

CHAPTER 19
MANUAL OF STANDARDS FOR JUVENILE
DETENTION FACILITIES

Authority

N.J.S.A. 2A:4A-37(e), 30:1B-6 and 30:1B-10.

Source and Effective Date

R.1995 d.293, effective May 12, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

Executive Order No. 66(1978) Expiration Date

Chapter 32, Manual of Standards for Juvenile Detention Facilities, expires on May 12, 2000.

Chapter Historical Note

Chapter 32, Manual of Standards for Juvenile Detention Facilities, was filed and became effective January 11, 1980 as R.1980 d.14. See: 11 N.J.R. 284(b), 12 N.J.R. 87(b). This chapter expired February 1, 1985 and a new rule was adopted pursuant to Executive Order No. 66(1978) effective March 4, 1985. See: 17 N.J.R. 40(a), 17 N.J.R. 598(a). Chapter 32 expired on March 4, 1990 and was adopted as a new rule, pursuant to Executive Order No. 66(1978) effective April 16, 1990 as R.1990 d.208. See: 22 N.J.R. 313(a), 22 N.J.R. 1265(c). Chapter 10A:32 was readopted effective May 12, 1995 and recodified as Chapter 10:19 effective June 5, 1995 as R.1995 d.293. See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a). See section levels annotations for further rulemaking activity.

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SUBCHAPTER 1. INTRODUCTION

10:19-1.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Delinquency" means the commission of an act by a juvenile which if committed by an adult would constitute:

1. A crime;
2. A disorderly persons offense or petty disorderly persons offense; or
3. A violation of any other penal statute, ordinance, or regulation, except that such violations concerning the regulation of vehicles, bicycles, and power vessels as specified in N.J.S.A. 2A:4A-23 shall not constitute delinquency. (N.J.S.A. 2A:4A-23).

"Department" means the New Jersey Department of Human Services.

"Detention" means the temporary care of juveniles in physically restricting facilities pending court disposition. (N.J.S.A. 2A:4A-22c).

"Detention facility" means a family specified by the Department, affording secure, short-term custody for delinquent juveniles, or juveniles alleged to be delinquent.

"Juvenile" means an individual who is under the age of 18 years. (N.J.S.A. 2A:4A-22a).

"New detention facility" means a detention facility which is specified for operation by the Department after December 31, 1977.

"Recommendation" means a goal which is proposed for attainment but which is not now mandatory.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).
Rewrote the definition of "Delinquency".

10:19-1.2 Objectives of detention

(a) The objectives of detention are:

1. To provide secure custody for those juveniles who are deemed a threat to the physical safety of the community and/or whose confinement is necessary to insure their presence at the next hearing.
2. To minimize the potentially damaging effects of confinement in a secure setting by supporting the juvenile's physical, emotional, and social development, in an atmosphere which is as nonthreatening as possible.
3. To meet the needs of juveniles through a constructive program offering educational, recreational, religious, and social opportunities.

SUBCHAPTER 2. LEGAL PROVISIONS

10:19-2.1 Legal authority of Department

(a) N.J.S.A. 2A:4A-37 provides that the State Department of Corrections shall specify the place where a juvenile may be detained, and that no juvenile shall be placed in detention in any place other than that specified by the State Department of Corrections. Pursuant to Reorganization Plan 001-93, this authority was transferred to the Department of Human Services, effective July 1, 1993.

(b) In accordance with the above statutory requirements, the following rules and regulations are applicable to county-established detention facilities. In order to receive in-residence juveniles, a detention facility shall demonstrate to the satisfaction of the Department through such methods and procedures as may be prescribed, that it complies with each of the following rules and regulations, which shall be interpreted as constituting minimum standards only.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

In (a), added the sentence pertaining to Reorganization Plan 001-93.

10:19-2.2 Inspection provision

(a) As provided by N.J.S.A. 30:1B-10, 30:1-14, and 30:1-15, the Department has the power of visitation and inspection of all juvenile detention facilities.

(b) Each juvenile detention facility specified for use by the Department shall be subject to announced and unannounced inspection visits by the Department. These visits shall be for the purpose of inspecting and observing the physical condition of the facility, the methods of management and operation, and the physical condition, care, treatment, and discipline of the juveniles detained therein.

(c) All books, records, accounts, and reports, past and present, shall be available for review. At all times a representative from the Department shall be allowed to observe and interview juveniles and staff concerning any matter pertaining to the health, safety, treatment, training, and general well-being of the juveniles or to the operation of the detention facility itself.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).
Extended (a) to N.J.S.A. 30:1B-10.

10:19-2.3 Enforcement

(a) If, upon completion of the inspection, the detention facility is found to be in violation of any parts of these standards, it shall be given notice by the Department of these violations with a reasonable length of time to abate the said violations. In cases of severe violations or in cases where violations are not abated within a reasonable length of time, the Department may withdraw its specification of the facility as an appropriate legal setting for the detention of juveniles.

(b) The Department, in accordance with N.J.S.A. 30:1B-6 and 30:1-16, has the authority to institute such legal proceedings or processes as may be necessary to remedy improper conditions in the detention facilities.

(c) If, in the enforcement of these regulations, the Department finds that to require a particular detention facility to comply strictly with one or more of the provisions of these regulations is unreasonable, and it is shown clearly and convincingly to the Department that compliance will result in undue hardship to the programs or goals and services, and if the detention facility is in substantial compliance with the regulations and its general purpose and intent and, in addition, it complies with such specific conditions as the Department may deem necessary for the protection of the health, safety, and welfare of juveniles, a variance may be granted specifically and in writing by the Department.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

In (b), substituted the provision allowing the Department to institute legal proceedings or processes for a general civil action provision.

10:19-2.4 Other legal authority

Detention facilities shall conform to all applicable public health, safety, and fire codes, building regulations, laws, and regulations set forth by the State of New Jersey, the county, and municipality in which it is located.

SUBCHAPTER 3. ORGANIZATION AND ADMINISTRATION

10:19-3.1 Responsibilities of the County Board of Chosen Freeholders

(a) Among the responsibilities of the County Board of Chosen Freeholders or their duly authorized representatives shall be the following:

1. Secure and maintain fire insurance on the detention facility as well as comprehensive liability insurance for the staff and juveniles. Workmen's compensation insurance shall also be provided for all staff of the detention facility.
2. Select and appoint an executive to administer and give professional leadership to the facility and its program.
3. Assure adequate financial support for the facility.
4. Approve an annual budget for services and programs for the ensuing year prior to the end of each fiscal year, based on anticipated needs and projected plans.
5. Appraise continuously the adequacy and quality of the services provided by the detention facility.

6. Keep a written record of official actions, including those pertaining to administration of funds and development of programs and services.

10:19-3.2 Financial requirements

(a) Systems and procedures for the management of funds, real properties, and securities shall be maintained in accord with sound budgeting disbursement and audit procedures.

