



AMERICAN CORRECTIONAL ASSOCIATION

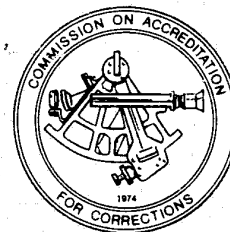
January 1983

# STANDARDS

for  
Juvenile  
Probation  
and  
Aftercare Services

Second Edition

COMMISSION ON ACCREDITATION  
FOR CORRECTIONS



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# **STANDARDS for Juvenile Probation and Aftercare Services**

**Second Edition  
January 1983**

**AMERICAN CORRECTIONAL ASSOCIATION**

In cooperation with the  
**COMMISSION ON ACCREDITATION  
FOR CORRECTIONS**



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Other manuals in the series published by the American Correctional Association

*Standards for Adult Parole Authorities*  
*Standards for Adult Community Residential Services*  
*Standards for Adult Probation and Parole Field Services*  
*Standards for Adult Correctional Institutions*  
*Standards for Adult Local Detention Facilities*  
*Standards for Juvenile Training Schools*  
*Standards for Juvenile Community Residential Facilities*  
*Standards for Juvenile Detention Facilities*  
*Standards for the Administration of Correctional Agencies*

U.S. Department of Justice  
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ACQUISITIONS

**Total of Weights  
(Mandatory, Other)**

<u>CATEGORY</u>	<u>NUMBER</u>
Mandatory	1
Other	227
TOTAL	228

**Mandatory Standards and Numbers**

(1) Management Information and Research: 2-7088

## FOREWORD

With the publication of this second edition of juvenile standards, agencies and administrators are being asked to achieve an even higher level of performance. Certain standards relating to life, health and safety issues have been labeled mandatory and must be complied with in order to achieve accreditation. Both the experience with accreditation and the desire of the field to raise the standards indicate a willingness to achieve and maintain high-quality correctional services. These standards are a clear statement that corrections professionals recognize good practice and want to improve their performance, regardless of legal or policy restrictions, funding difficulties, or the pressures of increased demands now facing most juvenile systems.

Our desire to improve correctional practice began with the American Correctional Association's Declaration of Principles in 1870, followed by additional guidelines and several editions of the original *ACA Manual of Correctional Standards*. Crucial to this development process has been the financial support of governmental and private foundations.

The standards provide administrators of juvenile programs with the opportunity to develop a plan for upgrading facilities and procedures in accordance with nationally recognized and respected benchmarks. The juvenile standards can assist administrators in working effectively with the courts and legislatures. Compliance is not easy. It may require substantial change in traditional operating procedures, including the implementation of practice which challenges existing procedure. Some standards may require additional funds in order to achieve compliance. Changes which may be required are now based on a consensus from the field of juvenile justice and corrections. The field is proceeding in a direction which will provide more humane conditions in institutions, ensure the safety of staff and juvenile offenders, and ultimately provide the programs and services necessary to assist juveniles in returning to society.

The practice of meeting high standards of performance and achieving accreditation is now well established. Corrections professionals are working with the Association and the Commission in the effort to upgrade the entire juvenile field using the standards contained in this volume. Continued efforts to meet the standards will lead to greater support from legislative, executive and judicial branches of government and, in doing so, provide the basis for the improvement of juvenile services and facilities.

As we proceed into this new era of standards and accreditation, I publicly express our appreciation to the U.S. Department of Justice for continued support and funding. Major support for these efforts is provided by the Bureau of Prisons, Norman A. Carlson, Director; and the National Institute of Corrections, Allen Breed, Director. Without their support the publication of these standards would have been impossible.

Anthony P. Trivisono  
Executive Director  
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## INTRODUCTION

In the face of the recurring debates about the role and function of juvenile confinement, the American Correctional Association has made continuing efforts to define the role and the functions of probation and aftercare as it relates to juvenile justice. The Association has sought to come to terms with the reality that incarceration will continue as an instrument of juvenile justice policy for the foreseeable future. However, we actively support steps to implement wide-ranging programs of alternatives to incarceration. We further support a public policy to limit the use of confinement to only those juveniles too dangerous to remain at large in the community. We are firm in the view that the standards of practice within every institution or community program should rise to a level which will not only assure protection of the society, but will preserve the human rights of the juvenile offender.

The focus upon the protection of the civil rights of clients of human service agencies in the United States is a relatively new phenomenon. During most of their history, juvenile agencies and institutions built their programs upon the concept of benevolent purpose. The basis of this concept was the assumption that the state knew what best served the interests of the client. Court intervention into the affairs of these agencies has brought attention to the constitutional rights of a wide spectrum of clients, including juvenile offenders. It is increasingly clear that the courts realize the limitations of their ability to administer effectively the operation of human service agencies. Judges have declared it to be the responsibility of administrators, professionals and line workers in corrections to put their own house in order. The development of these standards may be viewed in part as a response to that challenge.

Long before the advent of court intervention, however, the American Correctional Association gave clear evidence of its understanding of the need to develop standards. Indeed, the Declaration of Principles of 1870 adopted by the original organization from which the ACA evolved testifies to that concern. Shortly after the close of World War II in 1946, the Association published its first Manual of Correctional Standards, a volume which was to be substantially revised in 1959 and again in 1966. These manuals represented a consensus of administrators and professionals. They were to provide useful guidelines for institutional managers. Other national professional organizations including the National Council on Crime and Delinquency, the American Bar Association and the American Medical Association also made significant contributions to the field's effort to move toward the development of objective standards.

The concept of a system for the accreditation of correctional institutions and agencies began to emerge in the 1960s. The recognition that this was an idea whose time had come was marked by the adoption in October 1970 of the Plan for Accreditation. Implementation of the Plan began in 1974 when the Association's Board of Directors selected the first Board of Commissioners, which was chaired by Walter Dunbar until his untimely death. Before the accreditation plan could be initiated, however, the Association faced the task of developing objective, clear, measurable standards across the entire spectrum of juvenile and adult correctional activities.

It was recognized from the outset that the standards adopted would, when applied in the accreditation process, raise issues which would prompt the need for standards revision, modification and amplification. It also became quite clear that the responsibility for initiating revisions should be assumed by the Association and its Committee on Standards. This decision was ratified by the Association's Board of Governors in August 1978. Under the plan of action adopted, the Association assumed the responsibility for proposing revisions while the Commission retained the right to

apply only those standards mutually acceptable to both bodies. This, in effect, reversed the earlier arrangement in which the Commission initiated and the Association, in effect, ratified proposed standards.

Acceptance of the first edition manuals by the field was enthusiastic and drew warm support from ACA affiliates and professionals in the field. Private agencies, local, state and federal correctional agencies and the Correctional Service of Canada moved promptly into the accreditation process.

As was anticipated, the application of standards presented a wide variety of problems. Some standards, despite the best efforts of the professionals who framed them, were found to lack necessary clarity and specificity. Some were found to impose unexpected and perhaps unnecessary burdens upon institutional managers. A few were difficult, if not impossible, to measure. Some gaps were found in the standards and some areas of performance were discovered to be inadequately covered. These discoveries prompted the Association to move forward deliberately to identify necessary revisions of the adult standards which were published in 1981. ACA, supported with funds provided by the National Institute of Corrections, established a juvenile standards revision program under the direction of Samuel Sublett, Jr., Chairman, and Hardy Rauch. The Committee on Standards worked diligently with the program to update the original juvenile manuals and this publication represents the portion of their efforts specifically relating to juvenile probation and aftercare services. Members of the Commission staff, Dr. Dale K. Sechrest and Ilene Bergsmann were especially helpful in coordination of the Commission positions and enabling the Association to meet production schedules.

The Board of Commissioners unanimously agreed at the beginning of the accreditation process that no agency or institution which failed to meet critical standards related to life, health and safety would be awarded accreditation. However, the compliance formula adopted by the Commission resulted in a mathematical possibility that an institution might reach necessary operations in an environment which seriously threatened the life and safety of detained juveniles and staff alike. This condition prompted the Commission first to adopt and promulgate guidelines identifying those areas in which noncompliance would be considered totally unacceptable and would, until corrective measures were taken, bar an award of accreditation. Subsequently, in consultation with the ACA Standards Committee, a decision was reached to introduce mandatory life, health and safety standards in the second editions of the standards. The implications of this decision are self-evident. Any institution or agency which for any reason ignores such critical standards is not deserving of accreditation. Since mandatory standards apply primarily to physical plant conditions, only one (2-7088) is found in this edition.

The contents of this manual then, like those of its predecessor, emerges from a thoughtful process of debate and deliberation. The decisions reached continue to represent the best consensus of professionals in the field. The ACA Committee on Standards and members of the Commission have made every effort to ground their work in relevant court decisions, but their foremost concern has been to provide high standards which provide discretion and operational latitude to their colleagues in order to provide them with comprehensive, clear and relevant guidelines for good correctional practice. It is hoped that this effort will assist in informing the courts as well as legislators and governors of the needs of corrections professionals in carrying out their increasingly complex work.

The Association's Committee on Standards has consulted with members of its affiliate bodies, with institution managers whose institutions have been accredited, with local accreditation managers, with Commission members and staff, and with Commission consultants. All have combined their efforts to assure a comprehensive body of standards which are fair and reasonable. Accomplishment of full compliance will in no instance be an easy task, but there is undeniable evidence that the attainment of accreditation by probation and aftercare agencies can be a reality when a serious commitment is made to that objective.

### *Juvenile Probation and Aftercare*

Juvenile parole, most commonly known as aftercare, originated in the early houses of refuge. Created in 1825, the New York House of Refuge was the first such institution designed to house juveniles apart from adults. The children detained in these facilities included the wayward, abandoned, vagrant and criminal. Typically, each child was then indentured to work in a private home

for several years, where his or her daily regimen rarely included anything but work. The total responsibility for the juvenile was vested in the family which fed and clothed him or her. It was also the family that determined when the youth had earned his or her freedom.

This form of postinstitutional treatment persisted over half a century. The growth and professionalization of aftercare services in the United States proceeded slowly and unevenly. Only in the last fifty years have juvenile aftercare services become established as an integral part of the juvenile correctional process.

Historically, the following three tenets have provided the basis for the juvenile justice system:

The juvenile court has the ability to accurately diagnose the nature and cause of delinquency and to prescribe and administer the needed corrective measures;

This ability extends to status offenders and neglected and abused children; and

The process can be administered fairly without procedural safeguards.

As the cornerstone of juvenile justice, the juvenile court has done much to promote these beliefs. However, there is now a growing acknowledgment that juvenile court adjudication cannot solve many of the problems of delinquent and non-delinquent youths. Indeed, there is increased concurrence that minimizing the extent of interaction with the formal juvenile justice system may be of more benefit to juveniles.

Similarly, there is growing concern that the juvenile court and the juvenile correctional process is not the proper or most effective channel to resolve the problems of status offenders and neglected children. It is the Commission's position that already insufficient resources to combat serious delinquency are diverted by adding social service responsibilities to juvenile justice facilities. Therefore, we believe that status offenders and neglected and abused children should be removed from juvenile corrections.

The informality of the juvenile court has produced injustices which have subsequently been corrected by the Supreme Court. These judicial mandates which ensure due process and procedural regularity and establish proof requirements for juvenile proceedings are essential to the protection of the constitutional rights of all American citizens regardless of age.

The trend to redefine the role of the juvenile justice system, to narrow the base of the juvenile court's jurisdiction, and to ensure the use of due process safeguards in juvenile court proceedings is continuing. While this evolutionary change continues, it seems appropriate to restate the purpose of the juvenile justice system and define the roles of probation and aftercare therein.

The purpose of juvenile corrections has been well stated by the American Bar Association's Juvenile Justice Standards Project: "To reduce juvenile crime by maintaining the integrity of the substantive law proscribing certain behavior and by developing individual responsibility for lawful behavior. This purpose should be pursued through means that are fair and just, that recognize the unique characteristics and needs of juveniles, and that give juveniles access to opportunities for personal and social growth."

Although the legal bases of juvenile probation and aftercare differ, the two services are similar in the execution of their function. Probation, a legal status created by a court of juvenile jurisdiction, usually involves: a judicial finding that the behavior of the juvenile has been such as to bring him or her within the purview of the court; the imposition of conditions upon the juvenile's continued freedom; and the provision of means for helping the juvenile to meet these conditions and for determining the degree to which they are met.

Juvenile aftercare is defined as the release of a juvenile from an institution to serve a prescribed period of time in the community under certain conditions and under the supervision of a designated field agent. As in probation, aftercare includes the provision of means for helping the juvenile to meet the conditions of release, and for determining the degree to which the conditions are met.

Both juvenile probation and aftercare provide supervision, services and counseling for juveniles under their jurisdiction. The role of the field agent responsible for a juvenile is multifaceted. As a services broker, the agent must secure the cooperation of community resources, such as educational and vocational training institutions, physical and mental health facilities, employment and financial assistance resources, social and recreational agencies, and self-help and other types of service organizations, for use by the juvenile and his or her family. As a supervisor, the agent must maintain contact with the juvenile, his or her family, school officials and other persons involved with the youth's adjustment, as well as remain aware of the juvenile's behavior relative to the laws

and regulations of the community and any conditions of release. As counselor, the agent must assist the juvenile and other appropriate individuals in understanding their roles and relationships as part of the solution in keeping the juvenile from future interaction with the justice system.

Corrections professionals who serve as juvenile probation and aftercare field agents are frequently bolstered by their imagination, initiative and dedication more than sufficient training or an effective service delivery system. In the preparation of this volume of standards, the goal is to provide a framework for the provision of reasonable supervision and monitoring of the community adjustment of adjudicated juveniles by carefully selected and well-trained field agents who make appropriate and thorough use of public and private community resources to assist the juveniles in successfully adjusting to a crime-free life in the community.

The standards for release and revocation apply only when probation and aftercare responsibility includes the authority to release juveniles from confinement. When a training school or its parent agency has the responsibility for making the determination regarding release from confinement, standards in the Standards for Juvenile Training Schools apply.

### *Accreditation*

An institution or community agency wishing to participate in accreditation must contact the Commission on Accreditation for Corrections, 6110 Executive Boulevard, Room 600, Rockville, Maryland 20852, in order to formally enter the process. After acceptance into the process by the Commission, the agency completes a self-evaluation to determine compliance with the standards, compiles documentation to support compliance, and develops plans of action to correct all deficiencies. After acceptance of the self-evaluation report by the Commission, and as the required compliance levels are attained, the agency can request an audit to verify compliance. This on-site audit is conducted by a team of trained Commission consultants.

