

**SAN JOAQUIN COUNTY PROBATION DEPARTMENT  
JUVENILE DETENTION POLICY AND PROCEDURE MANUAL**

TO: ALL STAFF BULLETIN #: D-606

APPROVED BY: STEPHANIE L JAMES REPLACES: 6/16/2016  
CHIEF PROBATION OFFICER

ISSUE DATE: 1/30/2019

**SUBJECT: YOUTH GRIEVANCES**

**POLICY:**

A youth may file a grievance relating to any condition of confinement, including but not limited to, health care services, classification decisions, program participation, telephone, mail or visiting procedures, food, clothing, bedding, mistreatment, harassment, or violations of the nondiscrimination policy. A youth shall have an opportunity for a fair hearing and resolution of the complaint pertaining to his/her care in the Juvenile Detention facilities. The resolution of the grievance shall occur at the lowest appropriate staff level. There shall be no loss of privileges, nor there any discipline or punishment for a youth submitting grievances. There shall be no time limit on filing grievances.

**PROCEDURES**

A. General Guidelines

1. Prior to being assigned to a housing unit or the Camp, the Intake Juvenile Detention Officer shall review the Grievance Section of the Youth Handbook with the youth.
2. To ensure the youth is fully aware of the Grievance Process, once the youth has been assigned to a housing unit or the Camp, the Juvenile Detention Unit Supervisor, shall also review the Grievance Section of the Youth Handbook with the youth.
3. Each housing unit and the Camp shall post the grievance procedures in the dayroom, which outlines the protocol for filing grievances.
4. The Grievance Form for Youth (Attachment A) shall be readily accessible to youth in a wall mounted grievance box located on all the housing units and the Camp.
5. A youth shall be allowed access to a pencil to complete the Grievance Form, unless his/her behavior constitutes a danger to staff or other youth. As soon as the youth's behavior warrants, a pencil will be provided to the youth.
6. Whenever possible, grievances should be settled informally and by the staff member who received the grievance.

7. Resolution of the grievance shall occur at the lowest appropriate staff level.
8. A grievance may be either oral or in writing, with equal weight being given to both.
9. A youth may also submit a Youth Advocate Discussion Form (Attachment B) to speak with the Youth Advocate about an issue without filing a formal grievance. The Youth Advocate will respond to all requests on a daily basis.
10. Youth may report grievances related to sexual abuse and sexual harassment through a variety of internal and external methods, which may include juvenile detention officers, probation officers, Detention Administration, Youth Advocate, Juvenile Court Judge, attorney, teachers, medical staff, Behavioral Health Services staff, etc.

B. Grievance Procedures

1. The youth shall complete Step I of the Grievance Form.
2. The youth shall have the option to either submit the Grievance Form to any Juvenile Detention Officer or confidentially file the grievance form in the locked grievance box only accessible to the Youth Advocate and Detention Administration.
3. If a youth submits the Grievance Form to a staff person, the staff person shall make every effort to resolve the issue.
4. If the grievance cannot be resolved by the staff person receiving the grievance, the Juvenile Detention Unit Supervisor shall make every effort to resolve the issue and complete Step II of the Grievance Form.
5. The JDUS shall place the Grievance Form in the locked box on the housing unit.
6. If a youth chooses not to submit the Grievance Form to a staff person, he/she may place it in the locked grievance box on each housing unit and the Camp.
7. The In-Custody Intake Probation Officer shall retrieve all grievances submitted by the youth on a daily basis, and place them under the Office Secretary's locked door in the administration hallway.
8. The In-Custody Intake Probation Officer shall bring any grievances related to health and safety issues immediately to the attention of the Youth Advocate, or in his/her absence the Duty Officer, who will review, meet with the youth, and provide a response in writing.
9. Grievances related to sexual abuse and sexual harassment will immediately be reported to Detention Administration, who will appropriately follow through.