(b) The detention facility budget shall include provisions for:

1. Salaries and costs of staff development;
2. Cost of food;
3. Cost of clothing;
4. Cost of medical, dental, and related services;
5. Cost of psychological and psychiatric services;
6. Adequate physical facilities and equipment and maintenance of same;
7. Cost of indoor and outdoor recreational materials and/or services;
8. Cost of educational equipment and supplies and/or services; and
9. Such special services as may be required.

(c) If any of the above budget items are provided by another source, they shall be included and an appropriate value ascribed.

SUBCHAPTER 4. PHYSICAL STANDARDS

10:19-4.1 Location and building approval

(a) No detention facility shall be part of, attached to, or in any way physically connected to a facility providing shelter care, as defined in N.J.S.A. 2A:4A-22(d).

(b) No new detention facility shall be part of, attached to, or in any way physically connected to an adult lockup facility.

(c) New and renovated detention facilities shall be approved by appropriate local construction officials in accordance with the provisions of the New Jersey Uniform Construction Code.

1. No new or renovated detention facility shall be used or occupied in whole or part until a certificate of occupancy shall have been issued by the appropriate local construction official.

(d) Plans for new buildings, or renovations to existing buildings, shall be submitted to the Department for review,

recommendations, and approval. To qualify for approval by the Department, plans and specifications must be in compliance with the appropriate provisions of the New Jersey Uniform Construction Code relating to institutions, the rules of the Department and all other applicable provisions of state and local laws, ordinances, rules and regulations.

1. No changes or modifications shall be made in approval plans or specifications without the approval of the Department.

2. Site design considerations shall include at least the following: security, privacy, ease of group movement and supervision, outdoor play features, parking, service access, and convenient accessibility to public transportation. Building features and equipment exhibiting a jail-like character are to be avoided.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-4.2 Juvenile population capacity

(a) Each detention facility shall be inspected by the Department and, in consultation with the appropriate county administrator of the county facility, assigned a maximum population capacity based on minimum standards established herein.

(b) The population of a detention facility shall not exceed the maximum population capacity as assigned by the Department.

1. The following options may be explored to reduce the population if a detention facility is regularly over the maximum population capacity:

i. In conjunction with the Family Court judge, those juveniles who may be better served in their own homes, foster homes, or designated shelters should be identified and released.

ii. The use of a neighboring county's detention facility is required in situations of overcrowding, in accordance with N.J.S.A. 2A:4A-37.

(c) New detention facilities shall be designed to provide living accommodations for no more than 40 juveniles. Existing detention facilities which have a maximum population capacity of under 40 juveniles shall not be permitted to expand their facilities beyond 40 juveniles. Existing detention facilities which have a maximum population capacity of more than 40 juveniles shall not be permitted to expand unless it is clearly and convincingly demonstrated to the Department that the county has explored and found unsuitable all other options.

Amended by R.1991 d.118, effective March 4, 1991.
See: 22 N.J.R. 3714(b), 23 N.J.R. 690(a).

New (d) and (e) established time frames and requirements for transporting juveniles receiving State sentence from county facilities. Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

Emergency recodification with amendment, R.1998 d.119, effective February 3, 1998.

See: 30 N.J.R. 871(a).

Former (d) and (e) recodified as N.J.A.C. 13:90-4.2.

Adopted concurrent proposal, R.1998 d.206, effective April 3, 1998.

See: 30 N.J.R. 1619(c).

Case Notes

Informal adoption by Juvenile Justice Commission (JCC) of policy disregarding provisions of regulation requiring transfer of state-sentenced juveniles to State facilities was neither valid amendment nor valid waiver of regulation; JCC did not have implied authority to ignore regulation absent valid amendment, change or repeal of regulation. County of Hudson v. Department of Corrections, 152 N.J. 60, 703 A.2d 268 (N.J. 1997).

Juvenile Justice Commission (JCC) was obligated to remove state-sentenced juvenile offenders from counties' youth detention facilities within three days of notification of disposition, absent valid agreement between state and counties that counties would continue to house such juveniles. County of Hudson v. Department of Corrections, 300 N.J.Super. 389, 693 A.2d 146 (A.D.1997).

10:19-4.3 Building and grounds

(a) Detention buildings shall be secure, as nonjail-like as possible, fire resistive, and spacious enough to meet the needs of juveniles and staff.

(b) Buildings shall be kept in good repair and in clean, sanitary condition.

(c) The entire building, including rooms not generally used by juveniles, should be secure. Stainless steel mesh detention screens over all windows or unbreakable, shatter-resistant security glass, locked outer doors, tamperproof protection of all ducts and openings, and tamperproof locks shall be provided.

(d) All rooms, including reception rooms, hallways, and stairways shall be adequately lighted. Power and lighting systems shall be installed and maintained in conformity with the New Jersey Uniform Construction Code and related national standards for efficient design and safety. Such systems shall include emergency light and power necessary and critical for safety, (particularly fire protection, equipment operation, and exit illumination), security and minimum program continuity.

(e) Heating equipment shall be in good condition, vented, and shall be capable of maintaining constant uniform temperatures and odor control. A minimum daytime temperature of 68 degrees Fahrenheit shall be provided in all rooms occupied by juveniles.

(f) Heating, electrical, ventilating, plumbing, and other mechanical systems shall be designed and maintained so that there is no danger to the health, safety, and welfare of the staff and juveniles.

(g) There shall be annual electrical inspection by an electrical inspection agency certified by the New Jersey Public Utilities Commission. Copies of reports resulting from such inspections shall be maintained at the detention facility.

(h) Adequate natural or mechanical ventilation shall be provided in all rooms used by juveniles.

(i) New detention facilities and building addition projects shall include mechanical cooling air conditioning to maintain comfortable environmental conditions with juveniles' sleeping, living, and general program areas.

(j) Glazing in doors and partitions, using shatter-resistant safety glass, shall be utilized to promote effective supervision, security, and safety of the juveniles.

(k) All glass surfaces which are not safety glass, located in areas where there may be possible impact from staff or children, shall have a protective screen or guard.

(l) The grounds shall be well kept and suitably landscaped, free from insect breeding places, marshes, swamps, poisonous plants, broken glass, and debris.

(m) The premises shall be properly graded and provided with drains to dispose of surface water.

(n) The building structure shall be maintained to prevent water from entering, excessive drafts or heat loss during inclement weather, and to provide a barrier against infestation.

10:19-4.4 Fire protection

(a) Each detention facility shall be in compliance with all appropriate provisions of the New Jersey Uniform Fire Safety Act, including provision for fire suppression, smoke detection, and automatic alarm systems.

(b) Only fire-resistant mattresses, approved by the Department, shall be utilized in juvenile detention facilities.

