



Department of Juvenile Justice
Guidance Document Interpreting 6VAC35-210

In accordance with § 2.2-4002.1 of the Code of Virginia, this proposed guidance document conforms to the definition of a guidance document in § 2.2-4101.

PERFORMANCE OUTCOMES

A GUIDANCE DOCUMENT TO SUPPLEMENT 6VAC35-210, THE COMPULSORY MINIMUM TRAINING STANDARDS FOR DIRECT CARE AND SECURITY EMPLOYEES IN JUVENILE CORRECTIONAL CENTERS

PART I - INTRODUCTION

Background

Legislation enacted during the 2019 legislative session (Chapter 366 of the 2019 Acts of Assembly) requires the Board of Juvenile Justice (the board) to establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training for persons employed as juvenile correctional officers in a juvenile correctional facility as defined in § 66-25.3 of the *Code of Virginia*. Subsequent legislation enacted in 2020 (Chapter 526 of the 2020 Acts of Assembly) provides that for such juvenile correctional officers who may have contact with pregnant inmates, the training standards shall include training on the general care of pregnant residents, the impact of restraints on pregnant residents and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates. To comply with this statute, the board has adopted Compulsory Minimum Training Standards for Direct Care Employees and Security Employees (Minimum Training Standards), set out in 6VAC35-210. The Minimum Training Standards direct the Department of Juvenile Justice (the department) to develop performance outcomes that establish the knowledge and competencies a person must demonstrate upon receiving this mandated training. This document constitutes the performance outcomes and acts as a supplement to the Minimum Training Standards.

Applicability

Although § 66-10 of the Code directs the board to establish Minimum Training Standards applicable to “juvenile correctional officers,” this position no longer exists in the department’s juvenile correctional centers. Instead, the Minimum Training Standards and supplemental Performance Outcomes are applicable to direct care employees and security employees, both defined in 6VAC35-210-10. Direct care employees are defined as, “the staff whose primary job responsibilities are (i) maintaining the safety, care, and well-being of residents; (ii) implementing the structured program of care and the behavior management program; and (iii) maintaining the security of the facility. The term includes a security employee assigned, either on a primary or as-needed basis, to perform these duties and who is required to receive initial and annual training to carry out these responsibilities. Security employees are defined in 6VAC35-210-10 as the employees responsible for maintaining the safety, care, and well-being of residents and the safety and security of the facility. Together, these two categories of juvenile correctional center employees fulfill the functions and duties previously imposed upon juvenile correctional officers and must comply with the Compulsory Minimum Training Standards and these Performance Outcomes.

Outcomes Addressed in this Document

This document contains the expected outcomes for direct care employees and security employees. Part II establishes the entry-level performance outcomes, meaning the knowledge, understanding, and competencies the department expects direct care and security employees to demonstrate upon completing required, entry-level training. Part III contains annual

performance outcomes, which establish the understanding the department expects direct and security employees to gain as a result of refresher training obtained at least annually. Part IV addresses other recurring training standards, which include information such employees are expected to glean from training occurring on a recurring basis. Part V sets out the knowledge, understanding, and competencies expected of direct care and security employees authorized to use mechanical restraints, the mechanical restraint chair, and protective devices.

PART II – ENTRY-LEVEL PERFORMANCE OUTCOMES

Professionalism – Performance Outcomes 1.0

Outcome 1.1

Demonstrate an understanding of facility expectations regarding professional appearance, clothing, hygiene, grooming, and care and use of issued equipment.

Outcome 1.2

Demonstrate an understanding of the attitudes and behaviors necessary to engage appropriately and foster positive, professional relationships with staff, residents, visitors, and the public.

Outcome 1.3

Identify indicators of stress or trauma resulting from a juvenile justice career and devise strategies for personal wellness and self-care.

Outcome 1.4

Demonstrate the ability to recognize, prevent, and report behaviors that constitute harassment, sexual harassment, bullying, cyber-bullying, and threats or violence related to the workplace.

Demonstrate an understanding of discrimination and harassment, including quid pro quo sexual harassment and hostile work environments.

Identify means to address discrimination or harassment, including the following:

- The agency’s sexual harassment procedures,
- Avenues of support and available resources,
- Supervisor’s responsibilities when an employee reports offensive or discriminatory behavior, and
- Alternatives a victim may choose to respond to offensive behavior.

Outcome 1.5

Complete all other courses mandated for state employees by Executive Order, the *Code of Virginia*, state regulations or policies, or by other state agencies.

Law and Legal Issues – Performance

Outcome 2.0

Outcome 2.1

Demonstrate an understanding of the following:

- Civil rights guaranteed residents under federal law including rights related to the provision of food;
- Civil rights guaranteed staff under federal law;
- Behavior that could result in a civil rights violation;
- The types of information deemed confidential and the documentation that may be used in a criminal investigation or subject to a Virginia Freedom of Information Act (FOIA) request pursuant to § 2.2-3700 et. seq. of the *Code of Virginia*;
- Types of negligence, potential for civil liability for staff actions, and other consequences;
- Procedures for addressing the media; and
- Ways to prevent the occurrence of lawsuits.

