

**CHAPTER 63G-2**  
**SECURE DETENTION SERVICES**

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**63G-2.013 Purpose and Scope.**

This rule establishes the standards and requirements for the provision of secure detention services for juveniles in centers operated by the Department of Juvenile Justice (DJJ). These rules do not govern the operation of non-DJJ centers such as those run by county sheriff offices.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9) FS. History—New 8-9-15.*

**63G-2.014 Definitions.**

For the purpose of this chapter, the following words shall have the meanings indicated:

- (1) Activity Schedule – The calendar of events regulating the youth’s daily routine in a secure detention facility.
- (2) Admission – The process of placing a youth in secure detention status in the Juvenile Justice Information System (JJIS). In addition, the act of physically placing a youth in a secure detention facility.
- (3) Admission Officer – The officer performing the admission of a youth to secure detention.
- (4) Assistant Superintendent – The person second in command responsible for the operation of a designated juvenile detention center.
- (5) Attempted Escape – An action toward the commission of the criminal offense of escape. An attempted escape in a physically secure facility means the youth did not breach the facility’s perimeter fence, or during transport the youth remained within the supervision of staff.
- (6) Behavior Management System – A system designed to promote positive behavior through the giving or taking of rewards or privileges based on youth behavior.
- (7) Behavioral Confinement – Placement of a youth in a secure room during volatile situations in which a youth’s sudden or unforeseen onset of behavior imminently and substantially threatens the physical safety of others or himself.
- (8) Capacity – The maximum number of youths the facility is capable of housing safely and securely.
- (9) Cavity Search – A search of the youth involving physical examination of the body cavities (i.e., the mouth, ears, nose, anus and vagina) by trained medical personnel in a hospital setting.
- (10) Census Counts – Process used to physically count each youth in the facility to ensure the number of youths in the facility is consistent with the number of youths the data system indicates are in the facility.
- (11) Central Communications Center (CCC) – A 24-hour per day, 7-day per week system to which incidents occurring at state or contract operated facilities or programs are reported.
- (12) Classification – The identification and placement of youths in facility housing and programming based upon a classification matrix.
- (13) Close Supervision – The observation by a staff member assigned to monitor a youth at intervals not to exceed five minutes

throughout the youth's stay in his/her room and/or sleeping area. Visual checks must be made of the youth's condition (i.e., outward appearance, behavior, and position in the room) at intervals not to exceed five minutes.

(14) Codes – Colors and/or numbers that are used as standard communication codes to ensure fast, accurate, and universal communication in detention facilities.

(15) Constant Supervision – The continuous and uninterrupted observation of a youth by a staff member who has a clear and unobstructed view of the youth and unobstructed sound monitoring of the youth at all times. Constant supervision shall not be accomplished through video/audio surveillance. Video/audio surveillance shall be used only to supplement physical observation by staff.

(16) Continuity of Operations Plan (COOP) – A plan that provides for the continuity of mission essential functions of a juvenile detention center in the event an emergency prevents occupancy of its primary physical plant or facility.

(17) Contraband – Those items or materials which, either by their original design, or through alterations made to them, could be used to compromise the safety and security of the facility (illegal items, sharps, escape paraphernalia, drugs, devices, unauthorized food or beverages, metals, cell phones, keys or any item deemed unsafe, or a threat to facility security).

(18) Corporal Punishment – Physical punishment applied to the body of a youth, e.g., whipping, spanking. Corporal punishment is prohibited.

(19) Corrective Action Plan (CAP) – A plan that addresses the correction and/or tracking of issues affecting facility operations and staffing.

(20) Cost of Care Recovery – Fees ordered by the court for the care, support and maintenance of the youth while detained in a state-operated facility.

(21) Department – The Florida Department of Juvenile Justice.

(22) Designated Health Authority (DHA) – The DHA shall be a physician (MD) who holds an active, unrestricted license pursuant to chapter 458, F.S., or an osteopathic Physician (DO) who holds an active, unrestricted license under chapter 459, F.S., and meets all requirements for practice in the State of Florida. The Physician must be either Board Certified in Pediatrics, Family Practice or Internal Medicine (with experience in adolescent health) or Board-Eligible and have prior experience in treating the primary health care needs of adolescents. A Psychiatrist who holds an unrestricted license under chapter 458 or 459, F.S., may serve as the DHA of a facility that provides specialized mental health services, as long as the Psychiatrist has current experience in medically treating the physical health care needs of adolescents. The DHA shall be either a state employed or contract Physician accountable for ensuring the delivery of administrative, managerial and medical oversight of the facility health care system. Corporate physicians, who do not perform clinical/administrative duties on-site, shall not be the Designated Health Authority. The DHA shall ultimately be responsible for the provision of necessary and appropriate health care to youth in the care of a detention center.

(23) Designated Mental Health Clinician Authority – A Licensed Mental Health Professional who, through employment or contract, is responsible for ensuring appropriate coordination and implementation of mental health and substance abuse services in a departmental facility.

(24) Detention Screener – The individual who completes the detention screening and ensures proper paperwork is present to correctly screen a youth for detention.

(25) Disaster Plan – A plan that addresses a detention facility's response to potential disaster or emergency situations.

(26) Disturbance – Any situation resulting in the loss of control of youth in a facility or program that necessitates calling in local law enforcement, other outside sources, and "all available staff" to assist in quelling the disturbance and getting the facility back under control regardless of whether there are any resulting injuries.

(27) Documentation – The act or instance of supplying electronically or manually prepared material, references, or records.

(28) Escape – Any incident involving a youth who leaves the grounds or fenced boundaries of a secure detention facility while not in the custody of staff or who is detained in such a place and leaves the custody of facility staff when outside the facility, must be reported as an escape regardless of the length or duration of the departure.

(29) Facility Management System (FMS) – The computer based system used by state-operated juvenile detention centers as the primary source of documentation and reporting for facility operations. Forms and reports generated by FMS are considered to be both the official and original documentation.

(30) Facility Operating Procedures (FOP's) – Detailed procedures that operationalize and implement rules 63G-2.013-.026, F.A.C., within a specific facility.

(31) Florida Child Abuse Hotline – Serves as the central reporting center for allegations of abuse, neglect, and/or exploitation for all children and vulnerable adults in Florida. The Hotline Number is 1(800)96-ABUSE.

(32) Frisk Search – A physical search of the person involving the passing of hands over the person’s outer clothing.

(33) Grievance – A written complaint by a youth in a secure juvenile detention center.

(34) Grievance Procedure – A process for addressing youths’ grievances in secure detention centers.

(35) Group Punishment – The punishment of a group of youths for the behavior of a few.

(36) Inactive Files – File material resulting from a youth’s previous detention placement.

(37) Incident Reporting – An occurrence or situation that requires notification to the CCC, Administration, Florida Child Abuse Hotline, or Law Enforcement.

(38) Individual Healthcare Record – The permanent departmental file containing the unified cumulative hard-copy collection of clinical records, histories, assessments, treatments, diagnostic tests which relate to a youth’s medical, mental health, substance abuse, developmental disability, behavioral health and dental health, which have been obtained to facilitate care or document care provided while the youth is in a detention center.

(39) Juvenile Justice Detention Officer (JJDO) – An Officer responsible for the direct supervision of the youth in secure detention.

(40) Juvenile Justice Detention Officer Supervisor (JJDOS) – An Officer responsible for the direct supervision of other JJDO officers in the performance of their duties.

(41) Juvenile Justice Information System (JJIS) – The Department’s electronic information system used to gather and store information on youths having contact with the Department.

(42) Juvenile Probation Officer (JPO) – An Officer that serves as the primary case manager for the purposes of managing, coordinating and monitoring the services provided and sanctions required for youths on probation, post-commitment probation or conditional release supervision. In this chapter, whenever a reference is made to the tasks and duties of a JPO, it shall also apply to case management staff of a provider agency contracted to perform these duties and tasks.

(43) Learning Management System (LMS) – System used for the delivery of online learning courses and the tracking and management of computer-based and instructor-led training.

(44) Legal Guardian – A person lawfully invested with the power, and charged with the obligation, of taking care of and managing the property and rights of a person who, because of age, understanding, or self-control is considered incapable of administering his or her own affairs.

(45) Level 1 Vocational Programs – These programs are pre-vocational and shall include provision of counseling or instruction contributing to personal accountability skills and behaviors appropriate for youth in all age groups and ability levels that lead to work habits with youth competencies.

(46) Logbook – A written format for communication and record keeping in a secure detention facility.

(47) Master Control – A centralized location within a detention facility where all operational functions are monitored and observed. It is the central security focal point in the facility for both communication and tracking of youth movement.

(48) Module/Mod – A living unit inside a secure detention facility designed for housing youth.

(49) Mechanical Restraints – This includes restraint devices such as metal handcuffs, leg cuffs, waist chains and zip ties.

