IDAPA 05 – IDAHO DEPARTMENT OF JUVENILE CORRECTIONS

Community, Operations, and Program Services

05.01.04 – Rules Governing County Juvenile Probation and Detention Services

Who does this rule apply to?
These rules apply to county juvenile probation departments in Idaho or any public or private agency contracted to provide juvenile probation services.

What is the purpose of this rule?
These rules ensure that all county juvenile probation services operate under consistent standards based on the principles of accountability, community protection, and competency development.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statute(s) passed by the Idaho Legislature:

State Prisons and County Jails -

- Section 20-504(12)(15), Idaho Code – Juvenile Corrections Act: Duties of The Department of Juvenile Corrections

Who do I contact for more information on this rule?

Idaho Department of Juvenile Corrections
P.O. Box 83720
Boise, ID, 83720
Phone: (208) 334-5100
Fax: (208) 334-5120
Email: ContactUs@idjc.idaho.gov
Website: http://www.idjc.idaho.gov

OR

Idaho State Police, Peace Officer Standards and Training
700 South Stratford Drive
Meridian, Idaho 83642
Phone: (208) 884-7250
Fax: (208) 884-7295
http://www.post.idaho.gov

This rule chapter will be reviewed in compliance with Section 67-5292, Idaho Code, and in accordance with the 8-year rule review schedule linked here.

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000. LEGAL AUTHORITY.
These rules are adopted pursuant to Title 20, Chapter 5, Idaho Code. (7-1-24)

001. SCOPE.
These rules ensure that all county juvenile probation departments and county juvenile detention centers operate under consistent standards based on the principles of accountability, community protection, and competency development with oversight by the Department. (7-1-24)

002. -- 109. (RESERVED)

SUBCHAPTER A – RULES FOR JUVENILE PROBATION DEPARTMENTS

110. DEFINITIONS.
In addition to the definitions in Section 20-502, Idaho Code, the definition in Section 110 apply to the interpretation and enforcement of Subchapter A only: (7-1-24)

01. Balanced Approach. An approach to juvenile justice that gives balanced attention to holding offenders accountable, developing competencies, and protecting the community. (7-1-24)

02. Case Management Plan. A plan developed in collaboration with those directly involved in a juvenile's case to address criminogenic risk factors and identified needs. (7-1-24)

03. Evidence-Based Practices. Practices that are demonstrated to be effective through empirical research. (7-1-24)

04. Graduated Responses. A system of graduated incentives and sanctions to respond to juvenile offender's behavior. (7-1-24)

05. Juvenile Probation Department. Any public or private agency, made up of one (1) or more staff, administered by or contracted with the court or county to provide juvenile probation and supervision services to a county at the expense and concurrence of the county commissioners. (7-1-24)

06. Juvenile Probation Officer. An employee, who is POST-certified or working towards POST certification, of a juvenile probation department responsible for preparing reports to the court, making recommendations regarding conditions of probation, and the supervision of juvenile offenders' compliance with court orders. (7-1-24)

07. Probation. A legal status created by a court order that permits a juvenile offender to remain in the community with conditions and restrictions imposed by the court. (7-1-24)

08. Recidivism. A measure of juvenile offenders who are adjudicated of a new misdemeanor or felony offense within a specified time period. (7-1-24)

111. – 119. (RESERVED)

120. REVIEW PROVISIONS.
The Department will collaborate with the courts and the counties to visit and review all juvenile probation departments to assess compliance with these rules. (7-1-24)

01. Frequency. Each juvenile probation department should be reviewed triennially. (7-1-24)

02. Review of Records and Staff. All case files and related documents, policy and procedures manuals, and training records should be available for review excluding personnel records and personnel action reports. Review team members may privately interview juvenile offenders, parents/guardians of juvenile offenders, and staff concerning any matter pertaining to these standards. (7-1-24)

03. Consultation with Judges. Judges assigned to preside over juvenile cases in the county should be contacted for information related to compliance with the standards. (7-1-24)

121. CONFORMITY WITH APPLICABLE LAWS AND REGULATIONS.

Juvenile probation departments shall conform to applicable laws, rules, and regulations adopted by the federal government, state of Idaho, the county, and the municipality in which such probation department is located. (7-1-24)

122. WRITTEN REPORT.
The Department prepares a written report of each review within ninety (90) days following such review that is provided to the appropriate juvenile probation administrator with copies to the county commissioners and the judges presiding over juvenile cases. (7-1-24)

123. – 129. (RESERVED)

130. ADMINISTRATION.

01. Mission Statement. Juvenile probation departments should have a department mission statement that incorporates the principles of the balanced approach and guides the operations of the department. (7-1-24)

02. Policies and Procedures. Juvenile probation departments will have policies and procedures for the operation of the department that are consistent with existing laws, local rules, and evidence-based practices. All written policies, procedures, and rules and regulations should be dated, reviewed at least annually, and made available to department employees. Policies will include administrative procedures for the following: (7-1-24)

a. Roles of employees and organizational authority within the department; (7-1-24)

b. Communication and dissemination of pertinent information to staff; (7-1-24)

c. Records management in accordance with Idaho Court Administrative Rule 32; and (7-1-24)

d. Internal case review to ensure the quality of supervision and compliance with standards. (7-1-24)

03. Data. Juvenile probation departments should have policies and procedures to collect and analyze data on at least an annual basis that allows for an analysis of local trends in juvenile justice, measures recidivism, and evaluates any other identified department objectives. (7-1-24)

131. – 139. (RESERVED)

140. STAFF QUALIFICATIONS AND STAFF DEVELOPMENT.
All juvenile probation departments will have written policy and procedures governing staffing, to include: (7-1-24)

01. Minimum Qualifications: (7-1-24)

a. Juvenile probation officers should meet and maintain the minimum standards of employment as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council." (7-1-24)

b. Juvenile probation officers should adhere to the Code of Ethics/Standards of Conduct as provided in IDAPA 11.11.01. (7-1-24)

02. Training and Staff Development: (7-1-24)

a. All juvenile probation officers will earn the juvenile probation officer certificate as mandated in IDAPA 11.11.01. (7-1-24)

b. Juvenile probation departments should ensure staff training based on their written policy and procedures. The training should meet staff needs, be reviewed regularly, and address current trends. (7-1-24)

c. Juvenile probation officers should obtain at least twenty (20) hours of continuing education each year after certification as a juvenile probation officer. At least six (6) hours of annual continuing education should be on evidence-based/best practices in juvenile justice. (7-1-24)

d. Each juvenile probation department will maintain accurate documentation of continued training hours for each juvenile probation officer. (7-1-24)

141. – 149. (RESERVED)

150. JUVENILE PROBATION SERVICES.
All juvenile probation departments will have policies and procedures regarding the following: (7-1-24)

01. Balanced Approach Model. Supervision of juvenile offenders and services provided to juvenile offenders and their families should be based on the Balanced Approach Model. (7-1-24)

02. Engaging and Involving Families. Juvenile probation officers should document efforts to engage and involve a juvenile offender's family and/or other supportive individuals. (7-1-24)

