

CHAPTER 92

**MANUAL OF STANDARDS FOR JUVENILE
DETENTION FACILITIES**

Authority

N.J.S.A. 2A:4A-37, 18A:7B-5, 47:1A-2, 52:17B-170(e)(6), (14), (15), (21) and (22), 52:17B-171a(1) and (5), 52:17B-176(a)(6) through (9) and Executive Order No. 9 (1963).

Source and Effective Date

R.2000 d.189, effective April 7, 2000.
See: 32 N.J.R. 651(a), 32 N.J.R. 1627(a).

Executive Order No. 66(1978) Expiration Date

Chapter 92, Manual of Standards for Juvenile Detention Facilities, expires on April 7, 2005.

Chapter Historical Note

Chapter 92, Manual of Standards for Juvenile Detention Facilities, was originally codified in Title 10A as Chapter 32, Manual of Standards for Juvenile Detention Facilities. Chapter 32 was adopted as R.1980 d.14, effective January 11, 1980. See: 11 N.J.R. 284(b), 12 N.J.R. 87(b). Pursuant to Executive Order No. 66(1978), Chapter 32 expired February 1, 1985.

Chapter 32, Manual of Standards for Juvenile Detention Facilities, was adopted as new rules by R.1985 d.97, effective March 4, 1985. See: 17 N.J.R. 40(a), 17 N.J.R. 598(a). Pursuant to Executive Order No. 66(1978), Chapter 32 expired on March 4, 1990.

Chapter 32, Manual of Standards for Juvenile Detention Facilities, was adopted as new rules by R.1990 d.208, effective April 16, 1990. See: 22 N.J.R. 313(a), 22 N.J.R. 1265(c).

Pursuant to Executive Order No. 66(1978), Chapter 32, Manual of Standards for Juvenile Detention Facilities, was readopted as R.1995 d.293, effective May 12, 1995 and was recodified as N.J.A.C. 10:19 by R.1995 d.293, effective June 5, 1995. See: 27 N.J.R. 1101(a), 27 N.J.R. 2221(a).

Pursuant to Executive Order No. 66(1978), Chapter 19, Manual of Standards for Juvenile Detention Facilities, was readopted as R.2000 d.189, effective April 7, 2000, and was recodified as N.J.A.C. 13:92 by R.2000 d.189, effective May 1, 2000. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. INTRODUCTION

13:92-1.1 Purpose and scope

(a) The purpose of this chapter is to:

1. Establish the minimum criteria for the administration of county juvenile detention facilities;
2. Establish standards for the provision of programs and services for juveniles in county juvenile detention facilities;
3. Establish standards to analyze and evaluate the performance and adequacy of services provided to juveniles by county juvenile detention facilities, and delineate the deficiencies which require improvement; and
4. Establish the minimum criteria for the planning, design and construction of new county juvenile detention facilities or the renovation of existing facilities.

(b) This chapter shall be applicable to all county juvenile detention facilities in the State of New Jersey.

New Rule, R.2000 d.189, effective May 1, 2000.
See: 32 N.J.R. 651(a), 32 N.J.R. 1627(a).

13:92-1.2 Definitions

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

“Child care worker” means staff who provide direct supervision of juveniles during their daily activities for the purpose of ensuring their safety and security. Child care staff shall include, but is not limited to, juvenile detention officers, youth aides and youth workers.

“Commission” means the New Jersey Juvenile Justice Commission.

“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. But, the commission of: an act which constitutes a violation of chapter 3, 4, 6 or 8 of Title 39 of the Revised Statutes by a juvenile of any age; an act relating to the ownership or operation of a motorized bicycle which constitutes a violation of chapter 3 or 4 of Title 39 of the Revised Statutes by a juvenile of any age; an act which constitutes a violation of article 3 or 6 of chapter 4 of Title 39 of the Revised Statutes pertaining to pedestrians and bicycles, by a juvenile of any age; the commission of an act which constitutes a violation of P.L. 1981, c.318 (N.J.S.A. 26:3D-1 et seq.), P.L. 1981, c.319 (N.J.S.A. 26:3D-7 et seq.), P.L. 1981, c.320 (N.J.S.A. 26:3D-15 et seq.), P.L. 1985, c.185 (N.J.S.A. 26:3E-7 et seq.), P.L. 1985, c.186 (N.J.S.A. 26:3D-32 et seq.), N.J.S.A. 2C:33-13, P.L. 1985, c.318 (N.J.S.A. 26:3D-38 et seq.), P.L. 1985, c.381 (N.J.S.A. 26:3D-46 et seq.), or of any amendment or supplement thereof, by a juvenile of any age; an act which constitutes a violation of chapter 7 of Title 12 of the Revised Statutes relating to the regulation and registration of power vessels, by a juvenile of any age or section 2 of P.L. 1987, c.453 (N.J.S.A. 12:7-61); or an act which constitutes a violation of a municipal ordinance enacted pursuant to section 2 of P.L. 1992, c.132 (N.J.S.A. 40:48-2.52) pertaining to curfew ordinances shall not constitute delinquency as defined in this section.

“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 facility specified by the Commission, affording secure, short-term custody for delinquent juveniles, or juveniles alleged to be delinquent.

“Fire-resistant” means materials which, due to chemical treatment or inherent properties, do not ignite readily or propagate flaming under small to moderate exposure.

“Juvenile” means an individual who is under the age of 18 years. (N.J.S.A. 2A:4A-22a). For purposes of this chapter, juvenile also includes any individual who is properly detained under the law in a juvenile detention facility and has reached the age of 18 years.

“Medication assistance staff” means a senior level child care worker who works in secure detention and has successfully completed the Statewide standardized training program which utilizes the approved State Board of Nursing’s Medication Assistance Curriculum, and who is supervised in tasks related to medication assistance in accordance with the provisions of the State Board of Nursing rules at N.J.A.C 13:37-6.2.