness testimony and witness statements you offer.
5. The Human Rights Coordinator may ask you more questions based on witness accounts and video.
6. The Human Rights Coordinator will make a final decision based on the evidence.
7. If you are found not guilty, things will return to normal, and the DR will not be put in your file.
8. If you are found guilty, the Human Rights Coordinator will decide what sanctions you will receive.

9. The Human Rights Coordinator will sign a form with the decision. You will also be asked to sign this form.
10. All hearings will be reviewed by the administrative staff.

Possible **sanctions** include, but are not limited to, the following:

1. Extra chores
2. Community service
3. Referral to Classification and Treatment Services Team (CTST)
4. Learning assignments (apology letter, reflection, skill-building activity)
5. Presentation to the unit
6. Participate in mediation
7. Restitution (payment withdrawn from your account)
8. Loss of privileges
9. Program restriction (sports and other extra-curricular programs)
10. Disciplinary segregation

## Appeals

You may appeal the decision of your hearing only if you feel the discipline procedure (VOL IV-1.4-1.16 “Resident Discipline”) was not followed, if you feel the hearing was excessive or unnecessary, or if credible new evidence exists that was not available to the human rights coordinator. If you choose to appeal, the appeal process is as follows:



1. Inform the Human Rights Coordinator that you would like to appeal—the best time to do so is when you sign your form immediately after the hearing.
2. The appeal **MUST** be filed within 24 hours of receiving the decision.
3. Once an administrator receives your appeal, you will be given a verbal decision within 24 hours.
4. You will receive a written response within 3 work days.
5. All appeal decisions are final. Sanctions remain in place unless lifted by the appeal.

## Due Process

Due Process is a term used to describe the rights you have when you are accused of committing an offense. It ensures that DJJ procedures are used correctly so you receive a fair and unbiased hearing. Due process procedures only apply when you receive a DR. DJJ Procedure VOL IV 4.1-1.16 “Resident Discipline” describes due process in more detail, and is posted in your housing unit for you to read.

You may file a grievance if you feel your due process rights were violated. The grievance applies only to your due process rights, **NOT** to the decision in your hearing.

## Residents' Basic Services and Rights



Although you are committed to DJJ, you still have the right to be healthy and safe. No one should treat you badly because of your race, religion, gender, sexual orientation, or for any other reason. You are expected to treat others with the same respect. In this section, you will learn about some of the services available to keep you healthy and safe.

## Your Rights

Residents shall not be subjected to the following actions:

1. Discrimination in violation of the Constitution of the United States, the Constitution of the Commonwealth of Virginia, and state and federal statutes and regulations;
2. Deprivation of drinking water or food necessary to meet a resident's daily nutritional needs, except as ordered by a licensed physician for a legitimate medical purpose and documented in the resident's record;



3. Denial of contacts and visits with the resident's attorney, a probation officer, the regulatory authority, a supervising agency representative, or representatives of other agencies or groups as required by applicable statutes or regulations;
4. Any action that is humiliating, degrading, abusive, or unreasonably impinges upon the residents' rights, including but not limited to any form of physical abuse, sexual abuse, or sexual harassment;
5. Corporal punishment, which is administered through the intentional inflicting of pain or discomfort to the body through actions such as, but not limited to (i) striking or hitting with any part of the body or with an implement; (ii) pinching, pulling, or shaking; or (iii) any similar action that normally inflicts pain or discomfort;
6. Subjection to unsanitary living conditions;
7. Deprivation of opportunities for bathing or access to toilet facilities, except as ordered by a licensed physician for a legitimate medical purpose and documented in the resident's record;
8. Denial of health care;
9. Denial of appropriate services, programs, activities, and treatment;
10. Application of aversive stimuli, except as provided in this chapter or permitted pursuant to other applicable state regulations. Aversive stimuli means any physical forces (e.g., sound, electricity, heat, cold, light, water, or noise) or substances (e.g., hot pepper, pepper sauce, or pepper spray) measurable in duration and intensity that when applied to a resident are noxious or painful to the individual resident;
11. Administration of laxatives, enemas, or emetics, except as ordered by a licensed physician or poison control center for a legitimate medical purpose and documented in the resident's record;
12. Deprivation of opportunities for sleep or rest, except as ordered by a licensed physician for a legitimate medical purpose and documented in the resident's record;
13. Use of pharmacological restraints; and
14. Other constitutionally prohibited actions.

## **Health Services**

DJJ offers many services to keep you physically and mentally healthy throughout your commitment.

### **Nutrition and Wellness**

Good nutrition helps to support growth and development, which may help you learn better, maintain or achieve a healthy weight, and perform better in sports and other physical activities. These are just a few reasons why DJJ encourages a healthy environment that includes fresh fruits and vegetables, whole grain rich foods like rice and pasta, and low fat or fat free milk. Your food operations department serves up breakfast, lunch, dinner and snack menus that keep those things in mind. Your input is important! That's why, several times each year, your unit will be asked to participate in a meal survey. Please take time to join in this group activity. Throughout the facility, there are opportunities for you to take part in wellness-related activities or events that may include nutrition education, physical activity, or healthy eating.



