

Chapter: Conditions of Employment
Title: Staff/Youth Relationship

Effective Date: 12/1/11
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New

ACA Standard(s): 4-JCF-6A-13

(a) **Policy.**

The nature of the relationship of Texas Juvenile Justice Department (TJJD) staff and the youth in TJJD's care is of critical importance in efforts to influence youth in a positive manner. Staff are expected to maintain a system of constructive two-way communication. Behaviors described in this policy include but are not limited to agency expectations of staff when interacting with TJJD youth. Employees are expected to:

- (1) role model both appropriate behavior and appropriate skills, i.e., employees shall not engage in inappropriate physical contact with youth including horseplay, nor shall they use force or restraint which violates GAP.97.23.
 - (A) When it is determined that an employee has used or attempted to use force against a youth that was excessive under the circumstances or that involved use or attempted use of a prohibited technique, the employee may offer to prove that the force or technique used or attempted was justified under the circumstances for purposes of self-defense or for defense of a third person. The employee asserting self-defense or defense of others bears the burden of proof on such defenses, and the standard of proof must be by a preponderance of the evidence.
 - (B) There is no justification for purposes of self-defense or for defense of third persons if:
 - (i) the requirements of GAP.97.23 were not met to authorize use of physical restraint under the circumstances;
 - (ii) the use of *Handle With Care* methods of manual restraint would have been practical under the circumstances; or
 - (iii) the force or technique used or attempted to be used under the circumstances:
 - (I) involved a greater risk of serious harm or pain to the youth than was necessary;
 - (II) was in furtherance of a mutual fight involving the employee; or
 - (III) was in response to an encounter that was provoked by the employee and the employee did not try first to abandon the encounter before using or attempting to use the force or technique.
- (2) provide food, clothing, first aid, CPR, medical or dental care in accordance with TJJD correctional care policies;
- (3) use concern, empathy, respect and fairness when dealing with youth and youth issues, including all verbal and non-verbal interaction. Employees shall not taunt, provoke, yell, scream, intimidate, curse, or use any improper language in front of youth.
- (4) maintain the confidentiality of youth names, records, and other confidential material;
- (5) avoid applying personal values or judgment when counseling youth;
- (6) maintain an appropriate adult/youth relationship at all times. For example, no selling or delivering contraband to youth; no exploitation;
- (7) know and respect the youth's rights, provide the quality of supervision that a reasonable and carefully trained correctional care worker would provide under similar circumstances, including the quality of supervision necessary to avoid or prevent a youth's physical assault or injury by another, an intentionally self-inflicted physical injury or condition requiring a doctor's treatment, any sexual contact between youth, or exposure to a dangerous or unsafe condition, situation, or environment;
- (8) maintain control and discipline of youth by employing only methods within TJJD guidelines, i.e., no cruel or unusual punishment; no willful deprivation of food, sleep, or use of purposeless or degrading

work; no forced administration of medication, tranquilizers, or psychotropic drugs solely in the interest of control or discipline;

- (9) promptly and properly report any and all information concerning possible harm or mistreatment of youth;
- (10) do not borrow, lend, trade or give gifts to youth outside of local administrative guidelines; and
- (11) ensure the rights of youth are not violated. Employees shall not willfully or intentionally violate a youth's basic rights or engage in unwarranted and/or unauthorized restriction of access to the youth complaint or appeals system, including threats of retaliation.

(b) **Rules.**

- (1) Supervisors review the agency expectation for appropriate staff/youth relationship and provide information, training and/or counseling to staff when required.
 - (2) Employees found to have engaged in any prohibited behavior when interacting with TJJD youth are subject to disciplinary action.
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