Outcome 2.2

Identify the due process and legal protections afforded a resident when the resident violates rules and laws.

Outcome 2.3

Demonstrate a general understanding of the juvenile justice system.

Communications – Performance Outcomes

3.0

Outcome 3.1

Demonstrate the ability to utilize interpersonal verbal and non-verbal communication skills including (i) conflict management, (ii) de-escalation, and (iii) positive reinforcement and support in order to communicate effectively with staff, residents, and stakeholders.

Outcome 3.2

Demonstrate the ability to use written communication skills to complete the following reports and documents that may be disseminated externally, subject to FOIA, or used in a criminal investigation:

- Written reports documenting serious incidents (6VAC35-71-60),
- Daily logs informing staff of significant happenings or problems experienced by residents (6VAC35-71-815),
- Disciplinary reports required when staff believe a resident has committed a rule violation that cannot be resolved informally (6VAC35-71-1110), and
- Any other documentation direct care or security employees are required to complete.

Outcome 3.3

Demonstrate the ability to use agency-authorized equipment properly and effectively, including radios, telephones, intercom systems, computers, and related communication equipment.

Outcome 3.4

Identify appropriate and prohibited uses of electronic communication media.

Security and Supervision – Performance

Outcomes 4.0

Outcome 4.1

Identify and demonstrate an understanding of facility procedures for conducting resident counts, safety equipment inspections, searches, and external and perimeter security monitoring.

Outcome 4.2

Identify and demonstrate an understanding of the applicable components of the Prison Rape Elimination Act Juvenile Facility Standards (28 C.F.R. Part 115) and the agency’s applicable written procedures.

Outcome 4.3

Identify additional precautions needed to supervise residents determined to be members of a vulnerable population in accordance with 6VAC35-71-555.

Outcome 4.4

Recognize signs and symptoms of substance impairment or withdrawal and requirements for notifying staff. This portion of training shall be provided by a qualified medical professional.

Outcome 4.5

Describe elements of a structured daily routine that, as required in 6VAC35-71-740, satisfy the following:

- Meet the residents’ physical and emotional needs;
- Provide protection, guidance, and supervision;
- Ensure the delivery of program services; and
- Meet the objectives of the resident’s individual service plan.

Outcome 4.6

Identify components of the agency’s approved behavior management program required by 6VAC35-71-160(B)(3) and identify the principles and methods employed to assist a resident in achieving positive behavior and to address and correct a resident’s inappropriate behavior.

Outcome 4.7

Identify rules of conduct expected of residents in the juvenile correctional center, explain the rationale for the rules, and identify informal and formal methods for handling rule violations.

Outcome 4.8

Identify procedures applicable to room confinement and timeout periods.

Outcome 4.9

Identify indicators of gang activities and gang affiliation and be familiar with the agency's gang management procedures.

Outcome 4.10

Identify issues surrounding adolescent development, the impact of trauma and/or mental health on youth behavior, and evidence-based strategies for responding.

Safety – Performance Outcomes 5.0

Outcome 5.1

Identify the methods to secure and safeguard a crime scene, and to preserve and protect related evidence.

Outcome 5.2

Identify procedures for removing, preserving, protecting, and properly documenting contraband as evidence:

Outcome 5.3

Explain how to maintain the chain of custody and why maintaining the chain of custody is important.

Outcome 5.4

Demonstrate an understanding of agency requirements for the inventory, issuance, use, and control of tools and equipment, including security, recreational, educational, and maintenance.

Outcome 5.5

Demonstrate knowledge of procedures regarding resident and group on-campus movement.

Outcome 5.6

Demonstrate an understanding of the agency's procedures for resident transportation to off-campus locations.

Outcome 5.7

Identify necessary and appropriate interventions, beginning with the least restrictive and proceeding through the application of approved physical restraints.

Identify when physical force is authorized for use.

Demonstrate the application of approved physical intervention techniques.

Outcome 5.8

Demonstrate an understanding of the requirements for recognizing and reporting suspected abuse or neglect of a resident in accordance with § 63.2-1509 of the *Code of Virginia* and 6VAC35-71-70.

Demonstrate an understanding of requirements for reporting criminal activity by residents and staff in accordance with 6VAC35-71-75.

Outcome 5.9

Demonstrate an understanding of the facility's safety awareness program.

Outcome 5.10

Demonstrate an understanding of temperature control and appropriate food handling measures, point of service counts, snack enrichment expectations, and nutrition education.

Conflict and Crisis Management – Performance Outcomes 6.0

Outcome 6.1

Identify characteristics and signs of self-injurious behavior.

Identify procedures for responding to self-injurious behavior, notifying medical and mental health providers, and documenting incidents in which residents display self-injurious behavior.

Outcome 6.2

Identify the department's suicide prevention and intervention procedures established in accordance with 6VAC35-71-805.

Outcome 6.3

Identify general causes of conflict.

Identify signs of abnormal or unusual resident behavior that may be indicative of conflict or crisis.

Identify techniques of conflict management and crisis intervention, including the following:

- Techniques for de-escalation and reduction of tensions,
- Prevention and intervention procedures, and
- Safety precautions.