03. Validated Risk Assessment. A validated risk assessment should be utilized to determine the criminogenic risk factors and needs of the juvenile offender, assist in making recommendations to the court, and in developing individualized case plans to include length of probation and to determine level and type of supervision, frequency of contact, and intensity of services. (7-1-24)

04. Assessments. Assessments by other qualified providers should be utilized when applicable to assist in making recommendations to the Court and in developing individualized case plans. (7-1-24)

05 Case Management Plans. Individualized case management plans focus on the most significant criminogenic risks as identified by the risk assessment and supplemental assessments. The plan prioritizes and addresses moderate or higher criminogenic risks, needs, and other individual factors. Case management plans are reviewed with the juvenile and/or their parent/guardian and updated, as needed, per department policy. (7-1-24)

06. Collateral Contacts. Juvenile probation officers should conduct collateral contacts and verify information about juvenile offenders that is important to the supervision process. (7-1-24)

07. Documentation. Juvenile probation officers should maintain timely and accurate records of each juvenile offender under supervision, consistent with probation department policies. (7-1-24)

08. Evidence Based/Best Practices and Programs. Evidence-based/best practices and programs should be utilized to promote a greater likelihood of positive outcomes. (7-1-24)

09. Collaboration with Community Partners. Juvenile probation officers should collaborate with public and private agencies to assist juveniles and their families to obtain services and utilize community resources. These partners may include, but are not limited to, treatment providers, employment agencies, law enforcement, school systems, and other government and non-profit organizations. (7-1-24)

10. Court Reports. Reports should provide the Court pertinent information as well as sufficient detail regarding the risks and needs of the juvenile. (7-1-24)

a. Any recommendations contained in reports should be based on the Balanced Approach Model. Recommendations should address the risk and needs of the juvenile and the juvenile's family including supervision, treatment, and any other special conditions. (7-1-24)

b. Information in reports should be verified to ensure accuracy and credibility of the information. (7-1-24)

c. Juvenile probation departments should have procedures to review and approve reports to ensure quality control and consistency. (7-1-24)

d. All reports should be filed in a timely manner as determined by the Court and department policies. (7-1-24)

11. Use of Detention for Status Offenders. Detention placement for status offenses should not be used unless court ordered by a judge pursuant to Idaho Juvenile Rule 17(e). Discretionary detention time is not imposed for status offenses. (7-1-24)

12. Physical Intervention. Policies regarding physical interventions should include direction on allowable interventions, training required, the use of chemical agents or other weapons, and documentation of any physical force used. (7-1-24)

13. Reporting of Abuse/Neglect. Physical and sexual abuse and neglect must be reported and documented in accordance with Section 16-1605, Idaho Code. (7-1-24)

14. Transfer of Cases. Transfer of cases should occur in accordance with chapter 5, Title 20, Idaho Code, and Idaho Juvenile Rule 10. (7-1-24)

a. Juvenile probation officers should communicate with the county where a juvenile will reside regardless of whether or not supervision will be requested. Such communication should occur as soon as a change in residence is determined. (7-1-24)

b. The juvenile probation department in the sending county should communicate, in writing, to the juvenile probation department in the receiving county regarding the supervision request. Information provided should include juvenile and guardian name, address, phone, school (if known), criminal history, disposition and terms, and conditions of supervision. (7-1-24)

c. In the event a juvenile is relocating to or from another state, the juvenile probation officer should comply with the provisions of the Interstate Compact for Juveniles, Chapter 19, Title 16, Idaho Code. (7-1-24)

15. Absconders. Reasonable steps should be taken to locate juvenile offenders who fail to report for probation supervision and whose whereabouts are unknown. (7-1-24)

16. Transportation of Juveniles. All juvenile probation officers who transport a juvenile will have a valid driver's license in good standing and valid proof of insurance. (7-1-24)

17. Release of Information. Information contained in probation files is confidential and may only be released in accordance with Idaho Court Administrative Rule 32 and state and federal laws. Written policy and procedures should include what information can be provided, who should provide the information, and how it should be provided. (7-1-24)

18. Additional Policy and Procedures. Juvenile probation departments will establish written policy and procedures in accordance with their county policies regarding the following (if applicable): (7-1-24)

a. Diversions; (7-1-24)

b. Victim and community restoration; (7-1-24)

c. Search and seizure; (7-1-24)

d. Drug testing; (7-1-24)

e. Graduated responses; (7-1-24)

f. Probation violations; (7-1-24)

g. Use of detention; and (7-1-24)

h. Termination of cases. (7-1-24)

151. -- 209. (RESERVED)

SUBCHAPTER B – RULES FOR JUVENILE DETENTION CENTERS

210. DEFINITIONS.

In addition to the definitions in Section 20-502, Idaho Code, the definitions in Section 210 apply to the interpretation and enforcement of Subchapter B only. (7-1-24)

01. Body Cavity Search. The manual internal examination into the rectal or vaginal cavities to detect contraband, performed only by a medical authority. (7-1-24)

02. Chemical Agent. An active substance, such as oleoresin capsicum, used to deter disturbances that might cause personal injury or property damage. (7-1-24)

03. 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. (7-1-24)

04. Contact Visitation. A program that permits juvenile offenders to visit with designated person(s) in an area free of obstacles or barriers that prohibit physical contact. (7-1-24)

05. Contraband. Any item not issued or authorized by the detention center. (7-1-24)

06. Corporal or Unusual Punishment. Any act of inflicting punishment directly on the body, causing pain or injury. (7-1-24)

07. Day Room/Multi-Purpose Room. That portion of the housing unit used for varied juvenile offender activities that is separate and distinct from the sleeping rooms. (7-1-24)

08. 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. (7-1-24)

09. 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, headcounts, 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. (7-1-24)

10. Direct Care Staff. Any care staff member charged with day-to-day supervision of juvenile offenders housed in a juvenile detention center. (7-1-24)

11. Electroshock Device. A device which delivers an electric shock designed to temporarily disrupt muscle function. (7-1-24)

12. 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. (7-1-24)

13. Health Appraisal. An evaluation of a patient's current physical and mental condition and medical histories conducted by the health authority or medical employee. (7-1-24)

14. Health Authority. The physician, health administrator, or agency responsible for the provision of health care services at the detention center. (7-1-24)

15. Health-Trained Employee. A person who operates within the limits of any license or certification to aid a physician, nurse, physician's assistant, or other professional medical staff (7-1-24)

16. 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. (7-1-24)

17. Incident Report. A written document reporting any occurrence or event, or 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. (7-1-24)

18. Juvenile Detention Officer. Responsible for the safety, care, protection, and monitoring of juvenile offenders. (7-1-24)

19. 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. (7-1-24)

20. Mechanical Restraints. Devices used to restrict physical activity. (7-1-24)

21. Medical Personnel. 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. (7-1-24)

22. Medical Records. Records maintained by the health authority, to include medical examinations, diagnoses, and any medical care provided. (7-1-24)

23. Medical Screening. A system of structured observation and 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. (7-1-24)

24. Pat Search. The running of the hands over the clothed body of a juvenile by an employee to determine whether the individual possesses contraband. (7-1-24)

25. Perimeter Security Check. Physical inspection of the perimeter of the detention center performed for the purpose of discovering or preventing security breaches. 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. (7-1-24)

