


Inspections and Searches of Limited Secure Juvenile Justice Placement Facilities

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Related Forms/Links/Sources: Searches for Contraband Log			
SUMMARY: This policy articulates guidelines for limited secure juvenile justice placement (LSP) provider agencies for the development and periodic review of policies and procedures pertaining to inspections and searches of facility spaces in limited secure juvenile justice residential placements.			

SCOPE:

This policy applies to all LSP facilities having care and custody of youth placed with ACS pursuant to Article 3 of the Family Court Act.

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I. INTRODUCTION

The following policy was developed for use in the juvenile justice placement system of the New York City Administration for Children's Services (ACS), the spirit of which rests firmly on the premise that youth placed in residential settings shall be placed in programs close to home and for only as long as is necessary to maintain public safety and impart the skills and tools each youth needs to succeed in the community. All limited secure placement (LSP) settings are to prioritize youth-centered programming and strive to provide youth with a full range of individual supports they need to achieve their treatment goals. Like the youth in LSP programs, families are to be treated with utmost dignity and respect, and shall be integrated into programming and treatment as full partners throughout the period of each youth's placement and aftercare. Communities and the natural resources they possess are to be valued and relied upon as part of the formula for success in each case.

II. PURPOSE

The purpose of this policy is to provide guidelines for LSP provider agencies to follow with respect to inspections and searches of facility spaces. Provider agencies are required to implement policies and practices designed to maintain contraband¹-free programs throughout the LSP system. The primary purpose of any inspection or search is to protect the safety and security of youth, staff, and the surrounding community within a context that respects and promotes dignity, healthy relationships with youth, and that establishes a structured environment.

III. POLICY

- A. It is the policy of ACS to operate contraband-free programs through extensive use of contraband control functions including, but not limited to:
1. Searches of visitors and youth;
 2. Inspections and searches of living, program, and recreation areas;
 3. Proper training of staff in the conduct of searches;
 4. Secure storage of authorized staff and visitor property; and
 5. The consideration of criminal charges, where necessary, to enforce ACS policy.
- B. This policy pertains to facility searches conducted by contracted providers of LSP juvenile justice placement services.

¹ See ACS Policy and Procedure #2015/03, *Contraband Policy for Juvenile Justice Placement*.

IV. DEFINITIONS

- A. Inspection – A routine close visual examination to check that standards of cleanliness, order, safety, and security are being maintained, and to detect and report any deficiencies or exceptions.
- B. Search – An organized process or processes conducted specifically to look for contraband and/or to engage in an active, thorough method of seeking out contraband, and utilized for the express purpose of preventing the introduction of contraband.
- C. Area Search – A search of a specified area of the facility or facility grounds (but not youth bedrooms), as directed by the facility director or designee.

V. INSPECTIONS

- A. Inspections help to maintain a safe environment for staff, youth, and visitors. They promote efficient facility operations and permit for the assessment of youth behavior and staff effectiveness in the performance of duties.
- B. The purpose of inspections is to provide a clean, orderly, safe, and secure environment for youth and staff. Inspections shall include, but shall not be limited to, confirming that:
 - 1. All interior and perimeter security devices are tested and confirmed to be in good working order including, but not limited to locks, doors, windows/screens, alarms, fences, handheld radios, cameras, and gates;
 - 2. All safety devices/procedures are in place and observed to be in good working order including, but not limited to, fire extinguishers, smoke/heat detectors, sprinkler heads, interior and exterior emergency lights and signs, evacuation plans, first aid kits, spill kits, and lighting;
 - 3. Log books and paper files are in place and accessible at appropriate locations around the facility according to ACS policy;²
 - 4. All common areas and youth bedrooms are clean, neat, graffiti-free, and equipped with all required furnishings and fixtures;³

² See ACS Policy and Procedure #2017/04, *Required Log Books and Paper Files for Juvenile Justice Placement*.

³ See ACS Policy and Procedure #2016/10, *Suicide Prevention and Intervention Policy for Juvenile Justice Placement*.

5. Youth attire conforms to program rules and expectations;
 6. All mandated posted materials are visible and in the required places, have not been tampered with, and there are no inappropriate and/or prohibited materials posted;
 7. Furniture, equipment, and walls have not been broken and/or vandalized; and
 8. Staff and/or visitor permissible property items are securely and appropriately stored in the designated spaces.⁴
- C. The facility director or designee shall inspect every area in the facility a minimum of **once each week** and document the inspection in the Facility Activity/Communication Log Book.⁵ Facility areas that require weekly inspection and inventory (where applicable) by the director/designee include, but are not limited to, the following:
1. Staff office spaces;
 2. Youth bedrooms and living spaces;
 3. Kitchen and food storage spaces, including an inventory of utensils and sharp objects;⁶
 4. Program spaces and classrooms, including an inventory of compasses, scissors, and other items used for academic, vocational, or artistic purposes;
 5. Staff bathrooms, youth bathrooms, and shower areas;
 6. Recreational areas inside and outside of the facility;
 7. Visitation areas;
 8. Storage spaces;
 9. Facility perimeter;
 10. Alarms, cameras, and other security systems;
 11. Interior windows, doors, and fire escapes;
 12. Medical and clinical spaces, including medication storage lockers; and
 13. Intake, reception, and/or admission areas.
- D. A supervisory staff member shall conduct an inspection and inventory (where applicable) of every area in the facility a minimum of **once every 24 hours** while on duty, and document the outcome of this inspection in the Facility Activity/Communication Log Book.

