

Dear Senators LODGE, Lee, Burgoyne, and  
Representatives LUKER, Malek, Gannon:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Department of Juvenile Corrections:

IDAPA 05.01.02 - Rules and Standards for Secure Juvenile Detection Centers - Proposed Rule  
(Docket No. 05-0102-1701).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 10/23/2017. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/21/2017.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

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*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Judiciary & Rules Committee and the House Judiciary, Rules & Administration Committee

**FROM:** Principal Legislative Research Analyst - Ryan Bush

**DATE:** October 2, 2017

**SUBJECT:** Department of Juvenile Corrections

IDAPA 05.01.02 - Rules and Standards for Secure Juvenile Detection Centers - Proposed Rule (Docket No. 05-0102-1701)

The Department of Juvenile Corrections submits notice of proposed rulemaking at IDAPA 05.01.02 - Rules and Standards for Secure Juvenile Detection Centers. The proposed rule does the following:

- (1) Revises and clarifies definitions including "pat search," "physical intervention" and "strip search";
- (2) Adds law enforcement officers to the list of allowed confidential visitors;
- (3) Removes a petition for exemption from the Standards Committee;
- (4) Provides for incident reports and their contents;
- (5) Revises and clarifies the policies for use of physical intervention, use of chemical agents use of mechanical restraints, food service sanitation and personal searches;
- (6) Provides for the documentation of certain searches; and
- (7) Renames and clarifies various sections.

The Department states that negotiated rulemaking was not conducted because the changes were developed by staff of the detention centers. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Department in Section 20-504A, Idaho Code.

cc: Department of Juvenile Corrections  
Sharon Harrigfeld

**IDAPA 05 – IDAHO DEPARTMENT OF JUVENILE CORRECTIONS**  
**05.01.02 – RULES AND STANDARDS FOR SECURE JUVENILE DETENTION CENTERS**  
**DOCKET NO. 05-0102-1701**  
**NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 20-504a(2), Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 18, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Definitions were clarified, procedures were updated, several sections were combined or reorganized into lists and a few renamed, and law enforcement officers were added to any list of allowed confidential visitors.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

There are no fees or charges being imposed through this rulemaking.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

There is no impact to the general fund as a result of this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the detention centers and staff that this rule affects helped develop these changes.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

No documents are being incorporated by reference in this rulemaking.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Karen Skow, (208) 884-7323.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 25, 2017.

DATED this September 1, 2017.

Sharon Harrigfeld, Director  
Idaho Department of Juvenile Corrections  
954 W. Jefferson, Boise, ID 83702  
PO Box 83720, Boise, ID 83720-0285  
Phone: (208) 334-5100  
FAX: (208) 334-5120

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 05-0102-1701  
(Only Those Sections With Amendments Are Shown.)

**010. DEFINITIONS.**

As used in this chapter: (4-5-00)

- 01. Adult.** A person eighteen (18) years of age or older. (4-5-00)
- 02. Body Cavity Search.** The manual internal examination ~~and possible intrusion~~ into the rectal or vaginal cavities to detect contraband. ~~It is performed only by the a~~ medical authority. (4-5-00)(    )
- 03. Chemical Agent.** An active substance, such as oleoresin capsicum, used to deter disturbances that might cause personal injury or property damage. (4-5-00)
- 04. Classification.** A process for determining the needs and requirements of those for whom confinement has been ordered and for assigning them to housing units and/or programs according to their needs and existing resources, while addressing the safety and security of all detained juveniles. (3-20-14)
- 05. Commit.** Commit means to transfer legal custody to the Idaho Department of Juvenile Corrections. (3-30-07)
- 06. Community-Based Program.** An in-home detention program or a nonsecure or staff secure residential or nonresidential program operated to supervise and provide competency development to juvenile offenders in the least restrictive setting, consistent with public safety, operated by the state or under contract with the state or by the county. (3-30-07)
- 07. Contact Visiting.** A program that permits juvenile offenders to visit with designated person(s). The area is free of obstacles or barriers that prohibit physical contact. (3-30-07)
- 08. Contraband.** Any item not issued or authorized by the detention center. (3-30-07)
- 09. Corporal Punishment.** Any act of inflicting punishment directly on the body, causing pain or injury. (4-5-00)
- 10. Court.** Idaho district court or magistrate's division thereof. (3-30-07)
- 11. Day Room/Multi-Purpose Room.** That portion of the housing unit used for varied juvenile offender activities which is separate and distinct from the sleeping rooms. (3-30-07)
- 12. Department.** The Idaho Department of Juvenile Corrections. (3-30-07)
- 13. Detention.** Detention means the temporary placement of juvenile offenders who require secure custody for their own or the community's protection in physically restricting facilities. (3-30-07)
- 14. Detention Center.** A facility established pursuant to Title 20, Chapter 5, Sections 20-517 and 20-518, Idaho Code, for the temporary placement of juvenile offenders who require secure confinement. (3-30-07)
- 15. Detention Records.** Information regarding the maintenance and operation of the detention center including but not limited to correspondence, memorandums, complaints regarding the detention center, daily activity logs, security and fire safety checks, head counts, health inspection records, and safety inspection records, use of physical force records and use of restraints records, incident reports, employee training and certification for use of security equipment. (3-30-07)

16. **Direct Care Staff.** Any care staff member charged with day-to-day supervision of juvenile offenders housed in a juvenile detention center. (3-30-07)
17. **Director.** The Director of the Idaho Department of Juvenile Corrections. (3-30-07)
18. **Electroshock ~~Weapons~~ Device.** ~~Weapons used for subduing a person by administering~~ **A device which delivers** an electric shock ~~which designed to temporarily~~ disrupts muscle function. (3-29-12)(    )
19. **Emergency Care.** Care for an acute illness or unexpected health care need that cannot be deferred until the next scheduled sick call. Emergency care shall be provided to the juvenile offender population by the medical staff, physician, other appropriately trained staff, local ambulance services or outside hospital emergency rooms. (3-30-07)
20. **Emergency Plans.** Written documents that address specific actions to be taken in an institutional emergency or catastrophe such as a medical emergency, fire, flood, riot or other major disruption. (4-5-00)
21. **Health Appraisal.** An evaluation of a patient's current physical and mental condition and medical histories conducted by the health authority or medical employee. (3-30-07)
22. **Health Authority.** The physician, health administrator, or agency responsible for the provision of health care services at the detention center. (3-30-07)
23. **Health-Trained Employee.** A person who operates within the limits of any license or certification to provide assistance to a physician, nurse, physician's assistant, or other professional medical staff. Duties may include preparing and reviewing screening forms for needed follow-up; preparing juvenile offenders and their records for sick call; and assisting in the implementation of medical orders regarding diets, housing, and work assignments. (3-29-12)
24. **Housing Unit.** The total living area available to a group or classification of juvenile offenders in a detention center. This area may consist of a dormitory or a combination of the space in each sleeping room and day room/ multi-purpose room. (3-30-07)
25. **Incident Report.** A written document reporting any occurrence or event, or ~~any other~~ **an** incident which threatens the safety and security of direct care staff, juvenile offenders or others, or which threatens the security of the program and which requires a staff response. (3-30-07)(    )
26. **Judge.** A district judge or a magistrate. (4-5-00)
27. **Juvenile.** A person less than eighteen (18) years of age. (3-30-07)
28. **Juvenile Detention Records.** Information maintained in hard copy or electronic format concerning the individual's delinquent or criminal, personal, and medical history and behavior and activities while in detention. (3-30-07)
29. **Juvenile Offender.** A person who was under the age of eighteen (18) at the time of any act, omission or status bringing the person within the purview of the Juvenile Corrections Act. (3-30-07)
30. **Legal Custody.** The relationship created by the court's decree which imposes upon the custodian responsibilities of physical possession of the juvenile offender, the duty to protect, train and discipline him and to provide him with food, shelter, education and ordinary medical care. (3-30-07)
31. **Legal Guardian.** A person appointed as guardian of a minor under the laws of Idaho. For the purposes of this chapter, legal guardian does not include and shall not be construed to include the owner, operator or the agent of an owner or operator of a detention center, observation and assessment center, secure facility, residential facility or other facility having temporary or long-term physical custody of the juvenile offender. (4-5-00)
32. **Mechanical Restraints.** Devices used to restrict physical activity. (3-30-07)