26. 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. (7-1-24)

27. Physical Intervention. Physical contact to guide, restrict, or prevent movement in order to take immediate control of a situation. (7-1-24)

28. Prison Rape Elimination Act of 2003 (PREA). Public Law No. 108-79, including all subsequent amendments thereto as codified in 34 U.S.C. §§ 30301-30309, and all federal rules and standards promulgated thereunder, which promote zero (0) tolerance of sexual abuse of juvenile offenders by staff or by other juvenile offenders. (7-1-24)

29. 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. (7-1-24)

30. 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. (7-1-24)

31. Rule Infraction. A violation of detention center rules of conduct or policy and procedures, as governed by detention center policy and procedures. (7-1-24)

32. 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. (7-1-24)

33. 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. (7-1-24)

34. Staffing Plan. A documented schedule which includes staffing of direct care staff, staffing ratios, resident activities, and the certification level of staff. (7-1-24)

35. Strip Search. A search that requires a juvenile to remove or arrange some or all clothing so as to permit a visual inspection of the juvenile's breasts, buttocks, or genitalia. (7-1-24)

36. Volunteer. A person who freely chooses to provide services to juvenile offenders or staff at a juvenile detention center, and is not compensated for their services or time. Volunteers will not be unsupervised with juvenile offenders and will be supervised by direct care staff at the detention center. (7-1-24)

211. -- 219. (RESERVED)

220. INSPECTION PROVISIONS.
The Department or its designee has 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. (7-1-24)

01. Annual Visits. Each juvenile detention center is subject to announced or unannounced visits by Department representatives on at least an annual basis. (7-1-24)

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 will be available for review excluding medical records, personnel records and personnel action reports. Department representatives will be allowed to observe and privately interview juvenile offenders and staff concerning any matter pertaining to these rules. Department representatives will have access to all parts of the detention center for the purpose of inspecting the physical plant. (7-1-24)

221. DEPARTMENT PREPARED WRITTEN REPORT OR THEIR AGENTS.
Department representatives will prepare a written report of each inspection within ninety (90) days following such inspection and provide copies to the appropriate detention center administrator and the governing body. The report is submitted to the Director for review of the issuance or renewal of a certificate of compliance. (7-1-24)

222. COMPLIANCE WITH STANDARDS ENFORCED.
Upon completion of an inspection, the Department will send notice of such compliance or noncompliance to the detention center administrator, governing body responsible for the detention center, and Idaho County Risk Management Program, where applicable. (7-1-24)

01. Development of a Plan of Corrective Action. Upon receipt of a notice of noncompliance from the Department, the detention center administrator and governing body shall develop a plan of corrective action to correct the deficiencies cited in the report. The plan will include a description of the nature of noncompliance for each standard cited, the steps to be taken to correct the deficiency, and a projected completion date. Inspection representatives will be available to advise and consult concerning an appropriate corrective action. The plan is submitted to the Department for approval no later than sixty (60) days from receipt of notice. (7-1-24)

02. Demonstration of Meaningful Progress Toward Achieving Compliance. Meaningful progress toward achieving compliance, according to the submitted plan, demonstrated during the time frame approved by the Department in the corrective action plan. (7-1-24)

223. CONFORMITY WITH APPLICABLE LAWS AND REGULATIONS.
Juvenile detention centers shall conform to laws, rules, and regulations adopted by the federal government, state of Idaho, the county, and the municipality in which such detention center is located including, but not limited to, all applicable public health, safety, fire codes, building regulations, and interstate compact regulations. (7-1-24)

224. STANDARDS COMMITTEE.
A standards committee will be created for the purpose of reviewing the standards, petitions for exemption from standards, and requests for modification of standards. The committee will be comprised of county juvenile detention administrators or their designees, and representative(s) from the Department. The committee should strive for regional representation when possible. The final appointment of all Standards Committee members is made by the Director. (7-1-24)

01. Terms. Committee members serve terms of two (2) years starting on October 1 of the year in which the member is nominated and approved. (7-1-24)

02. Abstain from Voting. If a petition for exemption or request for modification is initiated from the same district as a Committee representative, that Committee representative will abstain from voting and the alternate will serve in place of said representative. (7-1-24)

03. Standards Committee Meetings. The Standards Committee will meet at least biennially to review the Juvenile Detention Center Standards, requests for modification of standards, or petitions for exemptions. The Standards Committee will 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. (7-1-24)

04. 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 is submitted by the juvenile detention administrators of the Idaho Association of County Juvenile Justice Administrators. The Director makes determinations as to the necessity, scheduling and convening of a special meeting of the Standards Committee. If convened, the Standards Committee reviews the request and submits 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. (7-1-24)

05. 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. (7-1-24)

225. -- 229. (RESERVED)

230. 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. (7-1-24)

02. Governing Body. Governing body means 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. (7-1-24)

03. Detention Center Administrator. The detention center will have a designated administrator who is responsible for all detention center operations. (7-1-24)

04. Mission Statement. The detention center will have a written mission statement which describes its philosophy and goals. (7-1-24)

05. Policy and Procedures. The detention center administrator will develop and maintain written

policy and procedures which safeguard the basic rights of juvenile offenders and 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 policies and procedures are reviewed on a regular basis, updated as needed and made available to all detention center employees. The policy and procedures manual is submitted to the prosecuting attorney, or other legal authority, for review, and to county commissioners, or other governing authority, for approval. After such approval, a copy of the policy and procedures manual is submitted to the Department. (7-1-24)

231. -- 239. (RESERVED)

240. STAFF REQUIREMENTS AND STAFF DEVELOPMENT.

01. Twenty-Four Hour Supervision. The detention center must be staffed by detention center employees on a twenty-four (24) hour basis when juvenile offenders are being housed. (7-1-24)

02. Staffing. The detention center will have staff to perform all functions relating to security, supervision, services and programs as needed to operate the detention center. The detention center will have policies and procedures in place governing staffing and submit a staffing plan to the Department as requested. It is recommended that each secure juvenile facility 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 need full documentation. (7-1-24)

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. (7-1-24)

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. (7-1-24)

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, an employee of the same gender as the juvenile offender should be present. (7-1-24)

04. Minimum Qualifications. (7-1-24)

a. Direct care staff, at the time of employment, must meet the minimum criminal history background and certification requirements as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council." (7-1-24)

b. Volunteers, before starting volunteer services, must meet the minimum criminal history background requirements as provided in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council." (7-1-24)

c. The agency will 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. (7-1-24)

