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Standard Leave and Release Policies for Juvenile Offenders

Sec. 17a-7a-1. Scope of regulations

Sections 17a-7a-1 through 17a-7a-9, inclusive, of the regulations of Connecticut State Agencies set standard leave and release policies for juvenile delinquents committed to the Department of Children and Families and assigned to state facilities and private residential programs pursuant to section 17a-7a of the Connecticut General Statutes.

(Adopted effective July 22, 1999)

Sec. 17a-7a-2. Definitions

As used in sections 17a-7a-1 through 17a-7a-9, inclusive, of the regulations of Connecticut State Agencies, the following definitions apply:

- (1) "Child" means any person under sixteen years of age;
- (2) "Department" means the Department of Children and Families;
- (3) "Juvenile Delinquent" means a child found to have violated: (A) any federal or state law or municipal or local ordinance, other than an ordinance regulating behavior of a child in a family with service needs as defined in section 46b-120 of the Connecticut General Statutes; (B) any order of the Superior Court; or, (C) conditions of probation as ordered by the court;
- (4) "Leave" means any approved absence of a juvenile delinquent or serious juvenile offender from either a state or private facility with the exception of an absence to attend school;
- (5) "Private Residential Program" means a congregate living setting licensed or approved by the department for out of home placement of children including juvenile delinquents and serious juvenile offenders;
- (6) "Release" means a discharge from either a state or private facility to the care and supervision of a parent, legal guardian or other responsible adult, which has been ordered by the juvenile court or approved by the commissioner without expectation of return of the juvenile delinquent or serious juvenile offender to the facility;
- (7) "Serious Juvenile Offender" means any child convicted as delinquent for commission of a serious juvenile offense as defined in section 46b-120 of the Connecticut General Statutes.

(Adopted effective July 22, 1999)

Sec. 17a-7a-3. Facility policy

(a) All state facilities caring for juvenile delinquents and serious juvenile offenders committed to the Department of Children and Families and all private residential facilities caring for juvenile delinquents and serious juvenile offenders committed to the Department of Children and Families shall enact written policies setting forth standard leave and release practices and procedures for juvenile delinquents and serious juvenile offenders committed to the Department of Children and Families.

(b) Said leave and release policies shall include the following provisions:

- (1) All juvenile delinquents and serious juvenile offenders shall have access to, and receive instruction in, a program of release preparation;
- (2) Written procedures for the leave and release process;
- (3) Screening and selection procedures for determining eligibility for leave and release;
- (4) Written rules of conduct which specify the types of behavior that are unacceptable during leave and sanctions which may be applied to those who exhibit such

behavior, a copy of which shall be supplied to each juvenile delinquent or serious juvenile offender;

(5) A system of supervision to minimize abuse of program privileges;

(6) A record-keeping system that ensures that each juvenile delinquent or serious juvenile offender is complying with the standard leave policy;

(7) A system for evaluating effectiveness of the leave and release program;

(8) Efforts to obtain family and community cooperation and support;

(9) A leave or release program which calls for a systematic decrease in supervision and corresponding increase in the juvenile delinquent or serious juvenile offender's responsibility.

(c) No juvenile delinquent or serious juvenile offender shall be eligible for any leave or release unless he has complied with the written policy established pursuant to subsections (a) and (b) of section 17a-7a-3 of the regulations of Connecticut State Agencies.

(Adopted effective July 22, 1999)

Sec. 17a-7a-4. Eligibility for leave

(a) No juvenile delinquent or serious juvenile offender shall be eligible for leave without an initial sixty-day evaluation of fitness and security risk.

(b) The first leave of a juvenile delinquent or serious juvenile offender shall be considered a trial leave and shall not exceed one (1) day.

(c) No juvenile delinquent or serious juvenile offender shall be eligible for any leave or release without:

(1) an evaluation of fitness and security risk;

(2) the assignment of supervision and clear identification of custody to a parent, legal guardian or other responsible adult;

(3) confidential notification to local police of a leave or release granted to a serious juvenile offender; and

(4) a determination of eligibility immediately prior to granting the leave or release of a juvenile delinquent or serious juvenile offender.

