
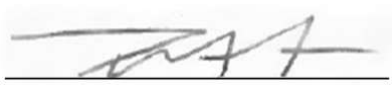


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| POLICY TITLE: PROTECTIVE CUSTODY STATUS POLICY NUMBER: 18.6 (JF) CHAPTER 18: CLASSIFICATION | | PAGE 1 OF 4 |
|  | STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner:  | PROFESSIONAL STANDARDS: See Section VIII |
| EFFECTIVE DATE: May 8, 2018 | LATEST REVISION: May 2, 2025 | CHECK ONLY IF APA [] |

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Departmental Juvenile Facilities

III. POLICY

It is the policy of the Department of Corrections to maintain safe housing for residents who require protection. These residents are provided with property, program and activity access, and treatment services consistent with general population residents to the extent that these can be provided in a manner that will reasonably protect the residents, security, and the orderly management of the facility. **4-JCF-3C-02**

IV. DEFINITIONS

1. Security staff - for purposes of this policy, Juvenile Program Worker, Juvenile Program Specialist, Juvenile Facility Operations Supervisor, or correctional investigative officer (detective) or other facility law enforcement officer.

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VI. ATTACHMENTS

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| Attachment A: | Protective Custody Status Placement form (paper/online) |
| Attachment B: | Individualized Protective Custody Plan (paper/online) |

VII. PROCEDURES

Procedure A: Placement Decisions

1. Placement of a juvenile resident on protective custody status may occur if and only if one or more of the following criteria is met:
 - a. reports indicate that the resident has been assaulted or that there is a substantial risk of the resident being assaulted;
 - b. reports indicate that the resident has been threatened or harassed;
 - c. reports indicate the resident is perceived as an informant or trial witness;
 - d. the circumstances of the resident's juvenile crime indicate that there is a substantial risk of resident being threatened or harassed;
 - e. reports indicate the resident has been or that there is a substantial risk of the resident being the victim of sexual assault or sexual harassment;
 - f. the resident's profile indicates that there is a substantial risk of the resident being victimized due to their chronological age or due to the resident's mental, psychological, social, or physical level of functioning or characteristics; or
 - g. there is other pertinent information which indicates that the resident has a significant conflict with one or more other residents.
2. Placement on protective custody status may only be used if there is a likelihood that the resident's safety will continue to be at risk if the resident is on general population status.
3. Placement on protective custody status may only be used if another less restrictive alternative is not available.
4. A resident may be placed on protective custody status only by the Juvenile Program Manager (JPM), Juvenile Facility Operations Supervisor (JFOS), or higher supervisory staff.
5. In cases where the JPM, JFOS, or higher supervisory staff is not immediately available, security staff shall take immediate action to protect the resident and then notify the JFOS or JPM as soon as practicable.
6. A resident placed on protective custody status may be housed in a designated special management housing area or other appropriate setting.
7. The JPM, JFOS, or higher supervisory staff shall ensure immediate completion of a Protective Custody Status Placement form (Attachment A) and shall contact the Superintendent, or designee, for a decision.
8. If the Superintendent, or designee, approves the placement, the staff completing the form shall forward it to the Classification Committee as soon as the signature of the Superintendent, or designee, is obtained.
9. If approval is not granted, the resident shall be placed in or returned to, as applicable, general population housing.

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10. Placement on protective custody status may only last for the period of time necessary to integrate or reintegrate, as applicable, the resident back to general population status.
11. A resident may not be on protective custody status for more than seventy-two (72) hours unless approved by the Superintendent, or designee, as indicated by their signature on the form.

Procedure B: Protective Custody Plan

1. If approval for placement on protective custody status is granted, the staff initiating the placement shall ensure that a Protective Custody Plan (Attachment B) is immediately developed and implemented.
2. The plan shall address the specific arrangements for the resident to have access to all of the services and programs the resident would otherwise be eligible for, including, but not limited to, as appropriate, the following:
 - education
 - exercise/recreation
 - library
 - medical care
 - mental health care
 - religious services
 - social services
 - substance use disorder services
 - visit, telephone, and mail
 - volunteer services
3. The plan shall address the delivery of the above services and programs on a continuous basis and include any location restrictions or other modifications as may be necessary to ensure the safety of the resident, security, and the orderly management of the facility.
4. The plan shall specify the personal property and other items allowed to the resident, which shall be the same as for residents on general population status, if possible.
5. The plan shall identify safety strategies, including special precautions, to the extent consistent with protection of the resident.

Procedure C: Programming for Residents on Protective Custody Status

1. The programs and services identified in the Protective Custody Plan shall be provided in the least restrictive environment appropriate until the resident is able to be fully integrated or reintegrated, as applicable, into the general population.
2. While on protective custody status, the resident's room door shall remain open and resident shall have access to the dayroom area on the same basis as if the resident were on general population status, if possible.
3. Time outs shall be used in accordance with Department Policy (JF) 15.5, Time Out for Behavior Control.

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Procedure D: Classification Review and Removal from Protective Custody Status to General Population Status

1. A Classification Committee meeting shall be convened by the next business day after the resident's placement on protective custody status for the committee to review, and modify as necessary, the Protective Custody Plan. At a minimum, the plan shall be reviewed weekly, to determine if continued placement is necessary and the review(s) shall be documented.
2. At its initial meeting, the Classification Committee shall also establish criteria to be met for the resident to be removed from protective custody status and placed on general population status and shall specify these on the plan.
3. Once these criteria have been met as determined by the Superintendent, or designee, the resident shall be removed from protective custody and returned to general population.

VIII. PROFESSIONAL STANDARDS

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- 4-JCF-3C-02** **Juveniles requiring protection from others may be placed in protective custody until alternative permanent housing is found within the facility or as a result of a transfer. The juvenile's treatment team develops a special management plan to assure safety and continuous services and programming. Continued confinement after 72 hours is approved by the facility administrator.**

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