(50) Medical Confinement – The placement of a youth in a secure room to allow youth to rest and recover from illness and/or prevents the spread of a communicable illness (i.e. flu, H1N1 virus, etc.). The use of medical confinement is not intended as punishment or discipline and is ordered by the DHA.

(51) One-to-One Supervision – The supervision of one youth by one staff member who must remain within five feet of the youth at all times. The staff member must maintain constant visual and sound monitoring of the youth.

(52) Precautionary Observation – A suicide precaution method that provides for the constant supervision of a suicide risk youth in designated observation areas of the facility that are safe and secure.

(53) Property Custodian – Superintendent or designee responsible for oversight of the youth’s property.

(54) Protective Action Response (PAR) – The Department-approved verbal and physical intervention techniques and the application of mechanical restraints used in accordance with chapter 63H-1, F.A.C.

(55) Quality Improvement System (QI) – The process authorized by section 985.632, F.S., governing the assessment of a program’s operation, management, governance, and service delivery based on established standards.

(56) Regional Director – The Department employee responsible for the supervision of the Superintendents of the state-operated

juvenile detention centers in a specified region. This person also provides direct oversight and technical assistance to all secure detention facilities in a specified region.

(57) Release – The removal of a youth from detention status.

(58) Secure Detention – A physically restrictive facility for the housing of youth pending adjudication, disposition, placement or by court order.

(59) Security Devices – Devices, both mechanical and electrical, that enhance security in the facility.

(60) Sexual Misconduct – Any act of sexual abuse and/or sexual harassment.

(61) Special Needs Supervision – Any youth admitted who is age 9 years or younger or a youth that has an emotional handicap, a physical handicap, or has developmental delays is placed on Special Needs Supervision. The supervision requires one staff to one youth supervision at all times.

(62) Standard Supervision – The required visual observations of the youth's condition (i.e., outward appearance, behavior, and position in the room) while in his or her room at intervals not to exceed ten minutes.

(63) Strip Search – A visual check of a youth without clothing. A strip search shall be conducted in a private area with two staff members present, both of the same sex as the youth being searched.

(64) Suicide Precautions – Use of Precautionary Observation or Secure Observation for supervising, observing, monitoring and housing youth who have been identified as a potential suicide risk. Suicide Precautions require that specific action be taken within a DJJ facility or program to protect a youth considered at risk of suicide or potential self injury.

(65) Suicide Prevention Tool – A tool utilized in DJJ facilities to cut the youth free from material used in a suicide attempt.

(66) Superintendent – The Department employee responsible for the operation of a designated juvenile detention center.

(67) Supervision – The direct care, custody, and control of youths while in detention status.

(68) Youth – Any youth ordered into secure detention status.

(69) Work Order System – Documentation of efforts made to address preventative and corrective maintenance needs.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9) FS. History—New 8-9-15.*

### **63G-2.015 Facility Management.**

(1) Accountability: The Superintendent or designee is responsible for ensuring compliance with all applicable laws, rules, regulations, policies and procedures related to the operation of a secure detention facility and to the proper care, custody, and control of detained youths.

(a) Background and drug screening shall be conducted on all potential staff and volunteers in compliance with the requirements set forth in section 985.644, F.S.

(b) Facility Operating Procedures shall be maintained at each detention center.

(2) Detention Reviews.

(a) In order to ensure proper management of youths placed in secure detention and to ensure appropriate sharing of information, the Superintendent or designee shall conduct a weekly Detention Review staffing to discuss each youth listed on the census for secure and non-secure detention and electronic monitoring.

(b) Part of the staffing should address court orders. The Superintendent shall assign the responsibility for reviewing court orders to a staff member. Questionable court orders, those orders that appear to contradict Florida Statutes, shall be forwarded to circuit or regional staff according to department and regional policy.

(3) Staff Meetings: Staff meetings will be used to coordinate efforts, supervise work, solve problems, assign responsibility and delegate authority.

(a) Supervisors shall meet with their subordinate staff daily, prior to the beginning of their respective shifts.

(b) A record of each meeting shall be retained and copies of the minutes of each meeting shall be available to all staff.

(4) Interagency and Community Relations.

(a) The facility shall meet with or make contact quarterly with representatives of agencies involved in the juvenile justice continuum, including:

1. The juvenile court(s),
2. The State Attorney's Office,
3. The Public Defender's Office,
4. Local law enforcement agencies,

5. School system,

6. Contracted programs/agencies; and,

(b) The Superintendent shall seek interagency input in the development of goals and objectives.

(c) Any tours of the facility shall be approved by the Regional Director. Juveniles touring the facility are prohibited from entering the secure area of a detention center.

*Rulemaking Authority 985.644, 985.601(9)(b) FS. Law Implemented 985.601(9) FS. History—New 8-9-15.*

### **63G-2.016 Maintenance.**

(1) The Department shall follow sanitary standards for juvenile detention facilities as set forth by the Department of Health.

(2) The Superintendent is responsible for ensuring the physical plant and all equipment is in proper repair and fully functional. Any repair(s) that cannot be completed shall be documented and reported to the regional office.

(a) All staff shall report physical safety features in need of repair or maintenance. If a condition exists that constitutes a safety hazard, it shall be reported to the Superintendent or designee as soon as possible.

(b) Each detention facility shall maintain maintenance schedules and a work order system.

(c) The Superintendent or designee shall ensure that systems or programs, contracted or otherwise, are in place to address facility needs related to the maintenance, repair, replacement and continual evaluation of equipment.

(3) The Superintendent or designee shall ensure all tools and equipment are properly cared for, stored and inventoried.

(a) Inspections of tool control areas shall be conducted and documented monthly.

(b) Perpetual inventories of all tools shall be maintained.

(c) An inventory of all other maintenance equipment shall be maintained.

(d) Youths are forbidden to use or access any tools, kitchen or medical equipment. Youths may use cleaning items such as mops, brooms, and buckets and other common household items under direct staff supervision.

(e) Kitchen knives and other hazardous kitchen sharps shall be stored in a locked cabinet, drawer or toolbox that contains an inventory list and shall be accounted for daily.

(4) The facility, including the attached buildings and grounds, shall be clean, landscaped and well maintained. Furnishings shall be kept in good repair. Staff shall utilize a FMS maintenance work order system or other approved work order systems to identify damage or situations in need of repair.

(5) The Superintendent is responsible for the implementation of a safety plan addressing proper use, storage, inventory, access, and disposal of toxic, caustic, flammable and poisonous items.

(a) Youths shall not be permitted to use, handle, or clean-up dangerous or hazardous chemicals or respond to chemical spills. Youths shall not be permitted to clean, handle, or dispose of any other person's bio-hazardous material, bodily fluids or human waste.

(b) The Superintendent is responsible for the development of a site-specific plan addressing exposure to blood borne pathogens.

(c) The disposal of bio-hazardous waste is the responsibility of the medical services provider.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9)(b)1.-3. FS. History—New 8-9-15.*

### **63G-2.017 Staffing.**

(1) Facility Organization: The Superintendent or designee shall maintain an organizational chart of the center's personnel structure.

(2) Staff Schedules.

(a) Staffing patterns will ensure that the safety, well-being and appropriate supervision of youths are addressed at all times.

(b) The on-site person in charge of a detention center shall be the rank of JJDOS or above.

1. Should events or circumstances beyond the control of management dictate the need to temporarily place a person of lesser rank than a JJDOS in charge of a detention center, the Superintendent and/or Assistant Superintendent shall be notified immediately. In addition, the Regional Director shall be notified.

2. A diligent effort shall be made to relieve the lesser ranked staff as soon as administrative staff can be located to provide replacement.

(3) Critical Posts.

(a) Critical posts are defined as those areas which should have staff present twenty-four hours a day, seven days a week, for safe

and secure facility operations.

(b) The following six areas have been identified as critical posts:

1. Supervision of Youth (facility modules),
2. Master Control,
3. Admissions/Releases,
4. Transportation,
5. Security (e.g., rover, runner, etc.); and,
6. Supervision of Staff (Supervisors on duty).

(c) The number of staff assigned to any one of these critical posts will depend on a variety of factors, including, but not limited to: number of beds, average daily population, number of admissions/releases, number of counties served, transportation requirements and court schedules.

(4) Double On.

(a) Staff identified on the officer schedule as responsible for performing “double-on” duty (working two consecutive shifts) shall be prepared to perform this duty at the direction of the JJDOS. Supervisors shall make all reasonable attempts to minimize the use of “double-on,” but shall never do so at the expense of youth safety and security.

(b) In instances where officers are required to work two consecutive shifts, administrators shall make an effort to allow the officers sixteen consecutive hours off prior to returning to work.

(5) Training Requirements.

(a) The Superintendent or designee is responsible for all facility training.

(b) Drills are used in an effort to ensure the safety and security of all youths and employees.

1. Continuity Of Operations Planning (COOP) Drills – Shall be conducted, at minimum, twice a year, with one drill being completed prior to the hurricane season.