The standards allow for the measurement of acceptable performance in achieving objectives. For purposes of their application in the accreditation process, they are minimal requirements and should be exceeded whenever possible. When they are met it is expected that every effort will be made to maintain performance at the level designated. Mandatory standards address conditions or situations which could become hazardous to the life, health and safety of offenders, employees and/or the public. Without exception, all mandatory standards must be met for purposes of accreditation. In addition, agencies must meet 90 percent of all remaining standards as well as any other criteria stipulated in the policies and procedures of the Commission on Accreditation for Corrections.

Most standards require evidence of written policy and/or procedure in specific areas of operations. Policy and procedure are crucial elements in the effective administration of an agency and are heavily emphasized in this edition and in the accreditation process.

There are jurisdictions which maintain or contract for nonsecure detention facilities, such as foster or group homes. The standards within this manual are intended for application to such nonsecure facilities.

## **ADMINISTRATION, ORGANIZATION AND MANAGEMENT**

**2-7001 THE AGENCY OPERATING THE JUVENILE PROBATION AND AFTERCARE SERVICE IS A LEGAL ENTITY OR A PART OF A LEGAL ENTITY PERMITTED BY STATUTE.**

**DISCUSSION:** A statute provides a definition of the role of field services.

**2-7002 RESPONSIBILITIES AND FUNCTIONS OF THE AGENCY ARE SPECIFIED BY STATUTE OR BY THE PARENT GOVERNMENTAL ORGANIZATION.**

**DISCUSSION:** Field services agencies can best achieve their goals and objectives when responsibilities and functions are articulated either by a parent organization or by statute.

**2-7003 THE AGENCY AND ITS PROGRAMS ARE MANAGED BY A SINGLE ADMINISTRATIVE OFFICER.**

**DISCUSSION:** Each agency should be headed by a single administrative officer, appointed by and responsible only to the governing authority of the agency. There should be no employees or managers within the agency who are not accountable to the administrative officer. Where there are persons, usually employees of other public and private agencies, who are providing a service to the agency, written policies and procedures should be developed and reviewed, at least annually, to describe their roles and functions as they relate to the authority and responsibility of the administrator.

**2-7004 THE AUTHORITY, RESPONSIBILITY AND FUNCTION OF THE POSITION OF THE AGENCY ADMINISTRATOR ARE SPECIFIED BY STATUTE OR BY THE PARENT GOVERNMENTAL ORGANIZATION.**

**DISCUSSION:** The functions to be specified should include planning, organizing, staffing, coordinating, directing, and controlling the field services.

**2-7005 THERE IS A WRITTEN ORGANIZATIONAL PLAN AND CHART REFLECTING THE CURRENT STRUCTURE OF AUTHORITY, RESPONSIBILITY AND ACCOUNTABILITY WITHIN THE FIELD AGENCY WHICH IS REVIEWED AT LEAST ANNUALLY AND UPDATED AS NEEDED.**

**DISCUSSION:** A signed and dated plan of organization and current chart provide the employees with a clear picture of the field agency administration. Names of units and duties should reflect precisely what is entailed. Similar functions should be grouped. Span of control, lines of authority and orderly channels of communication should be noted. Updating should be made as changes occur, and a



ADMINISTRATION, ORGANIZATION AND MANAGEMENT

regular review should be made to be certain that the plan is appropriate for agency functions. An organizational chart also presents an overview of the agency to other private and public organizations.

2-7006 THE AGENCY HAS A WRITTEN STATEMENT OF ITS GOALS AND OBJECTIVES, WHICH IS PREPARED WITH THE PARTICIPATION OF THE ADMINISTRATOR AND INVOLVEMENT OF STAFF, AND IS REVIEWED AND UPDATED AT LEAST ANNUALLY.

DISCUSSION: None.

2-7007 THE ADMINISTRATOR OF FIELD SERVICES HAS INPUT INTO THE PLANNING FUNCTION AS IT AFFECTS THE FIELD AGENCY.

DISCUSSION: The administrator of field services should be able to ensure that the supervision and service needs of the field agency are addressed in the planning functions, although the agency administrator is ultimately responsible for this function.

2-7008 IF SERVICES FOR ADULT AND JUVENILE OFFENDERS ARE PROVIDED BY THE SAME AGENCY, STATEMENTS OF PHILOSOPHY, POLICY, PROGRAM AND PROCEDURE CLEARLY DISTINGUISH BETWEEN CRIMINAL CODES AND JUVENILE CODES.

DISCUSSION: There should be a separate service delivery system for juveniles, because the responsibility of the state, as represented by the agency, for juveniles differs from that for adults.

2-7009 THE AGENCY CAN DOCUMENT THAT ALL LEVELS OF STAFF HAVE AN OPPORTUNITY TO PARTICIPATE IN THE DEVELOPMENT AND REVIEW OF ORGANIZATIONAL GOALS, POLICIES, PROCEDURES, RULES, AND REGULATIONS.

DISCUSSION: Although the administrator has ultimate responsibility for the agency, staff representing every level and function in the agency can contribute to agency goals, policies, procedures, rules and regulations. Meaningful employee participation in management helps ensure that the attitudes and values of the individual members are in substantial agreement with those of the agency.

2-7010 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ALL AGENCY EMPLOYEES RECEIVE INSTRUCTION/TRAINING COVERING THOSE GOALS AND OBJECTIVES RELATED TO THEIR WORK ACTIVITIES.

DISCUSSION: None.

2-7011 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE AGENCY COMMUNICATES AND INTERPRETS ITS POLICIES AND PROCEDURES TO ALL STAFF.

**DISCUSSION:** Policies and procedures should be communicated and interpreted to all staff through timely meetings, training, manuals, and directives.

2-7012 A MANUAL, INCLUDING POLICIES, PROCEDURES, RULES, AND REGULATIONS OF THE FIELD AGENCY, IS DEVELOPED AND MAINTAINED BY THE AGENCY ADMINISTRATOR. THE MANUAL IS REVIEWED ANNUALLY, UPDATED AS NEEDED, AND IS AVAILABLE TO ALL STAFF.

**DISCUSSION:** The agency should have a single source for its established policies and procedures, which is available to all personnel to ensure consistency in organizational operations. Efficient management of resources and supervision are facilitated when all personnel understand how operations are conducted, and have available to them expectations and definitions of organizational activities and personnel behavior. The manual should be well-organized and include a statement of purpose, table of contents, and an open-ended numbering system.

2-7013 THERE IS A SYSTEM TO MONITOR FIELD OPERATIONS AND PROGRAMS THROUGH INSPECTIONS AND REVIEWS BY THE FIELD SERVICES ADMINISTRATOR OR DESIGNATED STAFF.

**DISCUSSION:** An internal administrative audit system providing timely and periodic assessment of various agency operations will reveal the degree of compliance with policies and procedures.

2-7014 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THERE IS A SPACE MANAGEMENT PROGRAM WHICH ENSURES ADEQUATE FACILITIES FOR ALL FIELD AGENCY OPERATIONS. THE PROGRAM IS REVIEWED ANNUALLY.

**DISCUSSION:** Space management programs should provide for sufficient space and the efficient use of space. The facility should have attractive, clean, well-lighted, and acoustically sound offices and related accommodations, appropriate locations, and adequate maintenance. Continuous review of the space program takes into account client population shifts, changing property values, changes in public transportation, etc., and will facilitate planning for an optimum arrangement of space to serve the needs of youth, their families, and agency employees.

2-7015 WRITTEN POLICY AND PROCEDURE PROVIDE FOR THE SYSTEMATIC REVIEW OF EQUIPMENT NEEDS AND/OR THE REPLACEMENT OF EQUIPMENT AS NEEDED.

**DISCUSSION:** All equipment should be maintained in good working order and replaced periodically. More efficient equipment should be acquired where increased efficiency will result.

2-7016 THE FIELD AGENCY PARTICIPATES DIRECTLY, OR THROUGH THE PARENT AGENCY, IN FEDERAL, STATE, AND REGIONAL PLANNING EFFORTS WITH CRIMINAL JUSTICE AND NONCRIMINAL JUSTICE AGENCIES.

DISCUSSION: The field agency should be represented in state planning agencies or regional planning units to ensure that probation/parole has an active voice in setting directions for the future. The field agency should also participate in the planning activities of community coordinating councils and educational, social, religious, charitable, and other organizations to facilitate their understanding of probation and parole services.

2-7017 WRITTEN POLICY PROVIDES FOR COLLABORATION AND CONSULTATION WITH OTHER CRIMINAL JUSTICE AGENCIES, COMMUNITY INTEREST GROUPS AND SERVICE AGENCIES ON A CONTINUING BASIS BY THE ADMINISTRATOR OF FIELD SERVICES FOR THE PURPOSE OF ENHANCING THE FORMULATION AND EVALUATION OF ORGANIZATIONAL POLICIES, PROCEDURES, RULES, AND REGULATIONS.

DISCUSSION: Collaboration with criminal justice and private agency personnel and members of the community is basically the responsibility of the administrator of field services. The process may vary by location. The local manager should have discretion to develop procedures to provide a joint working relationship which will provide better and equitable treatment for the offender.

2-7018 THE AGENCY MAINTAINS A FUNCTIONAL INVENTORY OF COMMUNITY AGENCIES; FIELD OFFICERS ARE INFORMED ABOUT EMPLOYMENT ASSISTANCE, HEALTH SERVICES, AND FISCAL RESOURCES AVAILABLE TO JUVENILES.

DISCUSSION: To ensure that juveniles are receiving the help for which they are referred to community service agencies, the agency should evaluate these resources periodically and maintain and distribute to all field staff a current inventory of the effective agencies.

2-7019 WRITTEN POLICY AND PROCEDURE PROVIDE FOR COOPERATION AND/OR CONSULTATION WITH COLLEGES AND UNIVERSITIES IN AREAS OF MUTUAL CONCERN.

DISCUSSION: Institutions of higher learning can provide qualified persons to serve as advisors for policies and programs, and to arrange special training conferences and learning seminars. Students can serve both as potential recruits and current manpower. Field agency policy and procedure should provide for designated staff to initiate and maintain liaison with these institutions.

2-7020 WRITTEN POLICY AND PROCEDURE PROVIDE FOR A PUBLIC INFORMATION PROGRAM THAT IS REVIEWED AT LEAST ANNUALLY

AND UPDATED IF NEEDED.

DISCUSSION: The public information program should make known, both to the public and to other criminal justice agencies, the facility's goals, objectives, and programs. It should provide general information about the facility and specific commentary about newsworthy incidents. In large facilities, an employee should be designated as public information officer.

2-7021 THE ADMINISTRATOR OF FIELD SERVICES SUBMITS A REPORT TO THE PARENT AGENCY, AT LEAST ANNUALLY, THAT INCLUDES OBJECTIVES, PROGRAMS, BUDGET, MAJOR DEVELOPMENTS, PROBLEMS, AND PLANS, AS WELL AS SERVICES FURNISHED TO THE COURTS, PAROLE AUTHORITY, AND JUVENILES.

DISCUSSION: The publication of a comprehensive report at least every two years serves several important functions: It helps to inform the general public, elected and appointed officials, juvenile justice administrators, and others about the agency's programs, services and policies; it provides an assessment of accomplishments and an opportunity to redefine future goals; and it provides a historical perspective depicting development of the agency over a period of years.

2-7022 WRITTEN POLICY AND PROCEDURE PROVIDE THAT LEGAL ASSISTANCE IS AVAILABLE TO THE FACILITY ADMINISTRATOR.

DISCUSSION: Qualified legal assistance is necessary to ensure that the program's policies and procedures are consistent with court decisions concerning constitutional processes and procedure, individual rights, etc. Legal counsel can provide advice on formulating policies, advising on individual cases, and representing the facility as required, before courts and other appropriate bodies.

## PERSONNEL

2-7023 THE CHIEF EXECUTIVE AND/OR GOVERNING BOARD OF THE LEVEL OF GOVERNMENT AT WHICH THE JUVENILE FIELD SERVICES ARE CONSTITUTED HAS THE RESPONSIBILITY FOR APPOINTING THE AGENCY ADMINISTRATOR.

DISCUSSION: Because the chief executive and/or governing board of the agency's parent governmental organization is responsible for the overall functioning of the agency, that individual or group should select the administrator of probation/aftercare services.

2-7024 THE QUALIFICATIONS, AUTHORITY, TENURE, AND RESPONSIBILITIES OF THE ADMINISTRATOR OF FIELD SERVICES ARE SPECIFIED BY STATUTE OR BY THE PARENT GOVERNMENTAL ORGANIZATION.

DISCUSSION: Explicit definition is necessary to ensure both that minimum standards are met and that there are not opportunities for political interference with administrator appointments.

2-7025 THE EDUCATION AND EXPERIENCE QUALIFICATIONS OF THE FACILITY ADMINISTRATOR ARE SPECIFIED IN WRITING BY THE APPOINTING AUTHORITY AND INCLUDE, AT A MINIMUM, A BACHELOR'S DEGREE IN AN APPROPRIATE DISCIPLINE, TWO YEARS OF EXPERIENCE WORKING WITH JUVENILES, AND THREE YEARS IN STAFF SUPERVISION AND ADMINISTRATION; AND/OR, THE COMPLETION OF A CAREER DEVELOPMENT PROGRAM WHICH INCLUDES WORK-RELATED EXPERIENCE, TRAINING, OR COLLEGE CREDITS PROVIDING A LEVEL OF ACHIEVEMENT EQUIVALENT TO THE BACHELOR'S DEGREE.

DISCUSSION: The parent agency should be able to demonstrate that the employee is able to handle a variety of tasks relevant to the job, which include an understanding of legislation and relevant case law, the ability to learn and use basic management principles, understand fiscal processes, work with public officials, express oneself logically, and use relevant information in decision-making.

2-7026 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE TERM OF OFFICE OF THE ADMINISTRATOR OF FIELD SERVICES IS CONTINUOUS AND MAY BE TERMINATED ONLY BY THE APPOINTING AUTHORITY FOR GOOD CAUSE AND SUBSEQUENT TO A FORMAL AND OPEN HEARING ON SPECIFIC CHARGES, IF REQUESTED.

DISCUSSION: Stability of the office of administrator of field services is an important contribution to a high-quality operation. Since many of these positions are not covered by civil service provisions, it is necessary that political interference be reduced by such measures as a specified term or protection against removal without cause.

2-7027 THERE IS A PERSONNEL POLICY MANUAL WHICH IS REVIEWED ANNUALLY AND COVERS, AT A MINIMUM: ORGANIZATION; RECRUITMENT POLICIES AND PROCEDURES; EMPLOYMENT PRACTICES AND PROCEDURES, INCLUDING IN-SERVICE TRAINING; PROMOTION; JOB QUALIFICATIONS, DESCRIPTIONS AND RESPONSIBILITIES; GRIEVANCE PROCEDURES; EMPLOYEE EVALUATION; PHYSICAL FITNESS POLICY; PERSONNEL RECORDS; BENEFITS, HOLIDAYS, LEAVE AND WORK HOURS; BASIS FOR DETERMINING SALARIES; DISCIPLINARY PROCEDURES; RETIREMENT; RESIGNATION AND TERMINATION; STAFF-JUVENILE RELATIONSHIPS; AND EQUAL EMPLOYMENT OPPORTUNITY PROVISIONS.

