

<b>Coconino County Juvenile Detention Services Policies &amp; Procedures</b>		
<b>Detention Policy 451</b>	<b>Subject Grievance Procedure</b>	
<b>References:</b> <b>AZ Juvenile Detention Standards:</b> Section II D 5 Juvenile Rights Grievance Procedures		<b>Objective:</b> To provide a means of addressing perceived injustices.
<b>Effective Implementation Date:</b> 03-01-1995	<b>Revision Updates:</b> 02-01-2006 02-15-2021	<b>Director:</b> Casie Lightfoot
<b>Forms:</b> 451A Grievance Form 451B Grievance Appeal Form 451C Grievance Unit Poster INT10 Youth Detention Manual 600A PREA Reporting Form 600B PREA Third Party Reporting Form		

### **State of Arizona Juvenile Detention Standards Section II D 5.1**

The director of juvenile court services shall have an established written policy concerning the handling of formal and informal grievances/complaints made by detained juveniles.

#### **Policy**

Access to the grievance process shall be made available to all detained youth, staff members, contracted staff, volunteers, attorneys, community partners and visitors without reprisals.

When a detained youth is not satisfied with the results from attempting to informally resolve a grievance/complaint, the youth may submit a formal written grievance.

Third parties, including; other youth, staff members, contracted staff, volunteers, attorneys, community partners and visitors shall be permitted to assist detained youth in filing grievances.

The detained youth may decline to have a grievance from a third party processed on his or her behalf other than a parent or legal guardian. Detention staff shall document the detained youth's decision.

Detention staff shall accept all reports alleging physical and sexual abuse, and sexual harassment in writing, verbally, anonymously, and from third parties. The Detention Supervisors/ Youth Care worker Vs, The Assistant Detention Services Manager/ Youth Care Worker VI, The PREA Coordinator, the PREA Compliance Manager and Detention Division Manager shall be notified immediately, by detention staff.

A parent or legal guardian shall be allowed to file a grievance and appeals on behalf of a detained youth on physical or sexual abuse allegations, with or without the youth's consent.

Per State of Arizona State Detention Standard Section II D 5.13. The Detention Division Manager may consequence a detained youth for filing a grievance alleging sexual abuse when the filing of the grievance is in bad faith. However, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying.

Each occupied living unit will have form 451C "Grievance Unit Poster" hung up in an area that detained youth may easily view it.

Each occupied living unit will have copies of the following forms available to detained youth, easily accessible to detained youth and accessible without staff having to assist detained youth.

- INT10 "Youth Detention Manual"
- 451A "Grievance Form"
- 451B "Grievance Appeal Form"
- 600A "PREA Reporting Form"
- 600B "PREA Third Party Reporting Form"

Form 600B "PREA Third Party Reporting Form" will also be made available in the Court Center Lobby, Intake, and the Court Sally Port.

Lock Boxes will be located in each occupied living unit for secured and private storage of completed grievances.

### **Procedure**

Upon admission youth will receive form INT10 "Youth Detention Manual".

Upon admission Detention Staff will verbal explain the grievance process that is outlined visually in form INT10.

Detained youth that believe they have been discriminated against, treated unfairly, abused or had one of their rights violated may discuss the situation with a detention staff member and or may file a grievance form.

Detained youth may give a completed grievance form to any staff member, contracted staff, volunteer, attorney, community partner or visitor.

Detained youth may secure a completed grievance in living unit lock boxes and bypass all third parties if they choose.

Detention Supervisors/ Youth Care Worker Vs shall check lock boxes at least one time during their assigned shift.

A Detention Supervisor/ Youth Care Worker V or The Assistant Detention Services Manager/ Youth Care Worker VI will log the date and time the grievance was received on the grievance tracking form.

A Detention Supervisor/ Youth Care Worker V or The Assistant Detention Services Manager/ Youth Care Worker VI will meet with the youth, discuss the grievance and document their response on form 451A within 48 hours excluding weekends and holidays.

If the detained youth is not satisfied with the response and or action taken by the Detention Supervisor or The Assistant Detention Manager, the detained youth may appeal the grievance to the Detention Manager by completing form 451B.

The Detention Manager will respond to an appealed grievance within 48 hours excluding weekends and holidays and document his/her response on form 451B.

If the detained youth is not satisfied with the response and or action taken by the Detention Manager, the detain youth may appeal to the Office of the Court Director. The Court Director's office will decide if the Court Director, Deputy Director or other staff member will respond to the detained youth.

After receiving a grievance alleging a detained youth is in substantial risk of imminent sexual abuse, detention staff shall:

- Immediately forward the grievance to the PREA Coordinator and The Detention Division Manager,
- The Detention Division Manager will contact the Court Director within 24 hours.
- The Detained youth will receive an initial response within 48 hours.
- The Detention Division Manager will issue a final decision within five calendar days.
- The PREA Coordinator will complete a final report within 5 calendar days. It will be included in the final report whether the detained youth was in substantial risk of imminent sexual abuse and the actions that were taken.
- Policy 600 Prison Rape Elimination Act (PREA) will be followed.

When a detained youth files a grievance for physical or sexual abuse allegations, the detention center shall:

- Not impose a time limit on when a detained youth may submit a grievance;
- Not require a detained youth to use an informal grievance process to attempt to resolve with staff the alleged incident of abuse,
- Ensure a detained youth who alleges abuse may submit a grievance without submitting it or referring it to a staff member who is the subject of the complaint.

If a Detained youth wishes to report abuse to law enforcement or the Department of Child Safety, the detained youth may contact The Flagstaff Police and or the Department of Child Safety by phone. See Policy 600 “Prison Rape Elimination Act” for details.