



# *Criminal Justice Services*

DEPARTMENT

## **Mesa County Community Corrections Residential Client Handbook**

Established 1971



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To All Clients,

Welcome to the Mesa County Community Corrections program. I'm sure that you have many questions. We are providing you with this handbook as a resource, it is a summary of information that will be helpful during your stay. While participating in the Community Corrections program we have expectations for your personal behavior and community rules that keep our group living environment safe, clean and comfortable.

The program is designed using proven practices that will promote positive opportunities for personal growth and the development of healthy relationships. Our goal is to provide you with the opportunity, skills and support to reenter the community and engage others as a pro-social person. This handbook provides information about your access to the community and the expectations that come with this.

You will be assigned a case manager who will provide you with additional information and guidance to meet your individual program requirements. It is the goal of each case manager and dayroom coach to guide you toward successful program completion. Staff are on duty 24 hours a day, seven days a week, and are available for you. You should expect our staff to provide coaching toward your success as well as hold you accountable to the program expectations.

Although we have worked very hard to produce this manual, it is impossible to predict every situation you may encounter. We encourage you to read this handbook and ask any staff member for assistance or clarification. We hope this handbook will be a helpful tool in your success in the program.

Sincerely,

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Director of Justice Services

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# Community Relationships

**The purpose of a client handbook is to equip the client with the knowledge needed to make informed decisions when working through the program. In any situation where a client has concerns about what they read or how it applies to them, the client is encouraged to address their questions with staff.**

Each client needs to recognize that they are a member of a community within this program. Clients should recognize that other clients are dealing with many different issues. How clients treat each other does make a difference. Each member of the community has an opportunity to provide support, positive messages, and mentoring to their peers. Examples would include being:

- Helpful to Staff and other clients
- Considerate of each other
- Thoughtful of behavior and emotions
- Do not use hurtful words
- Respecting each other's personal space

Here are some tips for avoiding aggression or other harmful behaviors:

- Do not spread rumors and gossiping
- Never participate in or make false statements about others
- Refer to others with respectful words and do not label others
- Include others in the community to avoid isolating individual peers
- Do not engage or participating in controlling behavior
- Set and respect physical boundaries with others

Our goal is to encourage clients to be open and honest regarding their personal relationships. This includes relationships maintained in social networking sites. Social networking sites are not allowed unless specifically approved. Case managers or clients may request relationships to be involved in the clients' program through counseling, meetings with staff, and pro-social activities.

When finding yourself in a problematic situation while in the program here are some steps that will help you through your situation:

- Be Quiet - stop talking and truly listen
- Calm Down - take some time, make some physical space
- Think Positive - use positive thoughts to counter the negative thoughts
- Ask for Help - no one is going through this program alone

"Creating an environment and opportunities for transformation through partnerships and innovation while prioritizing community safety."

# Program Rules

## Agency and Social Contacts

In order to have an effective program the following rules and processes are laid out in the client handbook. It is the goal of the program to address social, vocational, personal, and life needs of each client.

Clients shall not associate with any person without being pre-approved by their Case Manager.

Clients shall not have contact with family or friends at the facility or at locations away from the facility without prior permission.

Clients having contact with a law enforcement agency or officer shall report the contact to staff immediately following contact. Clients who are under criminal justice supervision should inform law enforcement of their program status immediately upon contact.

Male and female clients are not to associate with each other except in activities sponsored by the program.

## Attendance Requirements

Part of completing the program successfully is to demonstrate timeliness and participation in required education, employment, and treatment.

Clients are required to attend all scheduled appointments. Examples include but are not limited to: case manager meetings, community meetings, treatment, doctor appointments, education, court dates, and employment.

Any client too sick to attend treatment, employment, or educational classes must notify staff, their employer, or their instructor of the treatment group or class prior to the beginning of the session or scheduled employment shift. Client's will give a two-hour notification when canceling an appointment. It is the client's responsibility to reschedule or make up a missed appointment. Clients who are ill are required to stay in their rooms for the duration of the illness. Clients may only miss treatment or educational groups for doctors' appointments and emergency medical care or illnesses. Clients who do not attend treatment groups are not allowed to participate in program outings.

Clients may be required to submit a doctor's verification of illness or injury to CJSD staff.

## Behavior

### General Behavior:

Clients are required to model responsible behavior at all times. No fighting, arguing, horse playing, shouting, loud or boisterous conduct, nor any form of physical aggression with or against any other person is permitted.

Clients are encouraged to recognize their surroundings and use appropriate language. It is important that clients are respectful and courteous to those in their community. Clients are not to use vulgar, profane, or obscene language or actions/gestures.

Clients will not threaten any person with any form of physical behaviors or any act designed to be harmful to them. Clients will not create, participate in, or incite a riot or disruption of the program or encourage others to do so.

Clients are expected to treat CJSD staff, visitors, community members, and fellow clients with respect and consideration at all times. Clients are required to be cooperative and respectful with all CJSD staff.

Disruptive behavior during educational and treatment groups and community meetings may result in disciplinary action.

Clients will obey all state and federal laws, ordinances, program rules, and rules of any referring agency and all directives of the CJSD staff at all times. Clients will not participate in any criminal activity.

Clients will not interfere with any CJSD staff member, law enforcement officer, authorized agent of any agency, or any person in the performance of their duties.

Clients will perform any court ordered or program mandated directive such as community service and sanctions within the time frame stipulated by the court or by CJSD staff.

Clients will not make any false statements or conceal or conspire to conceal any activity that is contrary to the program's policies or rules.

Clients will not own, use, possess, nor have control over any device, substance or creature which is readily capable of causing death or serious physical injury to any person.

Federal law regarding the Prison Rape Elimination Act (PREA) prohibits sexual contact between clients and between clients and staff, consensual or otherwise. All sexual contact will be reported and responded to according to the law. This includes but is not limited to any sort of sexual harassment, hand holding or kissing.

Clients will adhere to all posted rules in any CJSD facility, including those listed in the general information and policies of this rule book.

### **Dorm Rooms:**

Clients will not enter any other client's dorm room without permission from staff.

Clients must keep the doors to their dorm rooms closed at all times in order to comply with fire department codes.

Clients are expected to have their bed made, and personal areas put in order immediately after getting up each day.

Clients will respect the property of others and of the Mesa County Criminal Justice Services Department. Deliberate damage to, theft of, or misuse of property is not allowed. If any CJSD property is lost or damaged, the client will pay any costs to CJSD for replacement or repair.

Covering or tampering with air vents, light fixtures, sprinkler heads, windows, window screens, door locks, or any security device including security seals on windows is

prohibited. Clients are not allowed to hang or place any item in a room. This includes not hanging any item on a bed frame or bedpost.

All furniture in the rooms must remain in the approved location. Moving of furniture within the rooms or between rooms is not allowed.

Writing on, or attaching anything to the walls, furniture, doors, ceilings, window, or floors or displaying any nude or lewd pictures or posters anywhere in the facility is prohibited.

Clients shall make no changes in their assigned sleeping areas without prior approval off staff. Radios are only permitted in the client's assigned room.

Clients may have one plastic water bottle and only water is allowed in the container.

### **Dayroom Behaviors:**

Eating and/or drinking is permitted in the dining area only. No food or drink is permitted in rooms or outside designated areas.

Client interaction is limited to the day room areas. For example, clients will not loiter in hallways, stairwells, vending room during unauthorized times, client doorways, bathrooms, or laundry rooms.

Clients will not sit on tables, put their feet on chairs, or couches, or otherwise misuse any furniture.

Clients are not allowed in unauthorized areas which include but are not limited to the following: staff office areas, unassigned rooms, and unassigned dayrooms. Coaching desks should not be approached unless staff are present.

Television may be viewed during the posted hours and only after given permission for such by the on-duty staff. Television programs may be prohibited at staff discretion.

All movies brought in must be approved by staff and generally, only G, PG, or PG13 movies will be approved.

## **Case Management**

Clients will be assigned a case manager the day of arrival on the program and will meet with the case manager within three business days of arrival. They will meet with their assigned case manager for individualized meetings on a regular basis, in addition to informal contacts that occur with staff. Individual meetings will be performed by the case manager for several purposes:

- To check the progress of the client in attaining the goals and objectives outlined in the individual case plans and/or behavior contracts.
- To discuss behavior and attitude problems or changes.
- To assist the client in resolving personal problems.
- To help clients succeed and act as a resource for client issues and challenges.
- To address issues concerning employment, academic, mental health, substance abuse therapies, community living and to make appropriate referrals to outside agencies that might assist the client.

