



Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Youth Services

Protocol for Youth in Residential Settings Attending and Returning from Court Appearances During COVID-19

This protocol establishes the procedures that all Department of Youth Services (DYS) state and contracted provider residential and community staff must follow as youth in residential locations resume attending court appearances in person during COVID 19. DYS reserves the right to revoke or modify this protocol at any time, if it determines that the public health and/or safety of youth and staff are at risk, or to comply with state and federal guidance.

The Day Before an In Person Court Appearance:

Program Staff will do the following:

- Meet with any youth in a residential setting, including a youth who is held as an overnight arrest (“ONA youth”), who is scheduled to appear in court the following business day to talk about the importance of taking COVID-19 precautions during their trip to court, including wearing a mask and practicing social distancing where possible.
- Administer the Screening Protocol Questionnaire for COVID 19 (<https://hhsvglapps01.hhs.state.ma.us/ehsintranet/docs/DOC-10875>) and check the youth’s temperature.

Program Staff must notify the Detention Coordinators and the Detention Diversion Specialist for the Court where the hearing is scheduled if any of the following circumstances exist for **detained or committed** youth who will be going to court from a residential setting:

- The youth is in medical isolation due to being COVID-19 positive and has not been instructed by their health care provider that they are ready to leave medical isolation.
- The youth has been in close contact with someone who is COVID-19 positive and is now in quarantine for 14 days. If a youth in quarantine gets tested and the result is negative, they still need to complete the 14-day quarantine.

- The youth has symptoms of COVID-19: Cough, fever greater than 100.0, difficulty breathing, muscle aches, chills, headache, sore throat, new loss of taste or smell, nausea, vomiting or diarrhea.
- The placement setting is experiencing an outbreak of COVID-19 (recent concerns include outbreaks of cases (usually >2) among staff or youth).

If any of the above circumstances exist for a **detained or committed youth** in a residential setting, the Detention Diversion Specialist or Designee for the region where the court is located must notify the youth's attorney and the Court to determine whether the youth's presence will still be required at the hearing. Both the attorney and the Court should be offered the option of having the hearing take place virtually, at the youth's location, if the youth is healthy enough to participate.

- Should the Court indicate that the youth's presence is still required at the courthouse, the Detention Coordinator must inform the Sheriff's Department responsible for transporting the youth to the court appearance of the youth's condition.

If any of the above circumstances exist for an **ONA youth**, the Director of Overnight Arrest Placements must be notified and will consult with the General Counsel regarding next steps.

The Morning of the In-Person Court Proceeding:

Before any youth, including a youth held as an ONA, leaves a DYS residential setting for court, Program Staff will do the following:

- Administer the Screening Protocol Questionnaire for COVID 19 (<https://hhsvglapps01.hhs.state.ma.us/ehsintranet/docs/DOC-10875>) and check the youth's temperature;
- Remind the youth of the importance of taking precautions during their court appearance; and
- Provide the youth with a mask to wear during transport and while at the courthouse.

If a **detained or committed youth** has symptoms of COVID-19: Cough, fever greater than 100.0, difficulty breathing, muscle aches, chills, headache, sore throat, new loss of taste or smell, nausea, vomiting or diarrhea, Program Staff must immediately notify the Detention Coordinators and Detention Diversion Specialist or Designee so that they can make the notifications to the youth's attorney and the court to determine whether the youth's presence will still be required at court. Both the attorney and the Court should be offered the option of

having the hearing take place virtually, at the youth's location, if the youth is healthy enough to participate.

- Should the Court indicate that the youth's presence is still required at the courthouse, the Detention Coordinator must inform the Sheriff's Department responsible for transporting the youth to the court appearance of the youth's condition.

If an **ONA youth** has symptoms of COVID-19: Cough, fever greater than 100.0, difficulty breathing, muscle aches, chills, headache, sore throat, new loss of taste or smell, nausea, vomiting or diarrhea, Program Staff must immediately notify the Director of Overnight Arrest Placements who will consult with the General Counsel regarding next steps.

After returning from the Court Appearance the youth must:

- Immediately shower and put on fresh clothes.
- Be screened for COVID-19 symptoms and fever.
- Meet (in-person or virtually) with the regional health services staff to assess the exposure risk and receive additional guidance.

For the next 14 days:

- **New Intakes, including any ONA youth** who returns after a court appearance will be quarantined consistent with DYS' COVID-19 Protocol for Quarantining New Intakes.
- **Previously detained or committed youth** will not be quarantined but must wear a face mask when leaving his/her/their room;
- **Previously detained or committed youth** must practice social distancing and good hand hygiene;
- All common area spaces used by **previously detained or committed youth** must be cleaned and disinfected after each use; and
- Staff must follow the DYS protocol on wellness checks.

Previously detained or committed youth who fail to follow these safety precautions may be required to quarantine for 14 days.