⁴ See ACS Policy and Procedure #2015/08, *Visiting Youth in Juvenile Justice Placement Facilities*.

⁵ See ACS Policy and Procedure #2017/04, *Required Log Books and Paper Files for Juvenile Justice Placement*.

⁶ Kitchen utensils and sharp objects include metal knives, forks, spoons, and sporks as well as ceramic or glass plates and cups.

- E. A direct care staff member shall inspect every area in the facility to which they are assigned a minimum of **once per shift**, and document the outcome of each inspection in the Facility Activity/Communication Log Book. If youth safety and facility security may be compromised and staff cannot conduct an inspection of the area to which they are assigned, this must be documented in the Facility Activity/Communication Log Book.
- F. Any areas in need of improvement identified during any inspection must be documented in the Facility Activity/Communication Log Book and, where applicable, report and document such issues immediately pursuant to ACS policy.⁷ Staff shall report any areas of improvement as soon as feasible to a supervisor and/or the facility director prior to the end of the shift. The facility director shall oversee the initiation and implementation of any subsequent corrective action.⁸

VI. SEARCHES OF FACILITY SPACES

The following searches shall be authorized:

- A. Room Search – A thorough and orderly search of each youth's room and its contents, as directed by the facility director or designee, shall be conducted at least **once each week**. Additional room searches may be performed if staff reasonably suspect that contraband is concealed within, and as authorized by the facility director or designee.
 - 1. Staff shall search a youth's room only while the youth is present, except when the youth is unavailable **and** there is reasonable cause to believe that youth, staff, or others might be subject to harm upon the youth's return. If the youth is not present during the search, they shall be notified that the room has been searched in their absence. Notification shall be made prior to or upon the youth's return to the room.
 - 2. If a youth is present during a room search, the youth shall exit the room and may observe the search from across the corridor or from a safe proximity, depending on the physical layout of the facility, provided that the youth's safety and facility security will not be compromised. If there is reasonable suspicion that the youth has contraband on their person, a youth exiting a room during a routine room search shall be pat-frisk searched in accordance with ACS policy.⁹

⁷ See ACS Policy and Procedure #2015/03, *Contraband Policy for Juvenile Justice Placement Facilities*.

⁸ A corrective action can include, but is not limited to, the repair or replacement of damaged items within the physical plant, as well as supervisory efforts to improve staff and/or youth compliance with milieu expectations.

⁹ See ACS Policy and Procedure #2016/05, *Limited Secure Placement Personal Youth Search Policy*.

3. Pursuant to ACS policy and procedure #2017/03, *Personal Property of Youth in Juvenile Justice Placement Facilities*, youth shall be notified in writing of any articles confiscated during a room search by a designated staff member during a review and update of the youth's personal property inventory.
4. Care shall be taken to avoid damage or destruction of a youth's personal property. If permissible property is damaged during a search, the staff member conducting the search shall report the damage on a Close to Home Incident Report form before the end of the shift. If possible, date-marked photos shall be taken of the damage. If permissible property belonging to a youth is damaged or destroyed during a room search, arrangements will be made with the youth to repair or replace the damaged property.¹⁰
5. Reasonable efforts shall be made to return the room to the condition it was in prior to the search.
6. The date, time, specific areas searched, staff members conducting the search, and the outcome of the search must be noted in the Facility Activity/Communication Log Book and the Searches for Contraband Log.

Note: In the event contraband is discovered during a room search,¹¹ the date, time, specific rooms searched, staff members conducting the search, MCCU incident number, and the outcome of the search shall also be recorded in the youth's electronic case record.

- B. Area Search – A search of a specified area of the facility or facility grounds (but not youth bedrooms), as directed by the facility director or designee. This may include, but is not limited to, day rooms; living rooms; kitchens; recreation spaces; bathrooms; vehicles; classrooms; and linen, clothing, and supply closets. Every non-bedroom area in the facility shall be routinely searched a minimum of **once daily**.
 1. Each provider agency must establish a written policy or procedural guide specifying how often and by whom routine area searches will be conducted. This written policy or procedural guide must be distributed to all staff, submitted to ACS and the Office of Children and Family Services (OCFS) for review, and be available to any oversight bodies or investigative agencies upon request.

¹⁰ Provider agencies shall develop policies and a claims process regarding replacement of any lost or damaged permissible personal property items and include them in the Facility Handbook or Resident Manual. See ACS Policy and Procedure #2017/03, *Personal Property of Youth in Juvenile Justice Placement Facilities*.

¹¹ See ACS Policy and Procedure #2015/03, *Contraband Policy for Juvenile Justice Placement*.

2. Facilities may conduct unscheduled general searches of a portion of or the whole facility at any time if staff believe that youth safety is at risk due to reasonable suspicions that weapons or other dangerous contraband may be in the facility.
3. Unscheduled area searches require prior approval from the facility director or designee after staff document the reasonable suspicion that contraband is in the area of the facility to be searched.
4. The time, specific areas searched, the staff members conducting the search, and the outcome of the search shall be noted in the Facility Activity/Communication Log Book and the Searches for Contraband Log.

VII. CONTRABAND CONFISCATION AND REPORTING

Contraband found in the possession of youth during a room search or as a result of an area search shall be immediately confiscated and handled in accordance with the *Contraband Policy for Juvenile Justice Placement*.