



Ohio Administrative Code Rule 5139-36-15 Security and control.

Effective: December 23, 2022

(A) The CCF will have written policy and procedure, practice restricting the use of "response to resistance" to instances of justifiable self defense, protection of others, protection of property, and prevention of escapes, and then only as a last resort and in accordance with appropriate statutory authority. In no event are responses to resistance justifiable as punishment. A written report is prepared following all "response to resistance" and is submitted to administrative staff for review.

The use of prone restraint is prohibited across all state systems. Prone restraint is defined as all items or measures used to limit or control the movement or normal functioning of any portion, or all, of an individual's body while the individual is in a face down position for an extended period of time. Prone restraint includes physical or mechanical restraints.

(B) The use of "response to resistance" will be documented and include, but not be limited to:

- (1) Who was involved
- (2) The response to resistance that was used
- (3) Justification for the use of response to resistance

(C) The CCF will have a written policy, procedure, and practice provide for and documents the examination and/or treatment by CCF medical personnel or outside emergency medical services of juveniles and/or staff involved in any response to resistance, when:

- (1) A person involved has suffered physical injury
- (2) A person involved complains of an injury or requests medical assistance

(D) The CCF shall have written policies and procedures that require reporting of suspected or alleged



juvenile abuse or neglect incidents to the public children services agency or law enforcement agency of appropriate jurisdiction and the court which has placed the juvenile.

(E) The CCF shall cooperate with the public children services agency or law enforcement agency during an investigation of suspected or alleged juvenile abuse or neglect. Cooperation will include, but not limited to, permitting access to:

(1) The alleged juvenile victim

(2) The alleged perpetrator

(3) Witnesses

(4) Staff

(5) Incident report or logs

(a) Medical and dental records

(b) Personnel records

(c) Training records

(d) Procedural records

(e) Photographs, video documentation

(f) Other records, which relate to the investigation of alleged juvenile abuse or neglect.

(6) There exist written policies and procedures concerning security and control, which are available to all personnel. Their policies and procedures are reviewed annually and updated as necessary.

(7) The use of chemical agents and related restraining devices is prohibited. Written policy and



procedure govern the availability, control and use of approved security devices. Security devices are used only in accordance with the written policy and procedure. A written report is prepared following all uses of "response to resistance" and restraints, and is submitted and reviewed by the CCF director.

(8) The CCF will have a written policy and procedure that requires that all security perimeter entrances, exterior doors and all doors the CCF director determines should be locked are kept locked, except when used for admission or exit of employees, detained juveniles or visitors, and in emergencies.

(9) The CCF will have a written policy and procedure that requires that staff maintain a permanent log that records routine information and emergency situations, and unusual incidents.

(10) The policy regarding searches for the control of contraband is published, made available to staff and juveniles and reviewed at least annually and updated if necessary.

(11) The CCF will have a written policy and procedure that provides for the least intrusive method of search consistent with the safety and security of the CCF. Frisk searches and/or strip searches are conducted without specific authorization only upon entry to the CCF and at all other times are based upon a reasonable belief that the juvenile is carrying contraband.

(12) All strip searches will be conducted in privacy. Manual or instrument inspection of lower body cavity or cavities are prohibited within the facility. All strip searches of female juveniles may be conducted only by female staff. Such searches of male residents may be conducted only by male staff. However, a physician or nurse may conduct searches of juveniles of either sex. Strip searches may not be conducted in the presence of the opposite sex.

(13) Firearms are not permitted in the CCF except in emergency situations. Staff are prohibited from bringing in and/or possessing any weapon, chemical agent, or any object which presents the potential of being used as a weapon.

(14) The CCF will have locked storage (e.g., weapons locker/cabinet) for the temporary securing of weapons when police and other authorized persons enter the security perimeter.



(15) The CCF will have a written policy, procedure, and practice governing the control and use of keys/key cards to include, but not limited to the following:

(a) A key control center which is secured and inaccessible to unauthorized persons at all times.

(b) An accounting procedure for issuing and returning keys/key cards.

(c) A procedure for the immediate reporting and repairing of any broken or malfunctioning key/key card or lock.

(d) A set of duplicate keys to be maintained in a separate, secure place, which is readily accessible during emergencies.

(e) Keys operating locks to outside doors and/or gates will be secured and not readily accessible to unauthorized persons within the security perimeter.

(f) Emergency keys and keys to control security areas are clearly marked and issued in accordance with written procedures established by the CCF administrator.

(g) Precautions taken to ensure the security of all non-key operated locking devices (e.g., electrical switches, levers).

(16) The CCF will have a written policy and procedure governing the control and use of tools, medical and culinary equipment.

(17) The use of restraining devices, including four and five point restraints, is discouraged. CCF written policy and procedure provide that instruments of restraint are never applied as punishment and are applied only in accordance with written policy and procedure.

(18) The CCF will have written policy and procedures governing safety and security precautions for agency vehicles.



(19) The CCF will have a written policy, procedure, and practice requiring at least a weekly inspection and maintenance of all security devices, and corrective action is initiated when necessary.