- To identify payment options for treatment and/or required programs that may be incorporated into the case plan, and
- To reward progression on the program.

## **Contraband & Searches**

Clients will submit at any time to a search of their person, property, or vehicle by any staff member or any law enforcement agency. Clients DO NOT have to be present during any type of property search.

Clients must inform staff before any property is brought into the facility or taken out of the facility.

Any item not listed on the property matrix or deemed unsuitable by staff is considered an unauthorized item and can be confiscated and destroyed.

Clients will not own, use, possess nor have control over any devices for the purpose of tattooing or any type of body piercing.

## **Dress Code and Hygiene**

Standards for the CJSD Client Dress Code apply to clients at all times. Standards of dress are to be complied with by all clients. Standards exist for the purposes of health, sanitation, welfare, and prosocial integration. Clients are to wear appropriate attire in or out of their assigned rooms at all times.

- The term "fully dressed" shall include appropriate undergarments, shoes/boots, shirt, and pants/shorts.
- Clothing must be clean and cover cleavage, back, stomach, midriff, and underarms. Bottom garments must cover down to six inches above the knee.
- Tank tops, muscle shirts, spaghetti straps, tube tops, or pajamas MAY NOT be worn in any common area on campus.
- Clients are not allowed to wear hats, hair coverings, unbuttoned shirts with no undershirt or sunglasses in the facility.
- Clothing made from fish net or sheer-type materials are not allowed at any time. No shirts, pants or any clothing may be torn or altered to expose skin.
- Clients are required to wear appropriate clothing for sleeping. Clients must be appropriately clothed or wear a robe when going between their rooms and the bathroom.
- Bare feet are prohibited outside of the dormitory hallway.
- Clients with piercings below the neckline will be directed to remove them upon intake. Jewelry cannot be vulgar or offensive.
- No obscene, profane, drug or alcohol-related messages, or wearing the same colored clothing items in any form or combination that may promote group activity.
- Clients whose clothing is deemed inappropriate or inappropriate or disruptive by staff will be asked to change. Any inappropriate attire will be considered unauthorized.
- Clients must be appropriately dressed when leaving the building for job search or job interview.
- Clients in the community should represent themselves and this program in a respectful

and professional manner.

- Clients are expected to maintain proper personal hygiene habits on a daily basis. This includes regularly taking showers, proper care of hair and nails, washing of hands, and the use of appropriate hygiene items.
- Hygiene kits are offered upon intake to clients in need by staff completing the intake. Generally, these kits include: toothbrush, toothpaste, shampoo & conditioner, soap, deodorant, razor, comb, feminine hygiene products, and access to laundry products and laundry machines. If a client runs out of hygiene while in the program and they are unable to obtain hygiene, they can request assistance from staff to gain the hygiene products they are out of.
- Clients must keep their clothing laundered and in good repair. Staff may direct clients to have clothing washed if they determine it is out of compliance.
- Clients are permitted to dye their hair outside of the facility after communicating with their case manager. Clients are only allowed to cut or trim another client's hair with staff permission and in a designated area. Clients that cut hair are not allowed to charge fees or trade for services. When given permission to cut hair, it will be done only in a designated area and staff will inspect the designated area for cleanliness.

**If you need resources for clothing contact a staff member for assistance.**

## **Education**

Clients may pursue a high school diploma or General Equivalency Degree (GED) with their case manager's approval. Clients wanting to pursue educational goals beyond the 12<sup>th</sup> grade level may do so only with approval. This privilege may be earned as clients demonstrate ongoing compliance with their case plan and program requirements.

## **Finances**

All monies received by clients while on the program must be turned into staff upon check-in at the facility for deposit in a non-interest bearing account at a local bank in accordance with Colorado Revised Statute CRS 18-1.3-106. Clients will be issued a receipt for all money turned in. Money for personal spending and other needs will be addressed in individual case manager meetings and monthly budgets.

Clients may be assessed a fee for room and board at the discretion of the Division of Criminal Justice, Office of Community Corrections, and by the Mesa County Community Corrections Board. Case managers will discuss payment options.

Generally, checks turned in by clients will not be available immediately. However direct deposit paychecks are generally available one business day after the deposit as long as pay stubs are also turned in.

Clients are required to complete monthly budgets that include program fees, costs of treatment, restitution, all disbursements, spending, living expenses, and other miscellaneous costs. Disbursements or spending requests that are not included on budgets will not be allowed without prior approval from a case manager. All budgets must be approved by the assigned case manager. Clients must inform their case manager of any garnishments from their checks.

Clients work to be financially self-sufficient and are required to pay all fees. It is expected that clients will personally pay their own restitution, fines and costs, and program fees. Clients are not allowed to have family and or friends make payments on their behalf.

If program fees and/or court ordered restitution or fines and costs are not paid up to date, money for personal use will only be made available with special permission. Money for personal spending and other needs must be requested by the client and approved by their case manager. Disbursement funds are then issued in the form of a check.

Money received from disbursement requests must be used within five working days or returned to staff for deposit. Clients are not allowed to have more than \$50.00 (including weekly spending) in their possession or in their personal property unless approved.

Client obligations for room and board, restitution, treatment, and prescription medication costs may be automatically deducted from the client's account.

Clients will not enter into contracts of any sort, including, but not limited to, contracts such as: bank loans, car loans, mortgages, cell phones, etc. Clients also may not engage in business, or incur any indebtedness without the approval of their case manager.

Clients will not engage in gambling (to include lottery and scratch tickets), bartering, selling, or loaning any item without staff permission. Clients are responsible for paying all medical expenses, dental and eye care expenses, and treatment costs.

## **Fire Evacuation/Emergencies**

The Criminal Justice Services Department has an emergency fire evacuation plan for all occupants of each building. Maps of the evacuation routes are posted throughout each facility. There are smoke and heat detectors throughout the buildings for early detection of fire and some buildings have fire sprinklers as well. There are doors separating the dayroom areas from the dorm room areas. These are designed as fire doors and **MUST** be kept closed except when entering or exiting, by order of the fire department.

**Evacuation Drills:** Drills will be conducted as required by local, state, and federal fire safety guidelines. Clients are expected to:

- Cooperate
- Immediately exit the building following posted evacuation routes when the alarm sounds
- Follow all staff instructions
- Comply with Posted Operational Rules -Facility Evacuation regarding expected conduct during evacuation.

**Emergency Situation:** If an emergency situation arises at the Facility, clients should immediately:

- Advise the on-duty-staff of the situation.
- If the emergency involves the on-duty-staff, then clients may get outside assistance by calling 911 (9911 if using a staff phone).

**Staff Assist Alarms:** There are Staff Assist Alarms located throughout the building for clients to use in the event of an emergency. Clients should make themselves familiar with the location of the Staff Assist Alarm locations. When pulled, staff will respond to the alarm location.

## House Duties

Building cleanliness has a direct impact on the attitude of clients and the way visitors view the program and the clients. Completion of house duties by each client reflects the development of positive program compliance and progress. Therefore, each client is responsible for completing house duties as directed by staff. These duties are to be completed every day. Failure to complete house duties may result in a loss of privileges and/or disciplinary action. All clients are expected and required to participate in daily cleaning of personal and common areas to include:

### Personal Area Standards:

- Clients will be expected to keep their rooms clean, neat and odor free at all times.
- Clients will ensure beds are neatly made. Sheets and/or blankets are tucked under the mattress. No items are to be stored under the mattress, bunk, or bed.
- Extra or unapproved bedding is not permitted, including mattresses, pillows, or similar.
- Personal items may not hang on the bunks, bed frame, bed post or be placed in common areas.
- Clients will ensure their bunk area is clear of trash and dust. The floor under and around the bunk is vacuumed (top and bottom bunkmates are responsible).
- Clients are only permitted to have food listed under the **Property Matrix** in their rooms. All other food found in resident rooms will be confiscated and disposed of.
- Any food that cannot be stored in rooms must be immediately consumed in the designated eating areas. See property matrix for specific allowed property.
- Medical exemptions for bedding, food, or medications may be approved through a CJSD Manager.

### Common Area Standards:

- Trash cans need to be emptied daily. The can and surrounding floor should be clean.
- All surfaces are dusted (including windows, windowsills, walls, vents, light switch plates, and blinds).
- All common areas of your room must remain completely clean, free of clutter, and organized. The desk and windowsill areas must remain completely clear unless in use. This is the responsibility of ALL clients assigned to the dayroom.
- Bathrooms need to be cleaned daily to include: toilets, sinks, showers, floors, countertops, and mirrors.

House duties may be assigned by staff to address cleanliness and safety issues.