DISCUSSION: The facility's personnel policy should reflect its operational philosophy and should cover all areas relevant to the welfare of personnel and the facility.

2-7028 WRITTEN PERSONNEL POLICY AND PROCEDURE GOVERN THE SELECTION, RETENTION, AND PROMOTION OF ALL PERSONNEL.

DISCUSSION: The selection, retention, and promotion of field agency personnel should be based on merit, specified qualifications, and competitive oral and/or written examinations. All job qualifications and hiring policies should be examined with the assistance of equal employment specialists from outside the agency. Employment qualifications should be demonstrably related to the skills required to perform the work. Tests should not be culturally biased. To permit selection from a larger pool of applicants, every effort should be made to remove artificial barriers to employment with the agency.

2-7029 WRITTEN POLICY AND PROCEDURE PROVIDE FOR LATERAL ENTRY AS WELL AS PROMOTION FROM WITHIN THE AGENCY.

DISCUSSION: While agency personnel policies should emphasize promotion from within, they should also provide for lateral entry to obtain the best qualified persons to fill positions. Any individual with the required education, experience, and background should be eligible to enter the field agency at the level at which the person is qualified. Lateral entry is employment by the agency of candidates from both the private sector and by transfer from other governmental agencies. Lateral entry should include the transfer of retirement credits where statutes permit.

2-7030 WRITTEN POLICY SPECIFIES THAT EQUAL EMPLOYMENT OPPORTUNITIES EXIST FOR ALL POSITIONS.

DISCUSSION: Men and women should have equal opportunities to compete for any position within the field agency. Section 703 of Title VII of the Civil Rights Act details certain exceptions which do not constitute unlawful employment practices. Agencies should continuously evaluate their work environment to provide employment for both men and women.

**PERSONNEL**

**2-7031 WRITTEN POLICY AND PROCEDURE REQUIRE THAT THE FIELD AGENCY HAS AN AFFIRMATIVE ACTION PLAN AND PROGRAM, WHICH HAVE BEEN APPROVED BY THE APPROPRIATE AUTHORITY.**

**DISCUSSION:** An affirmative action program ensures that persons are able to compete equally for entry into and promotion within the agency. This program should be designed to seek out qualified minority and female personnel and encourage their participation in the staff development program of the field agency.

**2-7032 WRITTEN POLICY AND PROCEDURE REQUIRE THAT THE FIELD AGENCY CAN DOCUMENT THE IMPLEMENTATION OF ITS AFFIRMATIVE ACTION PROGRAM, AND PROVIDE EVIDENCE OF ANNUAL REVIEWS AND NECESSARY CHANGES REQUIRED TO KEEP IT CURRENT.**

**DISCUSSION:** Personnel records and revised policies and procedures that reflect increases in the hiring and promotion of minority groups and women should be used to demonstrate implementation of the agency's affirmative action plan. At least an annual review of the affirmative action program should be conducted to monitor and promote continued compliance.

**2-7033 AN ENTRY-LEVEL FIELD SERVICE WORKER POSSESSES A BACCALAUREATE DEGREE, OR AN EQUIVALENT IN TERMS OF EXPERIENCE AND TRAINING, IN ONE OF THE SOCIAL OR BEHAVIORAL SCIENCES OR A RELATED FIELD.**

**DISCUSSION:** Field service workers must be able to think logically and make informed decisions, express themselves orally and in writing, understand relevant legislation and case law, learn organizational procedures, and work with community officials and agencies.

**2-7034 WRITTEN POLICY OUTLINES EXPERIENCE AND EDUCATION SUBSTITUTES FOR POSITION QUALIFICATIONS.**

**DISCUSSION:** In cases where a person is highly qualified by reason of experience but does not possess the academic training required by the job description, a substitution of experience should be permitted. The experience must be directly related to the position sought. Similarly, there are cases where education may be substituted for experience. In all instances, criteria for substitution must be clearly defined.

**2-7035 WRITTEN POLICY AND PROCEDURE DO NOT CATEGORICALLY EXCLUDE EMPLOYMENT OF EX-OFFENDERS.**

**DISCUSSION:** The facility should have a written policy that does not exclude the employment of qualified ex-offenders.

2-7036 WRITTEN POLICY AND PROCEDURE REQUIRE THAT A CRIMINAL RECORD CHECK BE CONDUCTED ON NEW EMPLOYEES.

DISCUSSION: While policy should not automatically preclude the employment of whole classes of persons, such as ex-offenders, the facility or parent agency administration should be aware of any criminal conviction(s) which would preclude working with juveniles in a training school setting. Appropriate releases for information should be obtained from prospective employees.

2-7037 WRITTEN POLICY AND PROCEDURE REQUIRE A PHYSICAL EXAMINATION BY A PHYSICIAN OF ANY NEW OR PROSPECTIVE EMPLOYEE AT THE TIME OF INITIAL EMPLOYMENT, WHICH IS PAID FOR BY THE FIELD AGENCY. PROVISIONS EXIST FOR REEXAMINATION ACCORDING TO A DEFINED NEED OR SCHEDULE.

DISCUSSION: Probation and parole can be physically demanding work and all staff members should be physically fit. Physical examinations should be required in order to protect their health, ensure their ability to perform effectively, and to avoid appointments or assignments incompatible with their physical condition. When employment is denied based on the findings of the examination, the physician must provide a statement which explains the relationship of the physical impairment to the work required by the position. Policy should not preclude the hiring of handicapped persons.

2-7038 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ALL AGENCY EMPLOYEES ARE APPOINTED INITIALLY FOR A PROBATIONARY TERM OF NOT LESS THAN SIX MONTHS OR MORE THAN ONE YEAR.

DISCUSSION: Tenure should be dependent upon the successful performance of the duties assigned during the probationary term. Employee performance during the probationary period should be evaluated at least bimonthly, with the employee given the opportunity to discuss the evaluation. Forms for evaluation of employee performance should be developed and used. Persons not performing satisfactorily should be terminated during the probationary period.

2-7039 WRITTEN POLICY AND PROCEDURE PROVIDE EMPLOYEES ON PERMANENT STATUS THE RIGHT TO REQUEST AND EXHAUST GRIEVANCE AND APPEALS PROCEDURES, INCLUDING AN OPEN AND FORMAL HEARING, PRIOR TO THEIR TERMINATION OR DEMOTION.

DISCUSSION: Termination or other adverse personnel actions should be open, based on formal hearings and specific charges, and processed before an independent organization to ensure fairness.

2-7040 WRITTEN POLICY AND PROCEDURE PROVIDE THAT PERSONS CONNECTED WITH THE AGENCY WILL NOT USE THEIR OFFICIAL



POSITIONS TO SECURE PRIVILEGES OR ADVANTAGES FOR THEMSELVES; PROHIBIT PERSONNEL FROM ACCEPTING ANY GIFT OR GRATUITY OF VALUE FROM OR ENGAGING IN PERSONAL BUSINESS TRANSACTIONS WITH THE JUVENILE OR ANY INDIVIDUAL OR ORGANIZATION PROVIDING SERVICES TO THE JUVENILE OR HIS/HER FAMILY; AND PROVIDE FOR AGENCY COMPLIANCE WITH STATUTES AND REGULATIONS RELATING TO CAMPAIGNING, LOBBYING, AND POLITICAL PRACTICES.

DISCUSSION: None.

2-7041 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE AGENCY MAINTAINS AN ACCURATE, CURRENT, AND CONFIDENTIAL PERSONNEL RECORD FOR EACH EMPLOYEE.

DISCUSSION: A personnel record on each employee should contain, at a minimum, initial application, reference letters, appropriate results of employment investigation, verification of training and experience, wage and salary information, job performance evaluation, incident reports, and commendations and disciplinary actions. This information should be accurate and current. All employee records should be confidential.

2-7042 WRITTEN POLICY AND PROCEDURE MAKE PROVISION FOR EMPLOYEES TO CHALLENGE INFORMATION IN THEIR PERSONNEL FILE AND HAVE IT CORRECTED OR REMOVED IF IT IS PROVEN INACCURATE.

DISCUSSION: None.

2-7043 WRITTEN POLICY AND PROCEDURE REQUIRE AN ANNUAL PERFORMANCE REVIEW OF ALL EMPLOYEES. THIS REVIEW, BASED UPON DEFINED CRITERIA, IS IN WRITING AND IS DISCUSSED WITH THE EMPLOYEE.

DISCUSSION: To be effective, reviews should be objective and based on specific job criteria and performance standards. The results of the review should be discussed with the employee, including plans for additional training needed. The annual review should be signed by the supervisor. The employee should be given an opportunity to respond to the evaluation and to sign it.

2-7044 WRITTEN POLICY AND PROCEDURE ENSURE THAT CONSULTANTS AND CONTRACT PERSONNEL WHO WORK WITH CLIENTS ABIDE BY THE FIELD AGENCY'S POLICIES ON CONFIDENTIALITY OF INFORMATION.

DISCUSSION: The field agency should specify in writing what types of information are confidential between worker and client, what types of information should be shared with other agency personnel,

and what types of information can properly be communicated to other agencies or to the public. Outside workers should agree in writing to respect these policies.

2-7045 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE PAPERWORK FUNCTIONS OF THE FIELD SERVICE ARE REVIEWED AT LEAST ANNUALLY.

DISCUSSION: To the extent possible, field service workers should be relieved of routine paperwork in order to conserve resources and increase job satisfaction and productivity.

2-7046 SALARY LEVELS AND EMPLOYEE BENEFITS FOR ALL AGENCY PERSONNEL ARE COMPETITIVE WITH THOSE OF OTHER PARTS OF THE JURISDICTION'S JUVENILE JUSTICE SYSTEM AS WELL AS WITH COMPARABLE OCCUPATIONAL GROUPS IN THE PUBLIC AND PRIVATE SECTOR.

DISCUSSION: Competitive salaries and benefits are necessary to recruit and retain qualified staff. Salary ranges should provide for regular increases based on merit and performance evaluation and should be adjusted annually to reflect changes in the cost of living. The field officer who excels in supervising a case load should receive a salary equivalent to individuals in supervisory positions.

2-7047 WRITTEN POLICY AND PROCEDURE GOVERN EMPLOYEE-MANAGEMENT RELATIONS.

DISCUSSION: The agency cannot operate effectively in the absence of specific procedures for the recognition and resolution of legitimate employee concerns. It is essential that the agency have written policy and procedure for responding immediately and effectively to problems that may develop in employee-management relations. These should include specific assignment of responsibility and precise delegation of authority for action, steps for resolving grievances and adverse actions, and an appeal procedure. Minutes should be kept of all such meetings to avoid misunderstandings and to provide a written record of meetings between employee groups and the agency's administration.

## **TRAINING AND STAFF DEVELOPMENT**

2-7048 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE FIELD AGENCY'S TRAINING PROGRAMS FOR ALL EMPLOYEES ARE SPECIFICALLY PLANNED, COORDINATED, AND SUPERVISED BY A QUALIFIED EMPLOYEE AT THE SUPERVISORY LEVEL, AND REVIEWED ANNUALLY.

DISCUSSION: Staff development should be an integral part of the management and operation of the field agency. Therefore, a supervisory level staff member should be selected to maintain continuity and ensure cooperation in the training function. The training plan should include pre-service and in-service training curricula for the various subcategories, with specific timelines for completion of each training unit.

2-7049 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE PERSON COORDINATING THE TRAINING AND STAFF DEVELOPMENT PROGRAM HAS RECEIVED SPECIALIZED TRAINING FOR THAT POSITION. AT A MINIMUM, FULL-TIME TRAINING PERSONNEL HAVE COMPLETED A 40-HOUR TRAINING-FOR-TRAINERS COURSE.

DISCUSSION: The development of correctional staff is an important responsibility of the administration, whether it is achieved through the field agency's training program or through an academy or central training unit. Only trainers with specialized training should develop and direct the training program, although other specialists can be used to instruct on specific areas.

2-7050 THE FIELD AGENCY'S TRAINING AND STAFF DEVELOPMENT PLAN PROVIDES FOR AN ONGOING FORMAL EVALUATION OF ALL PRE-SERVICE, IN-SERVICE, AND SPECIALIZED TRAINING PROGRAMS, AND FOR AN ANNUAL WRITTEN EVALUATION REPORT.

DISCUSSION: Staff development programs should be evaluated at least annually to determine whether all components are having a positive impact on the attitudes, knowledge, and skills of the trainees. Program evaluation is helpful in planning new programs and in modifying existing ones.

2-7051 WRITTEN POLICY AND PROCEDURE PROVIDE THAT LIBRARY AND REFERENCE SERVICES ARE AVAILABLE TO COMPLEMENT THE TRAINING AND STAFF DEVELOPMENT PROGRAM.

DISCUSSION: None.

2-7052 WRITTEN POLICY AND PROCEDURE PROVIDE FOR THE NECESSARY SPACE AND EQUIPMENT FOR THE TRAINING AND STAFF DEVELOPMENT PROGRAM.

DISCUSSION: Facilities for the training and development program should be easily accessible to the staff, free from distracting noise, and large enough to accommodate 20-30 employees for classroom instruction. Equipment should be provided for audiovisual presentations.

2-7053 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE AGENCY ADMINISTRATOR OF FIELD SERVICES ANNUALLY ASSESSES PERSONNEL NEEDS AND PLANS FOR RECRUITMENT, TRAINING, AND STAFF DEVELOPMENT.

DISCUSSION: Personnel planning is not substantially different from planning for other requirements. The field agency staff should determine the types and numbers of personnel who will be required in the future and what skills they should have. Future needs should be measured against current or projected availability of such personnel. The agency should design education, training, and recruitment programs to develop future personnel.

2-7054 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ALL NEW FULL-TIME EMPLOYEES RECEIVE 40 HOURS OF ORIENTATION PRIOR TO JOB ASSIGNMENT; PROVISIONS EXIST FOR ACKNOWLEDGING AND GIVING CREDIT FOR PRIOR TRAINING RECEIVED.

DISCUSSION: All new full-time employees in the agency, regardless of status or title, should have at least 40 hours of general orientation to the policies, organizational structure, programs, and regulations of the field agency and, where applicable, its parent agency. This training should be given before the employee receives a job assignment. If the employee has had training in these areas prior to employment, he/she should receive credit and not be required to repeat this training.