33. **Medical Employee.** A certified or licensed person such as a physician, nurse, physician's assistant, or emergency medical technician who works under the supervision and authority of the health authority consistent with their respective levels of licensure, certification, training, education and experience. (3-29-12)

34. **Medical Records.** ~~Separate~~ Records of maintained by the health authority, to include medical examinations, ~~and~~ diagnoses, ~~maintained by the health authority and any medical care provided.~~ (4-5-00)(    )

35. **Intake Medical Screening.** A system of structured observation/initial health assessment of newly arrived juvenile offenders. Medical screenings may be performed by a medical employee or health-trained employee, or by a juvenile detention officer using a checklist approved by the Health Authority. (3-29-12)

36. **Observation and Assessment Program.** A residential or nonresidential program designed to complete assessments of juvenile offenders. (3-30-07)

37. **Pat Search.** ~~The touching or feeling of a subject's clothed body to detect contraband~~ A passing of the hands over the clothed body of a person by direct care staff to determine whether the individual possesses contraband. (4-5-00)(    )

38. **Perimeter Security.** A system that controls ingress and egress to the interior of a detention center or institution. The system may include electronic devices, walls, fence, patrols or towers. (3-30-07)

39. **Perimeter Security Check.** Physical inspection of the perimeter of the detention center performed for the purpose of discovering or preventing security breach. May include the inspection of the perimeter of the detention center and adjacent containment fence or areas as designated by detention center policy and procedures. (3-30-07)

40. **Petition for Exemption.** A formal written document addressed to the Director of the Idaho Department of Juvenile Corrections requesting exception from a detention center standard. ~~The petition for exemption must contain written justification why the petitioner should be relieved from enforcement of specific detention standard(s).~~ (3-30-07)(    )

41. **Physical Intervention.** ~~Appropriate physical control used in instances of justifiable self-defense, protection of others, protection of property, or prevention of escapes~~ Physical contact to guide, restrict, or prevent movement in order to take immediate control of a situation. (3-30-07)(    )

42. **Policy and Procedures.** Standard operating strategies and processes developed by the administrative authority governing detention center operations. (3-30-07)

a. Policy is a course of action that guides and determines present and future decisions and actions. Policies indicate the general course or direction of an organization within which the activities of the direct care staff must operate. (3-30-07)

b. Procedure is the detailed and sequential action which must be executed to ensure that policy is implemented. It is the method of performing an operation or a manner of proceeding on a course of action. It differs from a policy in that it directs actions required to perform a specific task within the guidelines of the policy. (4-5-00)

43. **Prison Rape Elimination Act (PREA).** A federal act promulgating standards that promote zero (0) tolerance toward sexual abuse of juvenile offenders by staff or by other juvenile offenders. Also known as Public Law 108-79 or PREA. (3-20-14)

44. **Rated Capacity.** The maximum number of juvenile offenders which may be housed in a particular room, housing unit, or detention center based upon available square footage, sanitation fixtures, and other physical plant features specified in these rules. (3-30-07)

45. **Renovation.** The alteration of the structure of any existing juvenile detention center, or portion thereof, for the purposes of changing or improving its function. This may include, but not be limited to, altering the

physical layout of essential areas within the detention center or reconstruction of the existing structure, areas, or interior features. (3-30-07)

**46. Rule Infraction.** A violation of detention center rules of conduct or policy and procedures as governed by detention center policy and procedures. (3-30-07)

**47. Safety Equipment.** Devices primarily used for safety purposes such as but not limited to firefighting equipment, for example, chemical extinguishers, hoses, nozzles, water supplies, alarm systems, sprinkler systems, portable breathing devices, gas masks, fans, first aid kits, stretchers, and emergency alarms. (4-5-00)

**48. Secure Perimeter.** The outer portions of a detention center that provide for secure confinement of juvenile offenders. (3-30-07)

**49. Security Devices.** Equipment used primarily to confine and control detained persons and may include but is not limited to locks, gates, doors, bars, fences, screens, ceilings, floors, walls, and barriers, electronic monitoring equipment, security alarm systems, security light units, auxiliary power supplies, and other equipment used to maintain detention center security. (3-30-07)

**50. Staffing Plan.** A documented schedule which includes staffing of direct care staff, staffing ratios, resident activities, and the certification level of staff. (3-30-07)

**51. Standards.** Rules for Secure Juvenile Detention Centers, IDAPA 05, Title 01, Chapter 02. (3-30-07)

**52. Strip Search.** A visual examination of a juvenile offender's naked body for weapons, contraband, injuries, ~~or vermin infestations~~ or a medical condition that may require further attention. This also includes a thorough search of the juvenile offender's clothing while such is not being worn. (3-29-12)(    )

**53. Volunteer.** A person who freely chooses to provide services to juvenile offenders or staff at a juvenile detention center, and is not compensated for the services or time. Volunteers are supervised by direct care staff. Volunteers shall not be unsupervised with juvenile offenders and will be supervised by direct care staff at the detention center. (3-29-12)

**011. -- 199. (RESERVED)**

**200. INSPECTION PROVISIONS.**

The Department or its designee shall have the authority to visit and inspect all juvenile detention facilities to assess such facilities' compliance with these rules and any other standards outlined in Title 20, Chapter 5, Section 20-518, Idaho Code. (3-29-12)

