

NEW YORK STATE
OFFICE OF CHILDREN AND FAMILY SERVICES

APPLICATION TO OPERATE A SECURE OR NON-SECURE DETENTION FACILITY

NOTE: To be completed for all requests to establish and operate a detention facility EXCEPT Family Boarding Care. For Family Boarding Care, use Form OCFS-0290, *Application to Operate a Family Boarding Care Facility*. For *Specialized Secure Detention*, use Form OCFS-0291a.

PROPOSED FACILITY:

Name

Address

County

Facility Type: Secure: Non-Secure Secure Holdover:

Population: JD: JO: Co-Locate w/ SSD:

Capacity: Male: _____ Female: _____ Total Beds: _____

OPERATING AGENCY:

Name

Address

County

()

(Area Code) Telephone Number

Email Address

PUBLIC AGENCY ADMINISTERING DETENTION (if different from above):

Agency Name

(Area Code) Telephone Number

Contact Person:

Email Address:

VERIFICATION & CERTIFICATION: I acknowledge and affirm this program will maintain current policies & practices in compliance with 9 NYCRR Part 180 Regulations. This program will notify the assigned Detention Specialist prior to the implementation of any changes to program policies or practices.

Admin Agency:

Signature

Title

Date

Operating Agency:

Signature

Title

Date

SUPPORTING DOCUMENTATION CHECKLIST

PHASE 1: The following items must be completed and/or attached at the time an application is submitted for INITIAL CERTIFICATION:

- Application—front of this form
- Letter of support from top elected official (for secure detention only)
- Justification/Rationale Statement – Please provide the following information:
 - Describe challenges associated with the lack of detention beds and provide data demonstrating level of need.
 - Detail current alternatives to detention that are currently utilized to decrease unnecessary admissions.
 - Detail what counties will be served as well as if there are any admissions criteria/restrictions.
- Program Statement—brief overview
- Proposed OCFS Budget Documents with Justification Statement
- Administering Agency Organizational Chart
- Operating Agency Organizational Chart (if different from Administering Agency)
- Contract/Agreement between the Administrative Agency and Operating Agency
- Certificate of Occupancy
- Certificate of Incorporation (If relevant for operators' agency) with corporate authority authorization applicable for non-profit contracts.
- Ownership or control of land and premises (if other than the operator)
- Staff Schedule/Ratio, Qualification, & Training Plans
- Medical/Dental/Mental/Behavioral Health Plan
- Education Plan
- Physical plant description including floor plans with room dimensions and sleeping arrangements.

PHASE 2

- Policy and Procedures Manual
- Fire Inspection Report including locations of smoke detectors and fire extinguishers.
- Evacuation Plan including procedures in case of fire or natural disaster and emergency exits.
- Continuity of Operations Plan
- Child Abuse Prevention and Prison Rape Elimination Act (PREA) Plans
- Recreation Plan
- State Central Register of Child Abuse and Maltreatment, Staff Exclusion List, and criminal history record checks for all staff (obtained and on file)
- Signed Justice Center Code of Conduct form for all staff (obtained and on file)

Instructions for form **OCFS-0291**:

This form is to be used when seeking certification for a new secure or non-secure detention facility other than a family boarding care facility. Please review the entire application carefully.

No application should be submitted without prior conversation with OCFS to assess the need for detention services being sought.

In order to appropriately stage the process for opening a new facility, the initial phase of the application, **phase 1**, requires the application form and all of the items following. These items must be appended to the application form. It is imperative that the information aligns with the applicable regulations.

The application materials will be reviewed by the OCFS detention team for alignment to those regulations.

If the facility will be seeking a waiver for any of those requirements, that must be clearly identified in the narrative.

Once the review has been completed, OCFS will work with the applicant to finalize the items in **phase 2**.

Any application that does not move to **phase 2** within 365 days from submission of the full complement of required documents in **phase 1** will be considered withdrawn and a new **phase 1** application will need to be submitted subsequently.

If you have any questions, or require assistance please reach out to ocfs.sm.detention@ocfs.ny.gov.