(c) Emergency evacuation drills shall be carried out at least once a month and a record kept and periodically evaluated as to the length of time it takes to evacuate the building. These drills shall be scheduled to cover varying times and hours, including hours when juveniles are sleeping.

(d) All staff shall meet with local fire officials at least once a year for training in the use of fire alarms, fire equipment, and emergency removal of juveniles.

(e) Fire exit plans shall be prominently posted and explained to each juvenile upon admission. The phone number of the local fire station shall be readily available to all staff.

(f) Detention facilities shall at all times maintain an adequate number of staff qualified to release and direct juveniles from their sleeping rooms or other areas to a place of safety in case of fire or other emergency. An adequate number of keys, which shall include a minimum of two complete sets, shall be readily available for the juveniles' prompt and orderly release from sleeping rooms or other areas, and the building.

(g) There shall be at least two independent exits from every floor of the detention facility, remotely located so that juveniles may exit from the building or room in two separate directions.

1. Exits shall not be permitted through kitchen, boiler, storage areas, or other hazardous locations.

(h) Fire exit signs shall be provided at all doors used as exits, with directional signs at locations where the exit may not be readily visible or understood.

1. For evening use, illuminated exit signs or electrical lights above the signs with a minimum illumination of 20 watts shall be provided.

(i) Emergency light and power shall be provided for fire protection in accordance with section 3 of this subchapter.

(j) There shall be at least one 10 lb. B-C rated fire extinguisher provided for the kitchen and furnace room. All floors shall be provided with at least one 2½ gallon air pressurized water extinguisher for each 3,000 sq.ft. of floor area. These extinguishers shall be serviced and inspected at least annually by an approved company or authorized person.

(k) Storage areas containing highly flammable materials shall be segregated from child care areas with a minimum one-hour fire rated material.

(l) In detention facilities which occupy more than one floor, all interior stairways shall be enclosed with a minimum one-hour fire rated material. Doors in the enclosure shall be hollow metal doors or solid wood doors of the flush type not less than 1¾ inches thick.

(m) Interior boilers or furnaces shall be enclosed by a minimum one-hour fire rated material.

(n) Interior furnishings, drapes, curtains, carpeting, decorations, bedding, etc. shall be flame retardant.

(o) Any fires in the detention facility which injure any juvenile or staff member, or which result in substantial damage to the physical facility, furnishings, or equipment in the facility shall be reported to the Commissioner of the Department within 24 hours of the occurrence.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

In (a), substituted the provision requiring the detention facility to be in compliance with the New Jersey Uniform Fire Safety Act, rather than the Life Safety Code; and rewrote (b).

10:19-4.5 Fire protection; new and renovated facilities

(a) New and renovated detention facilities shall install a comprehensive automatic electrical fire alarm and detection system according to specifications issued by the State Fire Marshal. The only exception will be those buildings which are protected by an approved comprehensive automatic

sprinkler system of a type specified by the State Fire Marshal's Office. However, manual fire alarm stations and/or smoke detectors may also be required.

(b) New detention facilities shall be equipped with centralized automated lock release systems.

10:19-4.6 Sleeping rooms

(a) Individual sleeping rooms shall contain a minimum of 65 square feet of floor space. Multi-occupancy sleeping rooms shall contain a minimum of 50 square feet of floor space per juvenile and a minimum floor space of three feet between beds.

(b) There shall be a minimum of eight feet from ceiling to floor.

(c) For those detention facilities which primarily utilize multi-occupancy sleeping rooms, several individual sleeping rooms shall be provided for those juveniles whose needs warrant an individual room.

(d) All sleeping rooms occupied by juveniles shall have good natural light and ventilation and shall have at least one window opening directly to the exterior. Each window shall be covered by a stainless steel mesh detention screen or made of unbreakable, shatter-resistant security glass.

(e) The door of every sleeping room shall have a view panel that allows complete visual supervision of all parts of the room.

(f) Beds shall be equipped with comfortable, fire and water resistant mattresses. Sheets, pillows and pillow cases, and blankets shall also be provided, preferably of a fire resistant type. Bed linens shall be changed at least once a week and more often when necessary.

(g) Electric lights in sleeping rooms must be bright enough to permit easy reading by a person with normal vision, and must be protected by a tamperproof safety glass or heavy translucent tamperproof plastic cover.

(h) Individual room furnishings and fixtures should be attractive and durable and should be securely fastened to the floor or wall, preferably both. All furniture and fixtures should be tamperproof and able to withstand excessive abuse. It is recommended that furnishings include a seat and a writing surface and should have no projections over two feet from the floor.

10:19-4.7 Sleeping rooms; new and renovated facilities

(a) The sleeping areas of new or renovated detention facilities shall be provided by individual sleeping rooms which shall contain a minimum of 80 square feet of floor space. No more than one juvenile shall be assigned to each individual sleeping room.

1. In new or renovated detention facilities, a sufficient number of individual sleeping rooms shall be equipped with a toilet and washbasin, screened off by a semipartition.

i. All fixtures shall be tamperproof and preferably designed specifically for detention facilities.

ii. Simple, sturdy fixtures that fasten securely to the wall and floor shall be used.

iii. Hot water shall be thermostatically controlled.

iv. Push-button faucets shall be used for limited flow.

v. Floor drains with tamperproof grills shall be installed close to plumbing facilities.

vi. There shall be no exposed plumbing pipes. Plumbing traps and shutoff valves shall be located outside the rooms behind small locked doors in the corridors.

10:19-4.8 Bathing and toilet facilities

(a) Shower rooms and general toilets shall be located near sleeping rooms and recreation areas. They shall provide privacy and shall be kept clean, ventilated, and in good repair.

(b) At least one bathtub or shower shall be provided for each six juveniles. For detention facilities without individual toilets and washbasins in the sleeping rooms, at least one toilet shall be provided for each six juveniles, and at least one washbasin for every four juveniles.

(c) It is recommended that both bathtubs and showers be available.

(d) Bathtubs and showers shall be equipped to prevent slipping.

(e) Unbreakable mirrors, at proper levels and in sufficient quantity to be easily accessible to all juveniles, shall be provided in the bathrooms.

10:19-4.9 Kitchens

(a) Kitchens shall be clean, well lighted, properly ventilated, and provided with essential and proper equipment for the preparation and/or serving of food for the number of persons to be served. Adequate storage, refrigeration, and freezer facilities shall be available.

(b) The kitchen area should be convenient to the dining room. If on a different floor or in a different building, provision shall be made for transporting prepared food and keeping it at proper temperatures.

10:19-4.10 Dining areas

(a) Dining areas shall be provided which are attractively furnished and have ample space between tables.

(b) Tables for not more than six juveniles and coed dining are recommended.