(Adopted effective July 22, 1999)

Sec. 17a-7a-5. Evaluation of fitness and security risk

(a) An evaluation of fitness and security risk of the juvenile delinquent or serious juvenile offender prior to an initial or subsequent leave and for release, shall be completed and maintained in writing in the juvenile delinquent or serious juvenile offender's case record. The evaluation shall include, but is not necessarily limited to:

(1) a formal risk assessment which assesses the risk to the community posed by the leave or release;

(2) a review of the juvenile delinquent or serious juvenile offender's court record and charges;

(3) a review of the juvenile delinquent or serious juvenile offender's behavioral adjustment, incident reports and absences without official leave;

(4) the juvenile delinquent or serious juvenile offender's compliance with facility policy and procedures;

(5) the suitability of the parent, legal guardian or other responsible adult as capable of accepting the assignment of supervision of the juvenile delinquent or serious juvenile offender; and

(6) staff recommendations.

(b) The evaluation documentation shall be reviewed by senior management at the facility. No juvenile delinquent or serious juvenile offender shall be permitted

leave or release without the written approval of the chief operating officer of the facility or the person serving such administrative function or his designee.

(c) Private residential programs shall comply with subsection (a) of this section in accordance with policy approved by the Department.

(d) The Department or private residential program shall assess the juvenile delinquent or serious juvenile offender's eligibility for leave or release immediately prior to any leave or release. Such assessment shall include the formal risk assessment which has been updated in accordance with a schedule provided by or approved by the department.

(e) If for any reason the Department or private residential program believes that a juvenile delinquent or serious juvenile offender is unsuitable for a scheduled leave, such leave may be unilaterally and immediately revoked.

(f) If for any reason the Department believes that a juvenile delinquent or serious juvenile offender is unsuitable for release, the Department may unilaterally and immediately revoke such release. If for any reason a private residential program believes that a juvenile delinquent or serious juvenile offender is unsuitable for release, such private residential program shall immediately notify the Department which may revoke such release.

(Adopted effective July 22, 1999)

Sec. 17a-7a-6. Assignment to parent, legal guardian or responsible adult

No juvenile delinquent or serious juvenile offender shall be granted leave or release unless the juvenile delinquent or serious juvenile offender's parent, legal guardian or other responsible adult has accepted assignment of supervision for the juvenile delinquent or serious juvenile offender prior to such leave or release. Documentation which states that the person has been determined to be suitable pursuant to subdivision 17a-7a-(5)(a)(5) of the regulations of Connecticut State Agencies and has accepted the assignment of supervision shall be maintained in the juvenile delinquent or serious juvenile offender's case record.

(Adopted effective July 22, 1999)

Sec. 17a-7a-7. Notification for leave or release of a juvenile delinquent

(a) A private residential program shall notify the Department of Children and Families in writing not less than twenty-four (24) hours prior to such leave or release of any juvenile delinquent or serious juvenile offender. Written notification shall be accomplished through means approved by the Department.

(b) Facilities operated by the department shall notify the office within the department responsible for overall administration of programs for juvenile delinquents and serious juvenile offenders for the approval of the leave or release of such juvenile delinquent or serious juvenile offender in writing not less than twenty-four (24) hours prior to such leave or release. Written notification shall be accomplished through means approved by the department.

(Adopted effective July 22, 1999)

Sec. 17a-7a-8. Notification for leave or release of a serious juvenile offender

The Department or private residential program shall notify the Department of Children and Families' Office of Parole Services and, in confidence, the police responsible for the community into which the serious juvenile offender shall be granted leave or release in writing not less than twenty-four (24) hours prior to such leave or release. The Department or private residential program shall have identified

the officer or division who should be informed of such leave or release. The form for written notice shall be provided or approved by the department.

(Adopted effective July 22, 1999)

Sec. 17a-7a-9. Private residential program compliance

Private residential programs shall comply with all requirements in sections 17a-7a-1 through 17a-7a-9, inclusive, of the regulations of Connecticut State Agencies for the leave or release of a juvenile delinquent or a serious juvenile offender placed with such private residential program through the Department.

(Adopted effective July 22, 1999)