2-7055 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ALL FULL-TIME CLERICAL AND SUPPORT EMPLOYEES RECEIVE A MINIMUM OF 16 HOURS OF TRAINING ANNUALLY, AND THAT ALL FULL-TIME PROFESSIONAL EMPLOYEES RECEIVE A MINIMUM OF 40 HOURS OF TRAINING ANNUALLY. THE FIELD AGENCY SPECIFIES IN WRITING THE CONTENT OF THE ANNUAL TRAINING.

DISCUSSION: Ongoing training enables employees to sharpen their skills, familiarize themselves with new developments in the field, and reinforce their knowledge and understanding of the fundamentals of their job. Retraining provides employees an opportunity to exchange experiences, define problems from their perspective, and communicate to the administration issues of special concern.

2-7056 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ALL PART-TIME EMPLOYEES WORKING LESS THAN 35 HOURS PER WEEK RECEIVE ORIENTATION AND TRAINING APPROPRIATE TO THEIR ASSIGNMENT.

## TRAINING AND STAFF DEVELOPMENT

**DISCUSSION:** Training for part-time staff enables them to keep informed and up-to-date with changes in operations as well as policy and procedure.

### 2-7057 WRITTEN POLICY AND PROCEDURE ENCOURAGE AND PROVIDE FOR EMPLOYEES TO CONTINUE THEIR EDUCATION.

**DISCUSSION:** The agency should help its employees continue their education by allowing official time to attend college classes, staggering work hours to encourage school attendance, assisting with the cost of the education, and helping employees secure financial assistance.

### 2-7058 THE FIELD AGENCY PROVIDES ADMINISTRATIVE LEAVE FOR EMPLOYEES ATTENDING APPROVED PROFESSIONAL MEETINGS, SEMINARS, AND SIMILAR WORK-RELATED ACTIVITIES, AND REIMBURSES EMPLOYEES FOR EXPENSES CONNECTED WITH THESE ACTIVITIES.

**DISCUSSION:** Outside training and educational programs may provide new ideas and insight into probation, parole, and related activities. Participation in these activities should be encouraged, and the budget should include adequate funds for staff participation.

### 2-7059 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE FIELD AGENCY ENCOURAGES STAFF PARTICIPATION IN CRIMINAL JUSTICE AND ALLIED PROFESSIONAL ASSOCIATIONS AND ACTIVITIES ON A LOCAL AND NATIONAL LEVEL.

**DISCUSSION:** Membership and participation in criminal justice and allied professional associations provides the administrator of field services and the staff the opportunity to stay abreast of developments in the field, to make contributions to the field, and to further their knowledge and skills.

## **FISCAL MANAGEMENT**

**2-7060 THE AGENCY'S BUDGET PROCESS IS IN ACCORD WITH THE POLICIES, PROCEDURES, AND INSTRUCTIONS OF THE JURISDICTION OF WHICH IT IS A PART.**

**DISCUSSION:** Although it is a distinct organization within the governmental structure, the agency should comply with the policies, procedures, and instructions of the parent governmental jurisdiction.

**2-7061 THE ADMINISTRATOR OF FIELD SERVICES IS RESPONSIBLE FOR BUDGET CONTROL AND PREPARATION, INCLUDING EXPENDITURE AND MONITORING.**

**DISCUSSION:** The administrator of field services is responsible for the preparation and presentation of a detailed budget request and justification. Although budget specialists may be required, the administrator is ultimately responsible for the total budget process.

**2-7062 FIELD AGENCY OR PARENT ORGANIZATION PLANNING, BUDGETING, AND PROGRAM MANAGEMENT FUNCTIONS ARE INTER-RELATED AND ARE LINKED DIRECTLY WITH OBJECTIVES.**

**DISCUSSION:** Coordination conserves resources, enhances public safety, and permits more effective delivery of services to juveniles. To the extent possible, programs should be subjected to cost-effectiveness analysis to evaluate their contribution to stated goals and to see that goals are achieved with allocated funds. Priorities and programs should be revised when necessary as the result of this analysis.

**2-7063 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE ADMINISTRATOR OF FIELD SERVICES PARTICIPATES IN BUDGET HEARINGS CONDUCTED BY THE PARENT AGENCY OR THE NEXT HIGHER LEVEL OF GOVERNMENT, AND PRESENTS JUSTIFICATION TO SUPPORT THE BUDGET REQUEST.**

**DISCUSSION:** As requested by the parent agency or the next higher level of government, the administrator of field services should prepare for the hearings and be ready to justify requests. The administrator's participation in budget hearings can promote more interest in the agency and its programs.

**2-7064 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE ADMINISTRATOR OF FIELD SERVICES MONITORS AND REVIEWS THE EXPENDITURE OF BUDGETED FUNDS ON A CONTINUING BASIS.**

**DISCUSSION:** The administrator of field services should ensure that planning and budgeting are directly related to program objectives and

that the fund flow over specified time periods is as projected. The review should include a full accounting of the funds allocated for each program function. Expenditures should be made only in accordance with appropriations.

2-7065 WHEN REQUIRED BY LAW, COURT ORDER, OR OTHER REGULATIONS TO COLLECT FUNDS FROM JUVENILES, THE ADMINISTRATOR OF FIELD SERVICES IS RESPONSIBLE FOR THE COLLECTION, SAFEGUARDING, AND DISBURSEMENT OF ALL MONIES. THE WRITTEN POLICY AND PROCEDURE REGARDING THE COLLECTION, SAFEGUARDING, AND DISBURSEMENT OF THESE MONIES ARE MADE KNOWN TO STAFF AND REVIEWED ANNUALLY.

DISCUSSION: Where it is necessary for the agency to receive monies for juveniles, the agency administrator is ultimately responsible for them, even though other personnel may be assigned collection and disbursement duties. An effective collection and disbursement system requires the development and promulgation of written procedures necessary for the uniform and orderly performance of tasks. Such procedures should include, but not be limited to, clear statement of duties and responsibilities of each staff member, maintenance of accounting records, preparation of fiscal reports, administrative review of fiscal policies, and cooperation with auditors.

2-7066 THE FIELD AGENCY HAS WRITTEN FISCAL POLICIES AND PROCEDURES ADOPTED BY THE GOVERNING AUTHORITY WHICH INCLUDE, AT A MINIMUM: INTERNAL CONTROLS, PETTY CASH, INDEMNIFICATION, SIGNATURE CONTROL OF CHECKS, AND EMPLOYEE EXPENSE REIMBURSEMENT.

DISCUSSION: None.

2-7067 WRITTEN POLICY AND PROCEDURE PROVIDE FOR BOTH ONGOING INTERNAL AND INDEPENDENT AUDITS OF THE AGENCY'S FISCAL ACTIVITIES WHICH ARE CONDUCTED ANNUALLY, OR AT A TIME PERIOD STIPULATED BY APPLICABLE STATUTE OR REGULATION, BUT NOT TO EXCEED THREE YEARS.

DISCUSSION: Internal audits should be conducted on a continuing basis to determine whether established internal control procedures are being followed, to strengthen internal control where it is weak, to provide management with periodic information on the performance of its staff responsible for financial activities, and to provide management with information on which to base important decisions.

2-7068 WRITTEN POLICY AND PROCEDURE PROVIDE THAT FUNDS ARE AVAILABLE FOR PURCHASING COMMUNITY SERVICES TO ASSIST JUVENILES AND TO SUPPLEMENT EXISTING PROGRAMS.

DISCUSSION: Some juveniles are indigent or require services for which they cannot pay, especially in emergencies. Funds may also be

needed to pay for educational programs, vocational training, and similar programs most readily available from community organizations.

2-7069 INSURANCE COVERAGE IS PROVIDED TO INCLUDE, AT A MINIMUM: WORKER'S COMPENSATION, CIVIL LIABILITY, LIABILITY FOR OFFICIAL VEHICLES, BLANKET BOND, AND GROUP MEDICAL COVERAGE.

DISCUSSION: Although insurance coverage varies from jurisdiction to jurisdiction, correctional employees should be provided with liability coverage in relation to their work activities. In addition, jurisdictions should have some mechanism for replacing government property lost by fire or other catastrophic events. Coverage provided by private companies, a self-insurers program, or state indemnification is acceptable.



## **JUVENILE RECORDS**

2-7070 WRITTEN POLICY AND PROCEDURE GOVERN JUVENILE RECORD MANAGEMENT AND INCLUDE, BUT ARE NOT LIMITED TO, THE ESTABLISHMENT, UTILIZATION, CONTENT, PRIVACY, SECURITY, PRESERVATION, AND DISPOSITION OF RECORDS. THESE POLICIES AND PROCEDURES ARE REVIEWED ANNUALLY.

DISCUSSION: Records are essential to agency planning, implementation, and evaluation of programs. The orderly recording, management, and maintenance of data increase the efficiency and effectiveness of service delivery to the courts, release authorities, and juveniles.

2-7071 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE AGENCY MAINTAINS WRITTEN RECORDS OF SIGNIFICANT DECISIONS AND EVENTS REGARDING JUVENILES IN THE PROGRAM.

DISCUSSION: Such records should include reasons for the juvenile's entry into the system, actions taken by the juvenile and field worker, and rationales for significant decisions from entry until termination of supervision. Comprehensive case records expedite case reviews and conserve resources.

2-7072 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE CONTENTS OF CASE RECORDS ARE SEPARATED AND IDENTIFIED ACCORDING TO AN ESTABLISHED FORMAT.

DISCUSSION: Standardization in the organization of case records promotes efficiency and effectiveness. A logical sequence for filing would be: intake data, legal documents, the social history or presentence report, and supervision history.

2-7073 WRITTEN POLICY AND PROCEDURE PROVIDE THAT JUVENILE RECORDS ARE SAFEGUARDED FROM UNAUTHORIZED AND IMPROPER DISCLOSURE.

DISCUSSION: An individual's constitutional right to privacy can be abridged if juvenile files are improperly disseminated, especially if the information contained therein is inaccurate, incomplete, or immaterial. The agency should establish procedures to limit access to case records to persons and public agencies which have both a "need to know" and a "right to know," and that can demonstrate that access to such information will serve a criminal justice purpose.

## **MANAGEMENT INFORMATION AND RESEARCH**

### **Management Information Systems**

**2-7074 THE FIELD AGENCY HAS ACCESS TO AND USES AN ORGANIZED SYSTEM OF INFORMATION RETRIEVAL AND REVIEW THAT IS PART OF AN OVERALL RESEARCH CAPACITY.**

**DISCUSSION:** Management information systems and research facilitate decision-making, research, and timely responses both to juveniles' needs and outside inquiries. These services often are provided by a division of a large statewide system. If the parent agency does not provide these functions, the agency should assign selected personnel to the data collection function. Adequate training should be provided for these personnel.

**2-7075 THE ADMINISTRATOR OF FIELD SERVICES ESTABLISHES OR PARTICIPATES IN THE ESTABLISHMENT OF POLICIES AND PROCEDURES FOR COLLECTING, RECORDING, ORGANIZING, PROCESSING, AND REPORTING FIELD SERVICES DATA DEVELOPED FOR MANAGEMENT INFORMATION PURPOSES; THESE POLICIES ARE REVIEWED AT LEAST ANNUALLY.**

**DISCUSSION:** Although other field agency personnel may be assigned these tasks, the administrator of field services is ultimately responsible for their accomplishment. The administrator should review, at least annually, all aspects of the management information system for relevance, completeness, effectiveness, and efficiency.

**2-7076 THE ADMINISTRATOR OF FIELD SERVICES HAS ESTABLISHED A PROCEDURE FOR RECEIVING, AT A MINIMUM, QUARTERLY REPORTS FROM THOSE INDIVIDUALS IN CHARGE OF THE INFORMATION SYSTEM AND RESEARCH PROGRAM.**

**DISCUSSION:** Those in charge of the field agency's information system, related data collection, and research program should report to the administrator of field services at least quarterly. Appointment of a single director to be responsible for the information system and research efforts may facilitate the reporting procedure.

**2-7077 USING AGENCY GOALS AND OBJECTIVES AS GUIDELINES, AGENCY STAFF IDENTIFY INFORMATION NEEDS PRIOR TO THE COLLECTION OF DATA FOR THE MANAGEMENT INFORMATION SYSTEM.**

**DISCUSSION:** The information system should have the capacity to deliver two basic types of information: (1) standard information, consisting of the data required for management control, such as the release success rate, the numbers of juveniles under supervision at a given time, case load levels, and payroll data; and (2) demand infor-

mation, consisting of the information that can be generated when a report is required, such as the number of cases to be terminated during a 12-month period by offense, type of disposition, and month of termination. The agency administrator should be aware of both the capabilities and limitations of the system and should ensure that the information required for the successful operation of the agency is obtained.

**2-7078 WRITTEN POLICY AND PROCEDURE GOVERN THE SECURITY OF THE INFORMATION AND DATA COLLECTION SYSTEM, INCLUDING VERIFICATION, ACCESS TO DATA, AND PROTECTION OF THE PRIVACY OF JUVENILES.**

**DISCUSSION:** Procedures should be specified not only for verifying data before they are entered into the system, but also for determining what data are required. As with case files and records, access should be limited to persons and public agencies which have both a "need to know" and a "right to know," and which can demonstrate that access to such information will serve a juvenile justice purpose.

**2-7079 THE FIELD AGENCY OR PARENT GOVERNMENTAL ORGANIZATION COLLABORATES WITH OTHER JUSTICE SYSTEMS AND HUMAN SERVICE AGENCIES IN INFORMATION GATHERING, EXCHANGE, AND STANDARDIZATION.**

**DISCUSSION:** System-wide collaboration is critical to efficient and effective management. The key to effective collaboration is standardization and sharing of information. The needs of probation and aftercare agencies are very similar, particularly with respect to the type and capabilities of services available in the community. Duplication of effort and costs often can be avoided or reduced by exchange of information. While it is important that probation/parole agencies share information, it is also vital that they respect the confidentiality and privacy of parole records.

## Research

**2-7080 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE FIELD AGENCY SUPPORTS AND ENGAGES IN INTERNAL RESEARCH RELEVANT TO ITS PROGRAMS, AS WELL AS RESEARCH CONDUCTED BY OUTSIDE PROFESSIONALS.**

**DISCUSSION:** Research can assist the agency in establishing goals, objectives, and plans for the future and can contribute to more efficient and effective supervision, conservation of resources, and increased public safety. Because of time and personnel constraints, agencies often cannot conduct internally all necessary research. They should, therefore, contract with responsible outside professionals. However, both internal research and outside research should

not be permitted to proceed until the research design and agency requirements are fully understood.

2-7081 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE ADMINISTRATOR OF FIELD SERVICES AND DESIGNATED STAFF PARTICIPATE WITH RESEARCHERS IN DECIDING WHAT QUESTIONS SHOULD BE ADDRESSED, WHAT DATA SHOULD BE GATHERED, AND HOW THAT DATA SHOULD BE PRESENTED.

