I. PURPOSE:

The purpose of this policy is to delineate reasonable refocus options for negative offender behavior to ensure the safe, orderly, and consistent operation of all OYA facilities.
II. POLICY DEFINITIONS:

Accountability: The action which holds offenders responsible for a specific negative behavior.

Administrative Review Board (ARB): The committee that reviews decisions concerning offender placement, length of stay and transfers to other facilities or return of DOC offenders to the Department of Corrections.

Due Process: Procedural protections in place to ensure offender rights are protected when behavior refocus options are imposed such as placement in isolation or a special program.

Grievance: A complaint or appeal about the substance or application of any written or unwritten rule, policy or practice affecting an offender; or any decision or action directed toward an offender by the OYA, its employees or agents, including, but not limited to, matters of confinement, discipline, treatment, education, and privileges. A grievance can be "informal" or "formal" as described in OYA rules.

Isolation: Any instance when an offender is confined alone in a locked room because of the offender’s behavior or conduct.

Isolation Hearing: A hearing by due process standards that must be offered to an offender when the offender is to be placed in isolation for a period of longer than 24 consecutive hours.

Juvenile Justice Information System (JJIS): The Juvenile Justice Information System (JJIS) is a statewide-integrated electronic information system designed, developed, and implemented to support a continuum of services and shared responsibility among all members of the juvenile justice community. In a collaborative partnership between the Oregon Youth Authority (OYA) and Oregon's county juvenile departments, JJIS is administered by the State of Oregon through OYA.

Major Behavior Violation: Offender behavior that is immediately threatening to life, health, or facility safety, security or good order as determined by agency policy. Major behavior violations are listed in the OYA Behavior Refocus Options Matrix as Level Zero, One and Two behaviors.

Minor Behavior Violation: Offender behavior that is prohibited and unacceptable within the facility or program but is not immediately threatening to life, health, or facility safety, security or good order. Minor behavior violations are listed in the OYA Behavior Refocus Options Matrix as Level Three behaviors.

Refocus Option: An authorized response to, or sanction imposed for, an offender’s inappropriate behavior.

Special Program Placement: Any instance when an offender is placed on a special program for the offender’s safety or the safety of others to regulate the
offender’s routine activities (e.g. meals, recreation, school, treatment and other programs) and help the offender regain adequate behavior control.

**Special Management Unit:** A living unit with special rules and procedures different from the general population units where offenders are placed to assure they receive specialized treatment, increased or more intensive levels of supervision, are managed by staff with specialized training, and are protected from harm.

### III. POLICY:

Each OYA facility living unit follows an overall behavior management system to promote offender prosocial behavior. In addition, each offender within the living unit has individual behavior goals that target specific behaviors using incentives and reinforcements which are meaningful to the offender. Targeted behaviors are directly related to the offender’s case plan goals and competency development.

Behavior incentives and reinforcements may be social (e.g. verbal praise, more privileges), tokens (e.g. points earned or levels), tangible (e.g. canteen items, books), or a reduction/removal of an aversive condition (e.g. chores, early bedtime). The OYA uses social incentives and reinforcements as the primary method of promoting positive offender behavior.

The OYA must also hold offenders accountable for their negative behavior. Negative behavior must be recognized, corrected and refocused as necessary and appropriate, guiding offenders to make more responsible choices.

This policy focuses on the behavior accountability portion of offender behavior management. Accordingly, OYA facilities set clear behavior rules, boundaries and limitations. When an offender engages in a behavior violation, OYA staff must follow established guidelines to refocus the offender and hold the offender accountable for his/her behavior. The refocus options and processes described herein focus on staff response to offender behavior that may cause imminent danger or harm to self or others, or represents an imminent threat to the safety, control and security of the facility (major behavior violations). Refocus options are graduated according to the severity of the behavior violation and offender’s responsivity.

### IV. GENERAL STANDARDS:

**A. OYA Behavior Refocus Options Matrix**

OYA facility staff must follow the OYA Behavior Refocus Options Matrix when refocusing an offender for exhibiting a prohibited behavior listed in the matrix.

1. The matrix ensures refocus options are consistent throughout the OYA and are proportionate to the severity of the behavior violation.
2. The clarity and specificity of facility rules and the matrix, together with training, reduces discrepancies between staff in interpreting or implementing the matrix.

3. The matrix must be reviewed annually by Facility Operations to ensure the refocus options remain appropriate. Only Facility Operations may revise the matrix.

4. Written guidelines to assist staff in refocusing offenders for minor behavior violations are available to staff. Minor behavior violations may be handled informally.

5. Should an offender exhibit any of the major behavior violations listed in the matrix, at least one of the listed refocus options must be imposed.

