

ALABAMA DEPARTMENT OF YOUTH SERVICES
ADMINISTRATIVE CODE

CHAPTER 950-1-5
MINIMUM STANDARDS FOR DETENTION FACILITIES AND PROGRAMS

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950-1-5-.01 ACA Minimum Standards For Juvenile Detention Facilities, 1991, And Revisions As Presented In The 2004 ACA Supplement. The Department of Youth Services has adopted the ACA Minimum Standards for Juvenile Detention Facilities, 1991, including the 2004 Standards Supplement, and as subsequently amended. Facilities must comply with these Standards within one year of operation. Copies of these Standards can be obtained from the American Correctional Association.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a)(b), 44-1-24(4)(6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005. **Amended:** Filed November 6, 2018; effective December 21, 2018.

950-1-5-.02 Reserved.

950-1-5-.03 Reserved.

950-1-5-.04 Reserved.

950-1-5-.05 Reserved.

950-1-5-.06 Reserved.

950-1-5-.07 Licensing Procedures And Application For License.
(REPEALED)

Author: Alabama Department of Youth Services, Office of
Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a)(b),
44-1-24(4)(6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective
January 21, 2005. **Repealed:** Filed November 6, 2018; effective
December 21, 2018.

950-1-5-.08 Revocation Of A License. (REPEALED)

Author: Alabama Department of Youth Services, Office of
Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a)(b),
44-1-24(4)(6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective
January 21, 2005. **Repealed:** Filed November 6, 2018; effective
December 21, 2018.

950-1-5-.09 Appeal For Fair Hearing And Review. (REPEALED)

Author: Alabama Department of Youth Services, Office of
Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a)(b),
44-1-24(4)(6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective
January 21, 2005. **Repealed:** Filed November 6, 2018; effective
December 21, 2018.

950-1-5-.10 Statutory Authority. Title 44, Code of Ala. 1975:

(1) §44-1-27(a) - "The Department of Youth Services is authorized and directed to establish and promulgate reasonable minimum Standards for the construction and operation of detention facilities, Programs for the prevention and correction of Youth delinquency, in-service training for probation officers, consultation from local officials and subsidies to local delinquency projects. The said Standards shall include, but not be limited to, reasonable minimum Standards for detention facilities, foster care facilities, group homes, and correctional institutions and aftercare services."

(2) §44-1-27(b)- "No county, or city in the state nor any public or private agency, group, corporation, partnership, or individual shall establish, maintain, or operate any detention facility or foster care facility for Youths found delinquent or in need of supervision by a juvenile court, without a license from the Department. A license shall be required on an annual basis or as determined by the Department. The Department shall revoke the license of any city, county, or public or private agency, group, corporation, or individual conducting, operating, or acting as a detention facility, or foster care facility caring for children and Youths alleged or adjudged to be delinquent or in need of supervision, that fails to meet the Standards prescribed by the Department. The Department is authorized to visit and inspect any public or voluntary detention facility, foster care facility or group homes as it deems necessary."

(3) §44-1-24 - The Department of Youth Services shall perform the following duties and functions: (4) "License and subsidize foster care facilities or group homes for Youths alleged to be delinquent pending Hearing before a juvenile court or adjudged delinquent following Hearing, including detention, examination, study, care, treatment, and Training." (6) "Make and enforce all rules and regulations which are necessary and appropriate to the proper accomplishment of the duties and functions vested in the Department by law with respect to Youth services and which do not conflict with or exceed the provisions of law vesting the duties and functions in the Department."

(a) §44-1-28 - "The functions and facilities related to Youth detention facilities, licensed by the Department of Youth Services of each county or counties, acting together may, upon the express written agreement of each such county or such counties acting together and the department, receive funds from the Department according to formulas for disbursement established by the Department and in accordance with the terms of written agreements between each such county or such counties acting together and the Department, relative to detention care. Any

county or counties acting together shall retain control of such detention functions and detention and shall continue to have financial responsibility for their operation, unless otherwise provided for by the Department. All detention programs and facilities shall maintain Standards prescribed by the Department. All funds expended by the Department will be contingent upon the recipients of said funds meeting the Standards established by the Department."

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a)(b), 44-1-24(4)(6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-5-.11 Effective Date.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a)(b), 44-1-24(4)(6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

ED NOTE: Chapter content was previously Chapter 950-4-2, Minimum Standards for Detention Facilities and Programs, as per certification filed December 17, 2004; effective January 21, 2005. See Chapter 950-4-2 for previous history.