DISCUSSION: While it is important that the administrator of field services and staff be guided by the best research capacity they can obtain, they should play an important role in shaping the direction of that research. Cooperation among operational and research personnel is required for determining research needs, establishing priorities among needs, and collecting and interpreting data gathered. This cooperation will ensure that the research is relevant and consistent with agency goals and objectives.

2-7082 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE AGENCY ADMINISTRATOR OF FIELD SERVICES REVIEWS AND APPROVES ALL RESEARCH PROJECTS PRIOR TO IMPLEMENTATION.

DISCUSSION: Research should not be permitted to proceed until the research design and the requirements of field agency staff are understood fully and agreed upon.

2-7083 WRITTEN POLICY AND PROCEDURE PROVIDE THAT DEMONSTRATION PROGRAMS ARE USED TO DETERMINE HOW CHANGES WILL IMPACT ON PUBLIC SAFETY AND AGENCY OPERATIONS.

DISCUSSION: Significant changes in agency practice should be supported by research evidence that public safety is undiminished and agency operations unimpaired. New programs should be initiated on a trial basis to permit scientific evaluation before they are expanded to the entire offender population.

2-7084 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE PRIVACY OF JUVENILES AND OTHER PARTIES WILL BE MAINTAINED DURING ALL RESEARCH.

DISCUSSION: Although it is important that agencies facilitate research, it is essential that they safeguard the privacy and interests of juveniles, juveniles' families, and other persons.

2-7085 WRITTEN POLICY AND PROCEDURE SPECIFY THE METHOD FOR DISSEMINATION OF RESEARCH FINDINGS.

DISCUSSION: Written policies and guidelines will prevent misunderstandings about the publication and dissemination of research results.

As a general rule, research findings should be published and distributed regardless of the nature of the findings. Their publication can avoid duplication of effort elsewhere and provide for the sharing of knowledge and experience throughout the correctional field.

**2-7086 THE AGENCY MEASURES PERFORMANCE ON AT LEAST TWO LEVELS: OVERALL PERFORMANCE AND ACHIEVEMENT OF MORE IMMEDIATE PROGRAM GOALS. A REVIEW OF PERFORMANCE IS CONDUCTED AT LEAST EVERY SIX MONTHS.**

**DISCUSSION:** A distinction is made here between system review and program review. In a system review, overall performance of the entire field organization in achieving its goals and objectives is the object of measurement. In a program review, effectiveness of a particular program in the achievement of an immediate objective is the object of measurement.

**2-7087 JUVENILES PARTICIPATING IN RESEARCH PROGRAMS IN THE AGENCY ARE NOT DENIED BASIC SERVICES AVAILABLE TO OTHER JUVENILES.**

**DISCUSSION:** Services essential to the normal growth and development of juveniles should not be denied for research purposes.

**2-7088 WRITTEN POLICY PROHIBITS THE USE OF JUVENILES FOR MEDICAL, PHARMACEUTICAL, OR COSMETIC EXPERIMENTS. THIS POLICY DOES NOT PRECLUDE INDIVIDUAL TREATMENT OF A JUVENILE BASED ON HIS OR HER NEED FOR A SPECIFIC MEDICAL PROCEDURE THAT IS NOT GENERALLY AVAILABLE. (Mandatory)**

**DISCUSSION:** A person confined in a facility is incapable of volunteering as a human subject without hope of reward and cannot do so on the basis of fully informed consent. Therefore, juveniles should not participate in experimental projects involving medical, pharmaceutical, or cosmetic research, including aversive conditioning, psychosurgery, electrical stimulation of the brain, or the application of cosmetic substances to the body that are being tested for possible ill effects prior to sale to the general public. This does not preclude individual treatment of a juvenile by his/her physician with a new medical procedure, subsequent to a full explanation of the positive and negative features of the treatment. The agreement is between the physician and the juvenile and is not part of a general program of medical experimentation involving payment to juveniles for submission to the treatment.

**2-7089 WRITTEN POLICY AND PROCEDURES GOVERN VOLUNTARY PARTICIPATION IN NONMEDICAL, NONCOSMETIC, AND NONPHARMACEUTICAL RESEARCH PROGRAMS.**

**DISCUSSION:** Participation in nonmedical, nonpharmaceutical testing by juveniles under supervision should be permitted only after a

review of the research design indicates the probability that no negative effects will accrue to the juveniles in the program. This review should be conducted by a review board of at least three staff members. The permission of the parent, guardian, or the court should be required before the involvement of any juvenile in research.

## **INTAKE**

**NOTE: THESE INTAKE STANDARDS APPLY ONLY TO JUVENILES ALLEGED TO HAVE COMMITTED ACTS THAT WOULD BE CRIMES IF COMMITTED BY ADULTS. INTAKE POLICIES AND PROCEDURES GOVERNING STATUS OFFENDERS AND SUCH NON-OFFENDERS AS DEPENDENT, NEGLECTED, OR ABUSED CHILDREN ARE NOT COVERED BY THESE STANDARDS.**

**THESE STANDARDS APPLY TO THE AGENCY ONLY WHEN STATUTES REQUIRE THAT AGENCY PERSONNEL BE RESPONSIBLE FOR THE JUVENILE INTAKE FUNCTION.**

**2-7090 WRITTEN POLICY AND PROCEDURE PROVIDE FOR AN ORGANIZATIONAL UNIT RESPONSIBLE FOR THE INTAKE PROCESS, WHICH IS DELEGATED THE SPECIFIC POWER TO MAKE DECISIONS REGARDING INTAKE; THE INTAKE PROCESS OPERATES ON A 24-HOUR-PER-DAY BASIS.**

**DISCUSSION:** The organization and location of the intake function will be determined by the governmental structure of the jurisdiction. Intake units should have full responsibility for reviewing complaints and determining whether a petition should be filed with the juvenile court. The intake officer should receive, review, and process complaints, recommend release or detention where necessary, and provide for services to juveniles and their families, including diversion and referral to other community resources.

**2-7091 WRITTEN POLICY AND PROCEDURE PROVIDE THAT EACH JUVENILE BROUGHT INTO THE INTAKE PROCESS IS INFORMED OF THE STEPS IN THE PROCESS AT THE INITIATION OF INTAKE.**

**DISCUSSION:** It is essential that the juvenile and his/her family, at the time of intake, understand what is happening at all stages of the process, including the purposes, procedures, and possible results. This ensures the juvenile and the family the opportunity to ascertain what their procedural rights are and sufficient time to make appropriate decisions regarding their rights within the intake process.

**2-7092 WRITTEN POLICY AND PROCEDURE SPECIFY THE AUTHORITY AND RESPONSIBILITY OF INTAKE PERSONNEL TO TAKE, BUT NOT BE LIMITED TO, THE FOLLOWING ACTIONS:**

**DISMISS COMPLAINTS;  
REFER FOR SERVICE TO A NONCOURT AGENCY;  
FILE A PETITION; AND  
USE TEMPORARY DETENTION.**

**DISCUSSION:** Since the intake unit functions as a representative of the court, the authority and responsibility delegated to intake personnel should be clearly and precisely promulgated.

Intake personnel should have available the specific conditions under which they may dismiss complaints. Judgements exercised by intake personnel under clearly stated guidelines will protect the juvenile's interests and also help to prevent unnecessary additions to the court's work load.

**2-7093 WHEN A PETITION HAS NOT BEEN FILED, WRITTEN POLICY PROHIBITS NONJUDICIAL PROBATION AND OTHER FORMS OF CONDITIONAL DISPOSITIONS BY THE INTAKE UNIT OR ITS PARENT AGENCY.**

**DISCUSSION:** Nonjudicial or informal probation and other forms of restrictions implemented solely by the intake unit and its parent agency deny the juvenile and his/her family due consideration by the court, and are also subject to abuse in their execution. For these reasons their use should be prohibited by policy, if not statute.

**2-7094 WRITTEN POLICY AND PROCEDURE REQUIRE THAT DELINQUENCY PETITIONS BE FILED AND THAT CASES INVOLVING JUVENILES BE REFERRED TO COURT WHEN:**

**THE JUVENILE AND HIS/HER PARENTS OR ATTORNEY REQUESTS A FORMAL HEARING; OR  
THERE ARE SUBSTANTIAL DISCREPANCIES ABOUT THE ALLEGATIONS, OR DENIAL, OF A SERIOUS OFFENSE; OR  
PROTECTION OF THE COMMUNITY IS AN ISSUE; OR  
THE APPROPRIATE PROSECUTING OFFICIAL DETERMINES THE LEGAL SUFFICIENCY OF THE CASE FOR REFERRAL.**

**DISCUSSION:** The agreement between court and intake personnel as to the case factors that warrant referral to court for formal adjudication can help to develop an effective and efficient method for processing juveniles, and at the same time ensure a fair and just hearing process for juveniles.

**2-7095 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ANY JUVENILE PLACED IN DETENTION OR SHELTER CARE BE BROUGHT BEFORE THE JUVENILE COURT WITHIN TWO COURT DAYS.**

**DISCUSSION:** Unless a juvenile who has been taken into custody has been released, a judicial hearing to review the necessity for continued detention should be held within two court days from the time of admission to detention or shelter care.

**2-7096 WRITTEN POLICY AND PROCEDURE PROVIDE FOR A PROCESS OF INDEPENDENT REVIEW OF INTAKE DECISIONS.**

**DISCUSSION:** Because intake personnel are involved in many informal dispositions, a review requirement should be developed to provide a check on the system through the court or appropriate prosecuting office. Such a mechanism could effectively limit un-



warranted uses of discretion, in which considerations of institutional or other requirements rather than the needs of the juvenile are the determining factors in the decision-making process.

2-7097 WRITTEN POLICY AND PROCEDURE SPECIFY THE AUTHORITY AND RESPONSIBILITY FOR INTAKE PERSONNEL TO ORDER UNCONDITIONAL RELEASE OR CONDITIONAL RELEASE FOR A JUVENILE FOR WHOM A PETITION HAS BEEN FILED AND TO ORDER NONSECURE RESIDENTIAL CARE OR SECURE RESIDENTIAL CARE WHERE APPROVED BY THE JUVENILE COURT.

DISCUSSION: Depending upon a number of factors, juveniles for whom petitions have been filed may require varying degrees of control pending review of their cases by the court. These interim control decisions are made by intake personnel who should have in writing both the delegated authority and the range of interim dispositions they are permitted to order.

2-7098 WRITTEN POLICY AND PROCEDURE PROVIDE GUIDELINES FOR THE USE OF VARIOUS FORMS OF CONDITIONAL RELEASE BASED ON CASE FACTORS AND AVAILABLE RESOURCES.

DISCUSSION: In order to minimize the imposition of release conditions on persons who would appear in court without them and who present no substantial risk in the interim, each jurisdiction should develop guidelines to assist intake workers in deciding when to grant conditional release to juveniles accused of a delinquent act. These guidelines should be based on case circumstances and the resources and programs available in that community.

2-7099 WRITTEN POLICY AND PROCEDURE LIMIT THE USE OF DETENTION TO CASES INVOLVING PROTECTION OF THE PUBLIC, PREVENTION OF SELF-INJURY, TRANSFER TO ANOTHER JURISDICTION, AND THE NEED TO ENSURE THE PRESENCE OF THE JUVENILE AT SUBSEQUENT COURT HEARINGS.

DISCUSSION: The interim control and/or placement of a juvenile awaiting review and possible adjudication of his/her case by the court should be based on specific criteria.

2-7100 WRITTEN POLICY AND PROCEDURE REQUIRE A JUDICIAL REVIEW EVERY 10 WORKING DAYS TO REVIEW THE NECESSITY FOR CONTINUED DETENTION.

DISCUSSION: An initial court finding that detention is necessary does not mean that the juvenile must be detained until disposition of his/her case. Judicial review allows for release of juveniles under conditions similar to those for persons released without detention.

## **COMMUNITY PLACEMENT PROGRAMS**

2-7101 THE AGENCY PROVIDES, EITHER DIRECTLY OR VIA CONTRACTUAL AGREEMENTS, A VARIETY OF RESIDENTIAL AND NON-RESIDENTIAL PROGRAMS AND SERVICES FOR JUVENILES AND RELATED SERVICES FOR THEIR PARENTS.

DISCUSSION: None.

2-7102 WRITTEN POLICY AND PROCEDURE SPECIFY THAT RESIDENTIAL FACILITIES AND NONRESIDENTIAL PROGRAMS THAT ARE NOT A PART OF THE PARENT AGENCY ARE GOVERNED BY A WRITTEN AGREEMENT WITH THE PLACING AUTHORITY.

DISCUSSION: Small group and foster homes, and other residential and nonresidential programs contracting directly with the placing authority, should be governed by a written agreement that specifies the obligations of each party and provides for direction and ongoing supervision by the placing authority.

2-7103 WRITTEN POLICY AND PROCEDURE REQUIRE THE PLACING AUTHORITY TO CONTRACT ONLY WITH RESIDENTIAL FACILITIES AND NONRESIDENTIAL PROGRAMS THAT ARE LICENSED BY AN AUTHORIZED LICENSING AUTHORITY. IF THE PLACING AUTHORITY IS ALSO THE LICENSING AUTHORITY, WRITTEN CRITERIA FOR THE APPROVAL OF PROGRAMS ARE AVAILABLE.

DISCUSSION: The placing authority has the responsibility for ensuring that juveniles removed from their homes are placed in substitute homes that meet criteria providing for their physical, emotional, and developmental needs.

2-7104 WRITTEN POLICY AND PROCEDURE PROVIDE FOR THE USE OF THOSE COMMUNITY PROGRAMS THAT MEET APPLICABLE BUILDING, SANITATION, HEALTH, AND FIRE SAFETY CODES.

DISCUSSION: Local and state codes should be strictly enforced to ensure the safety and well-being of the juveniles involved. Reports of periodic inspections and action taken with respect to these reports should be available. In the event local and state codes are not available or applicable, appropriate national codes will be applied to the program.

2-7105 WRITTEN POLICY AND PROCEDURE REQUIRE THE PLACING AUTHORITY TO CONDUCT AN INSPECTION AND EVALUATION AT LEAST ANNUALLY OF EVERY COMMUNITY PROGRAM USED BY THE AUTHORITY.

DISCUSSION: Local and state codes should be strictly enforced to ensure the safety and well-being of the juveniles involved. Reports

of periodic inspections and action taken with respect to these reports should be available. In the event local and state codes are not available or applicable, appropriate national codes will be applied to the program.

2-7106 WRITTEN POLICY AND PROCEDURE PROVIDE THAT RESIDENTIAL FACILITIES ARE AVAILABLE FOR EMERGENCY PLACEMENT OF JUVENILES.