2. Escape Drills – Shall be conducted on a quarterly basis.

3. Fire Drills – Shall be conducted monthly, on each shift.

4. Medical Drills – Shall be conducted quarterly, on each shift.

5. Suicide Prevention Mock Drills – Shall be conducted quarterly, on each shift.

(6) Interns and Volunteers:

(a) The Superintendent or designee shall maintain a file on all interns and volunteers. The file shall include, at a minimum, the approved background screening paperwork, the Superintendent’s review of the paperwork and documentation of training.

(b) An officer shall maintain supervision of youths during all intern or volunteer sponsored activities.

(7) Non-facility staff in secure areas.

(a) Visiting personnel conducting official business shall display proper identification.

(b) The Superintendent, or designee, shall designate what area non-staff persons may access.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9) FS. History–New 8-9-15.*

### **63G-2.018 Documentation/Management Systems.**

(1) All documents, including information entered into JJIS and/or FMS, represent official records. Failure to document required information, falsification of information, or failure to properly retain written documents may result in disciplinary action up to and including dismissal.

(2) The Superintendent is responsible for ensuring all appropriate information is entered into the Department’s Juvenile Justice Information System (JJIS) and/or Facility Management System (FMS). The information in these systems is used to provide necessary information about the youth and the facility.

(3) Logbooks.

(a) Detention facilities shall use, at a minimum, a logbook in Master Control, one for each living area, and one for visitors.

(b) At a minimum, living area logbooks shall document date and time of an event or activity, names of staff and youths involved, a brief description of the event, initials of the person making the entry and the date and time of the entry.

(c) At a minimum, the Master Control logbook shall document emergency situations and incidents, drills, receipt of medical and mental health alerts, required population counts, youth group movement, admissions and releases, presence of law enforcement personnel who are not employees, youths placed in or released from confinement, and youths placed on or released from

precautionary/secure observation.

(d) The Superintendent or designee shall review all logbooks at least weekly. The review of the documentation must be highlighted.

(e) The supervisor(s) shall review the Master Control logbook when accepting responsibility for the facility and review the living area logbooks daily.

(f) The JJDO shall review the logbook entries from the previous shift when accepting responsibility for the living area.

(g) Each logbook review shall be documented in the logbook and shall designate the name and position of the reviewer and the date and time the review was completed.

(4) Youth files shall be labeled Confidential and be maintained securely.

(5) Reports related to facility operations fall into two categories: internal and external reports.

(a) Internal reports refer to reports that are utilized regularly by officers and other facility staff in the day-to-day operation of the facility. Internal reports include, but are not limited to, the following:

1. Shift reports,
2. Incident reports,
3. Confinement reports,
4. PAR reports,
5. Fire/Safety/Housekeeping and Security Inspections,
6. Mod and common area contraband inspections; and,
7. Perimeter searches.

(b) External reports refer to reports that are forwarded from the facility to outside entities as required by the Legislature, the Department or other governmental agencies. External reports include, but are not limited to:

1. Reporting of incidents to the Central Communications Center,
2. National School Lunch meal reports, if applicable; and,
3. Reports to the Florida Child Abuse Hotline, pursuant to chapter 39, F.S.

(6) Monitoring and Assessment.

(a) The Superintendent and facility management team shall monitor daily and overall operations. The Superintendent, Assistant Superintendent, or the person in charge of the facility shall tour the youths' living areas at least once during each shift and shall document the visit in the area's logbook.

(b) The Superintendent or member of the administrative team has the responsibility of preparing quarterly reports analyzing facility operations. The quarterly reports shall include:

1. Results of various inspections.
2. Review, investigation and follow-up actions of incidents impacting the safety and security of daily operations.
3. Population trends.
4. Report on conditions of confinement for youth.
5. Officer morale and compliance with policies and procedures.
6. Other issues as identified by the Superintendent.

(c) The quarterly reports shall be reviewed by the Superintendent and shall be forwarded with comments and/or corrective actions to the Regional Office by the 10th day of the month following the quarter's end.

(d) Action items and issues identified in Quality Improvement (QI) Reviews, management reviews, security audits, regional inspections or those items deemed necessary by the Regional Director or designee may result in a corrective action plan.

(e) Closed Circuit Television (CCTV) surveillance equipment in detention facilities assists in the supervision of youths. Strategically placed surveillance cameras help to monitor the safety and security of youths and officers. Surveillance cameras will not be used, however, as a substitute for direct officer supervision. A priority will be placed on the repair/replacement of any defective surveillance camera. Superintendents, or their designee, must review a minimum of one hour of random CCTV video per week. CCTV video must also be reviewed for Protective Action Response (PAR) actions and incidents, as necessary.

(7) The Superintendent shall submit all reports as required by the state and/or regional management.

(8) The Superintendent or designee shall ensure that all mandatory reports are completed and submitted by contracted providers, to include but not limited to, mental health, psychiatric, and medical services.

### **63G-2.019 Security.**

#### (1) Security Audits.

(a) In order to maintain appropriate security within the facility, ongoing reviews and audits of security systems, devices, and procedures must be conducted. The Superintendent shall ensure security audits are conducted and documented on a quarterly basis.

(b) Audit results shall be submitted to the Regional Director within ten business days of completion of the audit.

#### (2) Security Devices.

(a) Employees and contracted staff shall ensure:

1. All doors are closed and locked when not in use to include, but not limited to, closets, offices, laundry, classrooms, and storage rooms.

2. All occupied and unoccupied cell room doors are closed and locked at all times.

3. No door shall be propped open unless approved by the Superintendent or designee for documented extenuating circumstances. Documentation of the permission to have the door(s) propped open shall be in the logbook.

4. Cell doors are opened and secured individually except during a facility emergency.

5. Personal cell phones are prohibited in the secure area of a detention center without the written authorization of the Superintendent or designee.

(b) Facility staff shall ensure the provision of a clean, safe and secure physical environment that is in proper repair with all security equipment fully functional and operable.

(3) Master Control – Master Control is responsible for maintaining chronological documentation of all activity within the facility.

#### (4) Communications.

(a) The Superintendent shall require that officers and Supervisors, upon reporting to duty, are briefed by the outgoing JJDOS or designee on each shift.

(b) All officers assigned to the direct supervision of a group of youths shall be issued radios to be used to communicate with other officers, Supervisors and Master Control as needed. Facility administration shall be assigned radios compatible with those issued to staff.

(c) Radio 10 codes shall be utilized for standard radio communications.

(d) Color codes, via radio communications and/or intercom announcements, shall be utilized to announce certain emergencies to officers and other facility personnel. The communication of a color code shall include the location where the incident is occurring.

(5) Key Control: The Superintendent shall outline a system of key control that addresses assignment, tracking, storage and disposal or replacement of lost or damaged keys, including keys to the program's vehicles. Emergency key rings shall be maintained separately in a secure location designated by the Superintendent. These keys shall be notched or otherwise identifiable by touch and shall provide egress through facility exterior doors providing access to evacuation areas.

(a) Employees who are issued keys shall receive key control training prior to receiving facility keys and shall carry the assigned keys on their person at all times when in the facility.

(b) Youths are not allowed to handle or use facility keys.

#### (6) Youth Movement.

(a) Officers shall remain alert while they interact with youths.

(b) Officers must be aware of the location and movement of all youths assigned to their supervision at all times.

(c) All youths shall be in sight of at least one JJDO at all times (with the exception of sleeping hours or time secured in rooms).

(d) Officers are prohibited from leaving their area of responsibility without being properly relieved by a co-worker and obtaining approval from the Supervisor.

(e) When a youth leaves the group or program area of the facility for any reason, all officers assigned to supervise the youth must be informed.

(f) Master Control authorizes all movement of youths prior to the actual movement. No movement shall occur until Master Control gives clearance and authorizes the movement.

(g) When moving youths from one area of the facility to another, officers shall:

1. Stop all group activities prior to the scheduled move to allow time to prepare the group to move.

2. Count all youths before leaving the area, around corners, and upon arrival at the destination.

3. Be positioned so that visual sight of all youths is maintained throughout the move.



4. Never allow any youth to trail behind an officer.

5. Move youths in a straight line along one side.

(7) Visual Observation Report (VOR).

(a) When a youth is confined to a room, whether for sleeping or other reasons, officers shall conduct visual observations to ensure safety and security.

(b) Visual observations shall be documented to include the time of the observation and the initials/identification of the officer completing the observation. Electronic documentation is acceptable for facilities using electronic cell check systems, however, pre-printed times are prohibited.

(c) There shall be no obstructions (clothing, memos, pictures, etc.) over windows and areas where staff are likely to be in the presence of youths and direct line of sight is needed.

(d) If an officer, in the course of completing observations, is unable to see any part of a youth's body, the officer shall, with the assistance of another officer, open the door to verify the youth's presence.