05. Training and Staff Development Plan. Each juvenile detention center will develop a staff training and development plan based on the policies and procedures of the detention center. The plan will also ensure that all full-time juvenile detention officers earn the juvenile detention officer certificate, as mandated in IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council." (7-1-24)

a. All new full-time direct care staff are provided training that addresses areas including, but not limited to: (7-1-24)

i. First aid/CPR; (7-1-24)

ii. Security procedures; (7-1-24)

iii. Supervision of juvenile offenders; (7-1-24)

iv. Suicide prevention; (7-1-24)

v. Fire and emergency procedures; (7-1-24)

vi. Safety procedures; (7-1-24)

vii. Appropriate use of physical intervention, and demonstrate an adequate level of proficiency as determined by a P.O.S.T. certified use of force instructor using the juvenile detention officer use of force lesson plan; (7-1-24)

viii. Report writing; (7-1-24)

ix. Juvenile offender rules of conduct; (7-1-24)

x. Rights and responsibilities of juvenile offenders; (7-1-24)

xi. Key control; (7-1-24)

xii. Interpersonal relations; (7-1-24)

xiii. Social/cultural lifestyles of the juvenile population; (7-1-24)

xiv. Communication skills; (7-1-24)

xv. Mandatory reporting laws and procedures; (7-1-24)

xvi. Professional boundaries; and (7-1-24)

xvii. All training as outlined in section 115.331 of the PREA Standards. (7-1-24)

b. All direct care staff who are considered part-time, on-call, or working fewer than forty (40) hours per week will obtain a part-time juvenile detention officer certification, as mandated by IDAPA 11.11.01, "Rules of the Idaho Peace Officer Standards and Training Council." (7-1-24)

c. Any staff who works in a facility classified as Rural Exception or a collocated facility will obtain a part-time juvenile detention officer certificate of completion from the Department. (7-1-24)

d. Ongoing training is provided at the minimum rate of twenty-eight (28) hours for each subsequent year of employment, which include, but are not limited to: (7-1-24)

i. At least eight (8) hours of use of force, and demonstrate an adequate level of proficiency as determined by a P.O.S.T. certified use of force instructor using the juvenile detention officer lesson plan; and (7-1-24)

ii. All ongoing training as outlined in section 115.331 of the PREA Standards; and (7-1-24)

iii. All other trainings that require recertification. (7-1-24)

e. Volunteers and contractors are trained commensurate to their level of contact with juvenile offenders. (7-1-24)

f. Each facility maintains accurate training documentation. (7-1-24)

241. -- 249. (RESERVED)

250. DETENTION CENTER INFORMATION SYSTEMS.

01. Records. The detention center will have written policies 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 will address, at a minimum, the following: (7-1-24)

a. Accuracy of information, including procedures for verification; (7-1-24)

b. Security of information, including access and protection from unauthorized disclosure; (7-1-24)

c. Content of records; (7-1-24)

d. Maintenance of records; (7-1-24)

e. Length of retention; and (7-1-24)

f. Method of storage or disposal of inactive records. (7-1-24)

02. Release of Information. Prior to the release of information to agencies other than criminal justice authorities or other agencies with a court order for access, a written release of information is 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. (7-1-24)

03. Access to Records. Parents, legal guardians, legal representatives, and staff is 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 is maintained by the detention center administrator. (7-1-24)

251. DOCUMENTATION.

01. Shift Log. The detention center maintains documentation including time notations on each shift which includes the following information, at a minimum: (7-1-24)

a. Direct care staff on duty; (7-1-24)

b. Time and results of security or well-being checks and head counts; (7-1-24)

c. Names of juvenile offenders received or discharged with times recorded; (7-1-24)

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; (7-1-24)

e. Time of meals served; (7-1-24)

f. Times and shift activities, including any action taken on the handling of any routine incidents; (7-1-24)

g. Notation and times of entry and exit of all visitors, including physicians, attorneys, volunteers, and others; (7-1-24)

h. Notations and times of unusual incidents, problems, disturbances, escapes; (7-1-24)

i. Notations and times of any use of emergency or restraint equipment; and (7-1-24)

j. Notation and times of perimeter security checks. (7-1-24)

02. Housing Assignment Roster. The detention center maintains a master file or roster board indicating the current housing assignment and status of all juvenile offenders detained. (7-1-24)

03. Visitor's Register. The detention center maintains a visitor's register in which the following will be recorded: (7-1-24)

a. Name of each visitor; (7-1-24)

b. Time and date of visit; (7-1-24)

c. Juvenile offender to be visited; and (7-1-24)

d. Relationship of visitor to juvenile offender and other pertinent information. (7-1-24)

04. Juvenile Detention Records. The detention center will 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 will contain, at a minimum, the following: (7-1-24)

a. Booking and intake records; (7-1-24)

b. Record of court appearances; (7-1-24)

c. Documentation of authority to hold; (7-1-24)

d. Probation officer or caseworker, if assigned; (7-1-24)

e. Itemized inventory forms for all clothing, property, money, and valuables taken from the juvenile offender; (7-1-24)

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; (7-1-24)

g. Documentation of education as outlined in PREA Standard Section 115.333; (7-1-24)

h. Rule infraction reports; (7-1-24)

i. Records of disciplinary actions; (7-1-24)

j. Grievances filed and their dispositions; (7-1-24)

k. Release records; (7-1-24)

l. Personal information and emergency contact information; (7-1-24)

m. Documentation of a completed intake medical screening; (7-1-24)

n. Visitor records; (7-1-24)

o. Incident reports; (7-1-24)

p. Photographs. (7-1-24)

05. Incident Reports. Any person involved in or witness to an incident will write an individual incident report. The incident report includes, at a minimum, who, what, when, where, why, how, and action taken. Incidents reports are written for situations including, but not limited to, the following: (7-1-24)

a. Any criminal act; (7-1-24)

b. Use of force; (7-1-24)

c. Use of restraints, except for transfer; (7-1-24)

d. Suicide or attempted suicide; (7-1-24)

e. Escape or attempted escape; (7-1-24)

f. Emergencies; (7-1-24)

g. Serious rule violations; (7-1-24)

h. Cross-gender searches; (7-1-24)

i. Body cavity searches; (7-1-24)

j. Seizure and disposition of contraband; and (7-1-24)

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. (7-1-24)

06. Incident Report Review. All incident reports are reviewed by the detention center administrator, or designee, and be maintained as part of the detention center records. (7-1-24)

252. MEDICAL INFORMATION.

01. Medical Files. The health authority will maintain medical records for each juvenile offender which are kept separate from other records. (7-1-24)

02. Access to Medical Files. The detention center administrator, in conjunction with the health authority, will establish procedures to determine access to medical files in accordance with privacy laws. (7-1-24)

253. -- 254. (RESERVED)

255. PROHIBITED CONTACT AND PRISON RAPE ELIMINATION ACT (PREA) COMPLIANCE.

01. Sexual Abuse of Juvenile Offenders. Juvenile detention centers shall be compliant with federal PREA Standards. (7-1-24)

256. SAFETY AND EMERGENCY PROCEDURES.

01. Emergency Plan. The detention center will have written policies and procedures that address safety plans for responding to emergency situations. (7-1-24)

02. Compliance with Fire Code. The detention center shall comply with local and state fire codes. A request for an annual inspection is made to the local fire marshal or authorized agency. The detention center maintains documentation of this inspection. (7-1-24)

257. DETENTION CENTER SECURITY.

01. Security and Control Policy. The detention center's policy and procedures manual contains all procedures for detention center security and control, with detailed instructions for implementing these procedures, and are reviewed at least annually and updated as needed. The manual is made available to all staff. (7-1-24)

02. Personal Observation. The detention center will have written policy and procedures that govern the observation of all juvenile offenders and will, at a minimum, require direct care staff to personally observe all juvenile offenders every thirty (30) minutes on an irregular schedule and the time of such checks is logged. More frequent checks should be made of juvenile offenders who are violent, suicidal, mentally ill, or who have other special problems or needs warranting closer observation. (7-1-24)

