

TITLE 83 - JAIL STANDARDS BOARD - STANDARDS FOR JUVENILE  
DETENTION  
FACILITIES

CHAPTER 15 - ADMISSION AND RELEASE

001 Authority to Admit. The admitting staff member shall positively identify the committing officer and verify the committing officer's authority to have the juvenile detailed.

001.01 When a juvenile has been taken into custody pursuant to Section 43-248, N.R.S., the committing officer shall have secured the authorization for detention from the court of jurisdiction or a probation officer prior to presenting the juvenile for admission into the juvenile detention facility.

001.02 When a juvenile is presented for admission into the juvenile detention facility, the committing officer should provide the admitting staff member with appropriate documentation of authority to detain. Such documentation may include the following:

001.02A Court authorization for temporary detention;

001.02B Valid warrant or order of the court;

001.02C Mittimus issued by the court for execution of sentence;

001.02D In the case of probation or parole violations, copy of probation or parole orders;

001.02E In the case of temporary housing of juveniles in transit, a copy of travel orders or an active warrant.

001.03 If the committing officer is unable to produce valid documentation of authority to detain, the admitting staff member may refuse to accept custody of the juvenile.

001.04 The committing officer shall remain present during the admission's process until all pertinent information is recorded and the admitting staff member accepts custody of the juvenile.

TITLE 83  
CHAPTER 15

002 Verification of Juvenile's Identity. The admitting staff member, to the best of his or her ability, shall ascertain the identity and age of the juvenile.

003 Fitness to Confine. If the juvenile shows signs of illness, injury, is incoherent, or unconscious, he or she shall not be admitted to the facility until the committing officer has been provided written documentation from facility medical personnel or a physician of examination, treatment, and fitness for confinement.

004 Initial Search. The admitting staff member shall conduct a complete and thorough search of the juvenile being admitted. Written policies and procedures regarding searches upon admission shall be consistent with the following provisions:

004.01 All searches shall be of the least intrusive type necessary to satisfy the safety and security needs of the facility.

004.02 The pat search shall be considered the initial method of searching juveniles upon admission. All pat searches shall be conducted as prescribed in Chapter 8-015.

004.03 Strip searches upon admission are authorized only upon individualized determination of reasonable suspicion or probable cause as set forth below:

004.03A When there is reasonable suspicion that the juvenile has on his or her person contraband, weapons, criminal evidence, or other items concealed which present a threat to the safety and security of the facility;

004.03B When there is reasonable suspicion that a strip search is necessary to confirm the presence of a health condition requiring immediate medical attention; or

004.03C When there is probable cause to believe that a strip search is necessary to confirm the presence of other criminal evidence concealed on the juvenile's body.

004.04 For the purpose of determining when a strip search is authorized, reasonable suspicion shall be deemed present when:

TITLE 83  
CHAPTER 15

004.04A Charges involve a crime of violence;

004.04B Charges involve escape, burglary, or use of a weapon;

004.04C Charges involve narcotics related offenses;

004.04D The detainee's prior record indicates arrest or conviction for one of the above offenses;

004.04E The detainee is being admitted as a sentenced prisoner, a prisoner in transit, or a prisoner being held for Federal authorities;

004.04F The detainee is suspected of concealing contraband or a weapon; or

004.04G The detainee is suspected of being injured or infested with vermin.

004.05 Body cavity searches upon admission are authorized only when there is probable cause to believe that contraband will be discovered.

004.05A Body cavity searches must be authorized by the facility administrator or his or her designee.

004.05B No body cavity searches may be conducted unless a thorough pat search, strip search, and search of the juvenile's clothing have failed to satisfy the safety and security needs of the facility.

004.06 All strip searches and body cavity searches shall be conducted under the conditions as prescribed by Chapter 8-016.

004.07 A written record shall be made of any strip search or body cavity search of a juvenile upon admission. Such record shall include:

004.07A The name of the juvenile being searched;

004.07B Name of the facility employee or medical person conducting the search and other persons present during the search;

TITLE 83  
CHAPTER 15

004.07C Time, date, and place of the search;

004.07D Statement of the results of the search along with any unauthorized items or health conditions discovered;

004.07E Statement of the facts which led facility employees to believe there was reasonable suspicion or probable cause to conduct the search.