(e) Levels of youth supervision – All youth are screened at admission and during their detention stay for medical, mental health and substance abuse needs. Based on this screening, youth are placed on one of four levels of supervision. These levels include:

1. Standard Supervision.

2. Close Supervision.

3. Constant Supervision.

4. One-to-One Supervision.

(8) Alerts – In order to ensure the safety and well-being of youth, Superintendents shall be responsible for ensuring that JJIS Alerts are reviewed, responded to appropriately, and documented.

(9) Counts.

(a) Officers must know the exact number and location of all youths under their supervision at all times. Census counts of youths shall be taken, called into Master Control, and documented, at a minimum:

1. At the beginning and end of each shift.

2. Following any emergency to include: power outages, evacuation due to emergency drills, and any code called. In the event a code is called in any location outside the main walls of a facility, it is critical that all youth counts are reconciled prior to the movement of any group of youths.

3. Prior to and following routine group movement.

4. Anytime a population change occurs.

5. Randomly, at least once on each shift.

(b) There shall be no youth movement during counts until Master Control confirms the counts, reconciles the count and authorizes facility activity to resume.

(c) At the discretion of the Superintendent or designee, visitors may be asked to exit the secure area of the facility during shift change or to cease any non-essential movement.

(10) Staff Positioning – Officers will position themselves strategically in the mod, during movement, in the classroom and other areas of the facility or during transportation so as to have optimum sight and sound supervision.

(11) Searches.

(a) The Superintendent shall ensure that the primary function of any search is to locate contraband and to identify any item or situation that may be hazardous or otherwise compromise safety or security.

(b) All searches, and the result of each search, shall be documented in the designated logs, in FMS or a manual logbook used for these recordings, and on the shift report.

(c) Any item or situation which may compromise safety or security shall be reported immediately to the JJDOS.

(d) Law enforcement shall be contacted if any item found would be considered illegal as defined in Florida Statute, or if there is evidence of any type of unlawful activity.

(e) Frisk, Strip and Other Physical Searches.

1. Electronic searches of youths shall be conducted during admission and following any transport.

2. An officer of the same sex as the youth being searched shall conduct a frisk search.

3. Frisk searches shall be conducted: during admission; following activities outside the secure area of the facility; following visitation with a person(s) from outside of the facility (visitation, attorney, clergy, etc.); prior to and after transportation; or if there is

a reasonable suspicion that a youth is harboring contraband. Based upon youth behavior, a frisk search will be conducted prior to being placed in behavioral confinement.

4. A strip search is a visual check of a youth without clothing. A strip search shall be conducted in a private area with two staff members present, both of the same sex as the youth being searched. If two staff of the same sex as the youth are not available, one staff of the same sex as the youth may conduct the strip search while a staff of the opposite sex is positioned to observe the staff person conducting the search, but cannot view the youth.

5. Strip searches shall be conducted during admission or if there is a reasonable suspicion a youth is harboring contraband.

6. Staff shall prepare the youth prior to the initial frisk search or any strip search by explaining the purpose and procedure of the search, while assuring the youth of his or her safety. Throughout the search, staff shall avoid using unnecessary force and shall treat the youth with dignity and respect to minimize the youth's stress and embarrassment.

7. Staff shall not search or physically examine a transgender or intersex youth for the sole purpose of determining the youth's genital status. If the youth's genital status is unknown, it may be determined during conversation with the youth, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.

8. Cavity searches shall be approved by the Superintendent or designee when it is strongly suspected that a youth has concealed contraband in a body cavity. Trained medical personnel must conduct a cavity search in a hospital setting. Detention staff are not authorized to conduct a cavity search.

(f) The following shall be documented in FMS when applicable:

1. Room searches shall be conducted during the first two shifts (morning and afternoon) or if there is a reasonable suspicion that a youth is harboring contraband in a room.

2. Recreation field searches shall be conducted prior to any outdoor activity.

3. Perimeter, outside the fence line, and parking lot(s) searches shall be conducted once during each shift.

(12) Contraband – The facility must have procedures in place to dispose of contraband.

(13) Criminal Gangs.

(a) Each facility shall identify a staff person to serve as a gang representative.

(b) Facility staff shall share pertinent gang-related information, as appropriate, with the Florida Department of Law Enforcement, local law enforcement, Department of Corrections, school districts, the judiciary, and social service agencies, as well as with a youth's JPO.

(c) Consequences for youths who participate in any criminal gang activity or any other gang related activity not specifically defined in statute shall be consistent with the behavior management program.

(14) Disturbances.

(a) Disturbances must be reported to the CCC according to the requirements of chapter 63F-11, F.S. The Superintendent or designee shall be responsible for the notification of the Regional Director.

(b) A Code is to be called any time an officer determines that there is a potential threat to the safety of officers, youths, or property.

(15) Hostages: Each facility must have a plan in place to address hostage situations that must include, in the event a hostage situation occurs, the following procedures:

(a) If hostages are involved in an escape or other situation, staff should do nothing that shall, in any way, endanger the safety of the hostages.

(b) The nearest officer shall notify Master Control of the hostage situation, giving the location and number of youth involved.

(c) Master Control shall contact 9-1-1. If the incident occurs outside the facility, the officers involved will also contact 9-1-1 and Master Control.

(d) The shift supervisor shall immediately notify the Superintendent or designee of a hostage situation.

(e) If directed by administration, staff shall attempt to verbally intervene using calming non-confrontational language. The Superintendent or his representative shall notify the Detention Regional Director.

(f) All youth not involved in the situation shall be moved to the nearest secure area. The area in which the hostage has been taken shall be secured until the situation has been resolved.

(g) If at all possible, the situation should be stalled until a trained law enforcement negotiator arrives.

(h) The CCC shall be contacted according to the reporting guidelines.

(16) Capacity/Overcrowding.

(a) Each Facility shall develop an overcrowding contingency plan.

(b) The plan shall address:

1. The maximum number of youths the facility is capable of housing safely and securely. If the number of youths in a facility is such that the amount is greater than 125 percent of the designated bed capacity, the facility shall be considered overcrowded.

2. Actions to be taken when the facility reaches the identified maximum capacity shall include requesting release of youths through the Court and transferring youths to other facilities if space is available and if deemed to be in the best interest of safety and security.

(17) Firearm and Weapon Control.

(a) The Superintendent shall ensure the following:

1. Firearms and weapons as defined in chapter 790, F.S., shall not be in the possession of any facility employee while on facility property or during the performance of their job.

2. Firearms and weapons may only be brought into the secure area of any detention facility by law enforcement when emergency conditions exist.

(b) The possession of any firearm or weapon by a youth is a criminal act. Such items shall be seized if there is no immediate danger posed and law enforcement must be contacted.

(18) Emergencies – Officers and other facility staff shall be trained and prepared to address emergency situations. Any facility staff member shall call 9-1-1 if it is believed that any youth or staff requires emergency care. If 911 services are requested, Master Control shall be notified of the request as soon as possible to assist arriving emergency personnel in getting to the proper location.

(19) Escape Attempts and Escape.

(a) If an escape attempt occurs:

1. Staff shall immediately alert other officers by announcing a Code Green and the location over the radio.

2. Master Control shall communicate Code Green to all other staff and specify the location. All non-essential radio transmissions shall cease.

3. All available officers shall respond and provide assistance in maintaining control of the group or apprehending the youth attempting to escape.

4. All movement in the facility shall cease. Youth counts shall be conducted.

5. All youth shall be returned to their mods upon authorization from the shift supervisor and clearance from Master Control. Youth may be placed in lockdown status at the discretion of the supervisor.

6. In the event this movement cannot occur for security reasons, all youth are to be instructed to sit down at their current location.

7. The supervisor shall determine when it is appropriate to resume the daily schedule.

8. Any attempt by staff at apprehending the escaping youth should be done only if the remaining youth are under the direct supervision of another officer. If this procedure is not followed, it is quite possible that an escape involving one youth could develop into a situation in which a number of youth escape.

9. If staff can physically intervene in stopping the youth from escaping, he/she should do so by securing the youth. If the youth resists, the officer shall use the DJJ approved Protective Action Response techniques to control the youth.

10. Local law enforcement shall be contacted and advised of the attempted escape.

11. Following an attempted escape, the facility's administration shall review all aspects of the attempted escape, and submit a corrective action plan to the Regional Director for review and approval.

12. The attempted escape shall be documented in the logbook as identified in Facility Operating Procedures and a detailed incident report shall be completed.

(a) Should a youth successfully escape, staff shall comply with the actions described above as well as the following actions:

1. Local law enforcement shall be contacted immediately and advised of the escape. The reporter is to provide as much information about the youth as possible (height, weight, hair color, eye color, scars, tattoos, clothing description, potential destinations, etc.). A photograph may be provided to law enforcement for identification purposes.

2. The facility Superintendent shall be notified of the escape attempt at the earliest possible time. If the escape occurs at a time when facility administration is not on duty, the shift supervisor shall be responsible for contacting (either by cellular telephone or home telephone) the on-call administrator.