**01. Annual Visits.** Each juvenile detention center shall be subject to announced or unannounced visits by Department representatives on at least an annual basis. (3-30-07)

**02. Review of Logs, Records, Policy and Procedure Manuals, Memorandums and Reports.** All logs, records, policy and procedures manuals, memorandums, training records, and incident and other reports shall be available for review excluding medical records, personnel records and personnel action reports. Department representatives shall be allowed to observe and privately interview juvenile offenders and staff concerning any matter pertaining to these rules. Department representatives shall further have access to all parts of the detention center for the purpose of inspecting the physical plant. (3-29-12)(    )

**(BREAK IN CONTINUITY OF SECTIONS)**

**204. STANDARDS COMMITTEE.**

A standing committee shall be created for the purpose of reviewing the standards, petitions for exemption from standards and requests for modification of standards. The committee will be made up of three committee members:

one (1) representative and one (1) alternate from the detention center administrators, one (1) representative and one (1) alternate county commissioner, and one (1) representative from the Department. Final appointment of all Standards Committee members and alternates are made by the Director. The detention center representative of detention center administrators and county commissioner representative should not be from the same judicial district. Alternates should not be from the same judicial district as their corresponding representative. Committee members' terms will run two (2) years starting on October 1 of the year in which the member is nominated and approved. If the petition for exemption or request for modification is initiated from the same district as a committee representative, that committee representative will abstain and the alternate will serve in place of said representative. (3-30-07)

~~**01. Petition for Exemption.** When an exemption from a standard is desired, the detention center administrator shall submit a request, in writing, to the Director outlining the proposed alternative arrangement together with documentation showing how such arrangement will provide conditions at least equivalent to the corresponding standard. The Director will then make determinations as to the necessity, scheduling and convening of a special meeting of the Standards Committee. The Standards Committee will review the petition, prepare and submit its written recommendations to the Director. The Director retains the authority to make the final decision to approve or deny the petition. The petition for exemption, if granted, shall apply only to the petitioner for the specific detention center cited. An indemnification agreement will be entered into between the detention center and the Department in the event the petition for exemption is granted. (3-30-07)~~

**041. Standards Committee Meetings.** The Standards Committee will meet at least bi-annually ~~biennially~~ to review the Juvenile Detention Center Standards, requests for modification of standards, or petitions for exemptions. The Standards Committee shall also meet when the Director determines that a special meeting is necessary to review the juvenile detention center standards, requests for modification of standards, or petitions for exemptions. (3-30-07)( )

**02. Requests for Modification of Standards.** In the event a standard becomes obsolete or unworkable, a request for modification may be filed with the Director. The request letter must represent the views of at least three detention center administrators and contain their signatures. The Director will then make determinations as to the necessity, scheduling and convening of a special meeting of the Standards Committee. If convened, the Standards Committee will review the request, prepare and submit its written recommendations to the Director. The Director retains the authority to make the final decision to promulgate rules or allow the standards to remain unmodified. (3-30-07)

**03. Modification of Standards by the Standards Committee.** In the event that the Standards Committee determines that a standard is obsolete, unworkable, unclear, or otherwise unreasonable, the committee may submit written recommendations to the Director for changes to the standards, along with explanations regarding the reasons for the requested changes. The Director retains the authority to make the final decision to promulgate rules or allow the standards to remain unmodified. Any modification of the standards must be promulgated as rules in accordance with the Idaho Administrative Procedures Act. (3-30-07)

**205. -- 209. (RESERVED)**

**210. DETENTION CENTER ADMINISTRATION.**

**01. Legal Entity.** The public or private agency operating a detention center is a legal entity, part of a legal entity, or a political subdivision. (3-30-07)

**02. Governing Body.** Governing body shall mean any public or private entity established or delegated as a source of legislative or administrative authority to provide the fiscal needs of the detention center administrator so that he may carry out the provisions of these rules. (3-30-07)

**03. Detention Center Administrator.** The detention center shall have a designated administrator who shall be responsible for all detention center operations. (3-30-07)

**04. Mission Statement.** The detention center shall have a written mission statement which describes its philosophy and goals. (3-30-07)



**05. Policy and Procedures.** The detention center administrator shall develop and maintain written policy and procedures which shall safeguard the basic rights of juvenile offenders and shall safeguard the juvenile offenders' freedom from discrimination based upon sex, race, creed, religion, national origin, disability, or political belief and establish practices that are consistent with fundamental legal principles, sound correctional practices, and humane treatment. These written policy and procedures shall be reviewed on a regular basis, updated as needed and made available to all detention center employees. The policy and procedures manual shall be submitted to the prosecuting attorney or other legal authority for review and approved by county commissioners or other governing authority *on an annual basis*. After such approval, a copy of the policy and procedures manual shall be submitted to the Department. (3-29-12)( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**212. STAFF REQUIREMENTS AND STAFF DEVELOPMENT.**

**01. Twenty-Four Hour Supervision.** The detention center shall be staffed by detention center employees on a twenty-four (24) hour basis when juvenile offenders are being housed. (3-30-07)

**02. Staffing.** The detention center shall have staff to perform all functions relating to security, supervision, services and programs as needed to operate the detention center. The detention center shall have policy and procedures in place governing staffing and shall submit a staffing plan to the Department *prior to licensing and renewal as requested. The following staffing plan is a recommendation only, and is not mandatory.* It is recommended that each secure juvenile facility shall maintain staff ratios of a minimum of one to eight (1:8) plus one (1) during resident waking hours and one to sixteen (1:16) during resident sleeping hours, except during limited and discrete exigent circumstances, which shall be fully documented. (3-20-14)( )

**a.** If the detention center houses eight (8) or fewer juvenile offenders, there should be at least one (1) direct care staff and one (1) other staff awake at all times. (3-30-07)

**b.** If the detention center houses more than eight (8) juvenile offenders, there should be one (1) direct care staff for each eight (8) juvenile offenders plus one (1) additional staff awake at all times. Example: if the detention center houses thirty-two (32) juvenile offenders, four (4) direct care staff would be recommended (one (1) staff to eight (8) juvenile offenders), plus one (1) additional staff for a total of five (5) staff. (3-29-12)

**03. Gender of Employees.** At least one (1) of the detention center employees on duty should be female when females are housed in the detention center and at least one (1) should be male when males are housed in the detention center. *During the admission process, A an employee of the same gender as the juvenile offender being detained shall should be on duty at the time of intake present.* (3-30-07)( )

**04. Minimum Qualifications.** (3-30-07)

**a.** Direct care staff, at the time of employment, shall meet the minimum criminal history background and certification requirements as provided in IDAPA 11.11.02, "Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers." (3-30-07)

**b.** Direct care volunteers, before starting volunteer services, shall meet the minimum criminal history background requirements as provided in IDAPA 11.11.02, "Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers." (3-30-07)