10:19-4.11 Indoor recreational areas

Activity or recreational areas shall be provided in each detention facility to accommodate its full capacity of juveniles at any given time. Activity or recreational areas include such areas as recreation-living room, gymnasium, quiet room or library, and arts and crafts room. Comfortable chairs, tables, pictures, books, games, radio, and television shall be available for general relaxation and entertainment.

10:19-4.12 Outdoor recreational areas

(a) An outdoor activity area shall be provided. The site should include a level, properly drained, minimum 200' x 200' outdoor play area adjacent to the building, enclosed by a security fence which does not reflect a punitive environment. The area should be designed for full visual control, with no part of the fence or wall behind a building or opaque projection; it should provide for softball, basketball, volleyball, and for quiet games and just sitting. Ample flood lighting with protected bulbs should be available to make use of outdoor play areas during evening hours.

1. New detention facilities with capacities of 20 juveniles or less shall provide minimum 200' x 200' outdoor activity areas. New detention facilities with capacities of more than 20 juveniles shall provide proportionally larger outdoor activity areas.

10:19-4.13 Schoolrooms

(a) Classrooms, designed in cooperation with public school authorities, shall be provided. Classrooms shall be utilized for no more than 15 students. A blackboard, a bulletin board and shelf space for exhibits, and closet space for teachers' belongings, school supplies, and temporary storage of juveniles' work shall be provided.

1. Classrooms in new detention facilities shall provide a minimum of 40 square feet of floor space per student.

10:19-4.14 Office, reception and visiting areas

(a) On-site office space adequate to permit the efficient, businesslike operation of the program and related services, shall be provided. Space and equipment shall be provided for the safekeeping and privacy of essential records.

(b) Reception space for the orderly intake and release of juveniles shall be provided.

(c) Visiting or interview rooms shall be provided where juveniles may receive and talk with visitors privately.

10:19-4.15 Medical facilities

(a) Each detention facility shall provide a room or rooms for medical examinations, nurse's office, first aid, and other

treatment. The room or rooms shall be adequately furnished and equipped to fulfill these functions and shall be used for no other purposes.

(b) A locked storage space for medicines, inaccessible to juveniles, shall be provided for the storage of all medical supplies and drugs recommended by the detention facility's physician. First aid kits, splint kits, and instructions for emergency medical treatment shall be readily available.

10:19-4.16 Storage areas

Ample current and stock storage space, appropriately located, shall be provided. In addition, individual storage space shall be provided for juveniles in which to store their personal clothing and belongings.

SUBCHAPTER 5. INTAKE AND ADMISSION

10:19-5.1 Pre-admission procedures

(a) In regard to taking a juvenile into custody, N.J.S.A. 2A:4A-33(a) states: "Any person taking a juvenile into custody shall immediately notify the parents, or the juvenile's guardian, if any, that the juvenile has been taken into custody."

(b) The code further states in N.J.S.A. 2A:4A-34(a): "Where it will not adversely affect the health, safety, or welfare of a juvenile, the juvenile shall be released pending the disposition of a case, if any, to any person or agency provided for in this section upon assurance being received that such person or persons accept responsibility for the juvenile and will bring him before the court as ordered."

(c) The code also states in N.J.S.A. 2A:4A-34(c): "A juvenile charged with delinquency may not be placed or retained in detention under this act prior to disposition, except as otherwise provided by law, unless:

1. Detention is necessary to secure the presence of the juvenile at the next hearing as evidenced by a demonstrable record of recent willful failure to appear at juvenile court proceedings or to remain where placed by the court or the court intake service; or
2. The physical safety of persons or property of the community would be seriously threatened if the juvenile were not detained and the juvenile is charged with an offense which, if committed by an adult would constitute a crime; or
3. When the criteria for detention are met and the juvenile is charged with an offense which, if committed by an adult, would constitute a disorderly persons or petty disorderly persons offense, the juvenile may be placed in detention temporarily. Police and court intake personnel shall make all reasonable efforts to locate a parent or

guardian to accept custody of the juvenile prior to requesting or approving the juvenile's placement in detention. If, after the initial detention hearing, continued detention is necessary, the juvenile shall not be detained in a secure facility but shall be transferred to a shelter or other non-secure placement.

(d) Accordingly, the following procedures must be adhered to before a juvenile is placed in detention:

1. A law enforcement officer taking a juvenile into custody must notify the parents of the juvenile's apprehension. When it is not feasible to take the juvenile home, the juvenile's parents must be contacted by phone immediately.

2. If a parent, guardian, or other responsible adult custodian is located and agrees to accept responsibility for the juvenile, and the code's other criteria for detention are not pertinent, the juvenile should be released to the custody of such person(s).

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

In (c)1 added the provision on demonstrable record; rewrote (c)2; and added (c)3.

10:19-5.2 Eligibility for admission

(a) Only juveniles charged with delinquency and meeting the criteria for placement in detention as provided for in N.J.S.A. 2A:4A-34(c) (see N.J.A.C. 10:19-5.1, Pre-Admission Procedures) are eligible for admission.

(b) Juveniles alleged to be in a juvenile-family crisis, as defined in N.J.S.A. 2A:4A-22(g), shall not be admitted to any detention facility.

(c) Juveniles charged with less serious delinquent offenses who do not meet the criteria for placement in detention, but meet the criteria for placement in shelter care shall not be admitted to any detention facility and shall be referred to the appropriate shelter facility approved by the Department of Human Services.

(d) Any juvenile showing signs of severe emotional disturbance, severe intoxication by alcohol or drug usage, or is obviously in need of medical attention shall not be admitted to a detention facility unless examined by a physician and approved for admission.

1. Those juveniles not approved for admission by a physician shall be referred and transferred to an appropriate medical or mental health facility.

2. Working agreements should be established with local hospitals to permit the use of hospital emergency rooms when necessary.

(e) Any juvenile showing signs of severe emotional disturbance after admission shall be immediately examined by a physician and/or transferred to an appropriate mental health facility.

(f) No juvenile shall be admitted to a detention facility which has reached its designated capacity.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-5.3 Intake and admission procedures

(a) When it becomes necessary to place a juvenile in detention in accordance with the code's criteria for such placement as noted in N.J.A.C. 10:19-5.1, the following intake and admission procedures must be adhered to:

1. In accordance with R. 5:21-2(b) of the Rules Governing the Courts of the State of New Jersey, "At any time between the filing of the complaint and the disposition, the judge may order the release of the juvenile from detention . . . and fix the terms of such release pursuant to N.J.S.A. 2A:4A-34(d)."

i. The detention facility shall maintain a written record of the efforts made to contact an appropriate adult custodian.

ii. Each detention facility shall have staff trained and authorized to make such contacts with appropriate adult custodians and effectuate release of juveniles to such persons on a 24-hour-per-day basis.

2. Upon admission, the detention staff (preferably a member of the social work staff) shall obtain from the juvenile, the law enforcement officers and the parents (if possible), pertinent factual and identifying information as outlined in N.J.A.C. 10:19-6.1, Intake information.

