

Division of Criminal Justice Guidelines for Temporary Holding Facilities

Temporary holding facilities are not licensed by the Department of Human Services. The Division of Criminal Justice (DCJ) compiled the following as Guidelines for facilities wishing to hold juveniles for short periods of time (up to 72 hours) awaiting placement or a court hearing. DCJ is required by state law (24-33.5-503 C.R.S. Duties of Division) “to promulgate rules and regulations which set minimum standards for temporary holding facilities as defined in section 19-1-103(106) C.R.S.”

DCJ GUIDELINES FOR TEMPORARY HOLDING FACILITIES

PART I - ADMINISTRATION AND MANAGEMENT

100 GENERAL INFORMATION

- 101 There is a written statement that describes the philosophy, goals, or purposes of the facility.
- 102 The facility should have a policy manual that is made available to all staff and volunteers, and upon request, to others.
- 103 The facility should have an organizational chart that accurately reflects the structure of authority, responsibility and accountability within the facility.
- 104 The facility meets all the licensing requirements of the jurisdiction in which it is located.
- 105 The facility meets all the legal requirements of the governmental jurisdiction in which the facility is located.
- 106 If the facility is on the grounds of any other type of corrections facility it is a separate, self-contained unit.
- 107 Records are safeguarded from unauthorized and improper disclosure. All paper files are marked confidential and kept in locked files, and when any part of the information system is computerized, security ensures confidentiality.
- 108 All written policy and procedure will be reviewed at least annually by the governing authority and updated if necessary.

PART II - PHYSICAL PLANT

200 BUILDING CODES

- 201 The facility conforms to all applicable state and local building codes.

- 202 There is documentation by the authority having jurisdiction that the facility complies with the applicable fire safety codes as required by the local code.
- 203 The facility furnishings shall meet the yearly fire code inspection.

210 ENVIRONMENTAL CONDITIONS

- 211 The facility complies with applicable federal, state, and local sanitation, safety and health codes.
- 212 All housing areas provide for, at a minimum: lighting as determined by the tasks to be performed; access to one toilet above floor level which is available for use 24 hours a day; one wash basin and toilet for every five juveniles; hot and cold running water; showers accessible to juveniles; a heating and ventilation and acoustical system to ensure healthful and comfortable living and working conditions for juveniles and staff; access to drinking water; a bed at floor level; mattress; supply of bed linens; chair; locker space; and natural light.
- 213 A minimum of 70 square feet of floor space per juvenile are provided in the sleeping area.
- 214 The sleeping area provides some degree of privacy.
- 215 Written policy and procedures provide for the issue of suitable clean bedding and linens, to include two sheets, pillow, pillowcase, one mattress and sufficient blankets to provide comfort under existing temperature controls.
- 216 Written policy and procedures ensure that personal hygiene articles are provided.

PART III - INSTITUTIONAL OPERATIONS

300 SECURITY AND CONTROL

- 301 Written policy and procedures provide that instruments of restraint are never applied as punishment, and are applied only with the approval of the facility administrator or designee.
- 302 Written policy and procedures limit the use of physical force to instances of self-protection, protection of the juvenile or others, prevention of property damage, prevention of escapes or running away and in accordance with appropriate statutory authority. A written incident report is to be prepared following all uses of force and submitted to the facility administrator.
- 303 Written policy and procedures provide that juveniles are not subjected to corporal or unusual punishment, humiliation, mental abuse or punitive interference with the daily functions of living.
- 304 A juvenile may be placed on restriction status for failing to comply with the rules and regulations of the facility.

- 305 During room restriction, the juvenile shall have constant staff supervision.
- 306 Written policy and procedures preclude the use or withholding of food as a disciplinary measure.

310 SAFETY AND EMERGENCY PROCEDURES

- 311 Written policy and procedures specify the means for prompt release of juveniles in case of emergency, including a posted evacuation plan.
- 312 If smoking is permitted, the facility shall be equipped with noncombustible receptacles for smoking materials.
- 313 Written policy and procedures provide that transportation is available for use in emergencies.