### **Medical and Dental Care**

When you arrive at the facility, the health services staff will review your records and ask you about any past or current health problems. You will also be given a thorough medical and dental exam.

If you get sick, have dental problems, or become injured at any time during your stay, health services will treat you. To report a health services problem or request care:



1. Fill out a Medical Service Request (MSR). If you need help ask a unit staff member.
2. Place the MSR in the secure box in your unit.
3. Health services will review your request and respond appropriately.



**\*\*\*If you have a health emergency, always tell staff right away!**

### **Specialized Clinical Treatment Services**

Some residents have special treatment needs such as substance abuse treatment, aggression management, and/or sex offender treatment.

The assessments from the intake process will help decide if you need one of these programs. If you are in need of a specialized treatment program, your counselor will discuss it with you in more detail and add it to your treatment plan. The rest of your Treatment Team will also help you with this.

If a program is added to your treatment plan, you will be required to satisfactorily complete it before you are eligible for release. After you complete your program, you may be required to continue some parts (relapse prevention, etc.) until you are released.

Please be aware that, occasionally, residents who are committed after you will begin treatment before you. There are several reasons why this may happen, but it is important for you to remain patient.

### **Mental Health Services**

Mental Health Services are provided by the Behavioral Services Unit (BSU), which includes highly trained staff members who can provide you with a variety of treatment services based on your needs.

Based on your assessments, these services may be a part of the treatment plan designed for you.

**\*REMEMBER! Even if mental health services are not a part of your treatment plan, you may ask to speak to a mental health professional any time you feel the need for extra support. Do not hesitate to ask for help if you are feeling upset or concerned for any reason.**

### **Education Services**



If you are not a high school graduate, you will be enrolled in middle or high school. You will study core subject areas (English, math, science, and history) and take elective classes based on interest and diploma requirements. You may also have the opportunity to participate in career and technical education classes such as Advertising and Design, Principles of Business, Culinary Arts, and Economics and Personal Finance.

You will be attending Yvonne B. Miller High School, named after the celebrated state senator who put children first in pending legislation. Both middle and high school students will attend Yvonne B. Miller High School. There are many ways for you to complete your high school studies, including standard, advanced, applied studies, and Penn Foster diploma options or GED certificate.

If you have an IEP or 504 plan, you will be allowed a number of credit accommodations options to earn the verified credits required for a standard diploma.

The Division of Education (DOE) also provides opportunities for you if you have already received a high school diploma or alternate. Through various programs, you may be able to obtain certificates and/or college credits or participate in enrichment opportunities.

All students participate in the Positive Behavioral Interventions and Support Program (PBIS). A component of PBIS includes "The Cougar Classroom," which you will see posted in all classrooms. Following the expectations listed in the "The Cougar Classroom" will allow you to earn points during

class. These points can be used to buy items from the school store every Wednesday. These items will be delivered to your unit by a member of residential services staff. Unit staff will decide when and how you will have access to your purchased items.

## Recreation



The Recreation (Rec) Department is responsible for developing, planning, organizing and implementing recreational activities for you to help strengthen your self-esteem, mind, and body through therapeutic activities. The Rec Department promotes self-discipline, good character, team work, patience, integrity and respect among others.

You will have recreation about three times a week depending on your unit's weekly schedule. Rec time may happen in your unit, in the gym, or outside. Some additional recreational activities you may have access to include a seasonal soccer program, annual 5K event, ping pong, flag football, and basketball.

## Volunteer Programs and Services

The Volunteer Coordinator finds community volunteers to come in and lead programs for you. These programs can include tutoring, mentoring, crafting, religious activities, and others. If you have a suggestion for an activity, ask a member of your unit staff to contact the Volunteer Coordinator, and we will try to make it happen.

Please remember that volunteers are giving up their time because they want to help you; therefore, you should be respectful of their efforts. Volunteer programs are a special privilege for you, not a right. If your behavior is a problem, you will not be allowed to attend.



## Religious Services

Different faith-based organizations from the community will offer services and programs for you, and you will have the opportunity to participate if you want. You may go to any of the activities regardless of your personal religion. No one will keep you from participating. You also will not be forced to go to any religious events. If you choose not to go, other out-of-room activities will be provided for you.

If the facility does not have the reading material you need for your religion, you may request to use your money to purchase it. The faith-based leader from your own community may also visit you at the facility.

You can change your religious affiliation at any time by contacting your counselor, who will submit a request to the Superintendent. If the request is approved and you are under the age of 18, your counselor will tell your parent/legal guardian of the change.

If you have special needs because of your religion (such as a certain diet, a prayer mat, prayer beads, hair/facial hair exceptions, etc.), a request for accommodations for those needs can also be submitted to the Superintendent.

## Money and Finances



You will receive an allowance of \$0.30 a day (\$9.00-\$9.30 a month, depending on the number of days in the month) from the Commonwealth of Virginia while you are committed.

You may also earn money by working in the Institutional Work Program (IWP) within the facility. If you are interested in working in the IWP, you must fill out an application and meet certain requirements to be selected.