## **Illness**

Routine medical services will be dealt with through the client's personal physician at the client's cost. Emergency medical treatment is provided by the area hospitals, and the client assumes the cost of such services.

Clients are responsible for the cost of all medications including prescription and nonprescription drugs. Any narcotic or highly addictive medication must be approved by a member of CJSD Administration. All narcotic medication will be in a blister packet. The Facility will maintain a supply of first aid material, the use of which will be supervised by staff.

CJSD will provide CPR and first-aid training to staff members. The Grand Junction Fire Department will provide on-site emergency medical assistance.

All clients will have equitable access to medical resources. All clients are required to have their physician complete a CJSD Medical Treatment form for any medical or dental appointment. Clients will provide a copy to CJSD staff once the form is completed to be kept in the client's medical file.

Any treatment or educational class missed as a result of illness must be approved in advance. It is the client's responsibility to make up any and all missed work from their required classes.

Due to the serious nature of an emergency room visit, or a medical emergency, clients may not be allowed to leave the facility for work or pass purposes until their medical situation is assessed and determined they are healthy enough to return to normal activities.

## **Job Search & Employment**

Clients will actively pursue and maintain gainful employment in order to progress in the program and gain financial stability.

CJSD has a full-time Community Resource Specialist (CRS) to guide and assist clients in finding gainful employment. Clients have the opportunity to learn job searching skills, resume preparation, interview skills, computer skills, and life skills.

### **Job Search Expectations**

- All clients must attend an Employment Orientation before participating in job searching.
- Clients will not be allowed to attend job search until all required assessments are completed.
- An Individual Employment Plan (**IEP**) must be completed by the Community Resource Specialist and/or Case Manager before a client is allowed to job search.
- Clients who are unemployed are expected to be up and dressed appropriately for job search by 8:00 AM Monday through Friday

- Clients are responsible for identifying and locating possible employers, contacting that employer to see if they are hiring, and completing an application.
- Clients must complete a Job Search Pass when requesting to leave the building for job search.
- The CRS will screen employers, confirm scheduled interviews and verify offers of employment.
- Clients must notify their employer of their involvement with CJSD and of their conviction prior to being hired. Additionally, employers will be informed of the client's involvement with CJSD by the CRS during employment verification.
- Clients are responsible for their own appropriate transportation for job search and employment. Clients are not permitted to stop at unauthorized locations. All transportation must be approved by the case manager.

### **Employment Expectations**

- Clients must maintain full-time employment, in excess of 32 hours a week, and meeting his/her financial needs.
- Clients must receive at least minimum wage for their work and be paid hourly.
- Clients must report to employers and staff when calling in sick. If a client does not attend a scheduled day of work and does not notify their employer of their absence they may be subject to disciplinary action from their employer and/or CJSD.
- Clients must obtain permission from a CJSD Manager to be employed by relatives and/or friends.
- Clients are not allowed to be self-employed.
- Clients may only work for employers who are willing to follow program guidelines and expectations. If an employer will not cooperate with CJSD staff the client's employment may be terminated.
- Any client, who is fired or laid off due to their own negligence, actions, or poor performance on the job, is subject to disciplinary action.
- Clients are responsible for notifying the CRS and their Case Manager regarding any changes to employment.
- Clients are not allowed out of the building for more than 12 hours per day for employment, or work more than six days in a row, unless approved.
- Clients who are required to furnish their own tools for employment purposes must store tools at the work site. If clients are unable to store them at the job site they may be permitted to store a limited amount of tools in the storage room with prior approval. All tools kept at the facility must be clearly labeled with the client's name. It will not be staff's responsibility to monitor tools.
- Clients are not authorized to drive any motor vehicle or equipment unless otherwise approved through CJSD's guidelines.
- Clients must work in Mesa County with a radius of Fruita to the West, Palisade to the East, and 15 miles from the CJSD facility going North or South unless otherwise approved by a CJSD Manager.
- Clients may not be in supervisory positions over another client without a CJSD Manager approval.
- Clients may not terminate their employment without Case Manager and CRS approval and they must give appropriate notice; generally two weeks. If clients terminate employment without CRS and Case Manager approval, they may be subject to disciplinary action.

### Expectations for Client's unable to work:

- If a client is unable to work, the client must provide documentation of limitations to CJSD staff in order to remain in the program while unemployed.
- In cases where clients may be unemployed or physically unable to obtain employment it is important to have a full-time program of positive healthy activities. These activities may include vocational programs, treatment, educational programs, volunteer work, community service, or a combination.

## Laundry

Laundry facilities are provided at the facility. Clients are responsible for doing their own laundry and access to the laundry room in the facility will be on designated days only. Refer to **Posted Operational Rule - Laundry** which includes assigned days and times for laundry.

To assure client laundry is not damaged, clients may not use the facility laundry machines to wash greasy or especially dirty clothes and no dyeing of clothing is allowed. Only facility approved laundry soap will be allowed.

Clients are responsible for washing their bed linens once per week. Clients may request assistance from the program if they are unable to financially complete their laundry.

## Lights Out/Television Times

Clients MUST be in their rooms with the ceiling lights out in accordance with the **Posted Operational Rules - Dayroom Schedule and Privileges** unless otherwise directed. Reading lamps must be turned off at posted times. The television will be viewed only during the posted times with staff approval.

## Mail and Messages

All non-legal mail may be opened by staff without the client present for inspection. Legal mail will not be opened by staff without the client present. Mail will only be handed out at posted times. Clients are required to check their mail daily. Clients will not be allowed to mail or receive mail from other incarcerated individuals without prior approval.

Clients should check the client portal in their dayroom on a daily basis for any electronic messages.

## Meals

Breakfast, lunch, and dinner meals that are approved by a dietician will be provided. Meals will be served at the posted times and are subject to change. Meal portions are created by a dietitian and controlled instruments are used to portion out the meals/holdbacks. These portions/calories come from a three meal guideline. All three meals are factored into portions/calories. **Clients should use the Meal Evaluation Forms to address meal concerns**, which are located in the dayrooms.

**Holdbacks:** Clients missing a meal due to scheduled work or counseling should sign up for a holdback meal per **Posted Operational Rules - Meals** and must meet the posted time frames. Clients who are present in the facility during meal service are not allowed to obtain a holdback unless on restrictive hold.

**Special Diets:** Clients requiring a special diet must submit their diet requirements in advance to a CJSD Manager who will review the diet request. Special diet requests may require medical documentation supporting a diagnosis. Approved special diets will be given to clients at the same time as holdbacks.

## Medication

Clients will immediately notify CJSD staff if and when they have been instructed to begin using medication by a licensed physician and must have the appropriate "Medical Treatment Form" completed. This form also acts as a release of information.

### Prescriptions

- Written prescriptions must be presented to staff.
- Some medical treatment therapy may be disruptive to the community and the rehabilitative process and will be reviewed with Administration for approval.
- Most medications will be kept in a locked and secured area and will be taken under the supervision of staff in strict accordance with the prescribing physician and package directions.
- Clients' use of prescribed medication shall be documented on individual medication logs. These logs are part of the client's permanent electronic record.
- Some prescription and non-prescription medications may be allowed in limited quantities in a client's possession as a Keep on Person (KOP), only if approved. This process will be initiated by the client with a case manager, medical staff, or an on-duty supervisor.

### Taking Medication

- Medications will be monitored during four regular medications times during the day.
- Medications shall be self-administered by the client and ingestion will be monitored by a staff member. Clients are not allowed to take any medication while away from the facility without prior approval.
- Clients will only report for medications when they are announced on the intercom.
- Prescriptions must be taken exactly as prescribed on the bottle or packaging. Changes to medication instructions must be provided in writing by a doctor.
- Clients will present their medication to staff to verify the correct dose before taking their medications.
- Staff will complete a mouth and cheek check if necessary.
- Clients on a Medical Assisted Treatment (MAT) program must adhere to their Behavior Contract.

### General guidelines for medications

- Clients taking narcotic medications will not be allowed to leave the facility for work or pass purposes for 24 hours after taking the medication without manager approval.
- It is the client's responsibility to re-order medications or make arrangements for re-ordering prior to running out of medications.
- Clients shall be responsible for payment of any medical screening and all prescriptions.
- The only approved non-prescription medications are those provided by the Facility.
- Dietary and/or sports drinks or supplements are not allowed. Clients should be aware that taking some of these will not be an acceptable defense for positive test results.

- Selling or giving away any medication, prescription medication, illegal drugs, or unauthorized substance is prohibited.
- Client's taking medications that are directed for bedtime may require clients to be resting in their beds within one hour of taking the medication.
- Vitamins are only approved when medical documentation demonstrates a need.