**c.** The agency shall conduct criminal background records checks at least every five (5) years of current employees, contractors, and volunteers who may have contact with residents as outlined in PREA Standard Section 115.317. (3-20-14)

**05. Training and Staff Development Plan.** Each juvenile detention center shall develop a staff training and development plan based on the policy and procedures of the detention center. The plan shall also ensure that all juvenile detention officers earn the juvenile detention officer certificate as mandated in IDAPA 11.11.02,

“Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers.” (3-30-07)

**a.** All new direct care staff shall be provided orientation training- ~~that~~ *The orientation and training plan shall* address ~~es~~ areas including, but not limited to: ~~(3-29-12)~~ ~~( )~~

- i. First aid/CPR; (3-30-07)
- ii. Security procedures; (3-30-07)
- iii. Supervision of juvenile offenders; (3-30-07)
- iv. Suicide prevention; (3-20-14)
- v. Fire and emergency procedures; (3-30-07)
- vi. Safety procedures; (3-30-07)
- vii. Appropriate use of physical intervention, and demonstrate an adequate level of proficiency as determined by a P.O.S.T. certified appropriate use of force instructor using a P.O.S.T. approved grading matrix; (3-25-16)
- viii. Report writing; (3-30-07)
- ix. Juvenile offender rules of conduct; (3-30-07)
- x. Rights and responsibilities of juvenile offenders; (3-30-07)
- ~~xi.~~ ~~Fire and emergency procedures;~~ ~~(3-30-07)~~
- ~~xii.~~ ~~Safety procedures;~~ ~~(3-30-07)~~
- ~~xiii~~~~xi.~~ Key control; (3-30-07)
- ~~xiv~~~~xii.~~ Interpersonal relations; (3-30-07)
- ~~xv~~~~xiii.~~ Social/cultural life styles of the juvenile population; (3-30-07)
- ~~xvi~~~~xiv.~~ Communication skills; (3-29-12)
- ~~xvii~~~~xv.~~ Mandatory reporting laws and procedures; (3-20-14)
- ~~xviii~~~~xvi.~~ Professional boundaries; and (3-20-14)
- ~~xix~~~~xvii.~~ All training as outlined in section 115.331 of the PREA Standards. (3-20-14)

**b.** All direct care staff who are considered part-time, on-call, or working fewer than forty (40) hours per week and any direct care staff who works in a facility classified as Rural Exception, must obtain a part-time juvenile detention officer certification as mandated by IDAPA 11.11.02, “Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers.” (3-25-16)

**c.** Ongoing training shall be provided at the minimum rate of twenty-eight (28) hours for each subsequent year of employment, which shall include, but not be limited to: (3-20-14)

i. A total of eight (8) hours of appropriate use of force, and demonstrate an adequate level of proficiency as determined by a P.O.S.T. certified appropriate use of force instructor using a P.O.S.T. approved grading matrix; and (3-25-16)

- ii. All ongoing training as outlined in section 115.331 of the PREA Standards; and (3-25-16)
- iii. All other trainings that require recertification. (3-20-14)
- d. Volunteers and contractors shall be trained commensurate to their level of contact with juvenile offenders. (3-29-12)
- e. Each facility shall maintain accurate training documentation. (3-20-14)

**213. -- 214. (RESERVED)**

**215. DETENTION CENTER INFORMATION SYSTEMS.**

**01. ~~Written Policy and Procedures~~ Records.** The detention center shall have written policy and procedures to govern the collection, management, and retention of information pertaining to juvenile offenders and the operation of the detention center. Written policy and procedures shall address, at a minimum, the following: ~~(3-30-07)~~( )

- a. Accuracy of information, including procedures for verification; (4-5-00)
- b. Security of information, including access and protection from unauthorized disclosure; (4-5-00)
- c. Content of records; (4-5-00)
- d. Maintenance of records; (4-5-00)
- e. Length of retention; and (4-5-00)
- f. Method of storage or disposal of inactive records. (4-5-00)

**02. Release of Information.** Prior to release of information to agencies other than criminal justice authorities or other agencies with court orders for access, a written release of information shall be obtained from the juvenile offender's parent, legal guardian or through a court order with a copy of that release placed in the juvenile offender's file folder. (3-30-07)

**03. Access to Records.** Parents, legal guardians, legal representatives, and staff shall be permitted access to information in the juvenile offender's files and records as authorized by law. Absent a court order to the contrary, the detention center administrator may restrict access to certain information, or provide a summary of the information when its disclosure presents a threat to the safety and security of the detention center or may be detrimental to the best interests of the juvenile offender. If access to records is denied or restricted, documentation that states the reason for the denial or restriction shall be maintained by the detention center administrator. (3-29-12)

**216. DOCUMENTATION.**

**01. Shift Log.** The detention center shall maintain documentation including time notations on each shift which includes the following information, at a minimum: (3-30-07)

- a. Direct care staff on duty; (3-30-07)
- b. Time and results of security or well-being checks and head counts; (4-5-00)
- c. Names of juvenile offenders received or discharged with times recorded; (3-30-07)
- d. Names of juvenile offenders temporarily released or returned for such purposes as court appearances, work/education releases, furloughs, or other authorized absences from the detention center with times recorded; (3-30-07)

- e. Time of meals served; (4-5-00)
  - f. Times and shift activities, including any action taken on the handling of any routine incidents; (3-29-12)
  - others; g. Notation and times of entry and exit of all visitors, including physicians, attorneys, volunteers, and (4-5-00)
  - h. Notations and times of unusual incidents, problems, disturbances, escapes; (3-29-12)
  - i. Notations and times of any use of emergency or restraint equipment; and (4-5-00)
  - j. Notation and times of perimeter security checks. (4-5-00)
- 02. Housing Assignment Roster.** The detention center shall maintain a master file or roster board indicating the current housing assignment and status of all juvenile offenders detained. (3-30-07)
- 03. Visitor's Register.** The detention center shall maintain a visitor's register in which the following will be recorded: (3-30-07)
- a. Name of each visitor; (4-5-00)
  - b. Time and date of visit; (4-5-00)
  - c. Juvenile offender to be visited; and (3-30-07)
  - d. Relationship of visitor to juvenile offender and other pertinent information. (3-30-07)
- 04. Juvenile Detention Records.** The detention center shall classify, retain and maintain an accurate and current record for each juvenile offender detained in accordance with the provisions of Title 31, Chapter 8, Section 31-871, Idaho Code. The record shall contain, at a minimum, the following: (3-30-07)
- a. Booking and intake records; (4-5-00)
  - b. Record of court appearances; (4-5-00)
  - c. Documentation of authority to hold; (4-5-00)
  - d. Probation officer or caseworker, if assigned; (4-5-00)
  - e. Itemized inventory forms for all clothing, property, money, and valuables taken from the juvenile offender; (3-30-07)
  - f. Classification records and information about a resident's personal history and behavior to reduce the risk of sexual abuse by or upon a resident; (3-20-14)
  - g. Documentation of education as outlined in PREA Standard Section 115.333; (3-20-14)
  - h. Rule infraction reports; (4-5-00)
  - i. Records of disciplinary actions; (4-5-00)
  - j. Grievances filed and their dispositions; (4-5-00)
  - k. Release records; (4-5-00)
  - l. Personal information and emergency contact information; (4-5-00)

