§ 503. Detention. 1. The division shall establish regulations for the operation of secure and non-secure detention facilities pursuant to this article and section two hundred eighteen-a of the county law.

2. To assure that adequate, suitable and conveniently accessible accommodations and proper care will be available when required for detention, the division may contract for or establish, operate, maintain and certify secure and non-secure detention facilities if funds shall have been made available for the lease or purchase and maintenance and operation of appropriate facilities.

3. Each social services district may establish, operate and maintain secure and non-secure detention facilities for the purposes defined in section five hundred two of this article. Each such detention facility shall be established, operated and maintained in compliance with this article and the regulations of the division for youth.

4. The office of children and family services shall visit and inspect all facilities used for detention and make periodic reports of the operation and adequacy of such facilities, and the need for provision of such facilities to the county executive, if there be one, the county legislature and the family court judges of the county in which such facilities are located, and the office of court administration.

5. No detention facility shall receive or care for children detained pursuant to the family court act or the criminal procedure law unless certified by the division, which certification shall include a maximum-capacity which shall not be exceeded. No certification shall be issued or renewed unless such a facility has developed and implemented a procedure, consistent with appropriate collective bargaining agreements and applicable provisions of the civil service law, for reviewing and evaluating the backgrounds of and the information supplied by any person applying to be an employee, volunteer or consultant, which shall include but not be limited to the following requirements: that the applicant set forth his or her employment history, provide personal and employment references and sign a sworn statement indicating whether the applicant, to the best of his or her knowledge, has ever been convicted of a crime

in this state or any other jurisdiction.

(a) The division shall promulgate regulations governing procedures for certification of detention facilities and for renewal, suspension and revocation of such certifications. Such regulations shall provide for a hearing prior to the suspension or revocation of a certification.

(b) The office of children and family services may suspend a certification for good cause shown. Suspension shall mean that no persons coming within the provisions of article three or seven of the family court act and no alleged or convicted juvenile offender may be received for care in a detention facility, but persons already in care may remain in care. The office may impose such conditions in the event of a suspension as it shall deem necessary and proper.

(c) Such office may revoke a certification for good cause shown. Revocation shall mean that no persons coming within the provisions of article three or seven of the family court act and no alleged or convicted juvenile offender may be received for care nor remain at the detention facility.

6. The division shall be responsible for bringing violations of law pertaining to detention of juveniles to the attention of each appropriate attorney for the child or counsel for the defendant who may petition for habeas corpus for persons aggrieved thereby.

7. The person in charge of each detention facility shall keep a record of all time spent in such facility for each youth in care. The detention facility shall deliver a certified transcript of such record to the office, social services district, or other agency taking custody of the youth pursuant to article three or seven of the family court act, before, or at the same time as the youth is delivered to the office, district or other agency, as is appropriate.

8. The division shall list all facilities certified for the detention of children and shall file a copy of that list periodically with the clerk of the family court in each county, the clerk of the criminal court of the city of New York, the clerk of the supreme court in each county within the city of New York and the clerk of the county court in each county outside the city of New York.

9. Notwithstanding any other provision of law, the office of children and family services in consultation with the state commission of correction shall jointly regulate, certify, inspect and supervise specialized secure detention facilities for adolescent offenders.