I. AUTHORITY

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

II. APPLICABILITY

All Departmental Juvenile Facilities

III. POLICY

Intensive behavior management is a temporary status to manage a resident who engages in behavior that presents a likelihood of harm to that resident or others, a significant threat of destruction of property, or a risk to security, interferes with the treatment progress of other residents, or otherwise disrupts the orderly management of the facility, and there is the likelihood that the behavior will continue, but the resident does not require observation status. Such a status may be used only if another reasonable less restrictive alternative would not be effective to control the resident’s behavior. Placement on intensive behavior management status is not to be used as punishment and may only last for the period of time necessary to reintegrate the resident back to general population status.

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PROCEDURE A: Placement on Intensive Behavior Management Status from General Population Status

1. Removal of a resident from general population status and placement on intensive behavior management status shall be reserved for a resident whose behavior:

   a. Presents a likelihood of harm to that resident or others, as shown by a stated intention, recent conduct, or other factors;

   b. Presents a significant threat of destruction of property as shown by a stated intention, recent conduct, or other factors;

   c. Presents a risk to security as shown by a stated intention, recent conduct, or other factors;

   d. Interferes with the treatment progress of other residents as shown by recent conduct; or

   e. Otherwise disrupts the orderly management of the facility.

2. Such a status may only be used if there is the likelihood that the behavior will continue if the resident is allowed to remain on general population status, but the resident does not require observation status.

3. Such a status may be used only if another reasonable less restrictive alternative would not be effective to control the resident’s behavior.

4. A resident may only be removed from general population status and placed on intensive behavior management status by a Juvenile Program Manager, Juvenile Facility Operations Supervisor or higher supervisory staff.

5. A resident placed on intensive behavior management status shall be removed from general population housing and taken to a designated special management housing area or other appropriate setting.
6. The staff initiating the placement of the resident on intensive behavior management status shall immediately complete an Intensive Behavior Management Status Placement form (Attachment A) and contact the Superintendent, or designee for a decision. If the Superintendent, or designee, approves the placement, the person initiating the placement shall forward the form to the Classification Committee as soon as it is completed and the signature of the Superintendent, or designee, is obtained.

7. If approval is not granted, the resident shall be returned to general population housing unless the Superintendent, or designee, determines that placement on observation status is required in accordance with Policy 10.1, Observation Status. The staff person initiating the placement shall forward the form, with the signature of the Superintendent, or designee, for inclusion in the resident’s master administrative file.

PROCEDURE B: Behavior Stabilization Plan

1. When approval for placement on intensive behavior management status is granted, the staff initiating the placement shall ensure that a Behavior Stabilization Plan (Attachment B) is immediately developed and implemented.

2. The plan shall identify risk reduction and risk management strategies, including risk reduction programming (cognitive/behavioral skills) and special precautions.

3. 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 abuse services
   - visit, telephone, and mail
   - volunteer services

4. The plan shall include a specific schedule for the delivery of services and programs and include any location restrictions or other modifications as may be necessary to ensure the safety of the resident or others, security, and the orderly management of the facility.
PROCEDURE C: Programming for Residents on Intensive Behavior Management Status

1. The programs and services identified in the Behavior Stabilization Plan shall be provided in the least restrictive environment appropriate until the resident is able to be fully reintegrated into the general population.

2. While on intensive behavior management status, the resident shall have access to the same allowable personal property and other items as if the resident were on general population status unless the Behavior Stabilization Plan specifies otherwise to ensure the safety of the resident or others, security, and the orderly management of the facility.

3. While on intensive behavior management status, the resident shall have access to the dayroom area within the designated special management housing area, or other appropriate setting, on the same basis as if the resident were on general population status.

4. Staff shall not lock a resident into his or her room or otherwise use physical means to keep the resident in his or her room while on intensive behavior management status except on the same basis as if the resident were on general population status, provided that if the resident’s behavior escalates to the point that there is a high likelihood of imminent harm to self or others, or a substantial and imminent threat of destruction of property, the resident shall be considered for placement on observation status and while authorization for observation status is being sought, physical means, including locking the door, may be used to keep the resident in his or her room.

PROCEDURE D: Classification Review and Removal from Intensive Behavior Management Status to General Population Status

1. A Classification Committee meeting shall be convened the next business day after the resident’s placement on intensive behavior management status for the Committee to review, and modify as necessary, the Behavior Stabilization Plan. The Classification Committee shall determine the frequency of review of the Behavior Stabilization Plan by the resident’s Unit Treatment Team. At a minimum, the Behavior Stabilization Plan shall be reviewed by the Unit Treatment Team weekly, 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 intensive behavior management status and placed on general population status and shall specify these on the Behavior Stabilization Plan. When the resident’s Unit Treatment Team believes the criteria have been successfully met, a recommendation shall be made to the Classification
Committee to consider removal of the resident from intensive behavior management status. The Classification Committee shall meet to consider this recommendation the next business day. The resident may only be removed from intensive behavior management status and placed on general population status if approved by the Superintendent, or designee.

PROCEDURE E: Removal of Resident from Intensive Behavior Management Status for Placement on Observation Status

1. A resident on intensive behavior management status may be placed on observation status only if the resident’s behavior meets the criteria established in Policy 10.1, Observation Status, and only through the process specified in that policy.

VII. PROFESSIONAL STANDARDS

None