

**TN**

Department of  
**Children's Services**



# Contract Provider Manual

## Section Nine (9) Juvenile Detention

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# General Characteristics

Detention Centers are secured, locked facilities designed for youth who pose a risk to the community due to delinquent behaviors and charges, as outlined in Tennessee Code Annotated [\(T.C.A.\) 37-1-114](#). Youth should not remain in a detention center beyond fourteen (14) calendar days except for youth waiting for placement in a DCS Youth Development Center. The Office of Network Development and the Office of Juvenile Justice monitor Detention Center censuses on a weekly basis.

## Admission Criteria

1. Male/female youth from ages 12-18; Youth must be in the custody of the Department of Children's Services (DCS) and authorized by DCS to be eligible for payment.
2. Youth who are in DCS custody and adjudicated Dependent/Neglect or Unruly are not eligible for detention. Any exceptions to this are approved by the Regional Administrator (RA).
3. Youth eligible for detention are adjudicated delinquent and must meet one of the following per [T.C.A. 37-1-114](#):
  - a) There is probable cause the youth has committed a delinquent offense constituting a crime against a person resulting in the serious injury or death of the victim or involving the likelihood of serious injury or death to such victim;
  - b) The unlawful possession of a handgun or carrying of a weapon, as prohibited by [T.C.A. 39-17-1307](#); or
  - c) There is probable cause the youth has committed any other delinquent offense involving the likelihood of serious physical injury or death, or a property offense constituting a felony, and the youth;
    - Was on probation or home placement at the time of commitment;
    - Is currently awaiting action on a previous alleged delinquent offense;
    - Is alleged to be an escapee or absconded from a juvenile facility, institution, or other court-ordered placement, or has within the previous twelve (12) months, willfully failed to appear at any juvenile court hearing, engaged in violent conduct resulting in serious injury to another person or involving the likelihood of serious injury or death, or been adjudicated delinquent by virtue of an offense constituting a felony if committed by an adult;
  - d) There is probable cause to believe the youth has committed a delinquent offense;

- e) The youth is alleged to be an escapee from a secure juvenile facility or institution;
- f) The youth is wanted in another jurisdiction for an offense, which, if committed by an adult, would be a felony in that jurisdiction;
- g) There is probable cause to believe the child is an unruly youth who has violated a valid court order or who is a runaway from another jurisdiction;
- h) In addition to the conditions listed above, there must be no less restrictive alternative, which reduces the risk of flight or of serious physical harm to the child or to others.
- i) No youth in DCS physical or legal custody are placed, by DCS or the contract provider in jail, correctional or detention facility unless such child has been charged with a delinquency charge or unless otherwise placed or ordered by the court.

## Personnel

See licensing rules "[Minimum Standards for Juvenile Detention Facilities and Temporary Holding Resources.](#)"

## Service Components and Overview

See licensing rules "[Minimum Standards for Juvenile Detention Facilities and Temporary Holding Resources.](#)"

## Education of the Child/Youth

See licensing rules "[Minimum Standards for Juvenile Detention Facilities and Temporary Holding Resources.](#)"

## Records Management

See licensing rules "[Minimum Standards for Juvenile Detention Facilities and Temporary Holding Resources.](#)"

# **Core Standards**

Detention Centers are required to adhere to the following portions of the Core Standards section of this manual: Section I (Organizational and Administrative Requirements) and Section V (Safety). In lieu of all other Core sections, Detention Centers refer to the Rules of TN DCS Office of Child Welfare and Licensing: Minimum Standards for Juvenile Detention Facilities and Temporary Holding Resources.

# **Use of Restrictive Behavior Management Techniques**

Use of seclusion, physical and mechanical restraint, and chemical sprays are permitted in Detention Centers under certain circumstances. See licensing rules “Minimum Standards for Juvenile Detention Facilities and Temporary Holding Resources.”