005 Intake and Release Form. An intake and release form shall be completed on every new juvenile. The standardized Nebraska Juvenile Admission and Release Record provided by the Nebraska Commission on Law Enforcement and Criminal Justice or similar form approved by the Board shall be utilized.

006 Fingerprinting Juveniles. No juvenile under the age of fourteen (14) shall be fingerprinted, except by court order. Juveniles the age of fourteen (14) or older may be fingerprinted. The fingerprints of any juvenile shall not be sent to a federal or state depository, unless the juvenile has been convicted of a felony, the juvenile has escaped from a Youth Development Center, or the juvenile is a runaway whose fingerprints are needed for identification purposes to return the juvenile to his or her parents/legal guardian.

007 Medical Screening. Juveniles shall be screened and observed as prescribed by Chapter 11-009 to determine if immediate medical or mental health attention is needed.

008 Initial Telephone Calls. Each juvenile detained shall be allowed to communicate with his or her family, bail bondsman, and attorney by completing at least two (2) unmonitored telephone calls at the time of admission.

009 Property Inventory. All money, valuables, and other personal property not allowed in the facility shall be taken from juveniles at the time of admission and securely stored. If necessary, clothing taken from the juvenile shall be cleaned and/or disinfected before storage or return to the juvenile. An itemized inventory signed by the juvenile and admitting staff shall be prepared and placed in the juvenile's file. Personal property released to a third party must have the juvenile's signature of approval and the signature receipt of the third party.

010 Shower. After the booking process is completed, juveniles to be housed shall be required to shower. If there is indication of vermin, delousing procedures shall be followed.

TITLE 83  
CHAPTER 15

011 Standard Issue. Newly admitted juveniles shall be provided clothing as necessary and the standard issue of bedding and hygiene items as provided in Chapter 10-009 and 10-011.

012 Housing Assignment. Newly admitted juveniles shall be assigned to initial housing according to the facility's classification plan. Male and female juveniles shall not occupy the same sleeping room.

013 Orientation. Newly admitted juveniles shall receive an orientation to the facility and its operation within 24 hours of admission. Each juvenile shall be provided written information about the facility's regulations governing treatment and conduct, daily schedule of activities, listing of programs and services available, methods of seeking information or assistance, procedure for making complaints, emergency procedures, and any other information necessary to enable the juvenile to adapt to the routine of the facility.

013.01 The written information shall include a copy of rules, including a listing of prohibited acts, the range of possible sanctions for various levels of violation, and the disciplinary procedures to be followed. The juvenile shall have access to the written information during his or her entire stay at the facility.

013.02 Where a literacy or language barrier prevents the juvenile from understanding the orientation materials, assistance shall be provided.

013.03 Upon completion of orientation, the juvenile shall be requested to verify that he or she has been made aware of the facility's rules, programs, and services with his or her signature.

013.04 Upon request, parents or guardians of detained juveniles shall receive a copy of facility rules issued to juveniles.

014 Inability to Process. If a juvenile's physical condition, mental condition, or behavior prevents the completion of the admissions process, the process may be temporarily delayed until the juvenile is capable of being processed in a safe and orderly manner.

015 Processing of Detainees. When detainees are brought into the facility, facility employees of the same sex shall be present and assist with the admissions process.

TITLE 83  
CHAPTER 15

016 Authority to Release. Prior to releasing a juvenile, the releasing staff shall positively identify the juvenile to be released and verify the authority for the release. When the juvenile is released to another authority, the identity of the receiving officer shall also be verified.

017 Release Documentation. The releasing staff shall record the time, date, authority for release, and receiving authority, if any, on the facility's release form. The releasing staff member shall sign the completed form.

018 Return of Property. Upon release, any property not legally confiscated or retained shall be compared against the inventory of property taken and returned to the juvenile. The juvenile and the releasing staff shall sign a receipt for all property returned.

019 Property Complaints. The facility shall have a procedure for handling complaints about property.

020 Disposal of Property. Property not claimed within six months of the juvenile's discharge may be disposed of by the facility as long as it has been documented in writing that the juvenile, the juvenile's parents/legal guardian or other responsible party were notified on at least three (3) occasions to pick the property up.

Effective: August 8, 1993