10. The In-Custody Intake Probation Officer shall review the Grievance Form to ensure it has been filled out completely, including the date of the grievance as well as the youth's signature. If information is missing or incomplete, the In-Custody Intake Probation Officer shall follow-up with the youth to obtain the necessary information.
11. The Office Secretary, or in her absence the Office Assistant Specialist, shall number the Grievance Form and enter it into the Master Log.
12. After the grievance has been logged, the Office Secretary, or in her absence the Office Assistant Specialist, shall forward the Grievance Form to the Youth Advocate. In the absence of the Youth Advocate, it should be forwarded to the Probation Officer III of the Youth Advocacy Unit. If neither are available, it shall be forwarded to Detention Administration who will assign to a probation officer in the Youth Advocacy Unit for follow through.
13. The Youth Advocate will meet with the youth, review the grievance, and provide an initial response within three business days of receiving the grievance.
14. The youth will be given an opportunity to explain his/her version of the grievance to a person not directly involved in the circumstances which led to the grievance.
15. The youth may elect to choose a staff representative (to be approved by a member of Detention Administration) to assist him/her in the grievance process.
16. The Youth Advocate may speak to any appropriate staff to address the grievance and resolve the issue.
17. The Youth Advocate shall make every effort to resolve the issue.
18. If the grievance is not resolved, the grievance shall be submitted to the Assistant Deputy Chief Probation Officer (ADCPO) of Operations for an appeal.
19. The ADCPO of Operations must respond to the youth in writing within ten (10) business days of receipt of the written grievance, unless circumstances dictate a longer time frame. The youth shall be notified of the delay.
18. The ADCPO of Operations will review all grievances on a weekly basis for timeliness of resolution, changes in policies or procedures, type of grievances, trends and patterns.
19. The Youth Advocate will document the resolution of the grievance in the Contacts section of JJIS.
20. Any concerns of parents, guardians, staff or other parties regarding grievances by the youth shall be immediately addressed by the Youth Advocate and documented in JJIS.

21. Any concerns of parents, guardians, staff or other parties not related to the grievance shall be provided a copy of the Citizen's Complaint form and instructions for filing.
22. The original copy of the Grievance Form will be maintained by the Youth Advocate.
23. The youth will sign and date the Grievance Form at each decision point and will be provided a copy of the Grievance Form upon conclusion.

SAN JOAQUIN COUNTY PROBATION DEPARTMENT  
JUVENILE DETENTION FACILITY

GRIEVANCE FORM FOR YOUTH

STEP I: TO BE COMPLETED BY YOUTH

YOUTH'S NAME: \_\_\_\_\_ DOB: \_\_\_\_\_ Unit : \_\_\_\_\_ Shift: AM PM GY

Youth's Statement: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Youth

Date

STEP II: TO BE COMPLETED BY JUVENILE DETENTION UNIT SUPERVISOR

JDUS NAME: \_\_\_\_\_ Youth J#: \_\_\_\_\_

Date Report Received: \_\_\_\_\_

Date Grievance Discussed: \_\_\_\_\_

Issue: \_\_\_\_\_

Resolution/Recommendation: \_\_\_\_\_

Resolved  Unresolved Date: \_\_\_\_\_

Signature of Youth

Forwarded to Youth Advocate on \_\_\_\_\_  
(In the absence of the Youth Advocate, Youth Advocacy POIII will process grievances.)

STEP III: TO BE COMPLETED BY YOUTH ADVOCATE OR YOUTH ADVOCACY POIII

YOUTH ADVOCATE/POIII: \_\_\_\_\_

Date Report Received: \_\_\_\_\_

Date Youth Interviewed: \_\_\_\_\_

Decision: \_\_\_\_\_

Resolved  Unresolved

Title 15:  Yes  No

Youth Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Youth Advocate Signature: \_\_\_\_\_ Date: \_\_\_\_\_

STEP IV: UNRESOLVED MATTERS TO BE FORWARDED TO ASSISTANT DEPUTY CHIEF PROBATION OFFICER/ OPERATIONS

Grievance Copy given to Youth

Youth Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- Distribution:  
1. Administration - Original  
2. Youth - Yellow  
3. JDFS in Charge of Unit - Green

ADCPO REVIEW AND FINDINGS  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
ADCPO SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

606-1  
5/01/16