## Passes and Activities

Clients may earn passes to leave the campus based on their progress and compliance with case plan objectives. Passes are a PRIVILEGE that must be earned. Passes may be taken away for failure to follow the Criminal Justice Services Department rules and policies and/or based on inappropriate behavior.

**Group Activities:** CJSD may offer clients the privilege to attend group activities away from the facility. Clients who choose to participate in a group activity, will do so at their own risk. Neither CJSD nor the staff will be responsible for any injury to a client while participating in any of these activities. Access to these programs is a privilege that may be withdrawn due to inappropriate client behavior.

**Personal Passes:** Approved passes will generally be taken on the client's day(s) off from employment. The amount of pass time that can be earned each week is based on which case plan level the client is on.

Passes cannot be carried over from one week to the next. Passes must be approved by the client's case manager. Pass requests must be completed with accurate information, pass requests with missing information will not be approved. All locations will be approved by CJSD Staff.

All locations must be specific in nature so that staff can readily locate clients. Pass checks are required by state standards and staff will conduct them by phone or in person on a regular basis. Therefore, clients must always be easily accessible while on pass. Failure to respond to staff phone calls or physical checks will be considered a violation and may result in disciplinary action. Clients are not allowed to utilize call forwarding.

Clients may be eligible for additional fitness and recreational passes as they progress case plan levels.

Clients are required to physically check in to the facility when going from any other location to a pass. Special passes may be granted for holidays such as Christmas and Thanksgiving at staff discretion.

Passes are requested through the client portal that is located in the dayroom. These passes are submitted to the client's case manager through the weekly schedule.

Pro-Social community involvement is critical for a positive and healthy lifestyle. Ask staff for assistance with identify and participating in activities in the community.

## Phones

Clients may have access to pay phones at posted times. Phones may be restricted at staff discretion during meal times or headcounts. Clients should be mindful of the amount of time they spend on the phone to allow their peers to have access. Phone use may be restricted by staff at any time due to negative client behavior.

Incoming calls will not be allowed except for employment purposes or in an emergency situation. Collect calls will not be accepted. No personal messages will be taken by staff. Authorized incoming calls for clients may be transferred to the client phone in the dayroom area.

Cell phones or wearable technology, on or off CJSD grounds, may only be permitted through guidelines that CJSD has in place. Once clients have been approved to have a cell phone, they will follow the conditions listed on their cell phone agreement. Unauthorized cell phones are considered contraband and will be disposed of in an environmentally safe manner.

## Property

### Facility Property

Criminal Justice Services will provide linens, a pillow, and a client handbook. Client rooms will be equipped with window coverings, furniture, and a trash can.

Clients are issued identification (ID) cards and/or room keys and are responsible for the cost of replacing these items if they are lost or damaged.

Clients are responsible for ensuring that all CJSD property is not damaged and is kept clean. Any damage above and beyond the normal daily wear will be charged to the client. This may include repair or replacement costs of the damaged item.

### Personal Property

Personal property, letters, money etc., should be dropped off at the facility for clients during posted times only. Staff may not accept property outside of posted times. Exceptions may be approved by a CJSD Manager.

Clients shall be responsible for their own personal property. Staff accepts no liability for any client property that is lost, stolen, or damaged. It is the responsibility of the clients to keep their room doors closed and locked to avoid theft from their rooms.

Radios and/or speakers are only allowed to be kept in clients' rooms. Radios and/or speakers that can be heard outside of the client's bedroom are TOO LOUD and are subject to confiscation. Clients must be able to hear the loudspeaker at all times.

Electronic devices, other than cell phones, may not have internet capability, have external storage, and may not be used to take pictures.

Excessive amounts of magazines, newspapers, books, or combustible items that may present a fire hazard and will not be allowed.

Flammable items must be stored in a safe and secure place away from ignition sources.

The quantity of personal items, including clothing, will be limited for health, fire, and safety reasons as determined by staff. Clients may not have more personal items than what will fit in their closet area and/or dressers. **See Property Matrix.**

### **Contraband**

Any item not listed in the property matrix is considered contraband, and any client found to have such items on their person or in their living area, or under their control is subject to disciplinary and/or criminal charges. Authorization for any special item to be allowed in a room or in a client's possession must be approved by a manager.

Contraband items confiscated may be disposed of through a process at staff's discretion. Any item on the property matrix that is deemed inappropriate or unsafe may be removed from the room at the discretion of any staff member. When told to remove items from the facility, the client must do so within 72 hours or that item may be disposed of.

## **State & Federal Statutes**

In addition to the rules of the Facility, all clients are required to abide by all local, state, and federal laws.

## **Supervision**

The CJSD residential facilities are staffed 24 hours a day, 7 days per week, by competent and trained staff. The staff will make frequent security checks (including room checks of the facility) to ensure compliance with rules and for the safety of the clients.

Each facility utilizes an individual check-in/check-out procedure to maintain accountability of all clients at all times. Clients must check out with staff prior to leaving the facility and must check back in when they return.

Clients must have specific authorization prior to leaving or changing their designated check-out destination. CJSD conducts routine and random client destination verifications by telephone and personal contacts. Staff conducts random client and property searches of clients as well as complete facility searches.

## **Technology: Information and Multimedia**

Clients participating in the Program are required to disclose upon request from CJSD Staff their social media sites and technology devices. For some clients, program requirements may restrict or prohibit the use of social media and technology devices.

Clients are required to provide full access to account credentials including passwords, screen names, email addresses, instant messaging identities, and chat-room identities upon request from staff.

Any electronic property in a client's control will be subject to search and may be done at the expense of the client. All accounts are subject to search whether or not they have been approved in advance. Any client with an account that has not been disclosed to staff, any client obtaining access to or participating in inappropriate sites, and any client found to have content that is not deemed socially appropriate including any form of pornography may be subject to disciplinary action.

## **Transportation**

Transportation to and from the CJSD program is the responsibility of the client.

By virtue of the program's location, many clients will be within walking or bike riding distance. There is a public transportation system that clients may use.

Clients will not operate a motor vehicle without prior approval. Clients who obtain the privilege to drive a motor vehicle may not provide rides for other clients without prior staff approval.

All clients with their own bikes must register their bikes with CJSD. Bikes that are not registered are subject to being removed and disposed of.

Clients will not provide transportation for other clients to and from pass locations, without prior approval from staff.

## **Unauthorized Absence/Escape**

Clients participating in the program are required to remain at their assigned areas or authorized location at all times unless authorized by staff to move to another location. Clients are required to follow established procedures for checking in and out of the facility.

Clients must return from all authorized activities and assignments within the prescribed time period. If released earlier than usual from an outside activity, clients are required to report directly to the facility.

Any client leaving the facility without proper authorization, or whose location is unknown will be considered in violation of the law, CRS 18-8-208.2: Unauthorized Absence.

CJSD Staff will notify law enforcement of any client serving a legal sentence who has not returned within their expected time of arrival or if they are not at their approved location.

Any client who plans, attempts, or aids in an unauthorized absence may have new criminal charges filed and/or disciplinary action for complicity.

All property of a client placed on unauthorized absence status which is left at the Facility will be disbursed per policy. All monies left by the client on unauthorized absence status will be used to pay any outstanding Mesa County, CJSD or treatment debts owed and any remaining funds will be disbursed to the victim restitution fund per state statute 17-27-104 and 24-4.2-103. Such property or money will no longer be accessible to the client.

If a client is contemplating leaving the program, it is recommended they seek out the following problem-solving process that may include:

- Meeting with CJO's and/or a case manager to discuss difficulties.
- Contact key supportive individuals invested in client's treatment such as supervising agency, family members, and/or treatment staff.

## **Visitation**

The goal of visitation is to help clients have contact with their positive supports. A client may earn a visit by not having any behavioral or program issues. When a visit is earned and approved, CJSD staff will facilitate a visit on the CJSD campus. Clients shall not be permitted to have more than two persons at one time for a visit unless prior approval is given by CJSD staff.

Anyone visiting a client must be over 18 years of age or must be accompanied by their parent or legal guardian. Minor children of clients may be allowed to visit on specified days and times with staff permission. All visitors will be made aware of and must adhere to CJSD rules and staff directives regarding their conduct or dress. Any visitor may be denied access to the facility if rules and directives are not followed.