You may only use the money in your account:

- For your benefit (special activities, child assistance, telephone, phone privileges, etc.)
- For payment of court-ordered fines
- For payment to the facility for any owed restitution (property damage or personal injury)

To use money from your account, you have to fill out a Resident Funds Withdrawal Form, which you can get from unit staff. **While you are committed, you are prohibited from carrying cash or using your earnings for any unapproved purpose (including trading, selling, bartering, or gambling)**

## Technology

While at DJJ, your access to technology will be highly structured and monitored. Under strict supervision of a staff member, you will be allowed to use technology resources for academic, career and technical, reentry, and work programs. Each resident involved in such a program will be given a specific username and password to help DJJ track your activity. **Do not share your username and password with any other resident.** If you share your login information with another resident who does something inappropriate while logged into your account, you will be still be held accountable for that action.



When you use a DJJ computer, it is important for you to remember that everything you do will be monitored. Even if a staff member is not looking at your screen, DJJ will still be monitoring what sites you visit and actions you take while using the computer. You should have no expectation of privacy while using a DJJ device. Below are some specific things that are prohibited to you while using a DJJ device:

- Electronic communication (email, chat systems, posts, blogs, or any online messaging system)
- Downloading or uploading content, especially when copyrighted (music, videos, games, etc.)
- Visiting social media websites
- Streaming (music, videos, etc.)

You may not, at any time, use a staff computer or any other technology resource marked with a VITA Program identification tag. You may not take any technology out of the facility or from its appropriately used location (classroom, common room, etc.) unless approved by IT or other staff. You may not have any technology in your room unless it has been earned as a unit incentive and approved by unit staff.

If you fail to meet these guidelines while using technology at DJJ, you will face disciplinary action which could result in removal from your work, post-graduate education, or other program. This does not include compulsory (required) school attendance if you are working toward your high school diploma. In addition, your access for future computer use will be restricted. If you are unsure of something, always ask staff.

## Mail

While you are committed, you will continue to have the right to send and receive mail. There are several rules and procedures in place to protect you, the security of the facility, and the public. You may ask your unit staff to see the specific rules in VOL IV-4.1-2.12 “Resident and Staff Mail”, but some of the most important ones are listed below:



- You may send out at least two free personal letters a week.
- If you need to write to your legal counsel, we will provide materials and postage.
- The non-legal mail you receive will be opened and checked for security threats or contraband. This does not mean it will be read word for word, but it will be scanned for things like gang symbols/references or vulgar language.
- Your mail should be delivered to you within 24 hours of its arrival to your facility.

- Legal mail should be delivered to you unopened, but a staff member will open it with you to check it for contraband.
- You may not write letters to or receive letters from residents of this facility or any other juvenile or adult facility without it being approved by the Bon Air JCC Superintendent and the Warden or Superintendent of the other facility involved.
- You may not write letters to or receive letters from anyone under DJJ or DOC community supervision, or victims. Exceptions may be approved by the Superintendent after talking with people on your treatment team. You may not write letters to or receive letters in violation of a court / protective order prohibiting contact.
- You are not allowed to subscribe to newspapers or magazines unless approved by the Superintendent.
- If you receive inappropriate pictures or other items (nudity, gang related, etc.) they will be confiscated and returned to the sender.
- If you have items that need to be held for family members to pick up during visitation (pictures, certificates, etc.), you should tell your CC or your counselor. The facility will store these items.

## Phone Calls



Although you may not receive personal phone calls directly, you will be allowed to make outgoing calls to phone numbers on a pre-approved list. If you need to update your approved call list, you will need to speak with your counselor. Your phone call privileges will be based on what phase you have achieved. Staff-monitored calls will be placed from the staff office and on speakerphone. A member of your unit staff will document your staff-monitored phone use on a call log. See the following for weekly call privileges of each phase:

- Phase I: three staff-monitored office calls AND one GTL blue phone call (four total calls)
- Phase II: three staff-monitored office calls AND one GTL blue phone call (four total calls)
- Phase III: two staff-monitored office calls AND three GTL blue phone calls (five total calls)
- Phase IV: two staff-monitored office calls AND six GTL blue phone calls (eight total calls)

Phone calls that are unsuccessful (don't go through or the person does not answer) do not count toward your weekly totals. These limits also do not apply to PREA related calls (#55) or calls to your legal counsel. The same applies to incoming calls from your PO or legal counsel.

You must follow certain rules when it comes to making phone calls:

1. No calls should last longer than 10 minutes.
2. You should be seated during all phone calls.
3. No phone calls during any therapeutic structured activities (TSAs).
4. If you have not graduated high school, you cannot make phone calls before or during school.
5. No phone calls after settlement group.

## Visitation

There are three visitation sessions each week: 1 on Wednesday evening and 2 on Sundays (1 in the morning and 1 in the afternoon). Talk to your PO and counselor about who can be on your visitation list.

Visiting with family and natural supports is very important, and there are certain rules in place to make sure your visits are great!





