



KNOW YOUR RIGHTS

**TN JUVENILE DETENTION
CENTERS**

Tennessee Advocates' Guide

INTRODUCTION

Knowing the rights youth have in juvenile detention centers in Tennessee helps to protect them and make sure they are treated fairly. This resource outlines what juvenile detention center staff can and cannot do under Tennessee law and how to report if center staff engage in prohibited behavior.

What is a juvenile detention center?

A juvenile detention center is a secure facility where youth are housed while they wait for their case or sentence to be decided in court, or while they are waiting for the Department of Children's Services (DCS) to decide their next placement. Most youth in a juvenile detention center are there pre-adjudication (i.e. before a judge has ruled on their case), and some are there post-disposition (i.e. youth who have been committed to DCS custody who are waiting for DCS to place them in another facility or a community based setting). DCS also occasionally uses juvenile detention centers as temporary holding for youth in their custody who are changing placements.

What is DCS?

DCS stands for the Tennessee Department of Children's Services, which runs the state level juvenile justice system. Some youth are sent to longer-term facilities contracted with or run by DCS after they are adjudicated delinquent or unruly and committed to DCS custody. **This guide only covers juvenile detention center rules. It does not cover DCS facility rules.**

INTRODUCTION

The information in this guide was written by Youth Law Center. It is a high-level summary of Tennessee's laws and rules about juvenile detention. It does not include all the rules; the full set of juvenile detention minimum standards is available on the TN Secretary of State's website: <https://www.tn.gov/dcs/program-areas/licensing/regulations.html>

The information in this guide comes from Department of Children's Services Rule 0250-04-08, T.C.A. Section 37-1-189, T.C.A. Section 37-5-214, and State Board of Education Rule 0520-01-12, and is current as of November 2025.

This guide is for informational and educational purposes only and is not legal advice.

YOUTH RIGHTS

Seclusion and Restraint

Staff cannot lock youth in their rooms alone. This is called seclusion, and it is against the law.

- The only exceptions to the rule are:
 - A youth can be kept in their room temporarily if they are about to hurt someone.
 - “Temporary” means for no more than two (2) hours.
 - Any seclusion for longer than 2 hours requires specific authorization by a facility administrator
 - Youth may not be held in seclusion for more than six hours within 24 hours.
 - If youth chose to go to their room
 - A youth can be kept in their room to prevent the spread of sickness
 - A youth can be kept in their room during sleeping time.¹

Staff cannot physically restrain youth unless there is an emergency safety situation where the youth is about to hurt themselves or others, or if a youth is about to escape. Physical restraint cannot be used for punishment or discipline.^{2,3}

¹ T.C.A. Section 37-5-214. “Seclusion shall not be used for discipline, punishment, administrative convenience, retaliation, staffing shortages, or any reason other than a temporary response to behavior that threatens immediate harm to a youth or others. Following a period of seclusion, the facility administrator may review the seclusion and authorize an additional two-hour period of seclusion if appropriate. The facility administrator shall not authorize more than two (2) subsequent, consecutive periods of seclusion or more than six (6) total hours of seclusion within a twenty-four-hour period.”

² Department of Children’s Services Rule 0240-04-08-.11(1)

³ Authorizations for the use of physical restraint are time-limited up to fifteen (15) minutes for youth age nine (9) years and under and up to thirty (30) minutes for youth ages ten (10) years and over.

Seclusion and Restraint

Youth cannot be handcuffed or mechanically restrained for punishment. Handcuffing, or other forms of mechanical restraint like leg shackles are only supposed to be used for transportation or when moving a young person to a secure cell.⁴

Before a youth is restrained or locked in their room, staff must try to help the youth calm down or de-escalate. Staff must be trained in how to help youth de-escalate.⁵

If a youth is locked in their room alone or restrained, the juvenile detention center must notify the parent or guardian. They must also write down that the youth was locked in their room alone or that they were restrained.⁶

⁴Department of Children's Services Rule 0240-04-08-.11(3)

⁵Department of Children's Services Rule 0240-04-08-.11

⁶Department of Children's Services Rule 0240-04-08-.11

Education and Recreation

Youth must be able to go to school at least four hours a day.⁷

The school district in which the juvenile detention center is located is responsible for providing educational services to all students who are detained for more than 72 hours.⁸

Youth who are in special education (for example, youth with an IEP or 504 plan) must get services that are “comparable” to what they were getting before they were in the juvenile detention center. The services must be based on what the student needs, not on what the juvenile detention center normally has available.⁹

- For example, if a student was meeting with a speech therapist as part of their IEP when they were in school in the community, the student must still be able to meet with a speech therapist while they are in juvenile detention.¹⁰

Youth must have access to culturally diverse books, magazines, or other reading materials.¹¹

Youth must be allowed at least one hour a day of physical exercise outside of their room and one hour a day of leisure activities.¹²

⁷ T.C.A. 49-6-3001

⁸ State Board of Education Rule 0520-01-12-.01 “Each Local Education Agency (LEA) shall be responsible for providing educational services to all students detained for longer than seventy-two (72) hours in a Center located in the LEA’s jurisdiction.” The LEA has until the 8th instructional day to develop an educational service plan and until the 10th day to ensure that services are delivered in accordance with that plan.