Emergency Response –Performance

Outcomes 7.0

Outcome 7.1

Identify incidents that constitute emergencies with the potential to impact facility operations, including the following:

- Bomb threats,
- Chemical releases,
- Escapes,
- Fires,
- Group Disturbances,
- Losses of utilities,
- Natural disasters,
- Riots, and
- Taking of hostages.

Demonstrate an understanding of the department’s emergency preparedness and response procedures in relation to each component identified in this outcome.

Outcome 7.2

Identify indicators and causes of major disturbances, riots, and serious incidents and preventative techniques.

Outcome 7.3

Demonstrate the use of emergency equipment, including the following:

- Automatic/Automated external defibrillator (AED)
- CPR breathing barriers
- Fire extinguishers
- Hook knives
- Protective gloves and
- Trauma shears.

Outcome 7.4

Obtain and maintain current certification in first aid and CPR.

Pregnant Residents –Performance Outcomes

8.0

Outcome 8.1

Demonstrate knowledge regarding the level of care needed for pregnant residents, including an understanding of the following:

- Emotional changes resulting from pregnancy
- Required nutrition for pregnant residents
- Appropriate exercise for pregnant residents and
- Signs of labor.

Outcome 8.2

Demonstrate an understanding of the impact of room confinement or placement in restrictive housing on pregnant residents, including the need for periodic monitoring and room checks.

Outcome 8.3

Demonstrate an understanding of the physical and emotional impact of body cavity searches on pregnant residents, the need for such searches to be conducted by qualified medical professionals, and the prohibition against direct care or security staff conducting such searches.

Outcome 8.4

Demonstrate an understanding of the impact of restraints on pregnant residents and fetuses.

Identify federal limitations on the use of physical restraints, mechanical restraints, the mechanical restraint chair, and protective devices on pregnant residents housed in juvenile facilities.

Identify any additional limitations on the use of restraints and protective devices imposed by department procedures.

Part III – ANNUAL PERFORMANCE OUTCOMES

Performance Outcomes 9.0

Outcome 9.1

Receive refresher training regarding the attitudes and behaviors necessary to engage appropriately and foster positive, professional relationships with staff, residents, visitors, and the public.

Outcome 9.2

Receive refresher training on residents' rights, including the prohibited actions addressed in 6VAC35-71-550.

Outcome 9.3

Receive refresher training on the applicable components of the Prison Rape Elimination Act Juvenile Facility Standards (28 C.F.R. Part 115) and the agency's applicable written procedures.

Outcome 9.4

Receive refresher training on the principles and methods employed to assist a resident in achieving positive behavior and to address and correct a resident's inappropriate behavior.

Outcome 9.5

Receive refresher training on the requirements for recognizing and reporting suspected abuse or neglect of a resident in accordance with § 63.2-1509 of the *Code of Virginia* and 6VAC35-71-70.

Outcome 9.6

Receive refresher training on the signs of self-injurious behavior and procedures for notifying medical and mental health providers and documenting such incidents.

Outcome 9.7

Receive refresher training on the department's suicide prevention and intervention procedures in accordance with 6VAC35-71-805.

Outcome 9.8

Receive refresher training on the incidents that constitute emergencies with the potential to impact facility operations, including the following:

- Bomb threats,
- Chemical releases,
- Escapes,
- Fires,
- Group disturbances,
- Losses of utilities,
- Natural disasters,
- Riots, and
- Taking of hostages.

Receive refresher training on the emergency preparedness and response procedures in relation to each component identified in this outcome.

Outcome 9.9

Receive refresher training on the facility's safety awareness program.

Outcome 9.10

Receive refresher training on topics mandated annually for state employees by Executive Order, the *Code of Virginia*, state regulations, or state policies.

Part IV – OTHER RECURRING TRAINING REQUIREMENTS - PERFORMANCE OUTCOMES, 10.0

Outcome 10.1

Maintain current certification in first aid and CPR issued by the American Red Cross or other recognized authority.

Outcome 10.2

- Recognize the types of available interventions, beginning with the least restrictive and proceeding through the demonstrated application of approved physical restraints.
- Understand when it is necessary to use physical force.

Outcome 10.3

Receive refresher training on topics mandated on a recurring basis for state employees by Executive Order, the *Code of Virginia*, state regulations, or state policies.

PART V – ADVANCED AND SPECIALIZED TRAINING - Performance Outcomes 11.0

Outcome 11.1

Identify the requirements for use of approved mechanical restraints and protective equipment.

Demonstrate ability to utilize approved mechanical restraints and protective devices for the purpose of: (i) controlling residents whose behavior poses an imminent risk to the safety of the resident, staff, or others; (ii) controlling resident movement, and (iii) addressing emergencies.

Demonstrate an understanding of the procedures associated with checking a mechanically restrained resident for injuries and for signs of circulation.

Outcome 11.2

Understand and identify the requirements for and restrictions on the use of the mechanical restraint chair.

List the pre-approval protocols and reporting requirements associated with the use of the mechanical restraint chair.

Demonstrate the ability to utilize the mechanical restraint chair in accordance with department procedures.