- m. Documentation of a completed intake medical screening; (3-29-12)
- n. Visitor records; (4-5-00)
- o. Incident reports; (4-5-00)
- p. Photographs. (4-5-00)

05. Incident Reports. Any person involved in or witness to an incident shall write an individual incident report. The incident report shall include, at a minimum, who, what, when, where, why, how, and action taken. Incidents reports shall be written for situations including but not limited to the following: ( )

- a. Any criminal act; ( )
- b. Use of force; ( )
- c. Use of restraints, except for transfer; ( )
- d. Suicide or attempted suicide; ( )
- e. Escape or attempted escape; ( )
- f. Emergencies; ( )
- g. Serious rule violations; ( )
- h. Cross-gender searches; ( )
- i. Body cavity searches; ( )
- j. Seizure and disposition of contraband; and ( )
- k. Any incident deemed serious enough to disrupt or disturb the security, safety, and orderly operations or well-being of the center, staff, juveniles, or public. ( )

06. Incident Report Review. All incident reports shall be reviewed by the detention center administrator, or designee, and shall be maintained as part of the detention center records. ( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**223. SAFETY AND EMERGENCY PROCEDURES.**

**01. ~~Written Policy and Procedures~~ Emergency Plan.** The detention center shall have written policy and procedures that address ~~fire~~ safety plans for responding to emergency situations. (~~3-25-16~~)( )

**02. Compliance with Fire Code.** The detention center shall comply with local and state fire codes. A request for an annual inspection shall be made to the local fire marshal or authorized agency. The detention center shall maintain documentation of this inspection. (3-30-07)

**(BREAK IN CONTINUITY OF SECTIONS)**

**225. PHYSICAL INTERVENTION.**

**01. Appropriate Use of Physical Intervention.** The detention center shall have written policy and procedures which govern the use of physical intervention. ( )

**a.** The use of physical intervention shall be restricted to the following situations, and then only to the degree necessary to restore order: ( )

**i.** ~~Instances of justifiable self-protection;~~ ( )

**ii.** ~~The protection of others;~~ ( )

**iii.** The protection of property; ( )

**iv.** ~~The prevention of escapes; ~~or~~ and~~ ( )

**v.** ~~The suppression of disorder ~~and then only to the degree necessary to restore order.~~~~ (3-30-07)( )

**b.** Physical intervention shall not be used as punishment. (3-30-07)

~~**b.** A written report shall be made following any use of physical intervention. The report will be reviewed by the detention center administrator and will be maintained as part of the detention center records. (3-30-07)~~

**02. Use of Chemical Agents.** The detention center shall have written policy and procedures which govern the use of chemical agents, if approved for use in the detention center. ( )

**a.** The use of chemical agents shall be restricted to the following situations, and then only to the degree necessary to restore order: ( )

**i.** ~~Instances of justifiable self-protection; ~~or~~~~ ( )

**ii.** ~~The protection of others ~~and then only to the degree necessary to restore order.~~~~ (3-29-12)( )

**iii.** The prevention of escapes; and ( )

**iv.** The suppression of disorder. ( )

**b.** Chemical agents shall ~~not only~~ be administered by any individual who has ~~not successfully completed a P.O.S.T. certified training course taught by a P.O.S.T. certified trainer~~ been certified in its use by a qualified instructor. (3-29-12)( )

**b.** Oleoresin Capsicum shall be the only chemical agent approved for use in juvenile detention centers. (3-29-12)

**03. Use of Electroshock ~~Weapons Devices.~~** The use of electroshock ~~weapons devices~~ is prohibited in juvenile detention centers unless used by law enforcement officers responding to a call for assistance initiated by detention staff. (3-29-12)( )

**04. Use of Mechanical Restraints.** The detention center shall have written policy and procedures which govern the use of mechanical restraints, including notification of medical or mental health professionals. ( )

**a.** The use of restraints shall be restricted to justifiable: ( )

**i.** ~~Instances, ~~during of~~ transfer; ~~and for medical reasons under the direction of medical staff.~~ Justifiable instances shall be specifically defined in each detention center's policy and procedures. Written policy and~~

~~procedures shall provide that instruments of restraint are never applied as punishment and are applied only with the approval of the detention center administrator or designee, and that juvenile offenders in mechanical restraints are not left unattended.~~ (3-29-12)( )

- ~~ii. Instances of justifiable self-protection; ( )~~
- ~~iii. The protection of others; ( )~~
- ~~iv. The protection of property; ( )~~
- ~~v. Medical reasons under the direction of medical staff; ( )~~
- ~~vi. The prevention of escapes; and ( )~~
- ~~vii. The suppression of disorder. ( )~~

~~a.b. Restraints shall not be used as punishment or for the convenience of staff. (4-5-00)~~

~~b. A written report shall be made following any use of restraints except for transfer. The report will be reviewed by the detention center administrator and will be maintained as part of the detention records. (3-30-07)~~

~~c. Juvenile offenders in mechanical restraints shall not be left unattended except in documented exigent circumstances. ( )~~

**(BREAK IN CONTINUITY OF SECTIONS)**

**227. SEARCH AND SEIZURE.**

**01. Detention Center Search Plan.** The detention center shall have written policy and procedures which outline a detention center search plan for the control of contraband and weapons and provides for unannounced and irregularly timed searches of juvenile offenders' rooms, day rooms, and activity, work or other areas accessible to juvenile offenders and searches of all materials and supplies coming into the detention center. (3-30-07)

**02. Personal Searches.** The detention center shall have written policy and procedures governing the ~~searching~~ personal searches of juvenile offenders, to include pat, strip, visual body cavity, and body cavity searches for the control of contraband and weapons ~~which~~ and provides for unannounced and irregularly timed searches of juvenile offenders. Said policies and procedures shall include, at a minimum, the following provisions requirements that: (3-30-07)( )

~~a. Search of juvenile offenders upon entering the security perimeter; (3-30-07)~~

~~b. Search of newly admitted juvenile offenders; (3-30-07)~~

~~c. Periodic unannounced and irregularly timed searches of juvenile offenders; (3-30-07)~~

~~d. Provision for strip searches and body cavity searches at such times when there exists reasonable belief that the juvenile offender is in the possession of contraband or weapons or other prohibited material and shall only be conducted as described in Subsections 227.02.f. and 227.02.g.; (3-30-07)~~