DISCUSSION: Either as a transitional program from institution to community living, as temporary shelter care during crisis situations, or as an alternative to secure detention, community residential facilities serve as an important resource to field staff.

2-7107 WRITTEN POLICY AND PROCEDURE REQUIRE A MINIMUM OF MONTHLY PERSON-TO-PERSON CONTACT BETWEEN FIELD STAFF AND JUVENILES IN PLACEMENT OTHER THAN THEIR OWN HOMES AND WITH THE PERSON(S) RESPONSIBLE FOR THE CARE OF THE JUVENILES IN PLACEMENT, UNLESS UNDER INTERSTATE COMPACT SUPERVISION.

DISCUSSION: The agency's responsibility for supervision of juveniles and for ensuring that their care and program needs are being met requires regular contact with the juveniles and those who are sharing responsibility for their care and supervision.

2-7108 WRITTEN POLICY AND PROCEDURE SPECIFY THAT PERSONS PROVIDING FOSTER/GROUP HOME CARE BE SELECTED FOR THEIR CHILD CARE ABILITIES AND BE GOVERNED BY CLEAR STANDARDS OF CONDUCT.

DISCUSSION: Foster/group home parents should be selected using criteria that define the types of parental skills needed in each program setting. Clear and explicit standards should govern these employees, whether they are agency employees or contracting parties. Policy should require two parents, with no more than one working outside the home, unless specific exceptions are granted by the placing authority.

2-7109 WRITTEN POLICY AND PROCEDURE REQUIRE THE PLACING AUTHORITY TO INVOLVE FOSTER/GROUP HOME PARENTS IN ORIENTATION AND TRAINING TO ENSURE THAT THEY UNDERSTAND THEIR RIGHTS AND RESPONSIBILITIES AS FOSTER PARENTS, THE RIGHTS AND RESPONSIBILITIES OF THE AGENCY, AND THE RIGHTS OF THE JUVENILES.

DISCUSSION: Foster/group home parents should understand their rights and responsibility for day-to-day decisions regarding the care of juveniles, the areas of responsibility shared with the agency for major decisions affecting juveniles, and the limits of their liability. Training should provide guidelines for maintaining foster/group homes.

2-7110 WRITTEN POLICY AND PROCEDURE PROVIDE THAT FOSTER/GROUP HOME PARENTS HAVE 24-HOUR SERVICES AVAILABLE FROM AGENCY PERSONNEL.

DISCUSSION: In the event of an emergency, foster/group home parents should have immediate access to a supervisor who can assist in making decisions and interpret agency policy in such situations.

2-7111 WRITTEN POLICY AND PROCEDURE REQUIRE THAT FOSTER/GROUP HOME PARENTS BE INFORMED IN WRITING OF AGENCY POLICY INVOLVING DISCIPLINARY ACTIONS, WHICH PROHIBIT, AT A MINIMUM, CORPORAL PUNISHMENTS OF ANY KIND; THREATS, DEROGATORY REMARKS, OR OTHER VERBAL ABUSE DIRECTED TOWARD THE JUVENILE OR HIS/HER NATURAL PARENTS; DEPRIVATION OF MEALS; DEPRIVATION OF VISITS WITH THE NATURAL PARENTS WITHOUT PRIOR CONSULTATION WITH THE AGENCY REPRESENTATIVE; AND ANY UNUSUAL OR UNNECESSARY PUNISHMENT.

DISCUSSION: The agency should provide guidance to foster/group home parents on policies relating to disciplinary actions. However, it may become necessary in some cases to use physical restraint when a juvenile's behavior requires immediate control to protect him/her, another individual, or property.

2-7112 WHEN A JUVENILE REMAINS IN FOSTER/GROUP HOME PLACEMENT FOR SIX MONTHS, A WRITTEN REPORT IS SUBMITTED BY HIS/HER COUNSELOR TO THE PLACING AUTHORITY AND THE COMMITTING AUTHORITY, STATING THE JUSTIFICATION FOR KEEPING THE JUVENILE IN THE PROGRAM.

DISCUSSION: The objective of the foster/group home placement is to enable juveniles to return to their homes, relatives, friends, and normal community activities. Under no circumstances should the juvenile be transferred between programs in a sequential fashion solely for the purpose of extending the total supervision period.

2-7113 WRITTEN POLICY AND PROCEDURE REQUIRE THE AGENCY TO BUDGET AND PROVIDE COMPENSATION FOR FOSTER/GROUP HOME CARE AT RATES EQUAL TO THOSE BEING PAID BY OTHER HUMAN SERVICE AGENCIES IN THE SAME JURISDICTION.

DISCUSSION: None.

2-7114 WRITTEN POLICY AND PROCEDURE SPECIFY THE AMOUNT AND METHOD OF COMPENSATION FOR FOSTER/GROUP HOME PARENTS.

DISCUSSION: Salary increments should be developed based on length of service, training, and the severity of the problem of the juvenile for whom the foster parents have responsibility.

2-7115 WRITTEN POLICY AND PROCEDURE SPECIFY THAT THE AGENCY BUDGETS AND/OR PROVIDES FOR THE SPECIAL FINANCIAL NEEDS OF JUVENILES IN FOSTER/GROUP HOME PLACEMENTS, SUCH AS MEDICAL CARE, SPENDING MONEY, SCHOOL EXPENSES, AND CLOTHING.

DISCUSSION: The monetary needs for supporting juveniles in substitute home placements will vary depending on the age, health, and other circumstances of each juvenile. These expenses should be provided for in addition to the cost of the basic support of a juvenile in placement.

## **PLACEMENT, TRANSFER, TERMINATION AND REMOVAL PROCESS**

2-7116 WRITTEN POLICY AND PROCEDURE SPECIFY THAT RECOMMENDATIONS TO THE COURT TO REMOVE A JUVENILE FROM HIS/HER HOME BE SUBMITTED ONLY AFTER ALL EFFORTS TO ALLOW THE PARENTS TO ADEQUATELY FULFILL THEIR ROLE IN THE FAMILY HAVE FAILED.

DISCUSSION: The rights of the parents and the juvenile, as well as program considerations, require that every effort be made to salvage the juvenile's own home before the decision to seek substitute home placement is reached. Court action should be required in all cases of removing a juvenile from his/her home.

2-7117 WRITTEN POLICY AND PROCEDURE REQUIRE THAT WHEN REMOVAL OF A JUVENILE FROM HIS/HER OWN HOME IS CONSIDERED, EVERY EFFORT BE MADE TO INVOLVE THE JUVENILE AND HIS/HER PARENTS IN THE DELIBERATIONS RELATING TO THAT DECISION.

DISCUSSION: Policy provides that the interest of the juvenile should be the deciding factor when his/her removal from the home is being considered. The juvenile, as well as his/her parents, should be allowed to participate in the decision.

2-7118 WRITTEN POLICY AND PROCEDURE PERMIT JUVENILES TO VISIT THE GROUP OR FOSTER HOME BEFORE FORMAL PLACEMENT.

DISCUSSION: Permitting juveniles a brief visit to the residential program before permanent placement can help allay their doubts and fears. Such a stay also can provide staff an opportunity to evaluate the juvenile's potential for participation in the program.

2-7119 WRITTEN POLICY AND PROCEDURE PERMIT TRANSFERS BETWEEN SIMILAR FACILITIES OR TO LESS SECURE FACILITIES UPON WRITTEN NOTIFICATION TO THE PARENT OR GUARDIAN OF THE JUVENILE BEING TRANSFERRED.

DISCUSSION: The juvenile should be involved in making the transfer decision. Written notice of the transfer and the reasons for it should be provided to the juvenile's parent or guardian. The transfer decision should be documented in the juvenile's case record.

2-7120 WRITTEN POLICY AND PROCEDURE FOR ALL TRANSFERS FROM ONE COMMUNITY PLACEMENT TO ANOTHER PROVIDE THE JUVENILE INVOLVED IN THE TRANSFER AN OPPORTUNITY TO MAKE ANY OBJECTIONS KNOWN; WHEN SUCH TRANSFERS ARE TO A MORE RESTRICTIVE ENVIRONMENT, DUE PROCESS SAFEGUARDS ARE PROVIDED.

DISCUSSION: When a juvenile is being transferred to a program of the same or less restrictive environment, he/she should have an opportunity to object to the change during a conference with placement officials. Before all transfers, the placing authority and others with an interest in the juvenile should be provided with proper documentation; such documentation should also be placed in the case record.

2-7121 WRITTEN POLICY AND PROCEDURE PROVIDE THAT STAFF MEMBERS COUNSEL THE JUVENILE'S PARENTS OR GUARDIANS WHILE A JUVENILE IS IN A RESIDENTIAL FACILITY, IN PREPARATION FOR HIS/HER RETURN HOME; PROVISION IS MADE FOR TRIAL VISITS BEFORE THE JUVENILE'S FINAL RELEASE.

DISCUSSION: Preparation for the return of juveniles to their homes from a residential facility should include counseling parents or guardians to help them understand the conditions that necessitated the out-of-home placement. Trial home visits of two or three days provide the juvenile, his/her parents, and program staff an opportunity to evaluate progress and provide a basis for the final placement decision.

2-7122 WRITTEN POLICY AND PROCEDURE SPECIFY THAT CASE RESPONSIBILITY FOR JUVENILES PLACED IN CONFINEMENT BE ASSIGNED TO A FIELD STAFF MEMBER WITHIN 10 DAYS OF SECURE CONFINEMENT, AND THAT FIELD STAFF INITIATE CONTACT WITH EACH JUVENILE.

DISCUSSION: The field staff member who will have major responsibility for the juvenile's return to the community should participate in planning a supervision program with the juvenile, institution staff, parents, and other persons important in the juvenile's life.

2-7123 WRITTEN POLICY DEFINES THE AUTHORITY OF THE PLACING AUTHORITY IN REMOVING ANY JUVENILE FROM SUBSTITUTE HOME PLACEMENTS.

DISCUSSION: The placing authority should be authorized to remove any juvenile from a placement when there are substantial reasons to justify removal. Removals based on health or safety considerations should be supported by an independent professional opinion, and provision should be made for adequate aftercare.

## **SUPERVISION—PROBATION AND AFTERCARE AGENCIES**

2-7124 THE AGENCY'S STATEMENTS OF PURPOSE, PHILOSOPHY, AND PROGRAM AFFIRM THAT ALL PLANNING AND DECISION-MAKING ARE CONSISTENT WITH LAWS RELEVANT TO THE STATE'S RESPONSIBILITY FOR THE CARE AND PROTECTION OF JUVENILES UNDER ITS CONTROL.

DISCUSSION: When the agency is delegated authority over a juvenile, it receives the responsibility of acting in the juvenile's interest. Specifically, the agency should provide the protections set forth in state and federal statutes and by judicial rulings, and should provide the services available to juveniles in that jurisdiction.

2-7125 THE AGENCY'S STATEMENT OF PURPOSE AFFIRMS THAT THE SUPERVISION PROGRAM IS TO PROVIDE NECESSARY SERVICES TO JUVENILES, WITH THE GOAL OF REDUCING THE PROBABILITY OF THEIR CONTINUED DELINQUENT BEHAVIOR, WHILE ALSO PROTECTING THE COMMUNITY.

DISCUSSION: None.

2-7126 WRITTEN POLICY AND PROCEDURE PROVIDE THAT A WRITTEN PLAN IS DEVELOPED WHICH ESTABLISHES A SYSTEMATIC METHOD FOR ALLOCATING ASSIGNMENTS TO FIELD STAFF.

DISCUSSION: None.

2-7127 WRITTEN POLICY AND PROCEDURE PROVIDE THAT A FULL-TIME SUPERVISOR DOES NOT SUPERVISE MORE THAN 10 FIELD STAFF MEMBERS.

DISCUSSION: The span of control of a supervisor in the agency should be large enough to provide economical supervision, but not so large as to prevent effective management. Exceptions should be justified based on the experience of the field officers supervised. Ideally, all personnel supervised should be located in the same office as the supervisor and perform the same function. For a supervisory span of 10, all personnel supervised should be experienced in their specific functions; a smaller ratio of supervision should be used with a high proportion of inexperienced field staff. In small or remote field offices where the supervisor has other duties, the supervisory time should be allotted at the ratio of one tenth for every field staff position in the office.

2-7128 WRITTEN POLICY AND PROCEDURE PROVIDE THAT FIELD SUPERVISION IS CONTINUALLY REVIEWED BY THE SUPERVISOR FROM BOTH AN ADMINISTRATIVE AND CASE MANAGEMENT PERSPECTIVE.



**DISCUSSION:** Administrative review of the conduct of field supervision should be ongoing and should focus on how well the field services comply with policies and procedures regarding the degree and type of supervision and assistance provided juveniles.

**2-7129 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ALL REPORTS PREPARED BY FIELD STAFF FOR SUBMISSION TO THE REVIEWING AUTHORITY ARE APPROVED BY A SUPERVISOR BEFORE SUBMISSION.**

**DISCUSSION:** Supervisory review of all reports ensures that functions are being properly implemented in accordance with policies, objectives, and procedures and that recommendations are reasonable and supported by the information provided. Supervisory review also ensures that information is provided in the correct format for use by the intended recipient, and it contributes to the training of personnel and the development of their skills and knowledge.

**2-7130 WRITTEN POLICY AND PROCEDURE GOVERN SUPERVISION AND CLASSIFICATION OF JUVENILES.**

**DISCUSSION:** A classification program should be used in order to safeguard the community and meet the program needs of the juvenile. Juveniles should be placed in the appropriate supervision category immediately following the initial interview. Classification should be consistent with basic concepts of fairness, provide for maximum involvement of the juvenile and his/her parents, and include the concept of diminishing field supervision. Specific criteria should be defined for placement or retention in intensive or close field supervision categories. The policy also should cover the development of community resources, purchase of services, and use of volunteers.

**2-7131 THE INITIAL CONTACT BETWEEN THE JUVENILE NEWLY RELEASED FROM CONFINEMENT AND/OR PLACED ON PROBATION AND THE ASSIGNED FIELD STAFF MEMBER OCCURS NO LATER THAN 24 HOURS AFTER RELEASE OR PLACEMENT ON PROBATION.**

**DISCUSSION:** The field staff member should immediately explain to the juvenile and his/her parents the purpose of probation/aftercare, any special conditions imposed, and the range of services available. It is also important that the field staff member, the juvenile, and his/her parents determine if there are other specific program needs that must be met immediately, such as alternative home placement.