03. Cross-Gender Supervision. The detention center will have written policy and procedures governing supervision of female juvenile offenders by male employees and male juvenile offenders by female employees which is based on privacy needs and legal standards. Except in emergencies, detention center employees will not observe juvenile offenders of the opposite sex in shower areas. Reasonable accommodation of privacy needs will be observed. (7-1-24)

04. Head Counts. The detention center will have written policy and procedures which outline a system to physically count or account for all juvenile offenders, including juvenile offenders on work release, educational release, or other temporary leave status who may be absent from the detention center for certain periods of the day. At least three (3) documented counts will be conducted every twenty-four (24) hours. At least one (1) count will be conducted each shift with at least four (4) hours between each count. (7-1-24)

05. Camera Surveillance. Camera surveillance equipment will not be used in place of personal observation of juvenile offenders. (7-1-24)

258. PHYSICAL INTERVENTION.

01. Appropriate Use of Physical Intervention. The detention center will have written policy and procedures which govern the use of physical intervention (7-1-24)

a. The use of physical intervention will be restricted to the following situations, and then only to the degree necessary to restore order: (7-1-24)

i. Instances of justifiable self-protection; (7-1-24)

ii. The protection of others; (7-1-24)

iii. The protection of property; (7-1-24)

iv. The prevention of escapes; and (7-1-24)

v. The suppression of disorder. (7-1-24)

b. Physical intervention is not used as punishment. (7-1-24)

02. Use of Chemical Agents. The detention center will have written policy and procedures which govern the use of chemical agents, if approved for use in the detention center. (7-1-24)

a. The use of chemical agents is restricted to the following situations, and then only to the degree necessary to restore order: (7-1-24)

i. Instances of justifiable self-protection; (7-1-24)

ii. The protection of others; (7-1-24)

iii. The prevention of escapes; and (7-1-24)

iv. The suppression of disorder. (7-1-24)

b. Chemical agents will only be administered by an individual who has been certified in its use by a qualified instructor. (7-1-24)

c. Oleoresin Capsicum is the only chemical agent approved for use in juvenile detention centers. (7-1-24)

03. Use of Electroshock Devices. The use of electroshock devices is prohibited in juvenile detention centers unless used by law enforcement officers responding to a call for assistance initiated by detention staff. (7-1-24)

04. Use of Mechanical Restraints. The detention center will have written policy and procedures which govern the use of mechanical restraints, including notification of medical or mental health professionals. (7-1-24)

a. The use of restraints is restricted to: (7-1-24)

i. Instances of transfer; (7-1-24)

ii. Instances of justifiable self-protection; (7-1-24)

iii. The protection of others; (7-1-24)

iv. The protection of property; (7-1-24)

v. Medical reasons under the direction of medical staff; (7-1-24)

vi. The prevention of escapes; and (7-1-24)

vii. The suppression of disorder. (7-1-24)

b. Restraints will not be used as punishment or for the convenience of staff. (7-1-24)

c. Juvenile offenders in mechanical restraints are not left unattended except in documented exigent circumstances. (7-1-24)

d. Eliminate the use of restraints on known pregnant juveniles housed in secure juvenile detention and correction facilities, during labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist in accordance with Juvenile Justice and Delinquency Prevention Act Sec. 233. 34 U.S.C. 11133. (7-1-24)

259. PERIMETER SECURITY CHECKS AND SECURITY INSPECTIONS.

01. Perimeter Security Checks. The detention center will have written policy and procedures which govern the frequency and performing of perimeter security checks. (7-1-24)

02. Security Inspections. The detention center will have written policy and procedures that require timely notification to the detention center administrator, or designee, of any structural or security deficiencies. The detention center administrator shall promptly correct any identified problems. The facility maintains documentation of any corrective action. (7-1-24)

260. SEARCH AND SEIZURE.

01. Detention Center Search Plan. The detention center will 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. (7-1-24)

02. Personal Searches. The detention center will have written policy and procedures governing the personal searches of juvenile offenders, to include pat, strip, visual body cavity, and body cavity searches for the control of contraband and weapons and provides for unannounced and irregularly timed searches of juvenile offenders. Said policies and procedures include, at a minimum, requirements that: (7-1-24)

a. All searches be performed under sanitary conditions in a manner which protects the dignity of the juvenile to the greatest extent possible; (7-1-24)

b. All pat searches be performed by direct care personnel of the same sex as the juvenile, except under exigent circumstances; (7-1-24)

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 medical personnel; (7-1-24)

d. No person of the opposite sex of the juvenile, with the exception of medical personnel, will observe any unclothed search of the juvenile, including strip, visual body cavity, or body cavity searches; (7-1-24)

e. All body cavity searches are conducted only by medical personnel; (7-1-24)

f. An initial pat search is performed at the intake process prior to the removal of any mechanical restraints. A second pat search should be performed after the removal of any mechanical restraint; and (7-1-24)

g. Any search or physical examination of transgender or intersex residents for the sole purpose of determining genital status is prohibited. (7-1-24)

03. Documentation of Certain Searches. The detention center will have policy and procedures which govern the documentation of certain searches. Documentation is maintained in detention center records and in the juvenile offender's record, and include justification and any exigent circumstances concerning the search. Searches which must be documented include, but are not limited to; (7-1-24)

a. Any search performed by direct care personnel of the opposite sex as the juvenile; (7-1-24)

b. Any strip or visual body cavity search performed or observed by direct care personnel of the opposite sex of the juvenile; (7-1-24)

c. Any body cavity search observed by direct care personnel of the opposite sex of the juvenile; or (7-1-24)

d. Any strip, visual body cavity or body cavity search performed. (7-1-24)

04. Seizure and Disposition of Contraband. The detention center will 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 is seized and processed according to detention center policy, including involvement of law enforcement, if appropriate. The seizure and disposition of the contraband is documented. When a crime is suspected to have been committed within the detention center, all evidence is maintained and made available to the proper authorities. (7-1-24)

261. SECURITY DEVICES.

01. Key Control. The detention center will have policy and procedures in place to govern key and tool control. (7-1-24)

02. Security Devices. The detention center will have written policy and procedures that govern the use of security devices. Detention center employees use only security equipment on which they have been properly trained and is issued through, or authorized by, the detention center administrator. The facility maintains documentation of proper training. (7-1-24)

03. Weapons Locker. The detention center provides a weapons locker or similar arrangement at security perimeter entrances for the temporary storage of weapons belonging to law enforcement officers who enter the detention center. (7-1-24)

262. FOOD SERVICES.
The detention center will have written policy and procedures which govern food service. If food is not obtained through a food service contract from an outside source, the detention center's food service operation is supervised by a designated employee who has experience and/or training in meal preparation, menu planning, staff supervision, ordering procedures, health and safety policies, theft precautions, and inventory control. If food is obtained through a food service contract from an outside source, provisions are made to assure that the contractor complies with the applicable section of these rules. (7-1-24)

