



Ohio Administrative Code Rule 5139-37-01 Definitions.

Effective: February 1, 2019

(A) The following are definitions used in this chapter.

Bureau of criminal identification and investigation: the office of the attorney general that conducts background checks, receives and files fingerprints, photographs and other information pertaining to arrested felons and advises arresting officials of the facts pertaining to previous arrests or convictions.

Chemical or medical restraint: a form of medical restraint in which a drug is used to sedate or restrict the freedom of movement of children. The medication used is not part of the child's normal medical treatment.

Child: an individual under the jurisdiction of the juvenile court up to the age of twenty-one. As defined in division (C) of section 2152.02 of the Revised Code.

Contraband: any item possessed by a confined juvenile or found that is illegal by law or expressly prohibited by those legally charged with the administration and operation of the facility or program.

Caustic materials: corrosive substances that can destroy or eat away by chemical reaction (e.g. lye, caustic soda, sulfuric acid).

Chemical agent: any chemical spray, gas, or powder used to temporarily incapacitate a person, including oleoresin capsicum (pepper spray), tear gas, and 2-chlorobenzalonnitrite gas.

Department: the Ohio department of youth services.

Detention center: a facility established under section 2152.41 of the Revised Code for the care and temporary confinement of children, as defined in division (C) of section 2152.02 of the Revised Code under the jurisdiction of the juvenile court, alleged to be delinquent, or who are pending court



adjudication, or disposition or as a result of a juvenile sentence for a defined term.

Detention director: interchangeable with the title superintendent, the on site final administrative authority at a detention center.

Direct care staff: staff who are responsible and trained to provide in-person supervision of and interaction with children in housing units, recreational areas, dining areas, and other programs areas of the facility.

Emergency: any significant disruption of normal facility or agency procedure, policy or activity caused by a riot, escape, fire, natural or man-made disaster, employee actions, self-injurious or suicidal behavior, or other serious incident.

Emergency care: care for an acute illness or unexpected health care need that cannot be deferred until the next scheduled sick call.

Emergency plans: written documentation that address specific actions to be taken in an institutional emergency or catastrophe such as a fire, flood, riot, or other major disruption.

Exigent circumstances: means any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility.

Grievance: a complaint or formal notice of a circumstance or action considered to be unjust and grounds for complaint.

Health authority: the individual, government health agency, or health care contractor responsible for the facility's health care services, including arrangements for all levels of health and/or mental health care and the ensuring of quality of, and accessibility to health and/or mental health services. The health authority is led by licensed physician or physicians who, virtue of education, experience and certification, are capable of assuming responsibility for arranging and ensuring the quality of health and mental health services.

Health care: the sum of all actions taken, preventive and therapeutic, to provide for the physical and



mental well-being of a population. Includes access to medical and dental services, mental health services, nursing, personal hygiene, dietary services, and environmental conditions.

Magnetometer: an instrument for detecting the presence of ferrous or magnetic materials, esp. one used to detect concealed weapons.

Mandatory standard: describes minimal professional standards that address conditions of confinement.

Ohio Administrative Code: codified administrative rules, adopted by an administrative agency pursuant to authority granted by the general assembly to carry out the policies and intent of a statute enacted by the general assembly.

Ohio Revised Code: all statutes of a permanent and general nature of the state as revised and consolidated into general provision, titles, chapters, and sections shall be known and designated as the "Revised Code," for which designation "R.C." may be substituted.

Orientation and pre-service training: the process following the initial hiring process by which a newly hired employee is informed about the facility, of his/her employment, and the facility programs, policies, procedures, and expectations.

PCSA: public children services agency: the children's services board or a county department of human services that has assumed the administration of the children's services function prescribed by Chapter 5153. of the Revised Code.

PCPA: private child placing agency - any association, as defined in section 5103.02 of the Revised Code that is certified pursuant to sections 5103.03 to 5103.05 of the Revised Code to accept temporary, permanent, or legal custody of children and place the children for either foster care or adoption.

Physical force: physical contact between staff and child to protect the child from harming himself, herself, or others, to stop a child who presents danger of escape, or property destruction that involves threat to the child's safety or the safety of others in accordance with policy and procedures.



PNA: private non-custodial agency: an agency defined in division (A)(4) of section 2151.011 of the Revised Code.

PREA: Prison Rape Elimination Act: as codified in 42 USC Chapter 147, Sections 15601 et. seq (September 4, 2003).

Recommended standard: describes what are considered generally accepted practices for detention centers.

Status offender: a child charged with a violation of a law or municipal ordinance that would not be a criminal offense if committed by an adult. Examples would be truancy or unruly offenses.

Searches:

Frisk search: a routine search of a juvenile's person, which involves physical contact with the juvenile's outer clothing. The juvenile is not required to remove clothing, with the exception of shoes, hat, and/or jacket.

Hygiene search: an over all inspection of the skin and hair of a person to look for communicable diseases, parasitic infestations or signs of abuse, or contraband.

Strip search: an inspection of the genitalia, buttocks, breasts, or undergarments of a person that is preceded by the removal or rearrangement of some or all of the person's clothing that directly covers the person's genitalia, buttocks, breasts, or undergarments.

Body cavity search: an inspection of the anal or vaginal cavity of a person that is conducted visually or manually, by means of any instrument, apparatus, or object, or any other manner. (section 2933.32 of the Revised Code)

Room confinement: the involuntary restriction of a child in a cell, room or other area identified by the detention director or designee where egress is blocked and the child is separated from the general population as a temporary response to behavior that threatens immediate harm to a child or



others.

Medical isolation: the separation of a child from the general population due to medical concerns or as ordered by the medical health authority.

Self confinement: a voluntary request by the child to remain or be placed in a cell or room where egress is blocked.

Qualified medical professional: an individual licensed to provide medical services in accordance with state law and who has adequate education, training and experience to perform the duties required in accordance with professional standards.

Time out: a brief removal of a child from general population and into a separate area where egress is not blocked.

Toxic materials: substances that through chemical reaction or mixture can produce possible injury or harm to the body by entering through the skin, digestive tract, or respiratory tract (e.g., zinc, chromed paint, ammonia, chlorine, antifreeze, herbicides, pesticides).

Training: an organized, planned, and evaluated activity designed to achieve specific learning objectives. Training may occur on-site at any academy or training center, at an institution of higher learning, at national, state, and local training conferences / seminars, through contract service at professional meetings, or through closely supervised on-the-job training. Meetings of professional associations are considered training when there is clear evidence of any of the above elements.

Verbal strategies: verbal de-escalation techniques designed to redirect a child's behavior.