~~e. Pat searches. Except in cases of emergency, pat searches shall be conducted by direct care personnel of the same sex; (3-29-12)~~

~~f. Strip searches. All strip searches shall be conducted in private and in a manner which preserves the dignity of the juvenile offender to the greatest extent possible and under sanitary conditions. All strip searches shall be conducted by direct care personnel of the same sex as the juvenile offender or by the health authority or medical~~

~~employee. No persons of the opposite sex of the juvenile offender, other than the health authority or medical employee, shall observe the juvenile offender during the strip search; and (3-30-07)~~

~~g. Body cavity searches. All body cavity searches shall be conducted in private and in a manner which preserves the dignity of the juvenile offender to the greatest extent possible and under sanitary conditions. Body cavity searches shall be conducted only by the health authority or by a medical employee. No persons of the opposite sex of the juvenile offender, other than the health authority or medical employee, shall observe the juvenile offender during body cavity searches. (3-30-07)~~

~~h. Prohibition on searches or physical examinations of transgender or intersex residents for the sole purpose of determining genital status; (3-20-14)~~

~~i. Prohibition of cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners; (3-20-14)~~

~~j. Prohibition of cross-gender pat-down searches except in exigent circumstances; (3-20-14)~~

~~k. The documentation and justification for all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches. (3-20-14)~~

a. All searches be performed under sanitary conditions in a manner which protects the dignity of the juvenile to the greatest extent possible; ( )

b. All pat searches be performed by direct care personnel of the same sex as the juvenile, except under exigent circumstances; ( )

c. All strip or visual body cavity searches be performed by direct care personnel of the same sex as the juvenile with the exception of the health authority or medical personnel; ( )

d. No person of the opposite sex of the juvenile shall be allowed to observe any unclothed search of the juvenile, including strip, visual body cavity, or body cavity searches with the exception of the health authority or medical personnel; ( )

e. All body cavity searches shall be conducted only by the health authority or by medical personnel; ( )

f. An initial pat search must be performed at the intake process prior to the removal of any mechanical restraints; and ( )

g. Any search or physical examination of transgender or intersex residents for the sole purpose of determining genital status is prohibited. ( )

**03. ~~All Body Cavity Searches Shall Be~~ Documentation of Certain Searches. The detention center shall have policies and procedures which govern the documentation of certain searches. Documentation ~~of body cavity searches~~ shall be maintained in detention center records and in the juvenile offender's record, and shall include justification and any exigent circumstances surrounding the search. Searches which must be documented include, but are not limited to; (3-30-07)( )**

a. Any search performed by direct care personnel of the opposite sex as the juvenile; ( )

b. Any strip or visual body cavity search performed or observed by direct care personnel of the opposite sex of the juvenile; ( )

c. Any body cavity search observed by direct care personnel of the opposite sex of the juvenile; or ( )

d. Any strip, visual body cavity or body cavity search performed. ( )



04. **Seizure and Disposition of Contraband.** The detention center shall have written policy and procedures which explains the chain of custody to govern the handling and/or disposal of contraband. All contraband found during detention center or juvenile offender searches shall be seized and processed according to detention center policy, including involvement of law enforcement, if appropriate. The seizure and disposition of the contraband shall be documented. When a crime is suspected to have been committed within the detention center, all evidence shall be maintained and made available to the proper authorities. (3-29-12)( )

(BREAK IN CONTINUITY OF SECTIONS)

235. **FOOD SERVICE SANITATION.**

01. **Written Policy and Procedures.** The detention center shall have written policy and procedures to govern food service sanitation, ~~and shall at a minimum include, but not be limited to, the following items:~~ (3-30-07)

~~a. Food service and related sanitation practices shall comply with the requirements of the state health department or other appropriate regulatory body. The detention center's food service operation shall be inspected in the manner and frequency mandated by local health authorities. The detention center administrator shall solicit at least an annual sanitation inspection by a qualified entity. The results of such inspections shall be documented and the detention center administrator shall take prompt action to correct any identified problems;~~ (3-29-12)( )

~~b. All persons assigned to food service work, including juvenile offenders, shall be in good health and free from any communicable or infectious disease, vermin, or open, infected wounds;~~ (3-30-07)

~~c. All persons assigned to food service work shall be familiar with and adhere to appropriate food service sanitation practices and requirements;~~ (3-30-07)

~~d. All dishes, utensils, pots, pans, trays, and food carts used in the preparation, serving, or consumption of food shall be washed and rinsed promptly after every meal. Disposable utensils and dishes shall not be reused; and~~ (3-30-07)

~~e. Food service area ventilation systems shall not be altered from engineering or architectural specifications, except when repair or upgrade is needed.~~ (3-30-07)

~~02. **Food Service Inspections.** A weekly inspection of all food service areas and equipment shall be conducted by the detention center administrator or designee.~~ (3-30-07)

(BREAK IN CONTINUITY OF SECTIONS)

245. **PERSONAL HYGIENE.**

01. **Personal Hygiene Items.** The detention center shall have written policy and procedures which shall govern the provision of, without charge, the following articles necessary for maintaining proper personal hygiene: (3-30-07)

- a. Soap; (4-5-00)
- b. Toothbrush; (4-5-00)
- c. Toothpaste; (4-5-00)
- d. Comb or brush; (3-30-07)

- e. Shaving equipment ~~upon request~~; (3-30-07)(    )
- f. Products for female hygiene needs; and (3-30-07)
- g. Toilet paper. (3-30-07)

**02. Removal of Personal Hygiene Items.** The detention center shall have written policy and procedures that govern the removal of personal hygiene items from juvenile offenders' sleeping areas. Removal must be based upon sufficient reason to believe that the juvenile offender's access to the items poses a risk to the safety of juvenile offenders, staff or others, or poses a security risk to the detention center. (3-30-07)

**03. Clothing and Linens.** The detention center shall provide for the issue of clean clothing, bedding, linens, and towels to new juvenile offenders held overnight. At a minimum, the following shall be provided: (3-30-07)

- a. A set of standard detention center clothing or uniform; (3-30-07)
- b. A set of standard detention center bedding and linens; (3-25-16)
- c. Fire-retardant mattress; (4-5-00)
- d. Sufficient blankets to provide comfort under existing temperature conditions; and (4-5-00)
- e. One (1) clean towel. (4-5-00)

**04. Laundry Services.** Laundry services shall be sufficient to allow required clothing, bedding, and towel exchanges for juvenile offenders. (3-30-07)

a. Clothing and towels used by the juvenile offender while in the detention center shall be laundered or exchanged at least twice each week. (3-30-07)

b. Linen shall be changed and laundered or exchanged at least once weekly or more often, as necessary. (4-5-00)

c. Blankets in use shall be laundered or exchanged at least monthly, or before re-issue to another juvenile offender. (3-30-07)