## **Drugs, Alcohol, and Tobacco Usage**

Remaining drug and alcohol-free can allow you to be a productive member of society, restore healthy relationships, and to move forward in the program. Use or possession of substances including tobacco compromises the recovery of the treatment community as a whole and will not be tolerated. Clients should not use any of the following:

- Alcohol
- Illegal substances
- Unauthorized medication
- Marijuana (or THC) in any form
- Psychedelic Mushrooms in any form
- Any substance that could cause dangerous or risky behavior

## **Substance Testing**

All clients are required to perform a urinalysis (UA) and a breathalyzer (BA) upon entry and exit from the program. Here are some important things to know about substance testing:

- Clients are subject to random testing that can occur at any time.
- Once notified of a UA, clients will have two hours to produce a minimum of one ounce of a non-dilute urine sample for testing.
- Should clients refuse to produce a urine sample or refuse to cooperate, they will be subject to disciplinary action and possible immediate removal from the program.
- It is the clients responsibility to report use of any substances that may affect the drug screen.
- Clients should not approach staff to ask staff if they have a drug test.
- Frequency of substance testing is defined by the clients drug or alcohol history.
- All substance tests will be kept as part of the client's record.

## **ATTENTION:**

- It is a criminal offense to bring any of these substances listed above into a correctional facility.
- Dilute urine samples will be treated as a positive UA. More than one dilute urine sample may result in disciplinary action.
- Use of alcohol-based cleaning supplies or other products IS NOT an acceptable defense in the event of a positive UA.
- Poppy seeds may sometimes cause drug screens to result in a positive result for opiate use. It is important to know that eating poppy seeds IS NOT an acceptable defense.

Any attempts to falsify or alter urinalysis samples will result in administrative action and/or new criminal charges, per Colorado Revised Statute 18-8-610 Tampering with Physical Evidence which is a Class 6 Felony or a Class 1 Misdemeanor.

## **Changes In Behavior**

When a person is under the influence of substances, that person may demonstrate behaviors that are extreme and dangerous. Others may show less obvious symptoms. On their own, symptoms and behaviors do not mean a person is high or under the influence, however; when a person displays several signs and behaviors there is a greater chance that those signs are due to substances. Some changes in behavior may include:

- Inability to stay focused during conversations
- Inappropriate laughter
- Changes in speech patterns
- Change in normal energy levels, including hyperactivity or being drowsy
- Mood swings
- Changes in appetite
- Paranoia
- Red or bloodshot eyes
- Respiratory symptoms
- Rapid Heart rate
- Hot flashes
- Dilated pupils

In cases where a client demonstrates the symptoms of drug or alcohol use, staff may take appropriate action regardless of drug screen results. Clients who display symptoms or behaviors of mood or mind-altering substances may be held accountable to substance use violations.

## **Tobacco**

Tobacco is not permitted within the CJSD facilities. Clients are not permitted to use or possess tobacco or tobacco-related products including: lighters, matches, and electronic smoking devices. Any client that would like to use tobacco cessation products must talk with their case manager and sign a Tobacco Cessation contract before obtaining any cessation products.

# Prison Rape Elimination Act (PREA)

Federal law regarding the Prison Rape Elimination Act (PREA) prohibits sexual contact between clients and/or staff. All inappropriate contact will be reported and responded to according to the law. It is important to ensure the safety of all parties involved in any behavior that can result in trauma.

CJSD has a zero-tolerance policy regarding sexual assault/rape and sexual misconduct of any type including sexual harassment. Participation in sexual activity on grounds is strictly PROHIBITED and is subject to disciplinary action. CJSD has designated a PREA Coordinator to oversee, coordinate and monitor compliance with PREA Community Confinement standards.

CJSD clients have the right to be safe from sexual abuse, sexual assault, sexual harassment, or sexual misconduct regardless of whether the client's sexual identity. Clients have the right to be safe from unwanted sexual advances and acts. Clients also have the right to say "NO" to pressure to engage in any type of sexual activity. In addition, clients have the right to report any sexual attempt and/or sexual assault immediately and be free from retaliation of any kind.

All reports of sexual behavior will be initially investigated by CJSD staff. Any incident involving potentially criminal behavior will be immediately forwarded to the Grand Junction Regional Communication Center requesting a criminal investigation and prosecution if appropriate.

## Reporting Procedures for Sexual Assault/Rape & Sexual Misconduct

All staff members are required to keep any reported information confidential, except to report the information to CJSD Administration or to cooperate in an investigation or legal proceeding. Clients may make anonymous reports.

In cases where a client may need to make a confidential report regarding being a victim, witnessing or has knowledge of any incident concerning sexual misconduct, harassment or assault; the client may report the information in writing or verbally in any one of the following ways:

### Internal Reporting

- Speak in person with a staff member
- Mailing a note or letter in a sealed envelope to a staff member;
- Send an email to Mesa County Criminal Justice Services at [CJSD-TIPS@mesacounty.us](mailto:CJSD-TIPS@mesacounty.us);
- Call the Criminal Justice Administration at 244-1728;
- File a complaint with CJSD Administration. **See Complaints/Grievances**

### External Reporting

- Clients may call the Department of Corrections Tip Line at 1-877-362-8477 and may make anonymous reports;
- Notify the Grand Junction Regional Communication Center at (970) 242-6707 or 911
- Log a complaint with the 21<sup>st</sup> Judicial District Attorney, and/or at (970) 244-1730
- Call the Division of Criminal Justice at 1-303-239-4442.

Knowledge of any sexual activity or misconduct can also be reported by a third party through internal or external reporting options.

### Advocacy and Support

Victims of sexual abuse have the right to advocacy and support at no cost. Resource information is available throughout the facility and in client day rooms. Resource information is also available in the Intake Documents that are available in the client portal located in each dayroom. The forms are:

PREA: Client Acknowledgment Summary of PREA Intake forms

PREA: Reporting Options and Advocacy/Support

Clients may contact these resources on the client phones, free of charge.

## **Women's Residential Program**

As a condition of placement in a Criminal Justice Services Department (CJSD) program while pregnant, the client must be willing to participate in services and abide by the guidelines listed below. The client and the case manager will develop a contract of behavior, responsibilities and privileges that will outline the details related to pregnancy and infant care.

### **Prenatal Care**

Clients shall show proof of pregnancy, in writing, from a doctor to her case manager.

Clients shall show proof, in writing, that she is under a doctor or midwife's medical attention and ongoing care, outlining any restrictions due to her pregnancy.

Clients must follow all doctors' orders.

Clients shall not use any controlled substance without a doctor's written authorization and only with monitoring by CJSD staff.

Clients shall not possess, smoke, or use tobacco products while pregnant.

Clients shall not use alcohol or abuse other substances, including toxic vapors, or other substances that may cause harm to the unborn child.

### **Property**

Mothers may be allowed to bring in critical items to the building necessary for the care of the baby.

All property related to babies and/or children will be kept in a pre-approved area and are subject to search.

### **Support Programs**

Pregnant clients will participate in support and treatment programs that are recommended by her case management team, treatment counselors, and/or physician.

### **Breast Feeding**

Breastfeeding may be done in the female dayroom in a discreet manner and out of sight of others and visitors. Clients may pump breast milk for later use by the baby in her assigned bedroom.

## **Responsibility and Safety**

It is the client's responsibility to keep the child's care and safety in mind at all times both while visiting inside the facility and while out in the community. The client will ensure that her child is under control and that the child's behavior is appropriate while visiting at all times. Mesa County, CJSD, and CJSD Staff shall not be held liable for any injury to the client, child, or any other person, occurring on the premises, or any part, including day room areas, sleeping areas, offices, bathrooms, and outside areas.

## **Complaints/Grievances**

The Mesa County Criminal Justice Services Department (CJSD) will provide all clients access to a system to remedy legitimate complaints and grievances. These must be individual in nature and are not intended for groups. No retaliation or harassment of any kind will be taken against a client for submission of a complaint or grievance nor will attempts be made by staff to prevent or interfere with submitting a complaint. It is the policy of CJSD to resolve grievances as simply and swiftly as possible and therefore every effort will be made to handle grievances at the informal level.

### **Elements of a Grievance**

Grievances must adhere to the following guidelines:

1. Behavior responses, disciplinary actions, incentive program actions, room assignments, classification actions, program rules, procedures, and Department of Corrections rules and procedures are not considered matters for the Complaint/Grievance process.
2. Grievances are restricted to incidents which occur while the client is in the custody of CJSD.
3. Clients who knowingly make false or misleading claims in a Grievances may be subject to disciplinary action.
4. Grievances may be withdrawn at any stage of the procedure with a written statement from the client.
5. The grievance process ranges from informal staff-client interaction to formal Administrative reviews.
6. Clients may file a grievance regarding any incident that falls under the Prison Rape Elimination Act (PREA) Guidelines but it is not a required reporting system.