263. MEALS.

01. Providing Meals. The detention center will have written policy and procedures which govern the provision of meals. Three (3) meals, at least two (2) of which includes a hot entree, are served daily. (7-1-24)

a. Meals are served at approximately the same time every day. No more than fourteen (14) hours will elapse between the evening meal and breakfast the next day, unless an evening snack is served. If snacks are provided, up to sixteen (16) hours may elapse between the evening meal and breakfast. (7-1-24)

b. Juvenile offenders out of the detention center attending court hearings or other approved functions when meals are served have a meal provided upon their return, if they have not already eaten. (7-1-24)

c. If meals are provided to staff, the menu should be the same as provided to juvenile offenders. (7-1-24)

d. Medical personnel is notified when a juvenile offender does not eat three (3) consecutive meals. (7-1-24)

02. Withholding of Meals as Disciplinary Sanction Prohibited. The detention center will have written policy and procedures which dictate that meals are never withheld from juvenile offenders, nor the menu varied, as a disciplinary sanction. (7-1-24)

03. Control of Utensils. The detention center will have a control system for the issuance and return of all food preparation and eating utensils. (7-1-24)

264. SPECIAL DIETS.
The detention center will have written policy and procedures which govern special diets. (7-1-24)

01. Special Diets, Medical. Special diets prescribed by a physician are followed according to the orders of the treating physician or dentist. (7-1-24)

02. Special Diets, Religious. Provisions should be made for special diets when a juvenile offender's religious beliefs require adherence to particular dietary practices. (7-1-24)

265. DIETARY RECORDS.

01. Food Service Records. The detention center maintains an accurate record of all meals served to juvenile offenders, including special diets. All menus are planned, dated, and available for review at least one (1) week in advance. Notations are made of any changes in the menu. Menus are retained at least one (1) year after use. (7-1-24)

02. Review of Menus. Menus and records of meals served are reviewed on a regular basis at least annually by a licensed dietitian, physician or nutritionist to verify nutritional adequacy or will meet the current guidelines of the National School Lunch Program. The detention center maintains documentation of the dietitian's,

physician's or nutritionist's review and verification. Subsequent menus are promptly revised to eliminate any deficiencies noted. (7-1-24)

266. FOOD SERVICE SANITATION.

01. Written Policy and Procedures. The detention center will have written policy and procedures to govern food service sanitation. Food service and related sanitation practices comply with the requirements of the state health department or other appropriate regulatory body. The detention center's food service operation is inspected in the manner and frequency mandated by local health authorities. The detention center administrator will solicit at least an annual sanitation inspection by a qualified entity. The results of such inspections are documented and the detention center administrator takes prompt action to correct any identified problems. (7-1-24)

267. SANITATION AND HYGIENE.

01. Sanitation Inspections. Written policy and procedures provide that the detention center be maintained in a clean and healthful condition and that the detention center administrator, or designee, will conduct monthly sanitation and maintenance inspections of all areas of the detention center. (7-1-24)

02. Vermin Control. The detention center will have a plan for the control of vermin and pests which includes inspections and fumigations, as necessary, by a licensed pest control professional. (7-1-24)

03. Housekeeping Plan. The detention center will have a written housekeeping plan for all areas of the physical plant which provides for daily housekeeping and maintenance by assigning specific duties to juvenile offenders and staff. All work is assigned and supervised by detention center employees. No juvenile offender is allowed to assign work to other juvenile offenders. (7-1-24)

04. Maintenance and Repair. The detention center will have written policy and procedures to provide that all plumbing, lighting, heating and ventilation equipment, furnishings, and security hardware in juvenile offender living areas is kept in good working order. Any broken fixture, equipment, furnishings, or hardware is promptly repaired or replaced. Painted surfaces are not allowed to become scaled or deteriorated. (7-1-24)

05. Water Quality. The water will meet all current standards set by the applicable state and local authority as to bacteriological, chemical, and physical tests for purity. (7-1-24)

268. -- 269. (RESERVED)

270. PERSONAL HYGIENE.

01. Personal Hygiene Items. The detention center will have written policy and procedures which govern the provision of, without charge, the following articles necessary for maintaining proper personal hygiene: (7-1-24)

a. Soap; (7-1-24)

b. Toothbrush; (7-1-24)

c. Toothpaste; (7-1-24)

d. Comb or brush; (7-1-24)

e. Shaving equipment; (7-1-24)

f. Products for female hygiene needs; and (7-1-24)

g. Toilet paper. (7-1-24)

02. Removal of Personal Hygiene Items. The detention center will 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. (7-1-24)

03. Clothing and Linens. The detention center provides for the issue of clean clothing, bedding, linens, and towels to new juvenile offenders held overnight. At a minimum, the following is provided: (7-1-24)

a. A set of standard detention center clothing or uniform; (7-1-24)

b. A set of standard detention center bedding and linens; (7-1-24)

c. Fire-retardant mattress; (7-1-24)

d. Sufficient blankets to provide comfort under existing temperature conditions; and (7-1-24)

e. One (1) clean towel. (7-1-24)

04. Laundry Services. Laundry services is sufficient to allow required clothing, bedding, and towel exchanges for juvenile offenders. (7-1-24)

a. Clothing and towels used by the juvenile offender while in the detention center are laundered or exchanged at least twice each week. (7-1-24)

b. Linen is changed and laundered or exchanged at least once weekly or more often, as necessary. (7-1-24)

c. Blankets in use are laundered or exchanged at least monthly, or before re-issue to another juvenile offender. (7-1-24)

05. Clothing and Linen Supplies. The detention center inventory of clothing, bedding, linen, and towels will exceed the maximum population to ensure that a reserve is always available. (7-1-24)

271. HEALTH SERVICES.

01. Health Care. The detention center will have written policy and procedures to govern the delivery of reasonable medical, dental, and mental health services. These written policies and procedures address, at a minimum, but not limited to, the following: (7-1-24)

a. Intake medical screening is documented and performed on all juvenile offenders upon admission to the detention center. (7-1-24)

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 (7-1-24)

ii. The screening should also include observations of the physical condition, mental condition, and/or behavior. (7-1-24)

b. Handling of juvenile offenders' requests for medical treatment; (7-1-24)

c. Non-emergency medical services; (7-1-24)

d. Emergency medical and dental services; (7-1-24)

e. Use of a vehicle for emergency transport; (7-1-24)

f. Emergency on-call physician and dental services when the emergency health care facility is not

located nearby; (7-1-24)

g. The availability of first-aid supplies; (7-1-24)

h. Screening, referral, and care of juvenile offenders who may be suicide-prone, or experience physical, mental or emotional disabilities; (7-1-24)

i. Arrangements for providing close medical supervision of juvenile offenders with special medical or psychiatric problems; (7-1-24)

j. Delousing; (7-1-24)

k. Medical isolation, and proper examination of juvenile offenders suspected of having contagious or infectious diseases; (7-1-24)

l. Management of pharmaceuticals, including storage in a secure location; and (7-1-24)

m. Notification of next of kin or appropriate authorities in case of serious illness, injury or death. (7-1-24)

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 care needs are determined by the medical personnel, who have final responsibility for decisions related to medical judgments. (7-1-24)