**05. Clothing and Linen Supplies.** The detention center inventory of clothing, bedding, linen, and towels shall exceed the maximum population to ensure that a reserve is always available. (3-30-07)

**246. -- 249. (RESERVED)**

**250. HEALTH SERVICES.**

**01. ~~Written Policy and Procedures~~ Health Care.** The detention center shall have written policy and procedures to govern the delivery of reasonable medical, dental, and mental health services. These written policy and procedures must at a minimum address, but are not limited to the following: (3-30-07)(    )

a. Intake medical screening must be documented and performed on all juvenile offenders upon admission to the detention center. (3-29-12)

i. The medical screening should include inquiry of current illness and health problems, dental problems, sexually transmitted and other infectious diseases, medication taken and special health requirements, if any, the use of alcohol or drugs, mental illness and/or suicidal behavior. (3-29-12)

ii. The screening should also include observations of ~~unusual behavior, including state of consciousness, mental status, appearance, conduct, tremor, sweating, body deformities, physical injuries, trauma~~

~~markings, bruises, rashes, evidence of body vermin, and ease of movement;~~ the physical condition, mental condition, and/or behavior. (3-29-12)(    )

- b. Handling of juvenile offenders' requests for medical treatment; (3-30-07)
- c. Non-emergency medical services; (4-5-00)
- d. Emergency medical and dental services; (4-5-00)
- e. Use of a vehicle for emergency transport; (3-25-16)
- f. Emergency on-call physician and dental services when the emergency health care facility is not located nearby; (4-5-00)
- g. ~~First-aid and CPR instructions and training, including:~~ The availability of first-aid supplies; (4-5-00)(    )
- h. Screening, referral, and care of juvenile offenders who may be suicide-prone, or experience physical, mental or emotional disabilities; (3-30-07)
- i. Arrangements for providing close medical supervision of juvenile offenders with special medical or psychiatric problems; (3-30-07)
- j. Delousing; (3-29-12)
- ~~k. Infectious disease control and medical isolation;~~ (4-5-00)
- ~~k.~~ Temporary, immediate Medical isolation, and proper examination ~~by the medical employee~~ of juvenile offenders suspected of having contagious or infectious diseases; (3-30-07)(    )
- ~~ml.~~ Management of pharmaceuticals, including storage in a secure location; and (3-30-07)
- ~~nm.~~ Notification of next of kin or appropriate authorities in case of serious illness, injury or death. (3-30-07)

**02. Medical Judgments.** Except for regulations necessary to ensure the safety and order of the detention center, all matters of medical, mental health, and dental judgment shall be the sole province of the health authority, who shall have final responsibility for decisions related to medical judgments. (3-30-07)

**03. Informed Consent.** Permission to perform medical, surgical, dental or other remedial treatment shall be obtained from parents, spouse, guardian, court or other competent person as stated in Title 16, Chapter 16, Section 16-1627, Idaho Code. (3-30-07)

**04. Health Appraisal.** A health appraisal for each juvenile offender shall be provided by the health authority or medical employee within fourteen (14) days of admission. (3-30-07)

251. -- 254. (RESERVED)

## 255. RULES AND DISCIPLINE.

**01. ~~Written Policy and Procedures~~ Behavioral Management.** The detention center shall have written policy and procedures for maintaining discipline and regulating juvenile offenders' conduct. The following general principle shall apply: (3-30-07)(    )

- a. The conduct of juvenile offenders shall be regulated in a manner which encourages and supports appropriate behavior, with penalties for negative behavior; (3-30-07)
- b. The detention center shall have written rules of conduct which specify prohibited acts, the penalties

that may be imposed for various degrees of violation, and the disciplinary procedures to be followed; (3-30-07)

c. Disciplinary action shall be of a nature to regulate juvenile offenders' behavior within acceptable limits and shall be taken at such times and in such degrees as necessary to accomplish this objective; (3-30-07)

d. The behavior of juvenile offenders shall be controlled in an impartial and consistent manner; (3-30-07)

e. Disciplinary action shall not be arbitrary, capricious, retaliatory, or vengeful; (4-5-00)

f. Corporal or unusual punishment is prohibited, and care shall be taken to insure juvenile offenders' freedom from personal abuse, humiliation, mental abuse, personal injury, disease, property damage, harassment, or punitive interference with daily functions of living, such as eating or sleeping; (3-30-07)

~~g. Use of restraints or use of physical force as punishment is prohibited; (3-30-07)~~

~~h. Withholding of meals or variation of diet as punishment is prohibited; and (3-25-16)~~

~~ig.~~ Juvenile offenders shall not be subject to any situation in which juvenile offenders impose discipline on each other. (3-30-07)

**02. Resolution of Rule Infractions.** The detention center shall have written policy and procedures to define and govern the resolution of rule infractions. (3-30-07)

**03. Grievance Procedures.** The detention center shall have written policy and procedures for juvenile offenders which will identify grievable issues and define the grievance process. (3-30-07)

**04. Criminal Law Violations.** The detention center shall have written policy and procedures to govern the handling of incidents that involve the violation of federal, state, or local criminal law, including prompt referral to the appropriate authority for possible investigation and prosecution. (3-30-07)

**256. ~~MAIL, VISITING, TELEPHONE~~ COMMUNICATION AND CORRESPONDENCE.**

**01. ~~Written Policy and Procedures~~ Mail, Visiting, Telephone.** The detention center shall have written policy and procedures which shall govern the practices of handling mail, visitation, use of the telephone, and any limitations or restriction on these privileges. Juvenile offenders shall have the opportunity to receive visits and to communicate and correspond with persons, representatives of the media or organizations, subject to the limitations necessary to maintain detention center security and order. (~~3-30-07~~)(      )

**02. Resident Access to Outside Support Services.** The facility shall provide residents with access to outside victim advocates for emotional support services related to sexual abuse as outlined by PREA Standard Section 115.353. (3-20-14)

**03. Mail Service.** Mail, other than sent to or received from public officials, judges, attorneys, courts, government officials and officials of the confining authority, may be opened and inspected for contraband. (4-5-00)

**04. Telephone Service.** All juvenile offenders, except those restricted as a result of disciplinary action, shall be provided the opportunity to complete at least two (2) telephone calls weekly to maintain family and community ties. (3-30-07)

a. Telephone calls ~~shall not may~~ be monitored and notification shall be provided to the juvenile, except where legitimate reason exists in order to maintain security and order in the detention center. Notification that the juvenile offender's phone calls may be monitored should be posted in the detention center. (~~3-30-07~~)(      )

b. The detention center may require that any costs for telephone calls be borne by the juvenile offender or the party called. (3-30-07)

c. Written policy and procedures shall grant all juvenile offenders the right to make at least one (1)

local or collect long distance telephone call to family members, attorneys, or other approved individuals during the admissions process. (3-30-07)