## You and your visitors must cooperate with all of these rules:

- Visitors may not bring anything into the facility.
- Visitors must follow the dress code.
- Everyone will be searched before entering the building.
- Only approved visitors may come in for visits.
- All additional guidelines in the “Visitation Rules and Privileges” packet provided to families.

## Family Engagement Events

Your family and natural supports are a big part of your success here and after you reenter the community. Because family and natural supports are so important, your unit will host at least one family engagement event per year. In addition to these events in your unit, there will also be at least one facility-wide family engagement event for all residents and their families or natural supports. Even if your family members or natural supports can't come to the events, you can still participate and spend time with your peers and their families.

Please remember that this privilege can be taken away as a result of poor behavior. If you are not allowed to participate in an event because of safety and/or security concerns, you may be allowed to visit with your family members or natural supports.

## Grievances and Complaints



Talking with your CC or counselor is the quickest way to fix problems. It is always best to talk with someone if you feel things are not right. If you are not able to fix a problem this way, you may file a complaint, grievance, or emergency grievance (discussed later). The grievance/complaint procedure is a way for you to tell the facility if you feel your rights have been violated or if a rule was not followed. You will be educated on how to use the Grievance Procedure, but the basics can be found in this section.

You have the right to file a grievance without fear that someone will try to get back at you. You will not be harmed in any way for filing a grievance. You may use the procedure at any time, day or night. Grievances and complaints are written on a standard form, and you may ask any staff member or resident for help filling it out. The forms are available in your unit at all times.

**For more information about grievances about sexual abuse and/or sexual harassment and other ways to report, please see information on pages 23-25.**

## Emergency Grievance

If you feel that you are in immediate danger, complete an emergency grievance. Emergency grievances are completed on the same form as a regular grievance. **Mark the box that says “Emergency Grievance,” and give it to a staff member in your unit. DO NOT** put it in the grievance box. Staff will give emergency grievances to the shift commander right away. The shift commander will investigate and determine if it is a true emergency, and they will give you a verbal response within one hour and a resolution within eight hours. You will be asked to sign and date the shift commander's response. DJJ may only discipline a resident for filing a grievance related to alleged sexual abuse if DJJ demonstrates that the resident filed the grievance in bad faith.



## Appeals

If you are not satisfied with the decision of your grievance or complaint, you may appeal. You need to check the appeal box on the grievance form and give it back to the Human Rights Coordinator no later than 5 days after the decision was given to you. Most appeals are handled within 5 business days.

## Understanding Your Rights under the Prison Rape Elimination Act (PREA)

This section will help you understand the rights you have relating to sexual abuse and sexual harassment while in this facility and the rules and procedures in place to protect those rights.

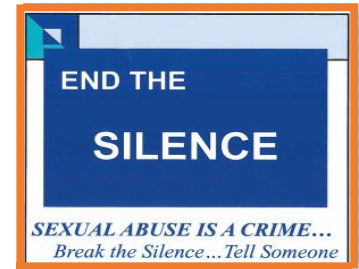
Sexual abuse and sexual harassment while a resident is in custody compromises the safety and security of residents, staff, and the community. Although you may never experience such issues while you are here, it is important that you understand how sexual abuse or sexual harassment can arise and how it can affect you and other residents. Sexual abuse has legal consequences as well as long-lasting emotional, mental, and physical health effects. This section of your handbook provides information on the following subjects:

- The Prison Rape Elimination Act of 2003
- Sexual abuse by staff and other residents
- How to report sexual abuse or sexual harassment
- Investigations
- Medical and mental health needs of victims
- Residents' rights under PREA
- Resources for seeking help after incidents of sexual abuse

This is a quick reference guide only. You have access to DJJ PREA policies which explain in detail the topics in this section. Some specific policies will also be posted in your unit.

### What is the Prison Rape Elimination Act of 2003 (PREA)?

In September 2003, the United States Congress passed the Prison Rape Elimination Act (PREA). Often, people call it by its initials: PREA (pree-uh). PREA is the collaborative effort between human rights, faith-based, and prison rape advocacy groups to create a zero-tolerance stance on prison rape. It is now a federal law that helps officials detect, prevent, and address sexual abuse and sexual harassment against people who are in juvenile correctional facilities. Due to the nature of sexual abuse in custody, it is important for you to know what PREA is and the rights it provides you. You will learn more about PREA while you are in the facility.



### Terms You Need to Know

#### Sexual abuse

Sexual abuse includes any sexual act committed against a resident by any other person, including a staff member, volunteer, contractor, or another resident. Sexual abuse is the intentional touching of a resident's body in a sexual way by another person. Sexual abuse involves physical contact. It may be a sudden sexual attack or you may be tricked or lured over a period of time into becoming sexually active with someone. If you are not sure if something is sexual abuse, it is better to report it just in case. If your gut tells you something is not right, it is probably not!



#### Sexual contact

Sexual contact is someone else directly touching your genitals or groin area, anus or buttocks, breasts, inner thighs or any other part of your body in a sexual manner, either through clothing or with an object, with the intent to abuse, arouse, or gratify sexual desires.