03. Informed Consent. Permission to perform medical, surgical, dental or other remedial treatment should be obtained from a parent, spouse, guardian, court or custodian, as stated in Title 16, Chapter 16, Section 16-1627, Idaho Code. (7-1-24)

04. Health Appraisal. Juvenile offenders are provided a health appraisal by the medical personnel within fourteen (14) days of admission. (7-1-24)

272. -- 274. (RESERVED)

275. RULES AND DISCIPLINE.

01. Behavioral Management. The detention center will have written policy and procedures for maintaining discipline and regulating juvenile offenders' conduct. The following general principle apply: (7-1-24)

a. The conduct of juvenile offenders is regulated in a manner which encourages and supports appropriate behavior, with penalties for negative behavior; (7-1-24)

b. The detention center has 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; (7-1-24)

c. Disciplinary action is of a nature to regulate juvenile offenders' behavior within acceptable limits and is taken at such times and in such degrees, as necessary to accomplish this objective; (7-1-24)

d. The behavior of juvenile offenders is controlled in an impartial and consistent manner; (7-1-24)

e. Disciplinary action is not arbitrary, capricious, retaliatory, or vengeful; (7-1-24)

f. Corporal or unusual punishment is prohibited. Care is taken to ensure juvenile offenders are free 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; (7-1-24)

g. Juvenile offenders will not be subject to any situation in which juvenile offenders impose discipline on each other. (7-1-24)

02. Resolution of Rule Infractions. The detention center will have written policy and procedures to define and govern the resolution of rule infractions. (7-1-24)

03. Grievance Procedures. The detention center will have written policy and procedures for juvenile offenders which will identify grievable issues and define the grievance process. (7-1-24)

04. Criminal Law Violations. The detention center will 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. (7-1-24)

276. COMMUNICATION AND CORRESPONDENCE.

01. Mail, Visiting, Telephone. The detention center will have written policy and procedures that govern the practices of handling mail, visitation, use of the telephone, and any limitations or restriction on these privileges. Juvenile offenders will 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. (7-1-24)

02. Resident Access to Outside Support Services. The facility provides residents with access to outside victim advocates for emotional support services related to sexual abuse, as outlined by PREA Standard Section 115.353. (7-1-24)

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. (7-1-24)

04. Telephone Service. All juvenile offenders, except those restricted as a result of disciplinary action, are provided the opportunity to complete at least two (2) telephone calls weekly to maintain family and community ties. (7-1-24)

a. Telephone calls may be monitored and notification is provided to the juvenile. (7-1-24)

b. The detention center may require that any costs for telephone calls be borne by the juvenile offender or the party called. (7-1-24)

c. Written policy and procedures grant all juvenile offenders the right to make at least one (1) telephone call to family members, attorneys, or other approved individuals during the admissions process. (7-1-24)

d. Juveniles are allowed a reasonable number of telephone calls to their attorneys that: (7-1-24)

i. Are of reasonable duration; (7-1-24)

ii. Are not monitored; and (7-1-24)

iii. Are not revoked as a disciplinary measure. (7-1-24)

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. (7-1-24)

06. Search of Visitors. Written policy and procedures will specify that visitors register upon entry into the detention center and the circumstances under which visitors are searched and supervised during the visit. (7-1-24)

07. Confidential Visits. The detention center provides 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. (7-1-24)

08. Visitation. Attorneys, probation and parole officers, law enforcement, counselors, caseworkers, and clergy are permitted to visit juvenile offenders at reasonable hours other than during regularly scheduled visiting hours. (7-1-24)

a. Visits with attorneys, probation and parole officers, law enforcement, counselors, caseworkers, and clergy are not monitored, except that detention center employees may visually observe the visitation, as necessary to maintain appropriate levels of security. (7-1-24)

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. (7-1-24)

277. ADMISSION.

01. Orientation Materials. Written policy and procedures 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 makes good-faith efforts to ensure that the juvenile offender understands the material. (7-1-24)

02. Procedures for Admission. The detention center will have written policies and procedures for admission of juvenile offenders that address, but is not limited to, the following: (7-1-24)

a. Determination that the juvenile offender is lawfully detained in the detention center, in accordance with Title 20, Chapter 5, Section 20-516, Idaho Code; (7-1-24)

b. The classification of juvenile offenders in regard to sleeping, housing arrangements, and programming; (7-1-24)

c. Any juvenile offender showing signs of impairment should not be admitted to the detention center without documentation from medical personnel or a physician of examination, treatment, and fitness for confinement; (7-1-24)

d. A complete search of the juvenile offender and possessions; (7-1-24)

e. Pat searches are performed before mechanical restraints are removed at the admissions process. A second pat search should be performed after the removal of any mechanical restraint; (7-1-24)

f. The care and disposition of personal property; (7-1-24)

g. Provision of shower and the issuance of detention clothing and personal hygiene articles; (7-1-24)

h. The provision of medical, dental and mental health screening; (7-1-24)

i. Male and female juvenile offenders will not occupy the same sleeping room; (7-1-24)

j. The recording of basic personal data and information; (7-1-24)

k. Aiding juvenile offenders in notifying their families of their admission and the discussion of procedures for mail and visitation; (7-1-24)

l. The fingerprinting and photographing in accordance with Title 20, Chapter 5, Section 20-516(8), Idaho Code; and (7-1-24)

m. The administration of the MAYSI or other approved assessment tool. (7-1-24)

03. Court Appearance Within Twenty-Four Hours. Written policy and procedures ensure that, according to Title 20, Chapter 5, Section 20-516(4), Idaho Code, 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. (7-1-24)

04. Limitations of Detention. Written policy and procedures are in place to limit the use of detention in accordance with Title 20, Chapter 5, Section 20-516, Idaho Code. (7-1-24)

278. RELEASE.

01. Release of Offender. Written policy and procedures will govern the release of any juvenile offender and the release process including, but not limited to: (7-1-24)

a. Verification of juvenile offender's identity; (7-1-24)

b. Verification of release papers; (7-1-24)

c. Completion of release arrangements, including the person or agency to whom the juvenile offender is being released: (7-1-24)

d. Return of personal effects; and (7-1-24)

e. Completion of any pending action. (7-1-24)

02. Temporary Release. Written policy and procedures will govern escorted and unsecured day leaves into the community. (7-1-24)

03. Personal Property Complaints. Written policy and procedures will govern a process for handling complaints about personal property. (7-1-24)

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. (7-1-24)

279. PROGRAMS AND SERVICES AVAILABLE.

01. Programs and Services. The detention center will have written policy and procedures which govern what programs and services will be available to juvenile offenders. These programs and services include, at a minimum, the following: (7-1-24)

a. Access or referral to counseling; (7-1-24)

b. Religious services on a voluntary basis; (7-1-24)

c. One (1) hour per day, five (5) days per week of large muscle exercise; (7-1-24)

d. Passive recreational activities: (7-1-24)

e. Regular and systematic access to reading material: (7-1-24)

f. Work assignments; and (7-1-24)

g. Educational programs according to the promulgated rules of the Idaho State Department of Education. (7-1-24)

02. Records of Participation in Programs and Services. Records of participation in programs and services is recorded in daily shift log, juvenile offender's file, or program records. (7-1-24)

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 is documented. (7-1-24)

280. -- 284. (RESERVED)