6. Any deviation from the matrix must be authorized by the facility superintendent, camp director, treatment manager, or designated staff for substantial reasons and documented in JJIS.

7. Changes to any behavior refocus option already imposed must be approved by a supervisor up to the level of superintendent/camp director. The change must be documented in the offender’s case notes.

Changes must only be made at the level that the original refocus option would have been imposed. The change must be agreed upon by the staff who imposed the original behavior refocus option (if available), the offender, treatment manager, superintendent/camp director or designee.

8. Aiding another offender to commit, attempting to commit, or making plans to commit any of the behaviors is considered the same as engaging in the behavior itself and an appropriate refocus option must be imposed.

9. Separate refocus options may be imposed on an offender for his/her separate behavior violation acts during one incident.

Exception: Refocus options for separate acts that would result in time-outs, restricted programs, isolation or special program placements must be imposed concurrently.

For example, if an offender is involved in a fight with another offender and during the offender’s restraint the offender strikes a staff member, the offender may be refocused with a total of one placement in isolation for both acts (fighting and assaulting a staff). The offender must not be refocused with separate placements in isolation for each separate act.
10. If an offender in isolation or a special program placement exhibits a behavior violation, the offender may receive additional or consecutive behavior refocus options for the new behavior violation.

B. The following general standards apply in every offender accountability action taken.

1. Only facility staff may take accountability actions that impose behavior refocus options.
   a) The authority to impose behavior refocus options for minor behavior violations is ordinarily delegated to the offender’s unit staff.
   b) The authority to impose behavior refocus options for major behavior violations is delegated only to the superintendent, camp director or designee. The designee must be a manager such as the officer-of-the-day (OD).
   c) Offenders may not take accountability actions that impose refocus options over other offenders.

2. Staff must act to the degree necessary and within the facility’s rules and guidelines to regulate the offender’s negative behavior in order to maintain a safe and orderly environment.

3. Staff must address offender behavior in an impartial and consistent manner.

4. Accountability actions must not be capricious, arbitrary, or retaliatory.

5. Staff must not impose or allow physical punishment of any kind.

6. If it appears at any stage in the accountability process that an offender is emotionally unstable or the offender’s mental health is at risk, staff must immediately contact a Qualified Mental Health Professional (QMHP) or manager for referral.

   The QMHP or manager must collaboratively work with unit staff to address the offender’s emotional or mental health issue causing instability. A special program plan may be developed to address the offender’s specific needs.

7. Refocus options must never deprive offenders of basic food, water, clothing, bedding, or exercise.

8. When a literacy or language barrier prevents an offender from understanding facility rules or offender accountability, a staff
C. Notice of Accountability Program and Due Process

1. Staff must inform each offender, in writing, promptly after arrival at the facility of the following:

   a) The offender's rights and responsibilities;
   b) The expectations for behavior and conduct;
   c) Prohibited behavior and conduct;
   d) The OYA Behavior Refocus Options Matrix used should the offender exhibit a behavior violation;
   e) The process to access the OYA complaint hotline; and
   f) Locations of offender grievance and communication forms.

2. Offenders may be removed from the general population and placed in isolation or a special program as a result of a response to an incident.

   Removal from general population may be required when an offender threatens or displays behavior related directly to the safety or security of the facility, staff, self, or other offenders.

3. When an offender is placed in isolation for a period of more than 24 consecutive hours, the due process safeguard of an isolation hearing must be followed as described in OAR 416-470-0050 (Offender Notification and Hearing Process).

4. When an offender is placed in a special program, the offender must receive a written notification of the program plan as described in OYA policy II-B-1.2 (Use of Time-out, Isolation, and Special Program Placements in OYA Facilities).

5. When an offender is referred for special management unit placement, the offender must receive written notification of the reasons for the referral.

6. An offender may appeal any refocus option imposed on the offender, incident report, isolation hearing decision, or special management unit referral through the offender grievance process described in OAR 416-020 (Offender Grievance Process).

D. Imposing refocus options for negative behavior does not negate or replace staff’s requirement to work with offenders on appropriate prosocial behaviors and other components within their case plans.
E. Behavior Violation Incident Reporting and Review

1. Staff must document offender behavior violations as described in OARs 416-470-0030 (Behavior Violation Incident Reports), and 416-470-0040 (Behavior Violation Incident Review).

 Added 3/12/13  Major behavior violations must be documented in a JJIS Youth Incident Report (YIR) as delineated in facilitywide procedure FAC I-E-1.0 Youth Incident Report (YIR).

2. If a behavior violation incident is referred to law enforcement for investigation as a possible law violation, facility administration will cooperate with law enforcement to avoid any interference with ongoing law enforcement investigation or pending prosecution.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO