



<b>INTERNAL MANAGEMENT POLICY &amp; PROCEDURE</b>	<b>SECTION NUMBER</b>  14-104	<b>PAGE NUMBER</b>  1 of 5
	<b>CHAPTER &amp; SUBJECT:</b>  <b>SEGREGATION: Criteria for Placement on Administrative Segregation Status</b>	
<b>Approved By:</b>   <b>Commissioner of the Juvenile Justice Authority</b>		<b>Original Date Issued: 02/22/10</b>
		<b>Current Amendment Effective: 02/22/10</b>
		<b>Replaces Amendment Issued: N/A</b>

**POLICY**

Youth may be placed on administrative segregation status to ensure the safe, secure and orderly operation of the facility.

**DEFINITIONS**

Administrative Segregation: The non-punitive separation of a youth from the general population who is determined:

- To pose a threat to the safety or security of the facility;
- To pose a threat to self or others;
- To pose a threat to property;
- For his/her personal safety; or
- To meet medical or mental health care needs.

Clinical Staff: Mental health staff with the necessary education, training and experience to provide youth residents with:

- Assessment;
- Diagnostic;
- Treatment; and
- Counseling services.

Disciplinary Segregation: The confinement of a youth in a unit or on a status separate from the general population to serve a sentence imposed under established disciplinary procedures.

Segregation: The temporary physical separation of a youth resident from the general population for:

- Health;
- Safety;
- Disciplinary; or
- Security reasons.

**PROCEDURES**

**I. Approved Types of Administrative Segregation**

- A. Based on the criteria or any combination of criteria set out in Section II. of this policy, a youth may be held on administrative segregation.
- B. A youth's confinement on segregation status shall not be continued any longer than necessary other than for:

1. Reasons related to the youth's own protection; or
2. As a result of established disciplinary procedures.

## **II. Criteria for Placement on Administrative Segregation Status**

### **A. Protective Custody.**

1. The procedures outlined in IMPP 14-103, Protective Custody, shall be used to request and assess the need for protective custody.
2. The superintendent or designee may consider and place a youth in protective custody without a request from the youth.
3. While on protective custody status, a youth resident shall have, as much as possible, the same access as the general population to:
  - a. Programs;
  - b. Services;
  - c. Property; and
  - d. Privileges and Incentives.

### **B. Pending Investigation.**

1. A youth resident may be placed on administrative segregation status by the superintendent or designee pending the completion of an investigation to determine whether:
  - a. Disciplinary charges should be filed under the disciplinary process; and/or
  - b. Criminal charges are necessary.
2. A youth held on administrative segregation status pending results of an investigation shall have a disciplinary report filed against him/her within 48 hours if it has been determined that he/she is:
  - a. A suspect; and
  - b. To be named as a defendant.
3. If a disciplinary segregation sentence is imposed, the youth shall receive credit for all time served under this section.
4. A youth held pending investigation for a criminal offense(s) shall have his/her placement regularly reviewed by the Administrative Segregation Review Board to determine if a less restrictive living unit is more suitable.

### **C. Pre-hearing Detention.**

1. A youth may be placed on administrative segregation status by the superintendent or designee pending a criminal trial or disciplinary hearing if he/she is charged with:
  - a. A crime; or
  - b. A disciplinary violation for a Class I offense.

2. If any disciplinary segregation sentence is imposed, the youth shall receive credit for all time served under this section.

D. Prevention of Collaboration, Communication or Intimidation.

1. The superintendent or designee may place a youth on administrative segregation status to prevent:
  - a. The improper or dishonest coordination of testimony in any investigation, disciplinary or criminal case; or
  - b. Threats to or intimidation of witnesses or accusers.

E. Communicable Disease.

1. Medical personnel shall immediately notify the superintendent as to any youth who:
  - a. Refuses to be tested; or
  - b. Has been diagnosed with a communicable disease.
2. The superintendent may place a youth on communicable disease administrative segregation status:
  - a. Who has or refuses to be tested for a communicable disease until the danger of contagion has passed; or
  - b. Until he/she agrees to be tested and is found to be free of contagious disease.
3. Youth on communicable disease administrative segregation status shall have, as much as possible, the same access as the general population to:
  - a. Programs;
  - b. Services;
  - c. Property; and
  - d. Privileges and Incentives.

F. Protection from Self-injury.

1. A youth who threatens or inflicts self-injury may be placed on administrative segregation status by the superintendent or designee for:
  - a. Observation; and/or
  - b. To give clinical staff an opportunity to determine whether the threats or injury are an indication of suicidal tendency.
2. Clinical staff shall make immediate and continuing efforts to:
  - a. Counsel with the youth; and
  - b. Resolve the behavior that resulted in the placement on administrative segregation status under this section.
3. All such efforts shall be documented in the youth's medical/mental health file.

4. If a youth is held on protection from self-injury administrative segregation status longer than 24 hours, the superintendent shall consult with clinical staff concerning:
  - a. The proper placement or status for the youth; and
  - b. A plan for resolution of the behavior leading to placement on this status.
    - (1) The superintendent or designee shall notify the youth of the decision concerning his/her status.

**G. Security Risk.**

1. A youth may be placed on administrative segregation status if he/she engages or participates in behavior that threatens the:
  - a. Safety of other youth, employees, visitors or the public; or
  - b. Security or control of the facility.
2. The shift manager shall initially approve placement on administrative segregation status before:
  - a. Escorting a youth to segregation; or
  - b. Placing him/her on security risk administrative segregation status.
3. The superintendent or designee shall have final approval of a youth's initial placement on security risk administrative segregation status. (See Section II.B., of IMPP 14-101, Minimum Standards for Operation of Segregation Units or Status.)

**III. Facility Orders**

- A. This IMPP shall serve as the final agency policy statement concerning administrative segregation criteria.
  1. No Facility Order shall be permitted to alter the policy statements described herein.
- B. Facility Orders shall be developed to:
  1. Establish a set of procedures to carry out the operation of administrative segregation review boards consistent with this and other relevant IMPPs and
  2. Identify the specific position, title or rank of the individual authorized to act as the superintendent's designee.
    - a. The superintendent shall ensure the following individuals know who is authorized to act as the superintendent's designee:
      - (1) Commissioner;
      - (2) Deputy Commissioner;
      - (3) General Counsel; and
      - (4) Facility staff.

**NOTE:** The policy and procedures set forth herein are intended to establish directives and guidelines for staff and juveniles and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or juveniles, or an independent duty owed by the Juvenile Justice Authority to employees, juveniles, or third parties. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

**REPORTS REQUIRED**

None.

**REFERENCES**

K.A.R. 123-13-101, *et seq.*; 123-13-201(c)  
IMPP: 14-101; 14-103  
JCF: 4-JCF-3B-09; 3B-10; 3C-02; 4C-23; 4C-24; 4C-25; 4C-26; 4D-07

**ATTACHMENTS**

None.