**2-7132 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE CONDITIONS OF FIELD SUPERVISION ARE FURNISHED, IN WRITING, TO THE JUVENILE AND HIS/HER PARENTS AND/OR GUARDIAN-CUSTODIAN(S) AND ARE ACKNOWLEDGED IN WRITING.**

**DISCUSSION:** Conditions of field supervision must be in writing to prevent any uncertainty as to the expected standards of behavior or requirements imposed. Because the conditions of field supervision may serve as the basis for violation hearings, it is essential that they be stated clearly and be a matter of record. Because juveniles are required to comply with court/release orders to meet certain standards of behavior, it is essential that they be given a copy of the conditions of field supervision and that a record is made of the receipt. This procedure protects both the agency and the juvenile.

**2-7133 WRITTEN POLICY AND PROCEDURE PROVIDE THAT FIELD SERVICES ARE AVAILABLE 24 HOURS A DAY.**

**DISCUSSION:** The 24-hour availability of field services should be made known to juveniles and their families. Split shifts, duty officers, and all-night, weekend, and holiday telephone numbers are examples of means used to provide 24-hour services.

**2-7134 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE RANGE AND NATURE OF FIELD AND OFFICE CONTACT WITH JUVENILES UNDER SUPERVISION CORRESPOND TO THE AGENCY'S PLAN FOR CLASSIFICATION, WORK, AND SUPERVISION FOR EACH JUVENILE.**

**DISCUSSION:** A specified number of contacts with each juvenile helps ensure that the agency, through its field staff, stays informed about the needs and activities of juveniles under supervision. This requirement also serves to remind juveniles that they remain under legal jurisdiction and must meet their obligations. Field staff and supervisors should determine in case conferences the services to be provided to each juvenile and the number of contacts required to provide those services.

**2-7135 WRITTEN POLICY AND PROCEDURE GOVERNING COMMUNITY SUPERVISION PROVIDE FOR A CASE REVIEW AT INTERVALS OF NO MORE THAN THREE MONTHS, WITH PROMPT RECLASSIFICATION WHEN WARRANTED.**

**DISCUSSION:** No more than three months should elapse between reviews of individual cases. Reclassification should occur promptly when juvenile adjustment warrants. Reviews are conducted by the field staff member and his/her supervisor.

**2-7136 WHEN WRITTEN POLICY AND PROCEDURE REQUIRE WRITTEN REPORTS FROM JUVENILES UNDER SUPERVISION, A PLAN EXISTS TO REVIEW AND ASSESS THEIR VALUE TO THE JUVENILES AND THE AGENCY.**

**DISCUSSION:** Written reports by juveniles in no way substitute for personal contact by field staff. They should be required only when an advantage in public safety or juvenile adjustment will be obtained.

The interval between written reports should be adjusted to match progress in community adjustment, and the information collected by the reports should be relevant to the supervision plan or administrative requirements of the organization. Policies and guidelines for reports should include contents and times for submission.

2-7137 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE FIELD STAFF MEMBER, THE JUVENILE, AND, WHEN APPROPRIATE, PARENTS AND/OR GUARDIANS/CUSTODIANS JOINTLY DEVELOP A SUPERVISION PLAN THAT INCLUDES OBJECTIVES AND A PROJECTED DATE OF TERMINATION.

DISCUSSION: Planning that incorporates the needs, problems, capabilities, and limitations of the juvenile, and the participation of the juvenile and his/her family, provides a positive framework for the period of supervision.

2-7138 WRITTEN POLICY AND PROCEDURE PROVIDE FOR REVIEW OF THE FIELD SUPERVISION PLAN WITH THE JUVENILE AND HIS/HER PARENTS AND/OR GUARDIANS/CUSTODIANS ON AN AS-NEEDED BASIS AND ADJUSTED IN ACCORDANCE WITH THE JUVENILE'S PERFORMANCE.

DISCUSSION: This review should take place on an as-needed basis, but no less than once every three months. Changes in the supervision plan are reviewed with the field staff member's supervisor.

2-7139 WRITTEN POLICY AND PROCEDURE REQUIRE THAT THE FIELD STAFF MEMBER CONTACT COMMUNITY AGENCIES THAT ARE FAMILIAR WITH THE JUVENILE; SUCH CONTACTS ARE MADE ACCORDING TO THE SUPERVISION PLAN AND HAVE A SPECIFIC PURPOSE.

DISCUSSION: It is essential that field staff monitor the progress of juveniles in the community. Field staff should supplement their insights with information from others so that a more accurate evaluation and assessment of need and performance will emerge.

2-7140 WRITTEN POLICY AND PROCEDURE PROVIDE THAT WHEN SPECIFIC SERVICES ORDERED BY THE COURT OR RELEASING AUTHORITY ARE NOT AVAILABLE, THE FIELD STAFF SHOULD RETURN THE CASE TO THE COURT OR RELEASING AUTHORITY FOR FURTHER DISPOSITIONAL CONSIDERATION.

DISCUSSION: Delinquent juveniles often are subject to discriminatory treatment by noncorrectional agencies and are prevented from participating in service programs available to other juveniles. The community supervision agency should inform the court or release authority if a juvenile is denied access to ordered services.

2-7141 WRITTEN POLICY AND PROCEDURE ENSURE THE CONFIDENTIALITY OF THE JUVENILE'S STATUS.

DISCUSSION: Policies and guidelines relating to disclosure should be developed collaboratively by the agency with its parent agency, the courts, and the releasing authority. Unless public safety is threatened, and within statutorily defined limits, the agency should keep the juvenile's field supervision status confidential. The use of unmarked automobiles, discreet visits to places of employment and residence, and plain mailing envelopes are simple techniques to ensure confidentiality.

2-7142 WRITTEN POLICY AND PROCEDURE PROVIDE THAT STAFF RECOMMENDATIONS REGARDING CONDITIONS OF PROBATION THAT REQUIRE PAYMENT OF FINES, RESTITUTION, AND ALTERNATIVE MODES OF PAYMENT ARE BASED ON THE PROBATIONER'S ABILITY TO FULFILL THE OBLIGATION.

DISCUSSION: A juvenile without funds or without the ability to generate such funds should not be discriminated against. The release supervision plan should include provisions for payment of all legal debts and obligations, where necessary.

2-7143 WRITTEN POLICY AND PROCEDURE PROVIDE THAT AGENCY STAFF CAN RECOMMEND TO THE RELEASING AUTHORITY THE ADDITION OF SPECIAL CONDITIONS TO THE GENERAL CONDITIONS OF SUPERVISION IN INDIVIDUAL CASES WHEN SUCH CONDITIONS WILL ENHANCE COMMUNITY PROTECTION AND/OR FACILITATE THE JUVENILE'S ADJUSTMENT IN THE COMMUNITY.

DISCUSSION: All juveniles under supervision are required to obey the law and to be available for supervision. Other conditions are added to these basic requirements to the extent that they add protection to the public and/or ensure the delivery of services to juveniles. Conditions should be tailored to individual cases, reviewed regularly, and amended if required. They should be realistic, few in number, and phrased in positive rather than negative terms.

2-7144 WRITTEN POLICY AND PROCEDURE PROVIDE FOR A RECOMMENDATION OF EARLY TERMINATION OF PROBATION/AFTERCARE.

DISCUSSION: The agency should develop, in collaboration with the courts and/or releasing authorities, criteria for early termination of probation/aftercare. These may include demonstrated successful adjustment in terms of nonarrest and demonstrated stability in terms of home adjustment, school attendance, employment, social relationships, etc. Procedure should include specific time frames and careful case reviews.

Supervision should be terminated when it is clear that the delivery of services to a juvenile is no longer required to protect the community or to enhance the juvenile's overall performance.

2-7145 WRITTEN POLICY AND PROCEDURE PROVIDE THAT A CLOSING REPORT IS PREPARED SUMMARIZING THE PERFORMANCE OF THE JUVENILE DURING THE ENTIRE PERIOD OF SUPERVISION.

DISCUSSION: At the conclusion of probation/aftercare supervision, a "summary of supervision" report should be prepared that indicates what occurred during supervision. The report should include unusual occurrences, the use or unavailability of community resources that affected the outcome of the supervision, and the field officer's assessment of the reasons for the success or failure of the outcome. These reports may provide guidance for the conduct of future cases.

2-7146 THE AGENCY REVIEWS THE SERVICE NEEDS OF THE POPULATION UNDER ITS SUPERVISION AT LEAST ANNUALLY.

DISCUSSION: Although the service needs of individual juveniles are important, the agency has a responsibility to assess periodically the needs of all juveniles under supervision to ensure that it is maximizing the delivery of services. This is particularly important in identifying juveniles who could be placed in specialized case loads, such as drug addicts, alcoholics, mentally ill, retarded or gifted juveniles. The agency should concentrate on developing those internal and community resources that will be of value to many juveniles. Determinations of collective needs emerge from a well-planned information system, careful screening of case files, and discussions with staff, juveniles, and community agencies.

2-7147 WRITTEN POLICY AND PROCEDURE PROVIDE FOR A CO-OPERATIVE WORKING RELATIONSHIP WITH PUBLIC AND PRIVATE SERVICE AGENCIES.

DISCUSSION: The agency should maintain a list of the services available from public and private service agencies and should outline the procedures for referring juveniles for such assistance. This document should be distributed to all field staff. Designated field staff should serve as liaisons with the larger service agencies, such as departments of employment, vocational rehabilitation, public assistance, schools, mental health agencies, etc.

2-7148 THE FIELD AGENCY DEVOTES SPECIFIC RESOURCES TO ASSIST EMPLOYABLE JUVENILES IN FINDING SUITABLE EMPLOYMENT.

DISCUSSION: The agency should maintain close liaison with the state department of employment, both at the headquarters and at local offices, in order to remain abreast of the changing labor market and to ensure that eligible juveniles obtain job placement assistance. Field staff should solicit job placement assistance from labor unions, private sector businesses, and community action and self-help groups.

2-7149 WRITTEN POLICY AND PROCEDURE PROVIDE THAT MALE AND FEMALE JUVENILES UNDER SUPERVISION HAVE EQUAL ACCESS TO

AGENCY PROGRAMS AND ACTIVITIES.

DISCUSSION: None.

2-7150 WRITTEN POLICY AND PROCEDURE ENCOURAGE ENROLLMENT AND SUPPORT OF JUVENILES IN EDUCATIONAL AND VOCATIONAL PROGRAMS.

DISCUSSION: Educational and vocational training programs are essential segments of any juvenile program. The agency should ensure that field staff know the community resources for meeting the special educational and vocational training needs of juveniles and act as advocates on their behalf to ensure that those resources are made available to them.

2-7151 THE AGENCY PROVIDES GUIDANCE TO JUVENILES ON LEISURE-TIME PROGRAMS AND ACTIVITIES AVAILABLE IN THE COMMUNITY.

DISCUSSION: Constructive and acceptable leisure-time activities contribute to a satisfactory community adjustment; therefore, the agency should provide the necessary guidance for those juveniles who want to learn how to use leisure-time activities.

2-7152 UNLESS PROHIBITED BY STATUTE, THE AGENCY PROVIDES EMERGENCY ASSISTANCE AND SERVICES TO RELEASEES WHO REQUEST SUCH HELP.

DISCUSSION: Youths discharged directly from an institution or from probation or aftercare may request assistance from the agency. In accordance with the laws of the jurisdiction, the agency should make every effort to extend assistance and make referrals for releasees when such aid will promote a delinquency-free existence.

2-7153 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ALL ARRESTS, PETITIONS, AND ALLEGED VIOLATIONS OF CONDITIONS OF FIELD SUPERVISION ARE INVESTIGATED IMMEDIATELY.

DISCUSSION: All arrests and alleged serious violations of conditions of field supervision that come to the attention of the field staff should be investigated promptly and thoroughly, reviewed with the field staff supervisor, and documented in complete written reports for the case record.

2-7154 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ALL ALLEGED VIOLATIONS OF THE CONDITIONS OF PROBATION/AFTERCARE ARE REVIEWED BY THE FIELD STAFF MEMBER WITH HIS/HER SUPERVISOR TO DETERMINE THE ACTION REQUIRED.

DISCUSSION: Following investigation of the alleged violation, the field staff member should confer with his/her supervisor to determine

what action is required. A decision should be made at this time regarding the need for a formal proceeding or an informal administrative adjustment. Any action taken should be noted in the case record.

2-7155 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE AGENCY, IN ACCORD WITH THE COURTS OR AUTHORITY HAVING JURISDICTION, DEFINES SPECIFICALLY THE TYPES OF MINOR VIOLATIONS THAT CAN BE RESOLVED BY FIELD STAFF.

DISCUSSION: Although all major probation/parole violations are reported, and final resolution is determined by the courts or parole authority having jurisdiction, many minor violations can be handled satisfactorily by field staff. Written policy and procedure should be provided to permit field staff to resolve minor probation/parole violations. Records of all minor violations and their resolution should be maintained and be available to the courts or parole authority whenever a change is being considered in the legal status of that case.

2-7156 WRITTEN POLICY AND PROCEDURE REQUIRE THE CONSIDERATION OF A VARIETY OF INTERVENTION MEASURES BEFORE, OR AS AN ALTERNATIVE TO, RECOMMENDING INSTITUTIONALIZATION TO THE COURT OR RELEASING AUTHORITY.

DISCUSSION: Although confinement remains a sentencing or revocation option for authorities, other alternatives should be available and considered to the extent that public safety is not endangered and the possibility of successful community adjustment exists. Such alternatives include the imposition of special conditions of future supervision, increasing the intensity of supervision or surveillance, residential placement, enrollment in a local detoxification facility, transfer of the case to another district or area, and involvement with a grassroots or self-help organization.

2-7157 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE FIELD STAFF REPORT OF DELINQUENT ACTIVITY INCLUDES A RECOMMENDATION AND SUPPORTING JUSTIFICATION AS TO FINAL ACTION OR RESOLUTION.

DISCUSSION: Because the field staff member is familiar with the case, his/her views on how to best resolve the matter will assist the final decision-maker. The recommendation should be in accordance with the agency's policies and guidelines.

2-7158 WRITTEN POLICY AND PROCEDURE SPECIFY THE TYPES OF ALLEGED VIOLATIONS OF CONDITIONS OF SUPERVISION TO BE REPORTED AND THE REPORTING METHODS TO BE USED.

DISCUSSION: Because violations of the conditions of field supervision are adjudicated by the court or other statutorily defined

releasing authority, it is essential that the proper authority be advised promptly of alleged violations. A recommendation as to disposition of the case should accompany all violation reports. Field staff should decide, subject to their supervisor's review, which matters of noncompliance warrant reporting. A suggested guideline is that an alleged violation should be reported if it would have resulted in a petition if the juvenile were not already on probation/aftercare. Willful and deliberate noncompliance should always be reported, no matter how minor.

**2-7159 WRITTEN POLICY AND PROCEDURE DEFINE THE REVOCATION PROCESS IN ACCORDANCE WITH STATUTE, COURT ORDERS, AND/OR OTHER LEGAL AUTHORITY.**

**DISCUSSION:** Before probation/aftercare can be revoked it is essential that the juvenile receive a fair and impartial hearing.