PART IV - FACILITY SERVICES

400 HEALTH CARE

- 401 The facility's administration is to ensure the availability of 24-hour emergency medical and dental care.
- 402 At least one staff member present on each shift of the residential facility is to be trained in emergency procedures, including first aid and CPR.
- 403 The facility should have available, at all times, first aid equipment approved by a recognized health authority.
- 404 Written policy and procedures provides for the prompt notification of the juvenile's next of kin in the event of serious illness, injury, need for hospitalization or death.
- 405 Under no circumstances is a stimulant, tranquilizer or psychotropic drug to be administered to any juvenile for purposes of program management or control, or for purposes of experimentation and research.
- 406 Written policy and procedures provide for special diets as prescribed by appropriate medical or dental personnel.

410 SANITATION

- 411 Written policy and procedures provide for vermin control, and trash and garbage removal.
- 412 There is to be a written housekeeping plan for the facility's physical plant to assure that it is clean and safe.

- 413 Written policy and procedures provide for the holding facility to be inspected prior to occupancy to ensure the sanitation and safety of all internal and external areas and equipment.
- 414 Food services shall comply with all sanitation and health codes enacted by state or local authorities.
- 415 All foods brought into the facility are to be properly stored at all times.

PART V - JUVENILE SERVICES

500 RECEPTION AND ORIENTATION

- 501 Written facility policy and procedures prohibits the confinement of any juvenile in the facility unless it is clearly shown that secure or staff secure placement is essential and then only until transport to an appropriate facility can be arranged.
- 502 No youth will be accepted for holding if the youth requires detoxification from alcohol, opiates, barbiturates and similar drugs unless accompanied by a medical release.
- 503 All youth shall be accompanied by a screening form, custody report or court order.
- 504 The youth is entitled to an initial telephone call at the time of admission.
- 505 Upon admission, the youth's personal property, which is held for them, shall be recorded.
- 506 Written policy and procedures provide for the following; manual or instrument inspection of body cavities is conducted only when there is reason to do so and when authorized by the facility administrator. Strip searches may be done without specific authorization only upon entry to the facility and while the arresting authority is present. All other times are based upon articulable suspicion. Strip searches must be conducted by members of the same sex.
- 507 Youth may wear their personal clothing.

510 JUVENILE PROGRAMMING

- 511 There is a visiting area that allows for some degree of privacy during visits.
- 512 Visitation is to be done during visiting hours or by appointment only.
- 513 Juveniles are to be provided activities and services at least 14 hours a day of which no more than four hours will be watching television or playing video games.
- 514 Written policy and procedures grant juveniles daily access to recreational opportunities and equipment, including indoor exercise.
- 515 Written policy and procedures provide for each juvenile to shower daily.

- 516 Written policy and procedures require that at least three meals, of which two are hot meals, are provided at regular times during each 24 hour period, with no more than 14 hours between the evening meal and breakfast.

520 JUVENILE HOUSING

- 521 Written policy and procedures provide that male and female juveniles do not occupy the same sleeping rooms, and will be supervised by a member of the same sex.
- 522 Protection requirements for the separation of adult and juvenile offenders shall be met.
- 523 Under no circumstances will adult offenders or trustees work with the youths or be allowed in the youth facility.

530 JUVENILE RIGHTS

- 531 Juveniles are not required to participate in uncompensated work assignments unless the work is related to housekeeping, maintenance of the facility or grounds, or personal hygiene needs.
- 532 Written policy and procedures ensure the right of juveniles to have access to the courts and legal counsel.
- 533 Written policy and procedures exist to assist juveniles in making confidential contact with attorneys and their authorized representatives; such contact includes telephone communication, uncensored correspondence and visits.
- 534 Written policy and procedures provide that juvenile letters, both incoming and outgoing, are not read, except where there is clear evidence to justify such actions; if correspondence is read, the youth is informed in advance and is present when the letter is opened.