(b) The following shall be notified within two (2) hours of the escape:

1. Central Communications Center,
2. Chief Probation Officer of the circuit,
3. Parent/guardian,
4. State Attorney, who shall make every effort to notify the victim, material witnesses, parent(s) or guardian(s) of a minor who is a victim or witness, or immediate relatives of a homicide victim of the escapee; and,
5. The court having jurisdiction over the youth.

(c) The bedding and clothing of the escaped youth shall be confiscated and made available to law enforcement.

(d) The escape shall be documented in the logbook as identified in Facility Operating Procedures and a detailed incident report shall be completed.

(e) Upon apprehension, the State Attorney and Judge, parents, Juvenile Probation Officer, Chief Probation Officer, law enforcement shall be notified of the youth's return to the facility.

(f) All staff shall be trained in escape prevention annually. The facility shall conduct and document quarterly mock escape drills.

(20) Vehicles.

(a) Vehicle searches shall be conducted prior to and after the transportation of any youths.

(b) All vehicles shall be inspected and the inspection documented prior to each use. If, during vehicle safety and security inspection, any item is found or suspected to be out of compliance, and no other vehicle is available, the officer must have the transportation coordinator or the JJDOS' approval prior to transport.

(c) The transporting officer(s) shall inspect and document the inspection of the inside of vehicle prior to the transport to ensure that the vehicle is safe and that no contraband is present. The officer shall inspect each seat, underneath and between the cushions, air vent, around the security cages, and the floor areas. If any contraband is found, the officer shall turn it over to the JJDOS and write an incident report documenting the find and circumstances. After completion of the search, the vehicle shall be locked to prevent the possible introduction of contraband.

(d) General Vehicle Guidelines.

1. Fifteen-passenger vans can transport no more than thirteen youths at any one time.
2. Each vehicle is to include at least two transporters, one of which must be gender appropriate.
3. Youths and staff are not permitted to smoke or use any tobacco products.
4. Transporters are not permitted to play radios, taped music, or any other electronic devices while youths are in the vehicle.
5. Cell phone usage (calls and texting) for personal reasons is prohibited.
6. All persons riding in state vehicles or personal vehicles while on state business shall use seat belts.
7. Transporters must observe all traffic laws.
8. If a youth in custody attempts to escape, one (1) staff shall remain to control the other youths and call for assistance. The second staff shall pursue the escapee. Extra caution shall be used as to not pursue the escapee into oncoming traffic.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9)(b)1., 4. FS. History—New 8-9-15.*

### **63G-2.020 Admissions, Orientation and Releases.**

(1) The admission process shall address the following:

(a) Review of required paperwork from law enforcement and screening staff prior to initiating the admission process.

1. No youth presented to be securely detained shall be accepted for detention if in need of emergency medical care, require mental health crisis intervention or are under the influence of, or withdrawing from, any intoxicant.

2. If a youth in crisis is mistakenly accepted for admission into secure detention, the JJDOS shall make the necessary arrangements for the youth to see the facility's medical or mental health staff or shall ensure the youth is transported to a hospital emergency room or Baker Act facility.

(b) Inactive files shall be reviewed, if available, to obtain useful information.

(c) The youth shall be electronically searched, frisk searched and strip searched.

(d) All body piercings on youths shall be removed at admission. The medical staff will follow-up with the youth to assess the need for treatment of any related infections.

(e) The youth shall be allowed to place a telephone call to the parent or guardian at the facility's expense or the youth's refusal to make a call shall be documented. The youth shall not be allowed to telephone the victim(s) unless it is a relative who is the victim

of the domestic violence and the admission officer verifies that the victim is willing to talk with the youth.

(f) If the admission process is completed two hours or more before the serving of the next scheduled meal, the youth shall be offered something to eat.

(g) The youth shall be screened to identify medical, mental health, and substance abuse needs. Any indication requiring services shall be documented, and appropriate referrals and services provided. Information obtained during the screening that could affect the youth's status (example: admission of sexual assault on others) shall also be transmitted to the shift supervisor and the youth's Juvenile Probation Officer (JPO) for further investigation. The detention facility shall use an alert system within JJIS to identify a youth with special needs. Current prescription medications shall be documented in the JJIS alert system. Staff shall provide the required level of supervision to those youths that appear in the alert system to ensure their special needs are met.

(h) Classification of Youths. The Superintendent shall establish a classification system that promotes safety and security, as well as effective delivery of treatment services, based on determination of each youth's individual needs and risk factors that addresses, at a minimum, the following:

1. Physical characteristics, including sex, height, weight, and general physical stature,
2. Age and maturity level,
3. Identified special needs, including mental, developmental or intellectual, and physical disabilities,
4. History of violence,
5. Gang or human trafficking affiliations,
6. Criminal behavior,
7. Sexual aggression or vulnerability to victimization; and,
8. Identified or suspected risk factors, such as medical, suicide, and escape or security risks. Any youth classified as a suicide risk shall be placed on Suicide Precaution.

(i) Lesbian, gay, bisexual, transgender, or intersex youth shall not be placed in particular housing, bed, or other assignments solely on the basis of such identification or status. Placement shall be considered on a case-by-case basis whether the placement will ensure the youth's health and safety, and whether the placement would present management or security problems.

(j) A photograph of the youth shall be taken and maintained in the youth's file and uploaded into JJIS.

(2) Property:

- (a) The Superintendent shall ensure that a drop safe for the initial storage of youths' valuables shall be under video surveillance.
- (b) The Superintendent shall ensure that all locations for the storage of youth property are secure.
- (c) The Superintendent shall ensure that staff will not receive or have personal use of any youth's property or money, unclaimed or otherwise.

(d) The Superintendent or designee shall notify the CCC and file an incident report when a youth's personal property valued \$50.00 or more is alleged to have been stolen or any U.S. currency belonging to a youth is alleged to be lost or stolen.

(e) In the presence of each detained youth, the admission officer shall inventory all personal property in the youth's possession and record each item surrendered to the admission officer into JJIS.

(f) All money and personal items of value shall be verified and secured in a clear tamper-proof property bag. The description of these items on a property receipt form shall include that the item described is "in the safe."

(g) Information on the clear tamper-proof property bag shall include, at a minimum, the date, the youth's name, the youth's JJIS identification number, a listing of the items in the bag, the youth's signature, and the signature of the person who placed the items in the property bag and sealed it.

(h) In the event a youth refuses to sign a property receipt form, the officer performing the admission shall notify a supervisor and that JJDOS shall document the youth's refusal on the form.

(i) After the youth has signed a property receipt form and the clear tamper-proof property bag, the bag shall be placed in the drop safe. This action shall be recorded in the drop safe bound logbook to include the date, time, youth's name, youth's JJIS identification number, printed name of the officer who secured the property and the officer's initials.

(j) The admission officer shall have the youth sign a letter of acknowledgement in which the youth acknowledges that unclaimed personal property is deemed abandoned and subject to disposal. Unclaimed personal property is property in the possession of the facility for more than thirty (30) days after the legal guardian has been notified to either retrieve, or make arrangements to retrieve, the property. This notification is sent to the legal guardian if the property is not taken by the youth at the time of his or her release, or is not retrieved by the legal guardian within seven calendar days of the youth being committed to high

or maximum risk.

(k) Other personal property, including the youth's clothing, shall be placed in an assigned locker/bag as documented on a property receipt form. This form is then placed in the youth's active file.

(l) Upon the youth's release from detention and retrieval of personal property, the releasing officer, the youth, and the youth's legal guardian shall review and sign the property receipt form and account for all of the youth's personal property.

(m) In the event a youth and/or the youth's legal guardian refuses to sign a property receipt form, the releasing officer shall notify the JJDOS who shall document the refusal on the form.

(n) A copy of a signed property receipt form, which acknowledges the return of youth's personal property, shall be placed in the youth's file.

(3) Orientation:

(a) The admission officer shall orient each youth by clearly communicating to the youth the rules of the center and expectations of behavior. Orientation shall include, at a minimum, the following:

1. Facility rules and regulations,
2. Grievance procedures,
3. Visitation,
4. Telephone calls,
5. Available medical, mental health and substance abuse services and how to access them,
6. How to access the Florida Child Abuse Hotline,
7. Expectations for behavior and related consequences,
8. Possible new law violations for destruction of property; and,
9. Youths rights.
10. PREA-related information.

a. During intake, all youth will be provided with information on the agency's zero-tolerance policy regarding sexual misconduct, including how to report incidents or suspicions of sexual misconduct.

b. Special accommodations shall be made to ensure all written information about sexual misconduct policies, including how to report sexual misconduct, is conveyed verbally to youth with limited reading skills, youth who are limited English proficient, or who are visually impaired, deaf, or otherwise disabled.

c. Within ten days of intake, the facility staff shall provide comprehensive education to youth (either in-person or via video) regarding their rights to be free from sexual misconduct, their rights to be free from retaliation for reporting such misconduct, and the agency's sexual misconduct response policies and procedures. Refresher information will be readily available to all youth at all facilities. The facility will retain documentation of youth participation in said education in the youth's file.

d. Information regarding the Department's policy on zero-tolerance of sexual misconduct will be posted and visible to all youth at all facilities at a minimum via posters and brochures.

e. Youth shall have access to Department approved outside victim advocates, for emotional support services related to sexual misconduct. The facility shall post, provide, or otherwise make accessible mailing address and telephone numbers (including hotline numbers) of local, state, or national victim advocacy or rape crisis organizations. Communications with such organizations shall be available in as confidential a manner as possible.