## Informal Resolution

Most Grievances can be resolved quickly by the client discussing the problem with the particular staff member involved or with the staff who are responsible for the particular area of the problem.

1. Client Responsibilities: A client must make every effort to resolve the problem informally. This may include: taking a time out, taking time to gather information, and/or discussing the problem with the following people:
  - a. The staff member that was directly involved in the incident;
  - b. The client's assigned case manager;
  - c. Other program staff, and/or;
  - d. The manager of the involved staff.
2. The grievance cannot be resolved through the informal process, then the client will proceed to the formal process.

## Formal Resolution

Clients must submit a formal grievance promptly after the problem occurs and after the informal resolution attempt. Formal grievances must be filed within (14) fourteen days from the date the client knew or should have known of the facts of the incident or situation. Clients file a formal grievance through the client portal under "Complaints."

If necessary, a written statement on a Grievance Form will be accepted in a sealed envelope addressed to "Administration." The envelope will be given to a staff member who will deliver it promptly and without interference. Only one issue/complaint should be addressed at a time. Information on the grievance form MUST include:

1. The client's name, the date and time.
2. All facts related to the incident and circumstances involved, including time, date, name(s) of staff member(s), and any witnesses.
3. The client must substantiate that all informal remedies have been exhausted or would not have been appropriate.
4. The grievance must also specify what the client expects in order to resolve the grievance.

Group problems or questions that clients have may be dealt with during community meetings and not on a formal grievance.

## Review of a Formal Grievance

Upon receipt of the grievance, CJSJ Administration will review it and the seriousness of the complaint will be evaluated. Then one of the following will occur:

1. Designate an impartial manager to review the grievance material, investigate as needed, and who will provide a written response to the grievance within (14) fourteen days to the client. The manager may use all resources available to settle the grievance. The manager will document their findings in the client portal with the complaint marked as: Resolved, Dismissed, or Mediated.
2. If the client is not satisfied with the Manager's finding, the client may file a second grievance with the Administration within (7) seven days for an additional review.
3. In this case the Administration will address the grievance directly by review of the grievance material, investigate as necessary, and may allow the client to present his/her grievance at a conference. The Administration will provide a written response to the client within (14) fourteen days to the client.
4. Department of Corrections residents who are not satisfied with the grievance outcome may continue the process by completing a DOC grievance form.

## Grievance Disposition

Grievance responses will include what action, if any, will be taken and will list reasons for denial, if any.

Clients will be notified of the disposition of the complaint/grievance.

Department of Corrections clients who are not satisfied with the formal grievance disposition may continue their grievance through the DOC grievance process by completing the appropriate DOC form and turning it into the DOC liaison officer within (14) days after receipt of the formal grievance disposition. Department of Corrections clients have the option to file a grievance through this process with DOC instead of filing one with CJSJ.

## Reporting PREA Violations and Use of Grievances

It is acceptable for a client to file a grievance regarding any incident that falls under PREA Guidelines. A client may follow the grievance procedure as outlined in the client handbook. If a grievance is submitted alleging an incident that falls under PREA guidelines, there are some exceptions to the grievance procedure, which are:

1. No timeline shall be established that limits the time period in which a grievance may be submitted.
2. No informal resolution process shall be required prior to accepting and responding to the grievance.
3. The grievance will not be submitted and/or directed to a staff member who is the subject of a complaint.
4. A grievance regarding an incident of sexual misconduct shall for all intents and purposes be treated as a PREA report. Nothing in existing policy and procedure regarding client grievance procedures shall preclude any part of established PREA response protocols from being activated.

# Behavior Response Strategy to Support Change (BRSSC)

## Introduction to BRSSC

Mesa County Community Corrections uses a behavior management model known as Behavior Response Strategies to Support Change (BRSSC). BRSSC utilizes evidence-based behavior management principles to positively affect behavior change. BRSSC is a model that balances discipline with incentives. The disciplinary portion of BRSSC is structured to encourage accountability and apply known, predictable outcomes of sanctions. The sanction process is designed to be objective, consistent, and reasonable.

The focus will be reinforcement of pro-social attitudes and delivering swift, predictable sanctions and rewards tailored to individual criminogenic needs.

**BRSSC Definition for "Prosocial Behavior"** Behavior that meets socially accepted norms which demonstrates positive, helpful, meaningful relationships within the community. This behavior shows cooperation, collaboration, and concern that promotes a benefit to other people or society as a whole.

### Examples

Prosocial behaviors	Behaviors that are NOT prosocial
Speaking respectfully	Profanity
Helping a peer with a task	Aggression
Dressing in a way that is respectful of others	Non-Compliance with rules
Keeping personal areas clean	Gossip and spreading rumors
Respecting someone else's boundaries	Dressing inappropriately

## Incentives

As part of BRSSC, there is an incentive system which encourages and rewards positive behaviors. Incentives are obtained by meeting specific predetermined objectives. Incentives are grouped by the perceived level of effort and become more impactful through the levels. Incentives are listed in each dayroom.

**Bronze:** These incentives would be received for completing a bronze level objective, such as pass compliance or obtaining employment. Some examples of bronze level incentives are one free load of laundry, a daily bus pass, or a choice from the bronze store.

**Silver:** Silver incentives are generally more impactful than bronze incentives. Silver incentives are associated with objectives of corresponding difficulty. For example, a client may receive a silver incentive, like a monthly bus pass, for obtaining better employment.

**Gold:** Gold incentives are more impactful than silver incentives. A client may receive a gold incentive, such as an MP3 player or movie tickets, for being awarded employee of the month by their employer.

## Overview of Responses to Violations

The Criminal Justice Services Department uses a behavior management model to address violations. CJSD has established rules to govern client behavior which are defined in writing and communicated to all clients and staff. Clients are subject to responses and discipline for any violation of the rules specified in the client handbook, posted operational rules, those established by the referring agency, and those prescribed by law. Generally, where a conflict exists between the referring agency rule and facility rules, facility rules take precedence.

Staff will determine what violations are implemented, whether an offense is a minor or major offense, and if the hearing will be held through by Behavior Response or a Disciplinary Hearing. This will be done as determined by CJSD Supervisors or Managers.

Rule violations are identified into four separate classes, depending on the seriousness of the violation in accordance with the following description.

Clients do not have the right to be represented by legal counsel for any program proceeding regarding program violations. If the violation committed also constitutes a criminal offense, then appropriate criminal charges may be reported in addition to "in-house" violations.

Classification actions such as program progression and program removal are dealt with in separate proceedings from the process described in the client handbook.

### Behavior Challenge

Class 4 violations are addressed with a behavior challenge. Behavior Challenges include extra duty assignments that range between 1 to 2 hours. Extra house duty assignments must be completed within 1 week of receiving the assignment. If not completed or not completed within 1-week further disciplinary action will be taken.

### Behavior Response

In-house rule infractions may be dealt with through an informal process called a Behavior Response. There is no appeal for this process. Clients may request a disciplinary hearing instead of a behavior response however this must be requested before the client acknowledges the behavior response.

### Disciplinary Hearing

Serious rule infractions or repeated minor violations will be dealt with through the disciplinary process.

*Responsibility is a choice ...  
Choices are your responsibility.*

<b>Class 1 Disciplinary Hearing</b>		<b>Class 2 Behavior Response</b>	
<b>#1 Act of Violence</b>	Causing injury to another person or applying physical force or substance against any person	<b>#1 Interfering with Staff Duties</b>	Interfering or disrupting any duty of a staff member including failing to comply with verbal directives during a safety and security function..
<b>#2 Assault</b>	Assault on another client, staff member; the public, or any person.	<b>#2 Fighting</b>	Fighting or any form of physical aggression that results in physical contact with another person.
<b>#3 Sexual Acts (use, force, coercion)</b>	Engaging in any sexual act with another person or animal through the use of force, coercion or intimidation.	<b>#3 Intimidation</b>	Extortion, blackmail, or attempting to control the behavior of others through threats, coercion, force or intimidation.
<b>#4 Possession of Weapon</b>	This includes any chemical agent or any object that may be used as a weapon.	<b>#4 Sexual Harassment</b>	Subjecting another person to sexual interaction through physical action and/or verbal/written/electronic transmissions or engaging in sexual acts on or off facility grounds, to include indecent exposure.
<b>#5 Arson</b>	Arson or attempted arson.	<b>#5 Possession or Consumption</b>	Possession or consumption of alcohol, intoxicants, inhalants, mind altering substances, unauthorized drugs, or unauthorized retention or abuse of any medication.
<b>#6 Unauthorized Absence</b>	This includes unauthorized absence, planning, or aiding in an unauthorized absence.	<b>#6 Monetary Misconduct \$500 or more</b>	Failure to turn in received monies or receiving a pay advance 0(\$500 or more; jailing lo pay budgeted restitution payment or failure to pay child support as ordered, in any amount.
<b>#7 Engaging in a Riot</b>	Creating, participating in, or inciting a riot or encouraging others to do so.	<b>#7 Theft</b>	Theft of anything or possession of stolen property, either of CJSD or another person.
<b>#8 Distribution</b>	Selling or giving away any illegal or unauthorized drug or substance including medication.	<b>#8 Pass Misconduct</b>	Being at an unauthorized location or not being at an approved pass location and/or having unaccounted for time.
<b>#9 Violation of Any Law</b>	Violation of any local, slate, or federal law that could result in a misdemeanor or felony charge.	<b>#9 Driving without a License</b>	Operating a motor vehicle without proper legal licensing, including the operation of vehicles not covered under the operators license.
<b>#10 Introduction of Unauthorized Substances</b>	Introducing alcohol or unauthorized mind or mood altering substances into a CJSD owned or leased property.	<b>#10 Violation of an Offense Contract</b>	Failure to follow a client's signed Offense Specific Program Expectations and/or Conditions of Supervision.

