



## Ohio Administrative Code Rule 5139-37-11 Security and control.

Effective: February 1, 2019

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The following standards are mandatory:

(A) Written policy and procedure on physical force shall:

(1) Limit the use of physical force to protect the child from harming himself, herself, or others, to stop a child who presents a danger of escape, to remove a child from the general population if the child is disrupting operations, or engaging in property destruction that involves a threat to the child's safety or the safety of others and in accordance with appropriate statutory authority. In no event is physical force justifiable as punishment.

(2) Ensure that children involved in incidents of physical force must receive an appropriate and timely evaluation to determine the need for medical treatment. The evaluation may not be conducted by an employee directly involved in the incident.

(3) Require a timely written report following all uses of physical force that is submitted to and reviewed by the detention center director or designee.

(4) All uses of physical force shall be reviewed and evaluated in accordance with policies and procedures.

(B) Written policy and procedure on searches shall:

(1) Provide for the least intrusive method of search consistent with the safety and security of the detention center.

(2) Require the utilization of professional, respectful, and appropriate search techniques by trained staff.



(3) Searches are of the same gender as the individual being searched except in exigent circumstances, including but not limited to appropriate search techniques of transgender and intersex.

(4) Frisk searches of a child may be conducted in accordance with the facility's policies and procedures. Children who are entering or who have entered a detention center may be searched by: the use of a magnetometer or similar device; by a frisk search of the child; and by an examination of any personal effects within the detention center. Such searches must be conducted uniformly.

(5) Hygiene searches may be conducted on any child entering a detention center by visually observing child while changing into clothing that is required to be worn within the detention center. This may be for the purpose of hygiene search, to detect contraband, and for mandatory reporting of child abuse and/or to detect pre-existing injury.

(6) Strip searches of children may be conducted with the approval of the supervisor on duty of each center. Strip searches are to be conducted in the manner that affords the greatest degree of privacy, taking into consideration safety and security. Strip searches may be conducted if there is a reasonable suspicion that the child may convey contraband into the detention center. This reasonable suspicion must be based upon:

(a) Specific observable facts;

(b) Reasonable inferences drawn from those facts;

(c) Specific factors in the child's background that support the necessity of such search in light of reasonable suspicion.

(7) Body cavity searches shall be:

(a) Conducted only by medical personnel with the approval of the detention center director, only in accordance with divisions (B)(4) and (B)(5) of section 2933.32 of the Revised Code.

(b) Conducted in private.



(C) Detention center search policies and procedures shall be reviewed and approved by an appropriate legal authority.

(D) Policy and procedure shall require that a constant ratio of twelve children to one child-care worker be maintained during waking hours and twenty five children to one child care worker during sleeping hours. Policy and procedure shall require one staff member of each sex be on duty when male and female children are housed. Also that if all residents are all of the same sex, that at least that one staff member of that gender be on duty at all times.

(E) There is a manual containing the detention center's policies and procedures for security and control, which includes detailed instructions for implementing these procedures; the manual is accessible to all personnel and is reviewed annually and updated as necessary.

(F) Written policy and procedure shall govern the availability, control and use of defensive aerosols and related security devices, policies on decontamination process and follow up medical care. Chemical agents and related security devices are used only in accordance with the written policy and procedure. A written report is prepared following all incidents and is submitted to the detention center director.

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

(H) The detention center has a system to physically count children that includes strict accountability for children assigned to work and educational release, furloughs and other approved temporary absences.

(I) Detention center staff maintains a daily report of juvenile population movement.

(J) Written policy and procedure require that supervisory staff maintain a permanent log and prepare shift reports that record routine and emergency situations.



(K) Written policy and procedure provide for notifying appropriate staff of increases and decreases in the population on a shift -by-shift basis.

(L) Written policy and procedure provide for weekly inspection and maintenance of security devices; corrective action is initiated when necessary.

(M) Written policy and procedure require that first line supervisory staff inspect every area of the detention center daily and submit a written report to an administrative official for review whenever deficiencies are noted.

(N) Written policy and procedure require that the detention center director or designee and other department heads interact with children in living and activity areas.

(O) The policy regarding searches for the control of contraband is accessible to staff and reviewed with the child upon admission. It will be reviewed at least annually and updated if necessary.

(P) All special incidents, including but not limited to, the taking of hostages, use of restraint equipment or the use of physical force are reported in writing, dated and signed by the staff person reporting the incident. The report is placed in the child's case record and reviewed by the detention center director and/or the parent agency.

(Q) Except in emergency situations, firearms are not permitted in the detention center beyond what the detention center director has defined as the security perimeter of the detention center.

(R) Written policy and procedure govern the control and use of keys.

(S) Written policy and procedure govern the control and use of tools, medical and culinary equipment.

(T) There are written operational shift assignments or post orders that state the duties and responsibilities for each assigned position in the detention center. These shift assignments are reviewed at least annually and updated if necessary.



(U) There are written procedures for handling escapes, runaways and unauthorized absences. These are reviewed at least annually and updated as necessary.

(V) Written policy and procedure provide that all individuals injured in an incident receive an appropriate evaluation to determine the need for medical treatment.

(W) Written plans govern space arrangements and procedures to follow in the event of a group arrest that exceeds the maximum capacity of the juvenile detention center; these plans are reviewed annually and updated if necessary.

(X) Written policy and procedure provide for a communications system within the detention center, and between the detention center and the community, in the event of an emergency.

(Y) Written policy and procedure provide that the detention center maintain a written record of routine and emergency distribution and use of restraining devices.

(Z) Written policy and procedure provide that instruments of restraint are never applied as punishment and are applied only in accordance with written policy and procedure.

(AA) Written policy and procedure govern safety and security precautions pertaining to detention center and staff vehicles.

(BB) Transportation is available for use in emergencies.

(CC) Written policy and procedure govern the detention center's transportation of a child outside the detention center and from one jurisdiction to another.