

## Youth with Disabilities

### 604.1 IDENTIFICATION OF DISABLED YOUTH

#### 604.1.1 CONDUCTING AN INITIAL SCREENING

Officers will provide each youth with an Americans with Disabilities Act (ADA) Briefing Handout making them aware of available medical and behavioral health services. Youth will be informed they can access medical and behavioral health services and ADA screenings by:

- (a) Telling a Probation Officer they wish to speak to a nurse.
- (b) Completing a sick call slip and noting they wish to speak to a nurse and/or want help due to a disability or medical condition.

Intake, Booking, and Release (IBR) will complete an Initial Booking and Screening Questionnaire for each youth. If during the intake/screening process IBR officers identify a youth as having a potential disability, the intake officer will notify medical personnel of the positive screening.

Upon completion of initial health appraisal, medical staff assess youth for evidence of a disability or special management needs. A registered nurse will conduct a disability screening and complete the Disability Review Form (DRF).

If during the intake/screening process a youth is identified as being a Regional Center client, the IBR officer will notify the Detention Control Unit (DCU) officer. The DCU officer will contact the Regional Center and the department's ADA Coordinator within 24 hours in order to inform them of the youth's booking. The ADA Coordinator will follow up with the Regional Center in order to coordinate services.

#### 604.1.2 GATHERING INFORMATION AND REPORTING

Information may be garnered from the youth's prior custody or medical records. Custody or medical staff may observe and report a disability that would:

- (a) Impact the youth's housing;
- (b) Affect the youth's program access; or
- (c) Present a safety or security concern for the youth or others.

### 604.2 POPULATION MANAGEMENT AND YOUTH HOUSINGS

#### 604.2.1 CENTRAL CONTROL OFFICER DUTIES

Staff assigned to the Central Control of each facility are responsible to ensure youth with disabilities are housed in the most integrated setting appropriate to the needs of the individuals.

Central Control officers will review the DRF and take note of accommodation considerations. Accommodations are determined on a case-by-case basis and may include but are not limited to: lower tier, lower bunk, no stairs, level terrain, and use of handrails. Additional needs such as accessible toilets and showers, as well as other special features will be considered as needed.

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Unless it is appropriate to make an exception, Central Control staff shall not place youth with disabilities:

- (a) In inappropriate security classifications because no accessible cells or beds are available.
- (b) In designated medical areas unless they are actually receiving medical care or treatment.
- (c) In facilities that do not offer the same programs as the facilities where they would otherwise be housed.

#### 604.2.2 WATCH COMMANDER DUTIES

The Watch Commander shall review the DRF and:

- (a) Make appropriate notations in Probation Case Management System (PCMS) based upon the youth's individual housing needs.
- (b) Ensure the youth is assigned to the appropriate living unit or make necessary moves to ensure the youth's housing is appropriate based upon their needs.

#### 604.2.3 EMERGENCY RESPONSES

The safety of all persons, including those with disabilities, is paramount at all times. Staff alertness, awareness, and pre-planning provide the best tools for preventing, mitigating, and controlling an emergency situation. Given that no two situations and no two individuals are identical, staff must exercise prudent judgement when determining an appropriate response to each disturbance.

### **604.3 ADA COORDINATOR DUTIES**

#### 604.3.1 ADA COORDINATOR RESPONSIBILITIES

The ADA Coordinator has the responsibility to assure compliance with the Americans with Disabilities Act. As such, the ADA Coordinator(s) or their designees shall be responsible to:

- (a) Work with the facility Watch Commanders and collaborative staff to ensure that youth are housed appropriately.
- (b) Facilitate communication between collaborative staff and facility staff in order to ensure accommodations are met.
- (c) Initiate contact with the disabled youth within seven (7) calendar days (or sooner if identified as an "urgent" case) of receiving the DRF and assure the youth is aware of their rights under the ADA while detained.
- (d) Complete a DRF and ensure the casework Probation Officer and court are notified of any accommodations needed, if necessary.
- (e) Notify Program staff when a disabled youth requires an accommodation to access program services and/or special education.
- (f) Perform a follow-up review every thirty (30) calendar days to ensure that the youth has equal opportunity to participate in programs, services, and activities and to discuss any issues the youth may have regarding their treatment. The review is documented

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on the ADA 30-Day Review Form (DRF-30) in PCMS. The ADA Coordinator and youth may agree to suspend monthly follow-ups if there is no change in the youth's status.

- (g) If the youth needs to contact the ADA Coordinator after suspending follow-up visits, the youth can do so via a telephone call, or contacting the Watch Commander, or completing a sick call slip.
- (h) Receive and investigate disability accommodation requests, arranging special requests for reasonable accommodations.
- (i) Assure that ADA public notices and notices inside the living units are current.
- (j) Receive and investigate ADA-related complaints and grievances.
- (k) Confer with medical staff each month to review whether accommodations continue to be appropriate and necessary.

#### **604.4 PROSTHETIC/ORTHOPEDIC APPLIANCES AND ASSISTIVE DEVICES**

##### 604.4.1 YOUTH ACCESSIBILITY OF THE DEVICE

Youth shall be allowed to retain possession of their orthopedic/prosthetic appliance and/or assistive device, if such appliance/device has been prescribed or recommended by a physician.

##### 604.4.2 OBTAINING A DEVICE

If a youth does not have an appliance/device and is in need of one, medical staff will:

- (a) Evaluate the severity of the need and either approve or deny the request.
- (b) Provide the youth with crutches, walker, or device as indicated.
- (c) Make arrangements to obtain the appliance/device if the request is approved.

##### 604.4.3 SAFETY PRECAUTION

If there is probable cause to believe a youth's possession of an appliance or device constitutes an immediate risk of bodily harm to any person in the facility or threatens the security of the facility, the Watch Commander shall consider temporarily placing the youth in medical isolation and conferring with medical staff, the facility Division Chief, and the department's ADA Coordinator about the removal of the appliance/device. Should the Watch Commander and Facility Division Chief agree the device requires removal, the Watch Commander will document the discussions and subsequent actions in an Incident Report. Any confiscated appliance/ device shall be placed in the youth's bulk property or secured in such a manner as to prevent damage or theft.

#### **604.5 FACILITY VISITORS**

##### 604.5.1 SERVICE ANIMALS

Service animals may accompany a visitor into the facility during their visit. Service animals are defined as dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person

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with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. When it is not obvious what service an animal provides, only limited inquiries are allowed. Officers may ask two questions:

- (a) Is the dog a service animal required because of a disability?
- (b) What work or task has the dog been trained to perform?

Officers cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Service animals are allowed to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the animal is out of control and the handler does not take effective action to control it, or (2) the animal is not housebroken. When there is a legitimate reason to ask that a service animal be removed, officers must offer the person with the disability the same opportunity of services without the animal's presence.