#### Indecent exposure

Indecent exposure is considered sexual abuse when a staff member, volunteer, contractor, or another resident shows you his or her genitals, buttocks, or breasts.

## **Voyeurism**

This means an invasion of privacy of a resident by staff, contractor, or volunteer for reasons unrelated to job duties. Examples of voyeurism are staring at residents who are using a toilet in their room, requiring residents to expose their buttocks, genitals, or breasts, taking images of all or part of a resident's naked body, or taking images of a resident performing bodily functions such as using the toilet or showering.

## **Sexual harassment of resident on resident**

Any alleged sexual advances, requests for sexual favors, verbal comments of a sexual nature, demeaning references to gender, derogative comments about body or clothing, or profane or obscene language or gestures of a sexual nature.

Example: Resident A comes to Resident B one morning and states "you are sexy" and slowly licks his lips.

The actions of Resident A are unwelcome sexual advances and meet the definition of sexual harassment.

## **Sexual harassment by a staff member, contractor, or volunteer directed to a resident**

Any alleged sexual advances, requests for sexual favors, verbal comments of a sexual nature, demeaning references to gender, derogative comments about body or clothing, profane or obscene language or gestures of a sexual nature, or comments of a sexual nature by a staff member, volunteer or other individual over whom the facility has supervisory authority to a resident.

Example: A staff member is escorting Resident C to his class and the staff member tells Resident C that he is "shaped like a girl."

The actions of the staff member would meet the definition of sexual harassment because the staff member made a derogatory comment about the resident's body.

## **Zero Tolerance**

DJJ has a ZERO-TOLERANCE stance on sexual abuse and sexual harassment. Board Policy 05-010 (The Prison Rape Elimination Act), 6VAC35-71-550 (Prohibited Actions), The Prison Rape Elimination Act, and DJJ Procedure VOL IV-4.1-1.03 "Prison Rape Elimination" outline this policy and prohibit any sexual activity between residents and staff, contractors, or volunteers, including sexual abuse and sexual harassment. Any staff, contractor, and/or resident who violates this policy is subject to disciplinary actions and/or criminal charges. State laws it is a crime to sexually abuse children and people in custody.



Residents may not engage in any behavior of a sexual nature and are subject to disciplinary actions under DJJ Procedure VOL IV-4.1-1.16 "Resident Discipline" and/or criminal charges. DJJ does not allow ANY sexual contact or sexual harassment between residents. Even if the residents involved say they agreed (consented) to the sexual interaction, they will still be subject to a charge through DJJ's disciplinary procedure and / or criminal charges.

Sexual contact in the facility between any two people is prohibited. There is no such thing as a consensual sexual relationship in the facility—not between residents and not between staff and residents.

DJJ is committed to this zero-tolerance policy on sexual abuse and sexual harassment in its facilities. You have the right to be free from sexual abuse and sexual harassment while you are committed.

All staff are required to report any suspicion of sexual abuse, sexual harassment, and / or sexual misconduct. Staff who do not report suspicions are subject to disciplinary actions.



**RESIDENTS CANNOT GIVE CONSENT TO HAVE SEXUAL CONTACT WITH STAFF.** A resident cannot participate in any type of sexual relationship with a staff member, volunteer, or contractor. This includes sexual conversations or sexual activity. You cannot give consent to such activities because you are under the direct care and control of the staff member, volunteer, or contractor.

### **Myths about Sexual Abuse**

<b>Myth</b>	<b>Reality</b>
<b>It could never happen to me.</b>	Anybody can be sexually assaulted, abused, or raped.
<b>A rapist is easy to spot in a crowd.</b>	A rapist can look like anyone else and can be male or female.
<b>If you do not “fight back” it is not really rape.</b>	Some survivors “freeze.” Deciding to be still or to pretend to “go along” with a rapist is another way to fight back and is not the same as giving consent.
<b>Only rapists and child molesters get raped in prison.</b>	Non-violent, first-time offenders, youth, and those who are gay or transgender are targeted most often. People who are physically small or have a mental illness are also targeted.
<b>It’s just part of the punishment.</b>	Offender rape violates your constitutional rights. No one deserves to be raped, abused, or sexually assaulted.
<b>It was probably my fault anyway. I don’t want anyone to get in trouble.</b>	Sexual abuse is never your fault. You are not responsible for the behavior of the offender or the consequences he or she will face.
<b>I felt a sexual response, so it wasn’t really rape or abuse.</b>	It is normal to experience some physical response like feelings of arousal, even orgasm, during a sexual assault. A sexual response does not mean you wanted or liked the sexual assault. Your body is designed to respond to touch.
<b>I’ve been a victim of sexual abuse before. This is normal.</b>	It is not normal to be sexually abused. You should report the abuse or assault and expect DJJ to take action to keep others from being abused.
<b>They won’t believe me anyway.</b>	When you report sexual abuse or assault, it must be investigated by trained law enforcement officers. They are trained to find evidence that can help prove what happened.