		<b>#11 Tampering with Safety and Security Devices</b>	Tampering with or damaging the fire control equipment security monitoring system, dayroom emergency exit window or emergency exit doors, locking devices and other Jilcility devices,
		<b>#12 Bribery or Solicitation of Staff Misconduct</b>	Attempting to influence a staff member or client by offering or giving a bribe including attempting to get a staff member to violate policy or any reason.
		<b>#13 Unauthorized Possession of Dangerous Contraband</b>	Possessing or using any item that poses potential harm.
		<b>#14 Distribution of Contraband</b>	Selling, the intent to sell, or introduction of contraband in quantities consistent with distribution or for more than personal use.
		<b>#15 Testing Interference</b>	Tampering with substance testing, falsifying or diluting a urinalysis sample.
		<b>#16 Unapproved Contact</b>	Having unapproved contact with a victim/co-defendant.
		<b>#17 Lying</b>	Lying or being deceptive to another person.

<b>CLASS 3 (Behavior Response)</b>		<b>CLASS 4 (Behavior Challenge)</b>	
<b>#1 Failure to comply with a Verbal or Written Directive</b>	Failure to comply with a verbal or written directive of any staff member; including behavior contracts.	<b># 1 Derogatory Language</b>	Using profanity, derogatory remarks, or gestures.
<b>#2 Verbal Aggression</b>	Directing abusive, profane, offensive derogatory remarks, derogatory gestures or dehumanizing statements, including persistent verbal harassment, at any other individual.	<b>#2 Bartering/Selling of Goods or Services</b>	Bartering, selling, loaning or giving any other client any item or service without prior staff approval
<b>#3 Monetary Misconduct less than \$500</b>	Failure to turn in received monies or receiving a pay advance of less than \$500,	<b>#3 Failure to Follow Operational Rules</b>	Violation of any facility rule or regulation of which the client has, or through the exercise of reasonable diligence, should have knowledge of, including posted rules or the client handbook.
<b>#4 Unauthorized Possession of Contraband</b>	Any item not specifically allowed by staff or listed in the handbook, including possession of too much money, on or off the CJSD campus.	<b>#4 Failure to Check In/Out Properly</b>	Failure to check in or out of the facility appropriately as required by the program.

<b>#5 Vandalism and Destruction of Property</b>	Vandalizing or causing damage to another property including CJSD's property.	<b>#5 Dress Code Violations</b>	Wearing inappropriate attire in or out of the client's assigned room or in the community.
<b>#6 Medication Misconduct</b>	Failing to take medications as directed or failing to inform staff of use of a prescription medication.	<b>#6 Sanitary Violations</b>	Failing to keep one's room or person clean and odor free, failing to exercise proper hygiene.
<b>#7 Abusing any Privilege</b>	Abusing any privilege, such as telephone, visitation, recreation, etc.	<b>#7 Violation of Any Municipal Law Resulting in a Ticket</b>	Violation of any municipal, petty or traffic offense.
<b>#8 Employment Violations</b>	Being disciplined, suspended, or fired from employment including violating any CJSD Employment Rules and Regulations.	<b>#8 Being in an Unauthorized Client Area</b>	Being in any unauthorized client area within the facility without proper approval.
<b>#9 Treatment Misconduct</b>	Failing to meet class obligations including but not limited to: attendance, punctuality, appropriate behavior, and progression.	<b>#9 Horseplay</b>	This includes physical horseplay, teasing another client, staff or visitor.
<b>#10 Gambling</b>	Gambling of any kind, including purchasing or possessing lottery tickets.	<b>#10 Failure to Perform Routine Duties</b>	Failing to maintain community cleanliness and/or completing assigned chores.
<b>#11 Being in an Unauthorized Secure Area</b>	Being in any unauthorized dayroom or staff area within the facility without proper approval, to include a coaching area.	<b>#11 Unauthorized Visitation</b>	Unauthorized visitation with family members or friends at any CJSD facility or at locations away from CJSD.
<b># 12 Unauthorized Driving</b>	Unauthorized driving.	<b>#12 Covering or Tampering with Facility Equipment</b>	Covering or tampering of air vents, light fixtures, thermostats or windows, including moving furniture.
<b>#13 Entering Into a Contract</b>	Entering into any contract without prior staff permission.		
<b>#14 Sexual Misconduct</b>	Consensual sexual interaction including physical action and/or verbal/written/electronic transmissions with any unauthorized person on or off grounds.		

### Behavior Response Sanctions

Definition of Terms: LOP = Loss of Privileges (7pm Curfew, Visitation, and Passes)

Behavior Responses can be overridden to a disciplinary hearing with supervisor, manager or director approval.

Number of offenses is based on the last 60 days.

Level	1st Offense	2nd Offense	3 or More Offenses	Due
<b>Class 1</b>	Disciplinary Hearing	Disciplinary Hearing	Disciplinary Hearing	
<b>Class 2</b>	1 week LOP and Carry Guide	2 weeks LOP and Behavioral Intervention Meeting	2 weeks LOP and Case Manager Presentation	2 Weeks
<b>Class 3</b>	2 hours extra duty and Thinking Report	1 week LOP and Thinking Report	2 weeks LOP and Case Manager Presentation	1 Week
<b>Class 4</b>	1 hour extra duty	1 hour extra duty	2 hours extra duty	1 Week

### Tobacco and Nicotine Sanction Grid

The number of offenses is based on your entire stay.

1st Offense	2nd Offense	3 or More Offenses
1 hour of extra duty	1 hour of extra duty	3 hours cleaning the bathroom
Downward Spiral Packet	Lose half of pass hours for the next week.	Lose all pass hours for the next week including fitness pass
Due by Next Case Manager Meeting	Due by Next Case Manager Meeting	Due by Next Case Manager Meeting

# Disciplinary Hearings

The Criminal Justice Services Department (CJSD) will deal with major client rule violations and/or inappropriate behavior according to an established procedure to ensure all clients are treated fairly. Serious rule infractions or numerous minor rule infractions will be dealt with through a disciplinary hearing process. The disciplinary hearing process is detailed below.

## Disciplinary Hearing Team

The disciplinary hearing team will consist of staff members trained to complete hearings. Each hearing officer is at the level of Case Manager II, Shift Supervisor or higher. Disciplinary hearing officers must be impartial and must not be a witness to the alleged offense. The CJSD Administration will appoint hearing officers.

## Disciplinary Hearing Process

The hearing officer will review all reports and other evidence presented, including the client's evidence. The hearing officer will determine guilt or innocence on the charge or charges. If there is a finding of guilt, the hearing officer will then determine what sanctions will be imposed, including time frames to such. If the hearing officer determines that there is no evidence of guilt and finds the violation unfounded the hearing will be dismissed.