3. Immediately after being admitted to the detention facility, the juvenile shall be allowed to telephone his/her parents, guardian, or custodian, and an attorney.

4. Upon admission, the juvenile shall be permitted to be visited in private by an attorney and/or his/her parents or guardian.

5. Upon admission, juveniles shall be informed of rules and regulations of the facility, mail and visiting policies and procedures, fire exits and procedures, the detention program and the juvenile's responsibilities, and grievance and disciplinary procedures. A copy of this information shall be given to all juveniles and/or prominently posted in the facility and made available in Spanish when applicable. This information shall be discussed with all juveniles orally, preferably at the intake interview.

6. The orientation of the juvenile to the policies and procedures of the detention facility shall be performed in a designated place in the facility which affords privacy. Both the place and the orientation itself should be non-threatening and conducive to reducing any fear or apprehension about being placed in the facility.

7. All personal property and effects taken from the juvenile upon admission shall be recorded and stored and a receipt issued to the juvenile. The detention facility is responsible for these items until they are returned to the juvenile.

8. Following admission, each juvenile shall be given a hot shower with soap, clean clothing, and necessary toiletry articles. The juvenile's own clothing should be laundered and stored, ready for his/her court appearance or release.

9. If a physician is not present at the time of the admission shower, the nurse or staff worker on duty shall examine the juvenile's body for lice, bruises or abrasions, unusual marks, and symptoms of any communicable diseases. The findings shall be recorded and brought to the attention of the physician as soon as possible.

i. In situations where a juvenile shows evidence of lacerations, bruises, or abrasions and alleges abuse or neglect by a parent, guardian, or relative, a staff member shall immediately contact the appropriate district office of the Division of Youth and Family Services or the emergency and night phone number of DYFS, in accordance with N.J.S.A. 9:6-8.10.

10. Each juvenile placed in detention shall receive a medical examination within 24 hours following admission, noting symptoms of any communicable disease, lice, bruises or abrasions, unusual marks and general medical condition. Internal vaginal and rectal examinations should not be routinely included as part of the medical examination for admission. All medical examinations must be performed by either a physician licensed to practice medicine in the State of New Jersey, or a registered nurse. When the initial examination is performed by a registered nurse, the juvenile must receive a medical examination performed by a physician within 72 hours following admission.

11. Upon admission, any juvenile who shows signs of a contagious disease should be isolated until examined by a registered nurse or physician.

i. Routine isolation pending medical examination, usually ordered when no physician or registered nurse is available, is psychologically and medically unsound and shall not be practiced.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

In (a)1 substituted the provision allowing a judge to order the release of a juvenile from detention for a provision governing what an officer must do; deleted former (a)2 and renumbered the remainder.

SUBCHAPTER 6. RECORDS AND REPORTS

10:19-6.1 Intake information

(a) In accordance with N.J.A.C. 10:19-5.3, Intake and admission procedures, upon admission, the detention staff

(preferably a member of the social work staff) shall obtain from the juvenile, the law enforcement officers and the parents (if possible) pertinent factual and identifying information including:

1. Name (and nickname), sex, date of birth, age, date and time of admission, and person recording data;
2. Religion, race;
3. Name, address, phone number, and relationship to juvenile of person with whom juvenile was living at time of admission;
4. Name, address, and phone number of father, mother, or foster parent, if different from above;
5. Name, address, and phone number of person to notify in an emergency;
6. Siblings, age and sex;
7. School attended, grade, and employer, if any;
8. Name, address, and phone number of person bringing juvenile to detention facility, and name of agency (court or police) authorizing placement;
9. Reason for apprehension of juvenile and attempts made to contact an appropriate adult custodian;
10. Reason for detention as noted on the "Request for Temporary Juvenile Detention";
11. Dates and lengths of stay of previous admissions and releases; and,
12. Medical history, chronic conditions, past serious illnesses, allergies, special diet, and drug history.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-6.2 Individual case records

(a) Individual case folders shall be maintained for each juvenile admitted to the detention facility. These folders shall include, but not be limited to, the following records:

1. Intake information;
2. Medical reports;
3. Social worker's reports;
4. Incident and accident reports;
5. Progress or status reports; and,
6. All available court related documents.

(b) All information which is contained in individual case records is confidential, and employees shall not disclose or knowingly permit the use of any information concerning the juvenile or his family, directly or indirectly, except in the performance of official duties.

(c) All records shall be preserved until the juvenile's 18th birthday, provided that at least two years have elapsed since his/her last discharge from the facility.

10:19-6.3 Master log book

(a) In addition to intake information maintained for each juvenile's folder, the following information shall be recorded in a master log book which denotes admissions chronologically:

1. Name, age, and sex of juvenile;
2. Date of admission;
3. Alleged charge;
4. Referring agency;
5. Municipality of juvenile's residence;
6. Number of previous admissions;
7. Date of discharge;
8. Total number of days at the facility; and,
9. To whom or to which agency juvenile was discharged.

10:19-6.4 Medication log

(a) A medication log shall be maintained for those situations where juveniles are administered medication. The following information shall be recorded each time a juvenile is given medication:

1. Name of juvenile;
2. Date and time medication is given;
3. Name and type of medication;
4. Dosage;
5. Reason for medication;
6. Name and position of person authorizing the medication; and
7. Name and position of person administering the medication.

10:19-6.5 Log for the temporary restriction of juveniles

(a) In accordance with the provisions of N.J.A.C. 10:19-7.4, Temporary restriction, whenever a juvenile is removed from the group or ongoing program and temporarily restricted to his or her sleeping room, or an isolation room, the following information shall be recorded in a log maintained for that purpose:

1. Name of juvenile;
2. Date and time of juvenile's restriction;
3. Name of staff member requesting restriction;
4. Name of supervisor authorizing restriction;

5. Reason for juvenile's temporary restriction; and
6. Date and time of juvenile's release from the restricted quarters.

Amended by R.1989 d.32, effective January 17, 1989.
See: 20 N.J.R. 2442(a), 21 N.J.R. 163(c).
Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

In (a)2 deleted text "release from the restricted quarters." and added "restriction;"; added (a)3-6.

SUBCHAPTER 7. CONTROL, DISCIPLINE AND GRIEVANCE PROCEDURE

10:19-7.1 Rules and regulations

(a) As provided for in N.J.A.C. 10:19-5.3, rules and regulations shall be made available to all juveniles.

(b) Such rules and regulations should:

1. Be designed to effectuate or protect an important interest of the detention facility.
2. Be specific enough to give juveniles adequate notice of what is expected of them.
3. Be periodically reviewed and updated where necessary. Revised rules and regulations shall be available to all juveniles.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-7.2 Grievance procedure

(a) Each detention facility shall establish a written grievance procedure for juveniles which shall provide adequate due process safeguards. This grievance procedure shall be made to all juveniles as provided for in N.J.A.C. 10:19-5.3.