⁹ State Board of Education Rule 0520-01-12-.03(4)(b)

¹⁰ If a student with a IEP or 504 was denied services while they were in detention, the school is supposed to give them “compensatory services”, or services to make up for the fact that students did not get the services they were supposed to get.

¹¹ Department of Children’s Services Rule 0240-04-08-.05(2)(a)(6). Reading materials must be approved by the facility.

¹² Department of Children’s Services Rule 0240-04-08-.05(2)(a)(5). Restrictions may apply if the youth poses a risk to themselves or others.

Phone Calls and Visits

Youth must be allowed to talk to their parent, guardian, or legal custodian, as well as their lawyer.

- Youth must be allowed at least one telephone call and one in-person visit with their parent, guardian, or legal custodian within 24 hours of being at a juvenile detention center.¹³
- Before a youth is adjudicated, a youth must be allowed to have at least 3 phone calls and one in-person visit a week with their parent, guardian, or legal custodian.¹⁴
- Youth must be allowed confidential access to their lawyers or court appointed representatives.¹⁵ This includes youth being allowed to call their lawyers, as well as lawyers being able to call or visit youth without staff listening.
- After adjudication, or if a youth has been temporarily placed in a facility by DCS, facilities are required to provide youth at least one visit and one 10 min call per week.¹⁶

¹³ T.C.A. Section 37-1-189

¹⁴ T.C.A. Section 37-1-189

¹⁵ Department of Children's Services Rule 0250-04-08-.03

¹⁶ Department of Children's Services Rule 0250-04-08-.05(3)

Food and Hygiene

Youth must have access to hygiene materials like soap, shampoo, toothbrushes and toothpaste, combs or brushes, toilet paper, feminine hygiene products, and deodorant.

Youth must have clean underwear given to them every day.¹⁷

Youth must be allowed to have a hot shower daily, and must be allowed to have privacy in the shower. Showers must have shower curtains or doors.¹⁸

Youth must have three meals a day and an evening snack. Two of the meals must be hot.¹⁹

- Youth who need to eat special foods for medical or religious reasons must be able to eat those foods.

¹⁷ Department of Children's Services Rule 0250-04-08-.05(1)

¹⁸ Department of Children's Services Rule 0250-04-08-.05(1)(e)

¹⁹ Department of Children's Services Rule 0250-04-08-.05(4)

Mental Health and Medical Services

Youth must have access to mental health counseling and medical services while they are in the juvenile detention center.²⁰

- If youth were taking prescribed medication before going into the juvenile detention center, they must be able to continue taking their medication unless a medical professional decides that continuing to take the medication is not medically appropriate.²¹
- Any medical and/or mental health examinations and/or services provided to detained youth by medical or mental health professionals shall conform to state laws for informed consent and the right to refuse treatment.²²

²⁰ Department of Children's Services Rule 0250-04-08-.05(2); Department of Children's Services Rule 0250-04-08-.06

²¹ Department of Children's Services Rule 0250-04-08-.06(7)

²² Department of Children's Services Rule 0250-04-08-.02 (12)(c)

WHAT TO DO IF YOU NEED HELP

Reporting Abuse and Filing Grievances

- Juvenile detention centers are required to provide ways for youth to report abuse and neglect.²⁵
 - Youth must be allowed to report abuse to people outside the facility, like the child abuse hotline, Child Welfare Licensing, their attorneys, or others.
 - Youth must be allowed to report verbally, in writing, or anonymously.
- Juvenile detention centers must also allow youth to submit complaints (also called grievances) to the facility.²⁶
 - They must allow third parties like family members, lawyers, and outside advocates to file grievances on behalf of youth.
- Juvenile detention centers must investigate grievances and respond to them. They must also allow youth to appeal a grievance if they do not agree with the investigation.²⁷

²³ Department of Children's Services Rule 0250-04-08-.05(6)(a)-(c)

²⁴ Department of Children's Services Rule 0250-04-08-.05(6)

²⁵ Department of Children's Services Rule 0250-04-08-.05(6). Attorneys who represent youth should be aware that if a youth does not file a grievance inside a facility, this could limit their ability to challenge abuse and neglect in court under the Prison Litigation Reform Act (PLRA). Attorneys should check the requirements of the PLRA for more information.

WHAT TO DO IF YOU NEED HELP

The following is a non-exhaustive list of resources you may wish to use if a youth has notified you, or you have become aware, that their rights have been violated in detention.

Office of Child Welfare Licensing- This is the Office at the Department of Children's Services that is in charge of making sure that juvenile detention centers follow the rules. You can submit a complaint at EI_DCS.Licensing@tn.gov

Child Abuse Hotline- This is the a hotline run by the Department of Children's Services that is in charge of investigating abuse and neglect. You can call **877-237-0004** or submit a report online at <https://carat.app.tn.gov/carat/>

Tennessee Commission on Children and Youth Ombudsman's Office- This is an independent state office that is **not** run by the Department of Children's Services whose job is to investigate complaints. You can submit a report online at <https://www.tn.gov/tccy/programs0/ombuds.html>

Disability Rights Tennessee- This is a federally mandated nonprofit organization whose job includes monitoring and investigating conditions in the juvenile justice system for people with disabilities. You can contact them at **1-800-342-1660** or fill out an online form here: <https://www.disabilityrightstn.org/get-help/>

More information about how the above agencies and organizations may respond to reports of rights violations is available on their websites.