

MINUTES
HOUSE JUDICIARY, RULES, & ADMINISTRATION COMMITTEE

DATE: Wednesday, January 27, 2016

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Wills, Vice Chairman Dayley, Representatives Luker, McMillan, Perry, Sims, Malek, Trujillo, McDonald, Cheatham, Kerby, Nate, Scott, Gannon, McCrostie, Nye, Wintrow

**ABSENT/
EXCUSED:** Representative(s) Perry

GUESTS: Steven Jett, Idaho Department of Juvenile Correction (IDJC); Sharon Harrigfeld, IDJC; Jessica Moncala, IDJC; Jason Shaw, OAR.

Chairman Wills called the meeting to order at 1:32 PM.

Chairman Wills appointed **Rep. McMillan** in place of **Rep. Scott** to proof read the minutes.

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the January 13, 2016 meeting. **Motion carried by voice vote.**

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the January 19, 2016 meeting. **Motion carried by voice vote.**

**DOCKET NO.
05-0102-1501:** **Director Sharon Harrigfeld**, Idaho Department of Juvenile Corrections (IDJC), presented **Docket No. 05-0102-1501**, Rules and Standards for Secure Juvenile Detention Centers. The training and staff development plan will now include the approval of a POST certified appropriate use of force instructor. Based on the POST approved grading matrix, IDJC staff must demonstrate an adequate level of proficiency when asked to use the appropriate use of physical intervention. All direct care staff working fewer than forty hours will now be required to obtain a part time juvenile detention officer certificate. The requirement to record deposits and withdrawals from a juvenile offender's account has been removed. The remaining changes were made to update the language throughout the rules for consistency and correct grammatical errors and redundancies.

In response to a question from the committee, **Steve Jett**, IDJC Administrator, explained the removal of a required monthly inspection is due to a redundant requirement. These inspections already take place several times within an hour.

MOTION: **Rep. Dayley** made a motion to approve **Docket No. 05-0102-1501**.

In response to a question from the committee, **Director Harrigfeld** explained the detention facilities do not maintain bank accounts or records of money for the juvenile. They do not earn money and they are not spending money while in the care facility.

**VOTE ON
MOTION:** **Motion carried by voice vote.**

DOCKET NO. 05-0201-1501: **Director Sharon Harrigfeld**, Idaho Department of Juvenile Corrections, presented **Docket No. 05-0201-1501**, Rules for Residential Treatment Providers. This rule pertains to sixty six contract providers in the state. These clarifications were requested last year by the committee. The definition of a medical health professional is updated in definitions and the new definition is adopted throughout the rule. State employees cannot transport juveniles in provider vehicles unless an emergency exists.

In response to a question from the committee, **Director Harrigfeld** explained the term medical authority is outdated and medical health professional is defined and used throughout the rule.

MOTION: **Rep. Dayley** made a motion to approve **Docket No. 05-0201-1501**. **Motion carried by voice vote.**

DOCKET NO. 05-0202-1501: **Director Sharon Harrigfeld**, Idaho Department of Juvenile Corrections, presented **Docket No. 05-0202-1501**, Rules for Staff Secure Providers. The definition of a medical health professional is updated in definitions and the new definition is adopted throughout the rule. The rule clarifies unclothed body searches must have an adult of the same gender accompanying the juvenile while they are being searched. Body cavity searches must be conducted in a medical facility outside of the residential treatment provider.

In response to a question from the committee, **Director Harrigfeld** explained IDJC procedures and policies indicate they defer to the juvenile's specified gender and the juvenile may indicate which gender the adult who accompanies them while being searched should be.

MOTION: **Rep. Dayley** made a motion to approve **Docket No. 05-0202-1501**. **Motion carried by voice vote.**

DOCKET NO. 05-0203-1501: **Director Sharon Harrigfeld**, Idaho Department of Juvenile Corrections, presented **Docket No. 05-0203-1501**, Rules for Reintegration Providers. The definition of a medical health professional is updated in definitions and the new definition is adopted throughout the rule. The rule clarifies unclothed body searches must have an adult of the same gender accompanying the juvenile while they are being searched. Body cavity searches must be conducted in a medical facility outside of the residential treatment provider.

MOTION: **Rep. Dayley** made a motion to approve **Docket No. 05-0203-1501**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:56 PM.

Representative Wills
Chair

Katie Butcher
Secretary