(b) The grievance procedure shall include a mechanism for appeals.

(c) Each juvenile shall be entitled to report any grievance and shall not be subject to any adverse action as a result of filing the grievance.

(d) Grievances shall be processed without alteration, interference, or unreasonable delay.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-7.3 Discipline

(a) Discipline administered shall be for the purpose of helping the juvenile conform to established standards of behavior and the rules and regulations of the facility.

(b) The sanctions imposed for violations of the rules and regulations shall be objectively administered and proportionate to the gravity of the rule and the severity of the violation.

(c) The following disciplinary measures are prohibited:

1. The use of corporal punishment by any members of the staff. If any staff member is found to have utilized corporal punishment, this action shall constitute grounds for dismissal. In addition, in accordance with N.J.S.A. 9:6-8.10, the incident shall be reported immediately to DYFS.

i. Corporal punishment should not be confused with the right of staff to protect themselves from attack, nor should it be confused with the exercise of such physical restraint as may be necessary to protect a juvenile from harming himself or others.

ii. Aggressive, physical contact between staff and detained juveniles, either through acts of self-defense or the use of force to protect a juvenile from harming himself or others, shall be immediately reported in writing to the administrator of the detention facility. A copy of the written report shall be entered in the juvenile's case folder.

2. Placement in a dark cell-like environment or forcing a juvenile to perform any cruel or degrading acts.

3. Any act or lack of care that injures or significantly impairs the health of any juvenile, or is degrading or humiliating in any way.

4. Delegation of the staff's authority for administering discipline and privileges to the juveniles.

5. The deprivation of a juvenile's meals, regular evening snacks, mail or visits.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-7.4 Temporary restriction

(a) Temporary restriction of a juvenile to his/her sleeping room, or isolation room, should be used as a last resort only after other less restrictive measures have failed.

(b) A juvenile shall be placed in temporary restriction only if the juvenile's behavior is so uncontrollable or erratic so as to pose a substantial physical threat to himself/herself and/or others.

(c) No juvenile is to be restricted to quarters except upon orders from the administrator of the detention facility or his/her designate.

(d) When a juvenile is temporarily restricted to quarters, the following procedures shall apply:

1. No juvenile shall be temporarily restricted to quarters for longer than two hours within any 24-hour period

without the personal reassessment of the juvenile's situation and approval by the administrator of the detention facility or his/her designate.

2. As a precaution, any potentially dangerous item on the juvenile or in the quarters shall be removed to prevent potential acts of self-inflicted harm.

3. After the juvenile is temporarily restricted to quarters, his/her name shall be recorded in the "Log for the Temporary Restriction of Juveniles" as provided for in N.J.A.C. 10:19-6.5.

4. During the period of temporary restriction, the juvenile shall be checked at least every fifteen minutes by the supervisor assigned to the unit and the juvenile's condition noted. The supervisor is to be at all times alert for indications of destructive behavior on the part of the juvenile, either self-directed or toward the surroundings.

5. In all situations requiring a juvenile's separation from the group and restriction to quarters, an incident report shall be processed. The report shall outline in detail the presenting circumstances and shall be kept in the juvenile's individual case folder.

6. If the juvenile is temporarily restricted to quarters, during a change of shifts, the relieving supervisor shall check the juvenile and the room prior to assuming his/her post and assure that the conditions as outlined in these standards are being properly employed. Under no circumstances shall a juvenile remain in restricted quarters when there is no supervisor available to provide proper supervision.

7. Restriction procedures shall include a means of communication with staff at all times.

8. There is to be no reduction in food or calorie intake while a juvenile is restricted to quarters.

9. The restricted juvenile shall have access to bathroom facilities, including a toilet and washbasin.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

SUBCHAPTER 8. PHYSICAL CARE OF JUVENILES

10:19-8.1 Food and nutrition

(a) All components of the food service operation in the detention facility shall be in compliance with Chapter 12 of the New Jersey State Sanitation Code—Construction, Operation, and Maintenance of Retail Food Establishments.

(b) Meals shall be planned to provide a well-balanced, appetizing, and varied diet sufficient to meet nutritional needs in accordance with the National Research Council's

recommended dietary allowances, that includes, as a daily minimum:

1. Milk—3 or more cups, ages 8–12; 4 or more cups, ages 12–17;
 2. Meat group—2 or more servings: beef, veal, pork, lamb, poultry, fish, eggs; occasionally dry beans, nuts, or dry peas may be served as alternates;
 3. Vegetable and fruit group: 4 or more servings: a citrus fruit or other fruit and vegetable important for Vitamin C; a dark green or deep yellow vegetable for Vitamin A, at least every other day; other vegetables and fruit including potatoes; and,
 4. Bread and cereal group: 4 or more servings of whole grain, enriched or restored.
- (c) No less than three meals per day shall be provided, at least one of which shall be a hot meal. Juveniles should have the opportunity to receive second portions.
- (d) Food should be prepared by methods that conserve nutritive value, flavor, and appearance, and shall be served at proper temperatures (45 degrees F or below for cold items and 140 degrees F for hot foods).
- (e) Meals should be attractively served and mealtime should be a pleasant occasion in which normal conversation is encouraged. Staff should eat with juveniles whenever practical.
- (f) Only pasteurized milk and U.S. Government inspected meat shall be used.
- (g) Special diets shall be provided as directed by the physician or as required by the juvenile's religious beliefs.
- (h) Juveniles should have an opportunity to express food preferences.
- (i) In-between meal snacks of nourishing quality shall be available but shall not replace regular meals.
- (j) The food service staff should receive supervision or consultation from a qualified nutritionist, dietitian, or physician.
- (k) A different menu should be followed for each day of the week and dated records of menus, including substitutes and changes, shall be retained on file for at least one year.
- (l) Provisions shall be made for the feeding of juveniles admitted after the kitchen has been closed for the day.
- (m) All food, dishes, and cooking utensils shall be stored under proper sanitary conditions, and shall be protected from rodents and insects.

(n) Employees engaged in the handling and preparation of food shall meet all state and local health requirements, wear proper and clean apparel, and give special attention to personal cleanliness.

10:19-8.2 Clothing

- (a) The detention facility shall insure that each juvenile has adequate, comfortable, and well fitting clothes for indoor and outdoor wear.
- (b) Clothing issued by the facility should be similar in appearance to clothing normally worn outside in the community.

