Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Detention Centers and Secure Care Centers for Children and Youth.

28-4-357. Emergency, safety, security and control.

(a) Each center shall develop a disaster plan to provide for the safety of juveniles in emergencies. The plan shall be reviewed at least annually and updated as needed. The plan and subsequent updates, if any, shall be approved by the state fire marshal or the marshal's designee.

(1) The plan shall include provisions for the care of juveniles in disasters such as fires, tornadoes, storms, floods, and civil disorders, as well as occurrences of serious illness or injury to staff members and juveniles.

(2) The personnel in the center shall be informed of the disaster plans and the plans shall be posted in a prominent location and practiced.

(3) Each center shall have first aid supplies: assorted adhesive strip bandages, adhesive tape, roll of gauze, scissors, package of gauze squares, pump soap, elastic bandage, tweezers and rubbing alcohol.

(4) Each center which uses locked isolation shall have an effective policy and procedure to evacuate an isolated juvenile in the event of a fire or other emergency.

(b) The center shall have one fire drill and one tornado drill per each shift per quarter.

(c) Security and control. Each center shall use a combination of supervision, inspection, accountability and clearly defined policies and procedures on the use of security to promote safe and orderly operations.

(1) Written policies and procedures for center security and control shall be available to all staff members. The policies and procedures shall be reviewed at least annually and updated as needed. The following rules and requirements shall be included:

(A) A daily report on juvenile population movement shall be completed and kept on file at the center.

(B) Written operational shift assignments shall state the duties and responsibilities for each assigned position in the center.

(C) Supervisory staff shall maintain a permanent log and prepare shift reports that record routine and emergency situations.

(D) Regular inspection and maintenance of security devices. Any corrective action shall be completed as necessary and recorded.

(E) No weapons shall be permitted in the center. Secure weapons lockers shall be provided for storage of any weapons carried by visiting law enforcement officers.

(F) Guidelines for the control and use of keys, tools and medical and culinary equipment shall be implemented.

(G) No juvenile or group of juveniles shall exercise control or authority over other juveniles, have access to the records of other juveniles or have access to or use of keys that control center security.

(H) Procedures for handling escapes, runaways and unauthorized absences shall be developed and adhered to.

(I) Safety and security precautions pertaining to facility and staff vehicles shall be developed and adhered to.

(2) Policies and procedures for the prosecution of any illegal act committed while the juvenile is in care shall be developed.

(3) Policies and procedures to ensure that chemical agents such as mace, pepper mace or tear gas are never used by center staff shall be developed and adhered to.

(4) Poisons and all flammable materials shall be kept in locked storage.

(5) Written policies and procedures governing control of contraband shall be developed and adhered to. The procedures shall:

(A) Provide for searches of facilities and juveniles;

(B) provide that strip searches are conducted only at admission or when there is reasonable belief that the juvenile is carrying contraband or other prohibited material. The inspection shall be conducted in private by a trained staff member of the same sex as the juvenile. A second staff person shall observe the staff member conducting the search to verify that the search was conducted in accordance with agency policies. If

necessary, a body cavity inspection shall be conducted only by a physician or nurse who is trained to conduct body cavity inspections; and

(C) require documentation of the incident, including the reason for the search, the identities of staff persons involved and the result. The documentation shall be kept on file at the center.

(6) Policies and procedures shall govern documentation of all special incidents, including but not limited to the taking of hostages and the use of restraint other than for routine transport. Procedure and practice shall require submission of a written report of all special incidents to the director or the director's designee. The report is to be submitted no later than the conclusion of the shift. A copy of the report shall be kept in the file of the juvenile concerned. A copy of the report of any incident which involves the taking of hostages, the death or injury of a juvenile, or criminal charges against a juvenile or staff member shall be submitted to the Kansas department of health and environment, the placing agent and other persons as appropriate.

(7) Any incident of disaster as enumerated in K.A.R. 28-4-357 (a)(1) shall be reported to the Kansas department of health and environment within 24 hours excluding weekends and holidays. Any incident of fire shall also be reported to the state fire marshal within the same time frame.

(8) A written plan shall provide for continuing operations in the event of a work stoppage. Copies of this plan shall be available to all supervisory personnel who shall familiarize themselves with it. The Kansas department of health and environment shall be notified immediately of incidents of work stoppage.

(Authorized by and implementing K.S.A. 65-508; effective May 1, 1979; amended Aug. 23, 1993.)

***** Authenticated Kansas Administrative Regulation *****