Source: *Hope for Healing: Information for Survivors of Sexual Assault in Detention*, Just Detention International, [www.justdetention.org](http://www.justdetention.org)

## **What to do if You Have Been Sexually Abused or Harassed**

### **Report It**

If you have been sexually abused or sexually harassed, report it as soon as possible. You can:

**Tell** a Counselor, BSU Clinician, RS, PREA Compliance Manager, Teacher, Nurse, Human Rights Coordinator, Investigator, volunteer, your parents, PO, or any trusted adult.

**Call** the PREA/Abuse Hotline available on your unit’s blue phone by dialing #55 (not a live person but answered 24 hours a day). See posting in the units for additional contact information.

**Write** a grievance or request to the facility PREA Compliance Manager, complete a Medical Service Request (MSR) form, or contact the Domestic and Sexual Violence Resource Center of Chesterfield (DVRC) at PO Box 741, Chesterfield, VA 23832-0040.

**If what you are reporting is an emergency, such as being the victim of sexual abuse or being threatened with sexual abuse, you should report the emergency to a staff member or file an**

**emergency grievance. DO NOT put an emergency grievance in the grievance box. Give it directly to a staff member. For more information, see page 20 or ask a trusted adult for help.**

Remember that sexual abuse and sexual harassment are very serious. DJJ is committed to doing everything possible to keep you safe. Remember, reporting abuse is not a game. Anyone who is found to have knowingly made a false report of sexual abuse may be subject to an institutional charge. DJJ expects all residents to take allegations of sexual abuse and sexual harassment seriously!

You have the right to report sexual abuse or sexual harassment made by staff, contractors, volunteers or other residents.



### **Preserve Evidence**

If the sexual abuse has just happened and you have reported it, do not brush your teeth, change clothes, take a shower, eat anything, or drink anything. Avoid using the restroom if possible. Facility staff will get you to a doctor or nurse to examine you and preserve any evidence.

### **Be safe**

Reporting sexual abuse is the fastest way DJJ can put a stop to it so you are safe and can begin to heal. It is a traumatic experience, but you can recover with the right counseling and help. DJJ will protect you and get you the help you need. Victims of sexual abuse who waited to tell often wish they reported sooner. Also, most abusers do not have just one target. By reporting sexual abuse, you will be keeping others safe too.

### **Your Reporting Rights**

You can file a grievance alleging sexual abuse or sexual harassment at any time regardless of when it occurred, and it will be processed and investigated in accordance with PREA Standards. No resident shall be required to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.

A resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint and such grievance shall not be referred to a staff member who is the subject of the complaint.

Third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, shall be permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse and shall also be permitted to file such requests on behalf of residents.



### **Retaliation for Making a Report**

It takes courage to report sexual abuse or sexual harassment, especially if you are embarrassed or afraid you'll make things worse on yourself. If someone is mistreating you or seeking revenge against you because you reported sexual abuse or sexual harassment, this is called retaliation. Anyone who retaliates against you, even DJJ staff, will be in serious trouble. Be sure to report retaliation just like you would report sexual abuse or sexual harassment.

You have the right to report any incident of sexual abuse or sexual harassment. You *may not be retaliated against* for reporting a sexual abuse or sexual harassment allegation. All allegations of retaliation will be investigated. If you report an allegation of sexual abuse or sexual harassment, a staff member will monitor for retaliation. Steps to ensure your safety may include a change in housing unit or the transfer

of the person alleged to have caused you harm. You can report retaliation to your Treatment Team, trusted staff, by calling #55, or through the grievance system.



## **Who is Here to Help Me?**

The most important thing is to tell a trusted adult about any problems you are having, especially if you are being sexually abused by another resident, DJJ staff, volunteer, or contractor. Any DJJ staff member or volunteer can help you with your complaint. Any verbal complaint must be taken by staff. You do not have to write a complaint down to make a complaint / report. Another option includes staff writing the complaint for you. If you are deaf, hard of hearing, or vision impaired, DJJ will make other accommodations upon your request. Here are some other organizations / individuals that can help you:

### **Human Rights Coordinators**

These DJJ employees are in charge of the resident grievance system. They make sure your grievances are reviewed and answered.

### **Investigators**

In keeping with DJJ's Zero-Tolerance Policy for any incidents of sexual abuse or sexual harassment, DJJ will respond to and investigate all allegations of sexual abuse or sexual harassment. DJJ Investigators investigate and handle both non-criminal and criminal allegations of abuse, neglect, exploitation, or policy violations by staff against residents within the JCC. Any criminal allegations will be referred to and investigated in collaboration with the Virginia State Police. Upon completion of all investigations, you will be notified of the outcome.

### **Ombuds Program**

The Department of Juvenile Justice's Ombuds Program began in 2002. Its purpose is to monitor living conditions within DJJ's Juvenile Correctional Centers, serving as an "early warning system" when problems are identified. It also provides a way for parents and staff to privately report any areas of concern, including allegations of sexual harassment or sexual abuse.

### **Parents, Family, and Friends**

Remember, your parents can help you too. They have the right to be involved in your treatment and can advocate on your behalf. You can also get help from your peers and offer them help if they ask.