10:19-8.3 Personal hygiene

- (a) Each juvenile shall be provided with his/her own toothbrush, comb, towel, washcloth, and other personal hygiene items as needed, and shall have access to a facility for hair cuts and hair grooming. Each juvenile's towel and washcloth shall be changed at least twice a week and more often when necessary.
- (b) Clean underclothing and socks shall be issued daily to each juvenile. Outer clothing shall be issued twice weekly, or more often if necessary.
- (c) Each juvenile shall be given the opportunity to bathe or shower daily.
- (d) The detention facility should carry out a program of instruction in personal hygiene for all juveniles.

10:19-8.4 Household duties and work

- (a) No juvenile shall be used as a substitute for staff. Work performed by juveniles shall be only that which has a constructive value. However, this does not preclude normal household chores to be done by juveniles.
- (b) Work assignments shall be made in relation to the age, abilities, and interests of the juvenile and shall be planned so as not to interfere with regular school programs, study periods, recreation, or sleep.
- (c) Juveniles shall not have exclusive responsibility for any phase of operation such as cooking, laundry, or house-keeping.
- (d) There shall be adequate supervision and protective measures while juveniles are near equipment or machinery where they might be injured.

SUBCHAPTER 9. PROGRAM SERVICES

10:19-9.1 Medical

- (a) Necessary medical care shall be made available to all juveniles in accordance with appropriate medical practices.

(b) Each detention facility shall develop, in writing, medical policies and procedures which shall be made available and explained to all staff of the facility.

(c) The name, address, and phone number of the licensed New Jersey physician(s) treating the juveniles and available emergency hospitals and clinics in the area shall be readily available to all staff.

(d) No medication shall be administered to any juvenile without a prescription or under the direction of a licensed New Jersey physician.

(e) In accordance with N.J.A.C. 10:19-6.4, whenever a juvenile is administered medication, it must be recorded in the "Medication Log".

(f) Authorization for medical care of juveniles shall be obtained from the parents or legal guardians whenever possible.

(g) The juvenile court and the parents or guardian of a juvenile shall be advised of any emergency medical treatment or action which was necessary.

(h) Deaths of juveniles placed in the detention facility shall be reported to the Commissioner of the Department within 24 hours of the occurrence as well as injuries to juveniles, which, in the opinion of the physician, may cause death, serious disability, or disfigurement.

(i) There shall be a staff member(s) designated to be responsible for first aid and maintenance of an accountability for medical and first aid supplies. This staff member shall possess a current American Red Cross First Aid Certificate.

(j) Emergency dental treatment shall be provided when necessary.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-9.2 Recreation

(a) The detention facility shall provide an appropriate range of daily indoor and outdoor recreational activities which are structured to meet the needs of juveniles of varying ages, interest, and abilities.

1. Recreational activities should provide a balance of group play, competitive games, and quiet individual activity.

(b) The detention facility shall provide the necessary equipment for conducting an appropriate indoor and outdoor recreational program.

(c) Coed recreational activities should be scheduled when appropriate.

10:19-9.3 Education

(a) The detention facility shall provide an educational program which meets the needs of each juvenile based on his/her age, level of ability, previous educational experience, and interest.

(b) The education program shall provide for the juvenile's cognitive and affective development.

(c) The education program shall be operated on a twelve-month basis. A modified educational program shall be conducted during periods when the public schools are not in session.

(d) Class population shall not exceed fifteen students.

(e) Efforts shall be made to maintain contact with local schools in order to exchange information regarding the juvenile's social and academic development.

(f) Efforts shall be made to transfer academic credits earned in detention to the juvenile's local school, when applicable.

(g) Appropriate educational equipment and supplies necessary to carry out the educational program, as well as for leisure time activities, shall be available. Books, magazines, other reading material, and audiovisual materials shall be available, preferably located in a designated library area of the facility, which are appropriate to the ages, interests, and ability levels of the juveniles.

(h) Appropriate records on each juvenile's work and progress shall be maintained in an orderly manner.

10:19-9.4 Community activities

(a) When feasible, juveniles should be allowed to participate in recreational, educational, and cultural activities in the community.

(b) Maximum utilization should be made of existing community resources in planning for community activities.

(c) Juveniles should be selected for participation in community activities on the basis of their demonstrated maturity in the detention facility.

(d) All community activities should be well planned and appropriately supervised by the detention facility staff.

10:19-9.5 Social services

(a) Appropriate counseling and casework services shall be available to each juvenile in the detention facility.

(b) The social service program shall include the following:

1. An initial interview as soon as possible after admission to attempt to alleviate anxiety the juvenile may have regarding the detention placement and the court process.

2. Frequent contacts to assist the juvenile in his/her adjustment to detention.

3. An assessment of the juvenile's problems and needs so that detention programs and services may be more effectively planned and utilized.

4. Appropriate contacts with the juvenile, his/her parents, the court, and applicable agencies in preparing for the juvenile's return to the community.

10:19-9.6 Psychological and psychiatric services

(a) Psychological and/or psychiatric services shall be made available for juveniles as needed. Arrangements for these services may be provided by purchase of service with private practitioners, arrangements with mental health resources in the community, sharing of staff with other agencies, or direct employment of staff.

(b) Psychological and/or psychiatric consulting services shall be made available to staff in regard to the supervision and treatment of juveniles.

10:19-9.7 Religion

Each juvenile shall have the opportunity to participate in religious services of his/her faith at least once each week, but attendance shall be voluntary.

10:19-9.8 Visiting

(a) Parents, relatives, and professionals from agencies associated with the juvenile shall have the right to visiting privileges unless prohibited by the court. Visits to juveniles from attorneys and/or their representatives, such as investigators, shall not be restricted.

(b) Other individuals important to the juvenile, at the discretion of the director or his/her designate, shall also have the right to reasonable visiting privileges.

(c) Detention facilities may develop a policy restricting visits by children under a specified age.

(d) Visitors who are obviously under the influence of alcohol or drugs or who exhibit disruptive behavior shall not be permitted to visit.

(e) A record shall be maintained of the names of all persons who visit the juveniles.

(f) A record shall be maintained of the names of those persons who are denied visiting privileges and the reason(s) for the denial.

(g) Visiting hours shall be regularly scheduled at set times at least twice a week.

1. Special visiting arrangements shall be made for visitors who cannot visit the juvenile during the regular visiting schedule.

10:19-9.9 Mail

(a) Juveniles shall be permitted to correspond with members of his/her family, guardian, or custodian, other relatives, friends, and organizations.

(b) Incoming and outgoing mail shall not be read by detention staff unless the administrator of the facility or his/her designate has compelling reasons to believe the correspondence contains material which presents a clear and present danger to the health or safety of the juvenile or to the security of the facility.

(c) A record shall be maintained in the juvenile's file when mail is read by detention staff, documenting the specific reason why the mail was read, and signed by the administrator or his/her designate.

(d) Mail shall only be opened for the purpose of examining for contraband material and enclosures of funds and in the presence of the juvenile.

(e) There shall be no restriction on the amount of mail a juvenile is permitted to send or receive.