**d.** Juvenile offenders shall be allowed to make a reasonable number of telephone calls to their attorneys. (3-30-07)

**i.** Telephone calls to attorneys shall be of reasonable duration. (4-5-00)

**ii.** Telephone calls to attorneys shall not be monitored. (4-5-00)

**iii.** Telephone calls to attorneys shall not be revoked as a disciplinary measure. (4-5-00)

**05. Visitation Restrictions.** The parents or legal guardians, probation officer, parole officer, detention center administrator or the court of jurisdiction may impose restrictions on who may visit a juvenile offender. (3-30-07)

**06. Search of Visitors.** Written policy and procedures shall specify that visitors register upon entry into the detention center and the circumstances under which visitors are searched and supervised during the visit. (3-30-07)

**07. Confidential Visits.** The detention center shall provide juvenile offenders adequate opportunities for confidential access to courts, attorneys, and their authorized representatives, probation and parole officers, law enforcement, counselors, caseworkers, and the clergy. ~~(3-30-07)~~( )

**08. Visitation.** Attorneys, probation and parole officers, law enforcement, counselors, caseworkers, and clergy shall be permitted to visit juvenile offenders at reasonable hours other than during regularly scheduled visiting hours. ~~(3-30-07)~~( )

**a.** Visits with attorneys, probation and parole officers, law enforcement, counselors, caseworkers, and clergy shall not be monitored, except that detention center employees may visually observe the visitation as necessary to maintain appropriate levels of security. ~~(3-30-07)~~( )

**b.** Visits with attorneys, probation and parole officers, law enforcement, counselors, caseworkers, or clergy should be of the contact type unless otherwise indicated by the juvenile offender or visitor, or the detention center administrator determines there is a substantial security justification to restrict the visit to a non-contact type. ~~(3-29-12)~~( )

**257. -- 260. (RESERVED)**

**261. ADMISSION.**

**01. Orientation Materials.** Written policy and procedures shall provide that new juvenile offenders receive orientation materials, including conduct rules. If, at any time, a literacy or language barrier is recognized, the detention center shall make good faith efforts to assure that the juvenile offender understands the material. (3-30-07)

**02. ~~Written~~ Procedures for Admission.** The detention center shall have written policy and procedures for admission of juvenile offenders which shall address, but are not limited to, the following: ~~(3-30-07)~~( )

**a.** Determination that the juvenile offender is lawfully detained in the detention center; (3-29-12)

**b.** The classification of juvenile offenders in regard to sleeping, housing arrangements, and programming; (3-30-07)

**c.** ~~If the~~ Any juvenile offender shows sing signs of ~~illness, injury, is incoherent, or unconscious, he shall~~ impairment should not be admitted to the detention center ~~until the detaining officer has provided written~~ without documentation from medical personnel or a physician of examination, treatment, and fitness for confinement; ~~(3-29-12)~~( )

- d. A complete search of the juvenile offender and possessions; (3-30-07)
- ~~e.~~ Pat searches shall be performed before mechanical restraints are removed at the admissions process; ( )
- ~~ef.~~ The care and disposition of personal property; (3-25-16)
- ~~fg.~~ Provision of shower and the issuance of detention clothing and personal hygiene articles; (3-30-07)
- ~~gh.~~ The provision of medical, dental and mental health screening; (3-30-07)
- ~~hi.~~ Male and female juvenile offenders shall not occupy the same sleeping room; (3-30-07)
- ~~ij.~~ The recording of basic personal data and information; (3-30-07)
- ~~jk.~~ Providing assistance to juvenile offenders in notifying their families of their admission and the discussion of procedures for mailing and visiting; (3-29-12)
- ~~kl.~~ The fingerprinting and photographing in accordance with Title 20, Chapter 5, Section 20-516(8), Idaho Code; and (3-29-12)
- ~~lm.~~ The administration of the MAYSI or other approved risk tool. (3-29-12)

**03. Court Appearance Within Twenty-Four Hours.** According to Title 20, Chapter 5, Section 20-516(4), Idaho Code, written policy and procedures shall ensure that any juvenile offender placed in detention or shelter care be brought to court within twenty-four (24) hours, excluding Saturdays, Sundays and holidays for a detention hearing to determine where the juvenile offender will be placed until the next hearing. ~~Status offenders shall not be placed in any jail or detention center, but instead may be placed in juvenile shelter care facilities.~~ (3-30-07)( )

**04. Limitations of Detention.** Written policy and procedures shall limit the use of detention in accordance with Title 20, Chapter 5, Section 20-516, Idaho Code. (3-30-07)

**262. RELEASE.**

**01. Release of Offender.** Written policy and procedures shall govern the release of any juvenile offender and the release process including, but not limited to: (3-20-14)( )

- a. Verification of juvenile offender's identity; (3-20-14)
- b. Verification of release papers; (3-20-14)
- c. Completion of release arrangements, including the person or agency to whom the juvenile offender is being released: (3-20-14)
- d. Return of personal effects; and (3-20-14)
- e. Completion of any pending action. (3-20-14)

**02. Community Leaves Temporary Release.** Written policy and procedures shall govern escorted and unsecured day leaves into the community. (3-30-07)( )

**03. Personal Property Complaints.** Written policy and procedures shall govern a procedure for handling complaints about personal property. (4-5-00)

**04. Disposal of Property.** Property not claimed within four (4) months of a juvenile offender's

discharge may be disposed of by the detention center in accordance with Title 55, Chapter 14, Section 55-1402, Idaho Code. (3-29-12)

**263. -- 264. (RESERVED)**

**265. PROGRAMS AND SERVICES AVAILABLE.**

**01. ~~Written Policies and Procedures Governing Available~~ Programs and Services.** The detention center shall have written policy and procedures which govern what programs and services will be available to juvenile offenders. These programs and services shall include, at a minimum, the following: ~~(3-29-12)~~( )

- a. Access or referral to counseling; (3-29-12)
- b. Religious services on a voluntary basis; (3-29-12)
- c. One (1) hour per day, five (5) days per week of large muscle exercise; (3-29-12)
- d. Passive recreational activities: (3-29-12)
- e. Regular and systematic access to reading material: (3-29-12)
- f. Work assignments; and (3-29-12)
- g. Educational programs according to the promulgated rules of the Idaho State Department of Education. (3-29-12)

**02. Records of Participation in Programs and Services.** Records of participation in programs and services must be recorded in daily shift log or juvenile offender's file or program records. (3-20-14)

**03. Limitations and Denial of Services.** Access to services and programs will be afforded to all juvenile offenders, subject to the limitations necessary to maintain detention center security and order. Any denial of services must be documented. (3-29-12)