### **disAbility Law Center of Virginia**

This group has special access to DJJ to help youth with disabilities solve problems they may be having.

## **Availability of Treatment and Counseling**

If you are the victim of sexual abuse or sexual harassment, treatment and counseling will be available to you. Services will be available from the time you report the incident all the way through the initial examination and treatment of your injuries, throughout the investigation of the incident, and afterwards. Any health services necessary to treat incidents of sexual abuse will be available to you right away and for as long as you are in a DJJ facility. You will be given a pregnancy test and/or tests for sexually transmitted infections as medically appropriate.

## **Strategies to Prevent Sexual Abuse**

Strategies to prevent sexual abuse and sexual harassment include being able to access the resources provided by DJJ and talking with staff who can help to protect you. Reporting things that make you feel uncomfortable or threaten your safety is the first line of defense. You may not be threatened to engage in



any type of sexual activity to ensure your safety. You should tell a staff member if anyone threatens you in any way. Your safety should ***never*** depend on having sexual contact with another person!


You are expected to talk respectfully to each other and to staff members, being mindful that certain topics may make others uncomfortable. DJJ's zero-tolerance stance extends to what residents say to each other and to staff, and what staff say to each other and residents. This is true no matter what your sexual orientation is or what anyone else's sexual orientation may be. DJJ will not tolerate the harassment of another person for ANY reason.

### ***Healthy Boundaries***

You can reduce your risk of being sexually abused or assaulted by keeping healthy boundaries. Some sexual predators are good at what is called "grooming." This is where they try to break down normal, healthy boundaries so they can take advantage of you. Here are some ways you can avoid this:

- Don't ask for or accept favors or gifts that are against the rules.
- Do not have inappropriate conversations with other residents or staff.
- Avoid anyone who is overly complimentary of you, tries to get you alone, or wants to share inappropriate secrets.
- Report anyone who threatens you.
- Report anyone who has a pattern of touching you too much (like hugging, hand holding, or pretending to accidentally brush up against you).
- Report anyone who develops a pattern of looking at you in a way that causes you to feel uncomfortable.

You'll see posters around the facility reminding you of the hotline number to call in case you need to report sexual abuse or sexual harassment.



*Never be  
afraid to  
ask for  
help*

## **Student Government Association (SGA)**

The SGA is a self-governing, youth-led organization that works to cultivate a positive peer culture in the facility. In addition, the SGA is a platform for youth to discuss issues, plan activities, and provide support for one another during their stay

### **Mission**

Putting forth an affirmative vision, taking more responsibility, for their life and future, learning the value of civic participation, helping their community be a safe and healthy one for residents and staff.

## **Constitution**

### **Preamble**

We the people of the Virginia Department of Juvenile Justice Student Government Association shall create this government to ensure proper representation, solutions, and opportunity for the youth within the Department.

### **Article I**

The name of this body shall be the Student Government Association (SGA) of the Virginia Department of Juvenile Justice (DJJ).

This government shall be created by DJJ youth to provide representation, solutions, and opportunity for the youth under its authority. This government is approved by the following regulations: (DJJ procedure VOL IV-4.1-4.07 Resident Council) Statutory Authority (Title 66 Code of Virginia)

### **Article II**

Membership within SGA will be determined through a voting process. However, the initial youth representatives will be appointed by the founders of this government. This will ensure that the proper example will be set and all articles are carried out.

The voting process will be carried out by the Executive Team. The Executive Team shall produce a ballot to be distributed to all youth with voting rights. The ballot shall contain information on each eligible candidate.

The information shall include the following: 1) Name; 2) Potential Office; and 3) Campaign Slogan/promises.

Upon the release of a youth who holds office and was appointed by the founders, an election will be held to fill the open position. A Lieutenant Governor or Vice President shall temporarily maintain the office until a proper election is held. A Governor shall temporarily fill the office of Vice President in the event they are released, impeached, or is unable to fulfill their duties, and therefore resigns.

Any resident with voting rights may participate in the election. Voting rights are based on behavior standing.

Behavior standing is defined as maintaining a 45 day charge/offense free record and holding a 2 or higher phase level.

Candidate eligibility is based on both behavior standing and academic performance.

Academic performance is defined as maintaining a minimum of a "C" average letter grade. Candidates must maintain a 90 day charge/offense free record. Candidates who have obtained a General Equivalency Diploma or standard High School Diploma are exempt from the academic requirement.

### **Article III**

The SGA Executive Team shall meet weekly for a minimum of one hour. The Executive Team shall meet with Administrators monthly. Mayors shall meet monthly with the Executive Team every third Thursday at 5:30pm.

SGA Executive Team is: President; Vice President; and District Governors.

#### **Office and Their Duties**

The President shall represent the department at all events, functions, meetings, and official visits. They shall provide leadership, representation, and solutions to the best of their ability. The President may serve for a term of one year, with the opportunity to be re-elected for an additional two terms.

The Vice President shall represent the President in their absence. They shall support and shadow the President in carrying out their duties effectively as possible. The Vice President may serve for a term of one year, with opportunity to be re-elected for an additional two terms.