(f) Juveniles shall receive a reasonable postage allowance and writing materials for correspondence.

10:19-9.10 Telephone

Juveniles shall have the right to make and receive a reasonable number of telephone calls in order to encourage and maintain family and other relationships.

SUBCHAPTER 10. STAFF; GENERAL REQUIREMENTS

10:19-10.1 Personnel policies

(a) The detention facility shall provide and maintain written personnel policies which shall be available to all staff.

(b) The personnel policies should cover salary ranges, hours of work, vacation, sick leave, overtime, retirement plan, insurance coverage, definition of duties, and performance standards and evaluation.

10:19-10.2 Selection of personnel

(a) All personnel in direct contact with juveniles should be carefully selected with regard to emotional maturity, ability to work with youth in an institutional setting, and special training and skills required for the position.

(b) All applicants shall make a full disclosure of their background, experience and previous work, schooling, and convictions of criminal offenses.

10:19-10.3 Personnel qualifications

Each staff member shall meet the minimum qualifications for his/her position as established by the New Jersey Department of Personnel.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-10.4 Personnel file

A personnel file shall be maintained for each employee. The file shall contain a statement of the employee's qualifications, references, dates and terms of employment, periodic written evaluations of job performance and, when employment is terminated, a statement regarding the reason for termination. After an employee leaves the detention facility, his/her file shall be retained for at least five years.

10:19-10.5 Health

(a) All staff who have regular contact with juveniles or whose duties include food handling shall have medical examinations prior to employment and annually thereafter. A medical statement from a licensed physician shall be on file for each staff member certifying that he/she is in good health. The results of an annual tuberculosis examination shall also be on file.

(b) Dietary staff shall be free of communicable diseases and practice hygienic food handling techniques.

10:19-10.6 Staff coverage

(a) Sufficient staff shall be available to provide continuous 24-hour-per-day supervision of the juveniles and protection of the facility.

(b) Periodically during sleeping hours, and at least every 30 minutes, each sleeping room shall be visually checked in order to note the juvenile's condition.

10:19-10.7 Staff development

(a) The detention facility shall provide for in-service training and the opportunity for staff to attend academic training conferences, professional conferences, and workshops.

- (b) The in-service training program should cover:
1. Training in the practical routines of the job;
 2. Training in communication and interpersonal skills relevant to interacting with juveniles and other staff;
 3. Development of special skills and methods for handling disruptive behavior;

4. Training regarding the philosophy and procedures of the detention facility, and staff roles and responsibilities; and,

5. Training regarding the juvenile justice process, including juvenile court philosophy and procedures.

(c) New employees shall have a minimum of 24 hours of in-service training before being given responsibility for supervising juveniles.

(d) There shall be budgeted training time of 24 hours per year for each staff member to attend professional institutes, workshops, conferences, and formal in-service training programs at the detention facility.

(e) All staff should be encouraged to initiate or continue their academic education in the area of social services.

10:19-10.8 Volunteers

(a) Volunteers utilized in detention shall be carefully selected and shall not be substitutes for essential operating staff.

(b) Provision shall be made for adequate orientation, training, and supervision of all volunteers.

SUBCHAPTER 11. STAFF; RESPONSIBILITIES

10:19-11.1 Administrator

(a) Each detention facility shall employ a director or superintendent who shall have the following duties and responsibilities:

1. Be responsible for the development and implementation of general policies, and the efficient operation and overall supervision of the detention facility.
2. Prepare the annual budget, supervise expenditure of funds, and maintain accurate financial records.
3. Recruit, appoint, evaluate, and terminate staff consistent with established personnel policies.
4. Conduct regular staff meetings regarding policies, procedures, methods of handling problems, program planning, staff attitudes, and ongoing in-service training.
5. Be responsible for the organization and maintenance of a program for the orientation and continued training of all staff.
6. Make provision for continuity of administrative authority in his/her own absence.

(b) Aside from Civil Service qualifications which are required in N.J.A.C. 10:19-10.3, Personnel qualifications, the following qualifications are recommended:

1. At least five years of experience in a program or agency serving youth with behavioral problems, at least two of which should have been in a supervisory capacity; and,

2. A master's degree in the social sciences.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-11.2 Child care workers

(a) The ratio of child care workers on duty to juveniles during waking hours shall be at least one worker to eight juveniles; during sleeping hours at least one worker to sixteen juveniles.

(b) Child care workers shall plan, supervise, and participate in all of the juvenile's activities in daily living, including work and recreation.

(c) Aside from Civil Service qualifications which are required in N.J.A.C. 10:19-10.3, the following qualifications are recommended:

1. At least one year of experience in working with youth in a volunteer or paid capacity; and,

2. A high school diploma or a GED certificate.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-11.3 Social service worker

(a) At least one full-time social service worker, sometimes called a counselor or group worker, shall be employed in each detention facility with an average daily population of fifteen or more juveniles.

(b) There shall be a minimum of one full-time social worker employed for every 20 juveniles in the detention facility.

(c) The social service worker shall be responsible for implementing the social services program provided for in N.J.A.C. 10:19-9.5(b).

(d) Aside from Civil Service qualifications which are required in N.J.A.C. 10:19-10.3, the following qualifications are recommended:

1. A master's degree in social work, psychology, or counseling; and,

2. At least one year of paid professional experience in human services.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-11.4 Teacher

(a) At least one full-time teacher shall be employed in each detention facility with an average daily population of seven or more juveniles.

(b) At least one part-time teacher, certified by the State of New Jersey, shall be employed in each detention facility with an average daily population of less than seven juveniles.

(c) There shall be a minimum of one full-time certified teacher employed for every 15 juveniles in the detention facility.

(d) The teacher shall be responsible for implementing the education program provided for in N.J.A.C. 10:19-9.3.

(e) Teachers shall meet the following minimum qualification:

1. Possession of a New Jersey teaching certificate, preferably in special education.

(f) Aside from the minimum qualification noted above it is recommended that teachers have at least one year of full-time teaching experience in a program or agency serving youth with behavioral problems.

Amended by R.1995 d.293, effective June 5, 1995.
See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

10:19-11.5 Physician

A physician, licensed to practice in the State of New Jersey, shall be available to provide appropriate medical services for juveniles, and to assist the administrator in planning and coordinating the medical program.

10:19-11.6 Clerical staff

The detention facility shall have adequate clerical staff to keep correspondence, records, accounts, and files current and in good order.

10:19-11.7 Food service staff

(a) A qualified cook or dietitian shall direct and be responsible for the total food service operation.

(b) There shall be a sufficient number of competent cooks and food service personnel to prepare and serve meals for all juveniles.

10:19-11.8 Maintenance and housekeeping staff

The detention facility shall employ, or otherwise make available, persons in sufficient number to be responsible for the maintenance of buildings and grounds, housekeeping, and laundry services.