(b) Orientation shall occur within twenty-four hours of a youth being admitted into the facility and documented accordingly.

(4) Living Area/Room Assignments:

(a) Youths shall be assigned to a room based on classification.

(b) Youths shall be reclassified if changes in behavior or status are observed.

(c) Youths with a history of committing sexual offenses, or of being a victim of a sexual offense, shall not be placed in a room with any other youth.

(d) Youths with a history of violent behavior shall be assigned to rooms where it is least likely that they will be able to jeopardize safety or security.

(5) Transfers:

(a) Youths may be transferred into a detention center from either another detention center or from a residential commitment program. If a youth is scheduled to be at a detention center for less than eight hours, the youth shall not be entered into the general population and no admission paperwork shall be required. Only the following admission process is necessary for these youth:

1. The youth shall be screened to determine if there are any mental health, substance abuse, or physical health needs, and referrals and services will be provided as necessary.

2. The youth shall be electronically searched, frisk searched, and strip searched. All personal property shall be searched, inventoried and securely stored.

(b) Transfer youth that will be in the detention for more than eight hours will go through the full admission process.

(6) Releases:

(a) All releases must be court ordered with the exception of death, escape or expiration of the detention time period as noted on the court order.

(b) The following documents are required:

1. Court order, or

2. In the absence of a written court order, documentation (by an officer of the Court or a Juvenile Probation Officer) of a Verbal Order in open court shall be used to confirm the release.

3. Prior to the youth's release, the JPO shall provide documentation as to whom the youth is to be released. In the absence of this documentation, the Superintendent or designee shall determine if the person to whom the youth may be released is a parent, guardian or responsible adult.

(c) Each facility must have procedures in place that address youth release.

1. To ensure accuracy, the on-duty shift supervisor shall review all paperwork related to a release prior to the youth's release from secure detention.

2. The shift supervisor is responsible for ensuring there are no "holds," court orders, or other legal reasons not to release the youth.

3. The releasing officer shall verify the identification of the youth.

4. The person to whom the youth is to be released shall present photo identification, which shall be photocopied and placed in the youth's file.

5. Upon the youth's release from detention and retrieval of personal property, the releasing officer, the youth, and the youth's legal guardian shall review and sign a property receipt form and account for all of the youth's personal property.

6. Prescription drugs shall be given to the person to whom the youth is being released, with an appropriately signed receipt. The signed receipt shall be placed in the youth's Individual Health Care Record (IHCR).

7. Both the youth and the person taking custody shall be advised of the following:

a. Any future court dates.

b. Any other issues related to the youth's health or welfare including needs related to medical care, mental health or substance abuse, including pending appointments.

8. The required parties shall sign all applicable release forms.

9. The releasing officer shall complete all release paperwork including the input of required data into the JJIS within one hour of release.

(d) Each facility must have procedures in place to address the negligent release of a youth.

(e) Should a parent/legal guardian refuse to take custody of a youth being released from detention, creating a lockout situation, the local agreement protocols between the Department and the Department of Children and Families (DCF) shall be enacted. The youth's Juvenile Probation Officer and the Detention Regional Director shall be notified immediately.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9)(a) History--New 8-9-15.*

### **63G-2.021 Officer Conduct and Professionalism.**

(1) Officer Professionalism/Code of Conduct:

(a) When interacting with youths, officers shall maintain professional behavior and relationships.

(b) Officers shall not verbally abuse, demean or otherwise humiliate any youth, and shall not use profanity in the performance of their job.

(c) Physical abuse of youths is prohibited by law and any suspicion or knowledge of such must be reported to both the Florida Child Abuse Hotline and the CCC. If a youth is at least 18 years old and not disabled, physical abuse is to be reported to the CCC only, but the youth should be given the opportunity to file a police report. If a youth is at least 18 years old and has a disability, both the Florida Child Abuse Hotline and CCC must be notified.

(d) Officers shall not engage in or allow verbal or physical “horseplay” with and/or between any youths.

(e) Officers shall not enter the occupied sleeping quarters or confinement rooms of a youth unless accompanied by an officer of the same sex as the youth. In an emergency situation, such as medical crisis or a situation that would jeopardize the immediate safety or security of a youth, officers of the opposite sex as the youth are authorized to enter the youth’s room to provide emergency care after the officer has requested assistance. Single officer cell entry is permitted to save lives.

(f) Officers shall not have any physical contact with any youth except in the necessary application of Protective Action Response (PAR) techniques or other emergency response measures.

(g) Officers shall not engage in personal relationships nor discuss any personal information relating to themselves or other officers with any youth.

(h) Officers shall not have any contact with detention youth who have been released from the facility.

(i) If a youth is a relative or family friend of an officer, or otherwise has regular contact with the officer, it is the responsibility of the officer to immediately report such to the supervisor on duty.

(j) Officers shall maintain the confidentiality afforded to all youths, and shall not release any information to the general public or the news media about any youth in detention or who has been in the custody of the Department.

(2) Uniforms – All designated detention staff shall wear uniforms as required.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9)(b)1. FS. History–New 8-9-15.*

### **63G-2.022 Behavior Management and Disciplinary Treatment.**

(1) Principles – The use of an established behavior management system promotes safety, respect, fairness and protection of rights within the facility.

(2) Behavior Management:

(a) The behavioral norms and expectations shall be explained to all youths during the admission process, during orientation, and will be posted in all living areas and shall clearly specify what are appropriate and inappropriate behaviors.

(b) Each facility shall implement a behavior management system that includes:

1. Fair and consistent consequences,
2. A three level system for rewarding positive behavior,
3. A process for youth to move up or down the level system; and,
4. An internal procedure for the tracking of youth on the behavior management system.

(c) Group punishment shall not be used as a part of the facility’s behavior management plan. However, corrective action taken with a group of youths is appropriate when the behavior of a group jeopardizes safety or security. This should not be confused with group punishment.

(d) Corporal punishment shall not be used on any youth. All allegations of corporal punishment of any youth by facility staff shall be reported to the Florida Child Abuse Hotline and the CCC.

(e) The use of drugs to control the behavior of youths is prohibited. This does not preclude the proper administration of medication as prescribed by a licensed physician.

(f) At no time shall a youth be allowed to exercise control over or provide discipline or care of any type to another youth.

(3) Mechanical Restraints:

(a) Mechanical restraints may be used as a method of controlling youth who present a threat to safety and security within the facility. The shift supervisor shall be notified of the need for or application of mechanical restraints as identified in the Protective Action Response Training Curriculum.

(b) Whenever mechanical restraints are used, a report shall be completed and submitted for review. The only exception to this requirement is when mechanical restraints are used to transport youths outside the secure area of the facility.

(c) Mechanical restraints shall be used when transporting youths outside the secure area of the facility.

(d) Mechanical restraints shall not be used as a means of discipline.

(4) Confinement:

(a) Confinement may not be used to harass, embarrass, demean or otherwise abuse a youth. The use of confinement shall be monitored by the Superintendent or designee.

(b) The time limit for placement of a youth in confinement is no more than eight hours unless the superintendent or his or her designee grants an extension because release of the youth would imminently threaten his or her safety or the safety of others.