Governors shall represent their districts and provide leadership, solutions, and voice any issues and concerns within the districts they govern. Governors may serve for a term of one year, with opportunity to be re-elected for an additional two terms.

Lieutenant Governors shall shadow and support their Governor. They shall represent their district in the absence of the Governor. Lieutenant Governors may serve for a term of one year, with opportunity to be re-elected for an additional two terms.

Mayors shall represent their units and express any issues or concerns to their District's Governor. Mayors may serve for a term of 6 months, with the opportunity to be re-elected for an additional three terms.

Youth members of the Executive Team may not hold the position of Mayor simultaneously with their duties of their primary office.

The Intake Unit will be represented by the President.

### **Article IV**

#### **Resignation**

Youth may resign from their office at any time. They must first notify the President by letter prior to the weekly SGA Executive Team Meeting.

#### **Release**

Youth in a Vice or Lieutenant Position shall fill the position they shadow in the event that youth is released.

#### **Impeachment and Removal from Office**

If a youth is neglecting their duties and/or incurred more than one major infraction through the course of their terms, they shall stand before the Executive Honor Council. A majority vote (two-thirds) will remove the youth from their office. They may not run for office again until a period of 90 days has passed without any infractions.

### **Article V**

The Honor Council shall act as the Supreme Court within the SGA. It shall make recommendations regarding behavioral issues and disagreements. All decisions will be decided by a two-thirds majority vote.



Each district shall maintain an Honor Council to serve the youth within that district. This will include Peer Interventions approved by the youth's Treatment Team. Peer interventions shall not breach the confidentiality of the youth. District Honor Councils that fail to reach a proper recommendation or solution by two-thirds majority vote will then forward the case to the Executive Honor Council. The youth may choose their representative.

District Honor Councils shall have the following officials present: 1) Governor; 2) Lieutenant Governor; 3) Mayors with the district; and 4) Representative of the youth.

The Executive Honor Council shall receive cases that are not closed by the District Honor Councils. Youth who hold office shall be received by the Executive Honor Council.

Executive Honor Councils shall have the following officials present: 1) President; 2) Vice President; 3) District Governors; and 4) Representative of the youth.

### **Article VI**

Amendments may be proposed by any Governor, the Vice President, or the President and must be approved by the Executive Honor Council by two-thirds majority vote. Any and all articles within the Constitution may be amended at any time.

### **Article VII**

All youth within the SGA are entitled to freedom of speech, freedom of religion, freedom of press, domestic tranquility, and the right to a representative, advocate, or witness, in defending oneself in a case against them. None shall be discriminated against due to their race, ethnicity, color, gender, sexual orientation, impairment, disability, political disposition, mental handicap, or physical appearance.

## Glossary

<b>BIR</b>	Behavior Intervention Report—see page 12
<b>BSU</b>	Behavioral Services Unit—see pages 3, 16
<b>CC</b>	Community Coordinator—see page 2
<b>CCRC</b>	Central Classification and Review Committee— this group makes case management decisions involving movement within the residential system (transfers to other facilities/programs), recommendations for service interventions, requests for off-campus trips, and recommendations for release of serious offenders and special decision cases.
<b>CM</b>	Community Manager—see page 2
<b>Complaint</b>	Expresses a concern about your quality of life that does not involve a risk of hardship or harm. Completed on a grievance form.—see page 20
<b>CRCP</b>	Comprehensive Reentry Case Plan—the individual service plan that guides your treatment, education, and behavior goals and objectives.
<b>CTM</b>	Community Treatment Model—a therapeutic model where you work with a treatment team and your peers to learn how to handle your thoughts and feelings better.—see page 2
<b>DOE</b>	Division of Education—see page 16
<b>DR</b>	Disciplinary Report—see pages 12-14
<b>Grievance</b>	Report of a condition or situation that presents a risk of hardship or harm to a resident.—see pages 20 ( <b>See process for filing an emergency grievance on page 20 and grievance of sexual abuse on pages 23-24</b> )
<b>ICRC</b>	Institutional Classification and Review Committee—this group makes decisions about your progress in your treatment programs and the CTM overall. They also determine whether or not your case will be sent to CCRC for larger decisions such as off-campus trips (see CCRC)
<b>IWP</b>	Institutional Work Program—to help you build job skills, you may apply for a job within the facility. Some jobs include dining hall worker, gardening and beautification/landscaping, painter's assistant, recreation assistant, office service aide, etc.—see page 17
<b>MHG</b>	Mutual Help Group—see page 4
<b>MSR</b>	Medical Service Request—see page 16
<b>PA</b>	Personal Advocate—see page 3
<b>PAP</b>	Personal Action Plan—see page 3
<b>PREA</b>	<b>(pree-uh)</b> Prison Rape Elimination Act of 2003—see pages 21-26
<b>RS</b>	Resident Specialist—see page 2
<b>SGA</b>	Student Government Association—see pages 27-29
<b>Treatment Team</b>	Your housing unit staff, PO, and family / natural supports (if applicable) —see page 4