1. The determination of guilt or innocence will be based on the standard of "Preponderance of the Evidence." The hearing officer may find the client "guilty" or "not guilty" of the charges or may find the client "guilty of a lesser charge."
  - a. The standard "Preponderance of the Evidence" means there is a finding of guilt when it is determined by the hearing officer(s) that 51% or more of the evidence supports a guilty finding. In-house disciplinary proceedings are NOT based on finding the client guilty by the standard of "Beyond a Reasonable Doubt."
  - b. If the hearing officer finds the evidence does not support a finding of guilt all references to the charge will be removed from the client's record.
  - c. If the client is found guilty, the hearing officer will decide sanctions to be imposed and the specific length of the time the client is to remain on sanctions in accordance with guidelines outlined in the sanctions scheduled procedure.
  - d. With a guilty finding, the hearing officer may place the client on probation and/or suspend any or all of the sanctions as long as the probationary period is no longer than 2 weeks.
  - e. The primary purpose of sanctions is to help modify and manage client behavior, ensure staff and client safety, and to protect public property by motivating the client to comply with CJSD rules. In deciding sanctions the following criteria will be considered: seriousness of the offense; client's program progress; past disciplinary violations; previous sanctions; the client's mental state.
2. The client will then be called back into the hearing for the decision and sanctions, if any. Any restriction periods imposed as a condition of a sanction must have a starting and ending date, as well as a listing of all conditions of the restrictions. If the client is found guilty he/she will be advised of the appeal process.
3. The hearing officer will document the hearing results on the Disposition of Charge form. The hearing officer will give the document to the Program Director to Affirm, Modify or Reverse. The document will also be distributed to the client, to the assigned case manager, and to the

referring agency.

## Client Rights

The client will receive a copy of the Notice of Charge form within six (6) working days of the incident unless delayed for further investigation or good cause but at least twenty-four hours prior to the disciplinary hearing. The client will sign the form as having received a copy. The disciplinary hearing will be held within three (3) working days from the date the Notice of Charge form was served unless delayed for further investigation or good cause. The client will have the following rights:

1. The right to be given a written notice of charge which lists the charge(s) and the evidence used to determine the charge or charges.
2. The right to have an impartial hearing with a hearing officer who did not witness the incident leading to the charge(s).
3. The conditional right to be present during the hearing and to testify or rebut the charges as long as the client does not become disruptive at the hearing and the client's presence does not pose a threat to the security of the facility.
4. The right to receive written findings of the hearing decision including the reason(s) for such decision.
5. The right to appeal the decision of the hearing officer to the CJSD Director within five working days of the hearings.
6. The client also has the right to request the following:
  - a. Assistance in presenting the client's case at the hearing if the hearing officer determines one or both of the following criteria are met: the client is illiterate to the English language or the client cannot comprehend the basic disciplinary procedures or the issues of the case. The hearing officers may, at their discretion, appoint either a staff member or another client to assist.
  - b. To call witness(s) on their behalf if the testimony to be given is relative and the presence of the witness(s) would not pose a threat to the security of the facility.
  - c. A continuance of the hearing may be ordered by the hearing officer if they determine there is good cause to continue the hearing.
7. The client does not have the right to cross-examine witnesses. The hearing officer may limit the number of witnesses if security is threatened or to ensure and to prevent unduly repetitive information. If the hearing officer denies a client's request to present a witness, the reasons will be documented and explained. The client may be excluded during the testimony of any witness whose testimony must be given in confidence. The hearing officer will document the reasons for any exclusion and give the client the general basis of the testimony.
8. Both the officer presenting the case and the client may make a statement, (oral or written), present documentation as evidence, and review documents introduced as evidence unless such review will jeopardize the security or the safety of persons.
9. If a client makes no statement, that silence may be used as one element of the case in determining guilt or innocence by the hearing officer.
10. The client DOES NOT have the right to have professional legal assistance at the facility hearing.

## Attempt & Complicity

A client commits an ATTEMPT when, with intent to commit any violation s/he engages in conduct which tends to affect the commission of such violation. A client may be charged with COMPLICITY to any class of violation based upon the conduct of another person if, with the intent that the offense be committed, she/he commands, induces, encourages, or aids another person to commit the offense.

## Modification of Charges

The hearing officer shall have the discretion to modify the charge when the evidence presented supports another charge.

## Sanctions

If there is a finding of guilt, the hearing officer will determine what sanctions will be imposed per the BRSSC guidelines. The client will be told of the decision and sanction, if any. The client will receive a copy of the disposition form following the hearing. Any restriction period imposed must have a starting and ending date as well as a listing of all conditions of the restriction and other sanctions.

Clients may appeal formal disciplinary findings and sanctions in accordance with the process explained in the "Disciplinary Appeal Process" section.

### The following MAY NOT be denied as imposed disciplinary sanctions:

- Visits by attorneys for legal purposes
- Religious visitors approved to come into the facility
- Visits by mental health workers
- Phone calls to clergy or attorneys
- Adequate food or nutritional diet
- Adequate light, food temperature control and sanitation
- Medical care
- Proper clothing, bed and bedding, use of toilets, sinks and showers

<b>Disciplinary Hearing Sanctions</b>		
Definition of Terms: LOP = Loss of Privileges (7 p.m. curfew, visitation, and passes)		
<b>Class 3</b>	<b>Class 2</b>	<b>Class 1</b>
5 hours of extra duty	10 hours of extra duty	15 hours of extra duty
2 weeks of LOP	3 weeks of LOP	4 weeks of LOP
Special assignment: 2 pages or less	Special assignment: no more than 3 pages	Special assignment: no more than 5 pages
CM to refer staff for appropriate classes		
Staff for appropriate program placement including possible removal		
Cost equal to repair or replacement of damaged or stolen item		

# Disciplinary Appeal Process

The Mesa County Criminal Justice Services Department permits clients who have been found guilty of disciplinary violations in a disciplinary hearing to appeal the decision of the hearing officer. Such appeals by clients will not result in any type of retribution against that client. This appeal process can not be used for appeal of Director decisions related to classification, incentive phase level changes, or program rejection.

If a client wants to appeal the hearing officer's decision, the appeal must be written on a "Disciplinary Appeal Form" within five (5) working days from the date of the hearing. The staff member to whom the appeal is given will deliver it to the program Director without delay.

## Administrative Review

The program Director will review the disciplinary hearing documentation including all incident reports and the "Notice of Disposition Form." The program Director may also elect to interview the client who has appealed and do an additional investigation if deemed necessary. The grounds for the appeal must be based on one or more of the following:

1. Staff failed to comply with policy and procedure on client discipline.
2. The preponderance of the evidence does not support the hearing officer's decision.
3. Newly discovered evidence has come to light which might have a significant impact on the findings of the hearing officer.

## Administrative Action

The client will be notified **in** writing of the program Director's decision within 15 days from the date of the appeal. The program Director can take the following action:

1. Either affirm or reverse the hearing officer's decision. If the hearing officer's decision is reversed then all references to the disciplinary charge(s) will be removed from the client's file.
2. Reduce or modify the sanctions imposed.
3. Remand the decision back to the hearing officer for further deliberation.
4. Order new proceedings be conducted.

## Appeal of Administrative Decision

The client may appeal the program Director's decision to the Criminal Justice Services Department Director (or a designee) by writing a letter to the Director within three (3) working days of the date of the Administration's decision. The letter will be forwarded to the Department Director without any unnecessary delay. The Director will use the same criteria as above to determine the validity of an appeal and will provide a written decision within 15 working days. The decision of the Department Director is final and there is no further appeal.

# Removal Appeal Process

The Mesa County Criminal Justice Services Department permits clients who have been removed from the Program to appeal the decision. Such appeals by clients will not result in any type of retribution against that client.

## Appeal Process

Clients who want to appeal removal from the program will submit a request in writing (letter or email) within five (5) business days from the date they are notified of their removal from the program. The staff member to whom the appeal is given will deliver it to the program Director without delay.

## Administrative Review

The program Director will review the Correctional Summary including all disciplinary hearing documentation, behavioral notations, and treatment progress reports. The basis for the client's appeal must be based on one or more of the following conditions:

1. Staff failed to comply with policy and procedure pertaining to the removal process which had a significant impact on the decision to remove the client from the program.
2. Further assessment of the case shows/reveals that further review of the case may result in a reversal of the decision to remove the client.
3. Newly discovered evidence has come to light which might have a significant impact on the decision for removal.

## Director Action

The program Director will respond to the client in writing within the following time frames:

- Diversion clients will receive a response within 15 business days from the date of a decision being made.
- Transition clients will receive a response within five business days from receipt of the appeal. There may be situations causing a delay in responses to the appeal timeline. In those cases, the delay will be communicated to the client through their assigned supervising agent. The supervising agent is the Parole Case Manager if the client has not returned to a DOC Facility or the Department of Corrections Case Manager if the client has been returned to a DOC facility.

The Director's decision is final and there is no further appeal. The program Director can take the following action:

1. Uphold the removal decision, in which case the client is removed from the program and the referring agency will be notified.
2. Reverse the decision to reject the client, in which case the client may be returned to the program. A new case plan and/or behavior contract will be implemented to address the client's needs. The Director will be responsible for notifying the referring agency about the change of the client's status.
3. Refer the client's case back for another review of the case or for further assessment.