



Ohio Administrative Code Rule 5139-35-11 Security and control.

Effective: December 12, 2019

(A) The following standards are mandatory:

(1) Written policy and procedure limit the use of physical force to instances of self-protection, protection of the child or others, and the prevention of property damage. In no event is physical force justifiable as punishment. In situations where physical force is used, only the least degree of force necessary to control a situation may be used.

(2) After any incident of physical force, the staff member involved shall, during or immediately after his/her shift, write an incident report to his/her supervisor. The report shall detail the circumstances requiring physical force and the mental and physical condition of the involved child.

(3) The CRC shall have a written policy, procedure, and practice providing for and documenting the examination and/or treatment by CRC medical personnel or outside emergency medical services of juveniles and/or staff involved in any response to resistance when:

(a) A person involved has suffered physical injury

(b) A person involved complains of an injury or requests medical assistance

(4) Written policies and procedures require reporting of suspected or alleged child abuse or neglect incidents to the public children services agency or law enforcement agency of appropriate jurisdiction and the court which has placed the child.

(B) The following standards are recommended:

(1) When a child has been involved in a situation in which physical restraint or force, by a staff member, has been used, a detailed written incident report must be submitted within twenty-four hours to the court which has placed the child. In the event that the child requires medical attention,



the court which has placed the child shall be notified immediately.

(2) The CRC administrator or designee reviews all reports of incidents of physical force or physical restraint. The CRC administrator or designee shall take necessary action, including the notification of authorities under the child abuse reporting statute, section 2151.421 of the Revised Code.

(3) The CRC shall cooperate with the public children services agency or law enforcement agency during an investigation of suspected or alleged child abuse or neglect. Cooperation shall include, but not be limited to, permitting access to:

(a) The alleged child victim.

(b) The alleged perpetrator.

(c) Witnesses.

(d) Staff.

(e) Incident reports or logs, medical and dental records, personnel records, training records, procedural records, and other records which relate to the investigation of alleged child abuse or neglect.

(4) There exists written policies and procedures concerning security and control, which are available to all personnel. These policies and procedures are reviewed annually and updated as necessary.

(5) The use of chemical agents and related mechanical restraints is prohibited.

(6) Written policy and procedure require that all security perimeter entrances, exterior doors and all doors the CRC administrator determines should be locked are kept locked, except when used for admission or exit of employees, detained children or visitors, and in emergencies.

(7) The CRC shall maintain a system of accounting for the whereabouts of its children at all times.



- (8) Written policy and procedure require that staff maintain a daily log that records routine and emergency situations.
- (9) The written plan for searches of the CRC and children to control contraband has been reviewed by legal counsel to ascertain the legality of the plan.
- (10) The policy regarding searches for the control of contraband is published, made available to staff and children, and reviewed at least annually and updated if necessary.
- (11) The CRC shall have a written policy and procedure that provides for the least intrusive method of search consistent with the safety and security of the CRC. Frisk searches and/or strip searches may be conducted without specific authorization upon entry to the CRC and at all other times shall be based upon a reasonable suspicion that the juvenile is carrying contraband.
- (12) All strip searches will be conducted in privacy. Body cavity searches are prohibited within the facility. All strip searches of female juveniles may be conducted only by female staff. Such searches of male residents may be conducted only by male staff. However, a physician or nurse may conduct searches of juveniles of either sex. Strip searches may not be conducted in the presence of the opposite sex.
- (13) Except in emergency situations, firearms are not permitted in the CRC beyond the security perimeter. Staff are prohibited from bringing in and/or possessing any weapons within the CRC.
- (14) Written policy and procedure govern the control and use of keys.
- (15) Written policy and procedure govern the control and use of tools, medical and culinary equipment.
- (16) There are written procedures for handling escapes, runaways and unauthorized absences. These are reviewed at least annually and updated as necessary.
- (17) Written policy and procedure govern safety and security precautions pertaining to agency and staff vehicles.



(18) Transportation is available for use in emergencies.