- (c) Youth shall be advised of their right to grieve a confinement placement.
  - (d) The Superintendent or designee shall notify the Regional Director daily of all open confinements.
  - (e) The Regional Director or designee must review and grant any confinement extended beyond 24 hours; and, if granted, must notify the Assistant Secretary or designee.
  - (f) An incident report, including a confinement report, shall be submitted as soon as possible, but no later than one hour of the youth's confinement to the JJDOS by the JJDO making the confinement placement.
  - (g) A confinement report shall be reviewed by the JJDOS as soon as possible, but no later than two hours of the youth's confinement. The review shall include documentation of the allegations and the youth's opportunity to grieve (appeal) the confinement placement. The JJDOS shall evaluate and document the youth's status, at a minimum, every three hours to determine if the continued confinement of the youth is required.
  - (h) No youth shall be held in confinement beyond 72 hours without a confinement hearing. The Regional Director, with approval from the Assistant Secretary for Detention Services, shall designate an employee of the Department who holds a management or supervisory position to conduct the hearing. Notification of the need for a confinement hearing must be made to the Regional Director and the Assistant Secretary.
  - (i) The Superintendent or designee shall review the report within forty-eight hours of the end of the confinement, excluding weekends and holidays.
- (5) Grievances:
- (a) Youths may submit a written grievance if they feel their rights have been violated or they have been treated unfairly.
  - (b) The JJDOS will review the grievance by the end of the shift with action taken within twenty-four hours.
  - (c) The youth may appeal the outcome of the grievance to the Superintendent or designee.
  - (d) Any grievance involving physical safety will be brought to the attention of the Superintendent, or designee, for immediate resolution and may be called in to the CCC if reporting requirements are met.
  - (e) Grievances do not replace the responsibility of reporting abuse. If the grievance is an allegation of abuse, it must be reported to the Florida Child Abuse Hotline and the CCC, and shall be handled pursuant to such guidelines.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9)(b)8. FS. History—New 8-9-15.*

### **63G-2.023 Youth Activities.**

- (1) Daily Activities.
  - (a) Youths are expected to participate in all activities unless exempted due to medical or disciplinary reasons.
  - (b) JJDOs shall supervise all activities and shall maintain safety and security.
- (2) Activity Schedules.
  - (a) The Superintendent or designee shall develop a daily schedule clearly outlining the days and times for every youth activity.
  - (b) Daily activity schedules shall be posted in all living areas.
  - (c) JJDOSs shall adhere to the daily activity schedules. The on-duty Supervisor must approve any significant changes in the activity schedule (e.g., cancellations, extended delays, etc.), and shall document the rationale for the changes on the shift report.
  - (d) The placement of all youths in their rooms for a period exceeding two hours is defined as a lockdown. This excludes the placement of all youths in their rooms for sleeping purposes or a situation prompted by inclement weather. The Superintendent and/or Assistant Superintendent shall be notified immediately should a lockdown occur. In addition, the Regional Director shall be notified.
- (3) Gender-Specific programming: Detention facilities shall provide gender-specific programming and strategies for at-risk girls and boys, including those related to physical and mental abuse, high risk sexual behavior, mental health and substance abuse issues and gang activity.
- (4) Restorative Justice: Detention facilities shall provide services that reflect and promote restorative justice programming and strategies. Programming will enhance accountability, community safety and competency development in the restorative justice model.
- (5) Life and Social Skills: Detention facilities shall provide interventions or instruction that focus on developing life and social skill competencies in youths. Life and social skills are those skills that help youths function more responsibly and successfully in everyday life situations, including skills that specifically address interpersonal relationships. Non-clinical staff may implement life and social skills interventions or instruction except when the instructional materials are specifically designed for use by clinical staff.

(6) Education: All youth will receive educational services and instruction while detained.

(7) Recreation and Physical Activities.

(a) Youths shall be afforded at least one hour daily of large muscle exercise outdoors. Outdoor exercises may be canceled, postponed or moved indoors at the discretion of the JJDOS for reasons related to weather, safety or security but such actions shall be documented.

(b) Activities such as free weights, softball, baseball, tackle football and horseshoes are prohibited activities due to safety and security concerns.

(c) Officers shall not participate in any physical activity with youths, but may direct or otherwise instruct youths in an activity.

(d) Exercises shall be consistent with the youths' physical capabilities.

(e) Exercises shall not be used for punitive reasons nor to demean, embarrass or humiliate a youth.

(8) Indoor Activities.

(a) Indoor activities shall promote educational, problem solving and/or life skills.

(b) The Superintendent shall oversee the conditions, content, and supervision necessary for the use of books and other leisure reading materials, television programming, videos, movies, and games in the program. Except for academic classroom materials approved by educational personnel, the Superintendent or designee shall screen or preview the content of books and other reading materials, television programming, videos, movies, and games to prevent youth's access to content that promotes violence, criminal activity, sexual activity, or abuse.

(c) All movies shall be rated G or PG and be previously approved by the Superintendent or designee. All PG 13 movies must be approved by the Assistant Secretary for Detention Services.

(d) Indoor activities shall be canceled or postponed at the discretion of the on-duty Supervisor for reasons related to safety or security. Such actions shall be documented.

(e) The JJDOS shall ensure that television/videos are used either for educational purposes or as part of the facility's behavior management system. Television programs and videos shall be content appropriate and should not promote violence, criminal activity, or sexual/abusive situations.

(f) Youth access to the internet shall be limited to educational purposes only and must be under direct supervision by staff.

(9) Visitation.

(a) At a minimum, visitation shall be scheduled two (2) days per week (one shall be a weekend day) and shall be clearly posted in the lobby area of the facility.

(b) Visitation is an important component of a youth's stay in detention and is to be encouraged and supported by detention staff. Parents, grandparents, legal guardians and children of youth who are in secure detention are approved visitors. Special visits may be approved by contacting the facility Superintendent. The Juvenile Probation Officer may be consulted regarding special visitation.

(c) Legal counsel, probation, law enforcement, clergy and other professionals may visit outside of regularly established visitation times as necessary, and are subject to any requirements regarding signing-in and out.

(d) All visitors are subject to electronic search. Visitors shall not bring personal items (e.g., keys, purses, packages) into the secure area. The introduction of unauthorized items into a detention facility is a third-degree felony, and posted visitation rules shall include this information.

(e) Visitors must sign-in and sign-out.

1. Parents will only sign the youth JJIS printed visitation sheet.

2. All others coming to see a youth will sign the youth JJIS printed visitation sheet and the visitation logbook. The visitation logbook will be bound, and must include columns for date, name, purpose of visit, name of visited youth and sign-out time.

3. Visitors not seeing any youth will only sign the bound visitation logbook.

(f) Visitors shall be denied entrance if they:

1. Refuse to be searched or fail to comply with an officer's instructions;

2. Are under the influence, or appear to be under the influence, of any intoxicating substance;

3. Fail to present proper photo identification;

4. Attempt to introduce contraband into the secure area; or

5. Are dressed in inappropriate attire (no shirt or shoes, clothing or jewelry that displays violence, drugs or alcohol, or clothing that is sexually explicit).

(g) Visitation may be terminated if the behavior of the visitor or youth jeopardizes the safety or security of the facility. The

termination of a visit may lead to the suspension of future visitation privileges at the discretion of the Superintendent.

(h) Any questions that a visitor may have regarding the youth's case or charges shall be referred to the assigned Juvenile Probation Officer. Other questions shall be referred to the on-duty JJDO Supervisor.

(i) The visitation room and any other common areas shall be searched both prior to and following visitation to ensure the absence of any hazardous or dangerous items or items that would be considered contraband.

(j) Youth shall be frisk searched following visitation. If contraband is suspected, but not found during the frisk search, a strip search shall be initiated.

(k) Stakeholder Access: The stakeholders listed below are authorized to visit juvenile detention centers operated by the state and county between the hours of 6:00 a.m. and 11:00 p.m. A request for an after-hours tour between the hours of 11:00 p.m. and 6:00 a.m. must be submitted to and approved by the Assistant Secretary for Detention at least 14 days prior to the tour. Stakeholders taking an after-hours tour will not be permitted access to any areas where youth are sleeping. All of the following stakeholders are subject to an electronic search:

1. The Governor;
2. A Cabinet member;
3. A member of the Legislature;
4. A judge of a state court;
5. A state attorney; and
6. A public defender.

(l) News Media Tours: Permission for visits by bona fide news media representatives shall not be unreasonably withheld.

1. News media representatives consist of persons whose principal employment is gathering and reporting news for a:

a. Radio or television program whose primary purpose is news reporting for a licensee of the Federal Communications Commission;

b. Newspaper reporting general interest information news and circulated to the public in the community where it is published;

c. News magazine that has a national circulation, and is sold by mail subscription or on newsstands to the general public; and

d. National or international news service.

2. News media tours of a juvenile detention facility shall be pre-arranged with the Department's Office of Communications when visiting a state operated facility, or with the relevant sheriff's office when visiting a county operated facility. Prior notice of not less than one week is required, or whatever additional time may be necessary to verify that each individual requesting the tour is a bona fide news media representative. It shall be the responsibility of the news media representatives requesting the tour to present the Department's Office of Communications or the relevant sheriff's office the evidence referenced in this paragraph establishing that such person is a bona fide news media representative.

3. The following conditions apply to media tours:

a. News media representatives shall be required to provide news station ID and two verifiable contacts for the media group they represent. Phone numbers for these contacts must also be provided. If the contacts provided do not confirm the representative's association with the respective media group, the representative shall be required to provide two additional contacts. If such contacts do not confirm the representative's association with the media group, the tour shall be cancelled and the individual shall not be permitted future tours.

b. All news media representatives are subject to electronic search.

c. News media representatives must be escorted by staff. The tour must be conducted by the highest-ranking staff on duty at the time, but no rank lower than a Juvenile Justice Detention Officer Supervisor (JJDOS), or the equivalent first-line supervisory staff at a county operated facility.

d. Random access not specific to the purpose of the tour is prohibited.

e. During an emergency, news media representatives will be restricted to a designated area identified by the facility administrator or designee.

f. Media members are limited to two (2) per tour.

g. Attorneys, physicians, youth's family members, and victims, or family members of victims, may not accompany media representatives on their tours.

h. Media representatives must provide identification upon entry into the juvenile detention facility.

i. Interviews and photographs of youth or staff are prohibited.