285. DETENTION CENTER DESIGN, RENOVATION, AND CONSTRUCTION.

01. Applicability. All standards in this section, except where exceptions are stated, apply to new juvenile detention centers, renovation of existing juvenile detention centers, and renovation of any existing building for use as a juvenile detention center. In the case of a partial renovation of an existing detention center, it is intended that these rules should apply only to the part of the detention center being added or renovated. (7-1-24)

02. Code Compliance. In addition to these rules, all new construction and renovation will comply with the applicable ADA, building, safety, and health codes of the local authority and the applicable requirements of the State Fire Marshal, and state law. Standards herein which exceed those of the local authority will take precedence. (7-1-24)

03. Site Selection. Juvenile detention centers should be located to facilitate access to community resources and juvenile justice agencies. If the detention center is located on the grounds or in a building with any other correctional facility, it is constructed as a separate, self-contained unit in compliance with Title 20, Chapter 5, Section 20-518, Idaho Code. (7-1-24)

04. General Conditions. All newly constructed or renovated juvenile detention centers will conform to the following general conditions: (7-1-24)

a. Light levels in all housing areas are appropriate for the use and type of activities which occur. Night lighting will permit adequate illumination for supervision; (7-1-24)

b. All living areas will provide visual access to natural light; (7-1-24)

c. HVAC systems are designed to provide that temperatures in indoor living and work areas are appropriate to the summer and winter comfort zones, and healthful and comfortable living and working conditions exist in the detention center; (7-1-24)

d. All locks, detention hardware, fixtures, furnishings, and equipment have the proper security value for the areas in which they are used. The use of padlocks in place of security locks on sleeping room or housing unit doors is prohibited; (7-1-24)

e. Juvenile offenders' rights to privacy from unauthorized or degrading observation is protected without compromising the security and control of the detention center. Privacy screening for all toilet and shower areas which still allows adequate supervision of those areas should be incorporated into the design; (7-1-24)

f. The detention center has a perimeter which is secured in such a way that juvenile offenders remain within the perimeter and that access by the general public is denied without proper authorization; (7-1-24)

g. The security area of the detention center will have an audio communication system equipped with monitors in each sleeping room and temporary holding room designed to allow monitoring of activities and to allow juvenile offenders to communicate emergency needs to detention center employees. Closed-circuit television should primarily be used to verify the identity of persons where direct vision is not possible. Closed circuit television will not be used to routinely monitor the interior of sleeping rooms; and (7-1-24)

h. All newly constructed or renovated detention centers will provide an emergency source of power to supply electricity for entrance lighting, exit signs, circulation corridors, fire alarm, electrically operated locks and the heating and ventilation system. (7-1-24)

i. When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency will consider the effect of the design, acquisition, expansion, or

modification upon the agency's ability to protect residents from any harm including sexual abuse, as outlined by PREA Standard Section 115.318. (7-1-24)

05. Admission and Release Area. The detention center will have an intake and release area that is located within the security perimeter, but apart from other living and activity areas. (7-1-24)

a. Adequate space is allocated for, at least, but not limited to: (7-1-24)

i. Reception; (7-1-24)

ii. Booking; (7-1-24)

iii. Search; (7-1-24)

iv. Shower and clothing exchange; (7-1-24)

v. Medical screening; (7-1-24)

vi. Storage of juvenile offender's personal property and detention center clothing; (7-1-24)

vii. Telephone calls; (7-1-24)

viii. Interviews; and (7-1-24)

ix. Release screening and processing. (7-1-24)

b. If a detention center has temporary holding rooms, the rooms may be designed to detain juvenile offenders for up to eight (8) hours pending booking, court appearance, housing assignment, transfer, or release. Temporary holding rooms may be designed for multiple purposes and, at capacity, provide thirty-five (35) square feet of unencumbered floor space for each juvenile offender. (7-1-24)

c. Temporary holding rooms have access to a toilet and wash basin with hot and cold water. (7-1-24)

06. Single Occupancy Rooms. Single occupancy sleeping rooms or cells have a minimum of thirty-five (35) square feet of unencumbered space and are equipped with at least a bed above the floor. (7-1-24)

07. Multiple Occupancy Rooms. Multiple occupancy sleeping rooms or cells have at least thirty-five (35) square feet of unencumbered floor space per juvenile offender at the room's rated capacity and are equipped with at least a bed off the floor for each juvenile offender. (7-1-24)

08. Sanitation and Seating. All single or multiple occupancy sleeping rooms are equipped with or have twenty-four (24) hours per day access, without detention center staff assistance, to toilets, wash basins with hot and cold running water, and drinking water at the following ratios: (7-1-24)

a. One (1) shower and one (1) toilet for every eight (8) juvenile offenders or fraction thereof; (7-1-24)

b. One (1) wash basin with hot and cold water for every twelve (12) juvenile offenders or a fraction thereof; and (7-1-24)

c. Tables and seating sufficient for the maximum number expected to use the room at one (1) time. (7-1-24)

09. Day Room and Multi-Purpose Room. The detention center will have at least one (1) day room and multi-purpose room that provides a minimum of thirty-five (35) square feet of floor space per juvenile offender for the maximum number expected to use the room at one (1) time. (7-1-24)

10. Program Space. Adequate space is allocated for, but not limited to: (7-1-24)

a. Educational programs; (7-1-24)

b. Individual and group activities; (7-1-24)

c. Exercise and recreation, indoor and outdoor; (7-1-24)

d. Visitation; (7-1-24)

e. Confidential attorney and clergy interviews; and (7-1-24)

f. Counseling. (7-1-24)

11. Interview Space. A sufficient number of confidential interview areas to accommodate the projected demand of visits by attorneys, counselors, clergy, or other officials is provided. At least one (1) confidential interview area is required. (7-1-24)

12. Medical Service Space. Space is provided for routine medical examinations, emergency first-aid, emergency equipment storage, and secure medicine storage. (7-1-24)

13. Food Service. The kitchen or food service area will have sufficient space for food preparation, serving, disposal, and clean-up to serve the detention center at its projected capacity. The kitchen or food service area should be properly equipped and have adequate storage space for the quantity of food prepared and served. (7-1-24)

14. Laundry. Where laundry services are provided in-house, there will be sufficient space available for heavy duty or commercial type washers, dryers, soiled laundry storage, clean laundry storage, and laundry supply storage. (7-1-24)

15. Janitor's Closet. At least one (1) secure janitor's closet containing a mop sink and sufficient space for storage of cleaning supplies and equipment is provided within the secure perimeter of the detention center. (7-1-24)

16. Security Equipment Storage. A secure storage area is provided for all chemical agents, weapons, and security equipment. (7-1-24)

17. Administration Space. Adequate space is provided that includes, but is not limited to, administrative, security, professional and clerical staff, offices, conference rooms, storage rooms, a public lobby, and toilet facilities. (7-1-24)

18. Public Lobby. A public lobby or waiting area is provided that includes sufficient seating and toilets. Public access to security and administrative work areas will be restricted. All parts of the detention center that are accessible to the public will be accessible to, and usable by, persons with disabilities in compliance with ADA standards. (7-1-24)

286. -- 999. (RESERVED)