- j. Photography and video making equipment are prohibited.
- k. Privacy of youth shall be observed by the media. No movie films, television tapes, or recordings may be made of youth.
- l. Media representatives shall not be given access to juveniles on any type of observation defined in rules 63N-1.00951-.00952, F.A.C., or in any area where youth are showering or performing hygiene.
- m. Department employees are not authorized to sign film crew or media location releases.
- n. Tours are authorized between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays, provided the facility administrator or designee determines that such tours would not impair or disrupt the normal operation or security of the facility and would not endanger the safety of the visitor.
- o. No part of the juvenile detention facility may be filmed.
- p. Foreign Press: In addition to all of the above, foreign press members must provide criminal history clearance from the official criminal history registry of their native country. Contact information for a representative from the agency that maintains that registry must also be provided. A legible copy of the foreign media representative's passport must be submitted to the Department's Office of Communications or to the relevant sheriff's office prior to the tour.

(m) All stakeholders and media representatives must sign and abide by the confidentiality agreement applicable to the facility being toured:

1. For access to a state operated juvenile detention facility, the stakeholder or media representative must sign the Facility Visitors (Stakeholders & Media) Confidentiality Agreement (DS 100, July 2018), which is incorporated by reference, and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-09854> and by contacting DJJ Office of Detention Services, 2737 Centerview Drive, Tallahassee, FL 32399.

2. For access to a county operated juvenile detention facility, the stakeholder or media representative must sign a substantively similar form or agreement provided by the sheriff that, at minimum, ensures confidentiality of youth, prohibits contraband, authorizes electronic search, and prohibits the use of recording and electronic devices.

(10) Telephone Usage.

- (a) The Superintendent shall develop procedures governing telephone usage.
- (b) All youth shall have access to use a telephone for a minimum of fifteen minutes per week.
- (c) Youth shall have access to a telephone to make or receive telephone calls with/from legal counsel and/or their JPO. These calls are not counted as part of the weekly allocated fifteen minutes of calls.

(11) Mail.

- (a) The Superintendent shall develop procedures governing mail.
- (b) Youths shall be provided the opportunity to both receive and send mail.
- (c) Postage and writing materials shall be provided by the facility for personal correspondence for youth to post a minimum of two (2) letters weekly.
- (d) All incoming and outgoing mail shall be screened within 48 hours for content that could jeopardize safety or security.

*Rulemaking Authority 985.601(9)(b), 985.6885(4) FS. Law Implemented 985.601(9)(b)1.-2., (c), 985.6885 FS. History--New 8-9-15, Amended 10-2-18.*

**63G-2.024 Safety.**

(1) All staff trained and certified in CPR, First Aid and Automated External Defibrillator (AED) techniques shall provide emergency care to youth as needed.

(2) Emergency numbers (i.e., Poison Control, 9-1-1, etc.) are to be posted, at a minimum, in the JJDOS' office, medical clinic, Master Control, mod sub control areas and the kitchen.

(3) First Aid Kits shall be secured and strategically placed throughout the facility and in all vehicles. First Aid Kits are to be used in the event of an emergency and may be used as needed by trained staff.

(4) All facilities shall have emergency medication (e.g., Epi-pen) and suicide rescue tools (knife for life, etc.), available for use in the event of an emergency. All staff coming into contact with youths must know the location of all emergency response equipment and be trained in their use.

(5) In the event that emergency first aid or medical care is necessary, staff shall complete an internal incident report and forward a copy of the report to the nurse for proper recording in the youth's Individual Healthcare Record.

(6) Should it be necessary to transport a youth for off-site medical services, all orders and follow-up instructions from the off-

site provider shall be delivered to the medical clinic for proper implementation, scheduling of appointments, and follow-up of other scheduled appointments. The parents or legal guardians of the youth shall be notified as soon as possible in the event of emergency medical treatment.

(7) In the event emergency medical services are required, staff shall call 9-1-1.

(a) Any detention facility staff, contracted employee, teacher or volunteer has the right and responsibility to contact 9-1-1 (emergency services) if it is felt that a potentially life-threatening situation exists.

(b) If a staff calls 9-1-1, they shall notify the supervisor and Master Control as soon as it is reasonably safe to do so. This shall allow the facility time to prepare for the arrival of emergency services and ensure that the first responders do not waste time in locating the source of the emergency.

(c) The Superintendent or designee shall ensure that emergency use of 9-1-1 procedures are posted near telephones and throughout the facility. They shall also ensure that staff are trained or instructed on how and when to use these procedures.

(d) All available staff shall respond and render emergency care until Emergency Medical Services (EMS) arrives. Master Control shall ensure that staff members are in place to expedite access to the injured youth or staff by EMS.

(8) Continuity of Operations Plan (COOP) and Disaster Plans.

(a) Each Superintendent, or designee, shall have a planned and comprehensive approach to effectively manage emergencies and disaster events, including those that require the detention facility to re-locate its youths and staff while maintaining operations, safety, and security. The Superintendent shall oversee the development of a Disaster Plan and a COOP Plan that are coordinated or one comprehensive plan that incorporates both.

(b) The Superintendent shall designate a staff member to oversee disaster and COOP coordination.

(c) The Disaster Plan shall address, but not be limited to, fire and fire prevention/evacuation, severe weather, major disturbances, bomb threats, hostage situations, chemical spills, flooding, and terrorism threats or acts.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9)(b)3., 7. FS. History—New 8-9-15.*

### **63G-2.025 Hygiene.**

(1) Hygiene.

(a) The youth shall engage in hygiene practices that promote health and well-being. The designated health authority shall institute and promote a facility health and hygiene program.

(b) Youths shall shower daily, participate in routine dental care and otherwise maintain a daily hygiene routine.

(c) Superintendents shall ensure that youths are provided with the necessary items to perform daily hygiene and personal grooming, including, but not limited to:

1. Toothpaste, toothbrush, soap, shampoo, toilet paper, sanitary products, deodorant, brush or comb, and access to a razor and fingernail clippers for use under staff supervision,

2. Adequate and appropriately sized clothing items in good condition and appropriate for the season,

3. Clean outer clothing shall be provided at least three times weekly,

4. Clean undergarments and socks shall be provided daily.

(d) During shower time, the following procedures are to be followed:

1. Whenever youths are showering, all youths not physically in the shower area shall be secured in their rooms with room checks being conducted based on the youth's level of supervision.

2. Youths shall not share an individual shower stall or showerhead at any time.

3. Staff shall visually observe the shower area at all times while youths are showering.

4. Youths identified as nine years of age and under or youths that are developmentally disabled, medically disabled, mentally ill, or sex offenders, shall not be in the shower area with another youth. These youths shall shower before or after other youths have showered.

5. Transgender and intersex youth shall be given the opportunity to shower separately from other youth.

(e) Staff of the opposite sex shall announce their presence when entering a youth living area.

(2) Bedding and Linens.

(a) All mattresses shall be individually certified as meeting national fire safety performance requirements. Polyurethane mattresses shall be prohibited.

(b) Clean bed linens shall be issued as follows:

1. All newly admitted youths shall be provided with clean bedding, including a pillow.
2. Each youth shall be provided two clean sheets and one clean pillowcase weekly. Youths on precautionary observation may be issued alternative bedding such as a suicide blanket.
3. New linens shall be provided as needed for youth that bedwet or are menstruating.
  - (c) One clean blanket shall be provided weekly as requested by a youth.
  - (d) Each youth shall be issued one clean towel and one clean hand cloth daily.
- (3) Fingernails shall be kept trimmed so as to not pose a threat to safety and security.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9) FS. History—New 8-9-15.*

**63G-2.026 Nutrition.**

- (1) The nutritional needs of youths shall be met per dietary requirements consistent with the current American Dietary Guidelines.
- (2) A twenty-eight day menu cycle shall be implemented and shall be reviewed and approved annually by a licensed dietician.
  - (a) A minimum of two hot meals shall be served daily.
  - (b) No more than fourteen hours shall pass between the dinner and breakfast meals.
  - (c) A nutritious evening snack shall be provided.
  - (d) Special dietary needs of youths due to health or religious reasons shall be met when verified by medical or religious authorities.
- (3) Use of required meals and snacks in the facility's behavior management system is prohibited. The trading or giving of food between youths is also prohibited.
- (4) The Superintendent or designee shall ensure compliance with all applicable guidelines and required policies and procedures related to the operation within the detention facility of the USDA National School Lunch and School Breakfast Programs.

*Rulemaking Authority 985.601(9)(b) FS. Law Implemented 985.601(9)(b)6., 8. FS. History—New 8-9-15.*