**2-7160 WRITTEN POLICY AND PROCEDURE SPECIFY THE TYPES OF ACTION REQUIRED TO LOCATE AND RECOVER ABSCONDERS.**

**DISCUSSION:** Immediate steps should be taken to locate absconders. A field investigation should include inquiry at the last known residence and place of employment, notification of the family, and questioning of friends and officials of schools, local jails, hospitals, welfare and service agencies, and other agencies with whom the juvenile may have had contact. When appropriate, law enforcement agencies should be notified.

**2-7161 WRITTEN POLICY AND PROCEDURE PROVIDE THAT RECOVERED ABSCONDERS WHO HAVE NOT COMMITTED NEW CRIMES, AND WHO ARE NOT VIEWED AS AN UNDUE RISK TO THE PUBLIC OR THEMSELVES, MAY BE RESTORED TO ACTIVE SUPERVISION UNLESS STATUTORILY PROHIBITED.**

**DISCUSSION:** Many absconders only avoid supervision. When such individuals are located, an evaluation should be made of their activities and present situation. Consistent with the public safety, those with no delinquent behavior other than absconding may be restored to active supervision.

**2-7162 WRITTEN POLICY AND PROCEDURE GOVERN SEARCHES OF JUVENILES BY FIELD STAFF.**

**DISCUSSION:** Written regulations should detail how such searches are to be conducted and under what circumstances, and require a stated reason for the search. Whenever circumstances permit, field staff should review with their supervisors the possible need for a search and should receive the supervisor's approval. The supervisor should conduct a post-search review to ensure that the search was conducted properly.



2-7163 WHEN FIELD STAFF ARE AUTHORIZED TO ARREST OR APPREHEND JUVENILES, WRITTEN POLICY AND PROCEDURE GOVERN SUCH PRACTICES; ALL FIELD STAFF MAKING ARRESTS ARE TRAINED IN ARREST PRACTICES.

DISCUSSION: Any arrest action taken should be preceded by a conference between the field staff member and the supervisor. If it is concluded that an arrest is necessary, trained field staff should make the arrest using law enforcement personnel when personnel or public safety may be endangered. Field staff making arrests should be trained in the proper procedures for effecting an arrest and in the correct procedures for transporting juveniles. Proper restraining equipment should be available and used in all arrest situations.

2-7164 WRITTEN POLICY AND PROCEDURE PROHIBIT FIELD STAFF FROM CARRYING WEAPONS IN THE PERFORMANCE OF THEIR DUTIES.

DISCUSSION: When situations arise that may require the use of weapons, law enforcement authorities should be contacted to assist the field staff member.

2-7165 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE AGENCY COOPERATES WITH LAW ENFORCEMENT AGENCIES IN EFFORTS TO APPREHEND JUVENILES KNOWN TO BE OR SUSPECTED OF BEING INVOLVED IN CRIMINAL ACTIVITIES.

DISCUSSION: When police are trying to detect and apprehend juveniles known to be or suspected of being involved in new crimes, field staff should cooperate by furnishing descriptions and other information requested by police officers. If field staff have definite information that might assist in effecting a proper disposition, they should submit such facts immediately to the appropriate authorities. Field staff should establish and maintain effective communication with local police units for the exchange of information and to gain the support of law enforcement agencies.

2-7166 WRITTEN POLICY AND PROCEDURE PROHIBIT THE USE OF JUVENILES AS POLICE INFORMERS.

DISCUSSION: Juveniles should not be subjected to the criminal contacts and influences that are involved in informant activities.

2-7167 WRITTEN POLICY AND PROCEDURE PROVIDE FOR THE USE OF PHYSICAL FORCE ONLY IN INSTANCES OF JUSTIFIABLE SELF-PROTECTION, PROTECTION OF OTHERS, AND PREVENTION OF PROPERTY DAMAGE AND ESCAPES, AND IN ACCORDANCE WITH APPROPRIATE STATUTORY AUTHORITY; ONLY THE MINIMUM FORCE NECESSARY IS EMPLOYED.

DISCUSSION: When a juvenile becomes violent, a staff member should seek assistance from fellow field staff members or from local

police.

2-7168 WRITTEN POLICY AND PROCEDURE REQUIRE THAT ALL CASES OF PHYSICAL FORCE AND/OR PHYSICAL RESTRAINT BE REPORTED IN WRITING, DATED AND SIGNED BY THE STAFF MEMBER REPORTING THE INCIDENT; THE REPORT IS REVIEWED BY THE AGENCY ADMINISTRATOR.

DISCUSSION: It is in the interest of both the agency staff and the juvenile being served that the use of force and/or physical restraint is carefully monitored. All details related to the incident should be carefully documented for future reference in the report to the administrator. All injuries must be reported fully and treated promptly.

2-7169 WRITTEN POLICY AND PROCEDURE DEFINE CONDITIONS AND THE MANNER IN WHICH PHYSICAL RESTRAINTS MAY BE USED.

DISCUSSION: Instruments of restraint, such as handcuffs, should never be applied as punishment, and should not be applied for more time than is absolutely necessary. When possible, the need for restraints should be anticipated and assistance from law enforcement officers arranged.

2-7170 WRITTEN POLICY AND PROCEDURE PROVIDE THAT JUVENILES WHO ARE ORDERED DETAINED ARE PLACED IN JUVENILE DETENTION FACILITIES WHEN SUCH FACILITIES ARE AVAILABLE; IF NO JUVENILE FACILITY IS AVAILABLE, JUVENILES WHO ARE PLACED IN OTHER FACILITIES ARE SEPARATED BY SIGHT AND SOUND FROM ADULT OFFENDERS.

DISCUSSION: Alternatives to the use of detention should be developed and used whenever public safety and the welfare of the juvenile allow. However, when detention is necessary, field staff should ensure that juveniles are not exposed to the influences and circumstances that exist in adult holding facilities and jails. When a juvenile detention facility is not available, the facility used must totally separate juveniles from adult offenders.

2-7171 WRITTEN POLICY AND PROCEDURE GOVERN THE TRANSFER OF SUPERVISION OF JUVENILES TO AND FROM OTHER JURISDICTIONS.

DISCUSSION: The agency's responsibility for the care and supervision of juveniles committed to its custody requires that cooperative arrangements be made in advance for the transfer of juveniles from one jurisdiction to another. Except in emergencies, a transfer should not occur until the staff of the sending jurisdiction is convinced that the needs of the juvenile will be met in the receiving jurisdiction.

2-7172 WRITTEN POLICY AND PROCEDURE PROVIDE THAT TRANSFERS OF JUVENILE SUPERVISION TO AND FROM OUT-OF-STATE JURISDICTIONS ARE IN ACCORDANCE WITH THE INTERSTATE COMPACT ON JUVENILES AND OTHER INTERSTATE AGREEMENTS.

DISCUSSION: The interstate transfer of supervision of juveniles is regulated by compacts. Compliance with these compacts ensures public protection and provides juveniles the services they need.

2-7173 A STAFF MEMBER IS DESIGNATED TO ACT AS LIAISON FOR THE INTERSTATE COMPACT ON JUVENILES.

DISCUSSION: Effective administration of the compacts requires the clear assignment of responsibility to a designated staff member, who should be thoroughly familiar with the rules and procedures for implementing transfers. The designated staff member may also provide training to field personnel and promulgate local guidelines. Regardless of the amount of interstate transfer activity, at least one staff member should be charged with and have expertise in this function.

2-7174 A WRITTEN GRIEVANCE PROCEDURE IS MADE AVAILABLE TO ALL JUVENILES, THEIR PARENTS, GUARDIANS/CUSTODIANS, OR THEIR REPRESENTATIVES.

DISCUSSION: A clearly written grievance policy, specifying the various levels of appeal, exists for juveniles under supervision. This policy must state that each juvenile in the program has the right to file a grievance. The grievance should be transmitted without alteration, interference, or delay to the party responsible for receiving and investigating grievances. The juvenile reporting the grievance should not be subject to any adverse action as a result of filing the report. The procedure should have relatively short, enforceable time limits. The appeals mechanism should preferably be independent of the specific program activity that is the subject of the grievance. A written report as to the final disposition of the grievance should be prepared and placed in a file.

## **SUPERVISION—AFTERCARE AGENCIES ONLY**

2-7175 WRITTEN POLICY AND PROCEDURE PROVIDE THAT A RELEASE PLAN IS DEVELOPED FOR EACH JUVENILE BEFORE RELEASE.

DISCUSSION: To ensure that the juvenile is being released to a program that will meet his/her needs, written policy and procedure should require that release be effected only after the field staff member certifies that an adequate placement program is available. The program should be one developed with the juvenile, his/her family, institution staff, and the field staff member.

2-7176 WRITTEN POLICY AND PROCEDURE PROVIDE FOR STAFF TO RECOMMEND TO RELEASING AUTHORITIES THAT THE RELEASE DATES BE ADVANCED IN HARDSHIP CASES.

DISCUSSION: Following an appropriate investigation, field staff should recommend to the release authority advances in release dates in cases of hardship. Hardship cases include serious or terminal illness, imminent death, or death of a member of the juvenile's immediate family. In addition to the field staff's verification of the circumstances, the advance release should be consistent with the legal requirements of the case and not in conflict with detainers, pending disciplinary or medical action, etc.

2-7177 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE JUVENILE'S PARENTS AND/OR GUARDIANS ARE NOTIFIED IN ADVANCE OF A DECISION TO INSTITUTE A MAJOR CHANGE IN THE JUVENILE'S SUPERVISION PROGRAM.

DISCUSSION: A juvenile and his/her parents have the right to object when major changes in the juvenile's program (i.e., withdrawal from a training or treatment program or the removal of a juvenile from his/her own home, foster or group home) are contemplated. Advance notice gives the juvenile or his/her representative time to discuss the issues with the field staff member and his/her supervisor and time to appeal the decision through the formal grievance mechanism if necessary. Exception should be made only when the field staff member, in consultation with the supervisor, concludes that a delay would affect the public safety or the safety of the juvenile. In such instances, the juvenile and his/her representative should have the same opportunity to appeal the decision as they would have had to object to its implementation in nonemergency situations.

2-7178 WRITTEN POLICY AND PROCEDURE PROVIDE FOR PROGRAMS OF RELEASE PREPARATION FOR JUVENILES BEFORE THE RELEASE DATE.

DISCUSSION: Preparation for release should involve trial visits to a juvenile's home or substitute home, furloughs for school conferences,

job seeking, etc. However the program is structured, it is crucial that juveniles gain appreciation of the purpose and function of the field staff member and have an opportunity to develop a relationship of confidence and trust with him/her.

2-7179 WRITTEN POLICY AND PROCEDURE PROVIDE FOR FIELD AGENCY COOPERATION IN THE ADMINISTRATION OF FURLOUGH PROGRAMS FOR JUVENILES.

DISCUSSION: Juveniles' visits to their own or substitute homes, holiday release, etc., are important program alternatives that should be available to institutionalized juveniles. The field staff member should help institution staff evaluate and monitor furlough plans, and the release authority should make adequate provision in its operations for this type of assistance.

2-7180 WRITTEN POLICY AND PROCEDURE PROVIDE THAT FIELD STAFF MAY REQUEST THE REMOVAL OR MODIFICATION OF SPECIAL CONDITIONS OF RELEASE.

DISCUSSION: The release authority may impose special conditions at the time of a juvenile's release from an institution, e.g., not to consume any alcohol, to obtain psychiatric treatment, to submit to anti-narcotic testing, etc. There should be provision, as the individual's adjustment warrants, for the field staff member to petition for changes in these special conditions. If a juvenile is adjusting well, removal of a special condition can provide positive reinforcement.

## PREDISPOSITION INVESTIGATION AND REPORT

2-7181 WRITTEN POLICY AND PROCEDURE SPECIFY THAT THE PRIMARY PURPOSE OF THE PREDISPOSITION REPORT IS TO PROVIDE THE COURT WITH TIMELY, RELEVANT, AND ACCURATE DATA SO THAT IT MAY SELECT THE MOST APPROPRIATE DISPOSITION ALTERNATIVE.

DISCUSSION: The potential use of the predisposition report by other agencies in the juvenile justice system may be a factor in determining the content and format of the report, but the needs of the juvenile court should not be subordinated to those of other agencies.

2-7182 WRITTEN POLICY AND PROCEDURE DEFINE THE SCOPE OF PREDISPOSITION INVESTIGATIONS, THE PREPARATION AND TIMELY SUBMISSION OF SUCH REPORTS, AND PROVISION OF ALTERNATIVES FOR THE COURT.

DISCUSSION: There should be consultation with court personnel, release authority members, and others whose responsibilities require the use of social history reports to determine content and format of reports.

2-7183 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE AGENCY ADMINISTRATOR SUPERVISES AND REVIEWS, ON A CONTINUING BASIS, THE CONDUCT OF PREDISPOSITION INVESTIGATIONS, THE PREPARATION OF REPORTS, AND THE PROVISION OF ALTERNATIVES FOR THE COURTS.

DISCUSSION: None.

2-7184 WRITTEN POLICY AND PROCEDURE PROVIDE THAT PREDISPOSITION INVESTIGATIONS AND REPORTS NOT BE INITIATED UNTIL THE JUVENILE HAS BEEN ADJUDICATED DELINQUENT UNLESS THE JUVENILE, WITH ADVICE OF COUNSEL, HAS CONSENTED TO ALLOW THE INVESTIGATION TO PROCEED BEFORE ADJUDICATION AND ADEQUATE PRECAUTIONS HAVE BEEN TAKEN TO ENSURE THAT INFORMATION FROM THE REPORT WILL NOT BE DISCLOSED TO THE COURT PRIOR TO ADJUDICATION.

DISCUSSION: None.

2-7185 WRITTEN POLICY AND PROCEDURE PERMIT THE USE OF STAFF OTHER THAN PROBATION OFFICERS TO COLLECT INFORMATION DURING THE PREDISPOSITION INVESTIGATION.

DISCUSSION: Some of the data required in an investigation and for the predisposition report may be collected by nonprofessional staff (i.e., paraprofessionals, volunteers, students, clerical workers), thus freeing probation officers to use their skills for interpreting the data and developing a probation plan.

**PREDISPOSITION INVESTIGATION AND REPORT**

**2-7186 WRITTEN POLICY AND PROCEDURE PROVIDE THAT A POTENTIAL SUPERVISION PLAN IS DEVELOPED DURING THE PREDISPOSITION INVESTIGATION AND INCLUDED AS A PART OF THE PREDISPOSITION REPORT.**

**DISCUSSION:** It is necessary to ensure that, if probation is granted, a plan will be available immediately upon disposition. The plan should include such considerations as residence, school attendance, employment, special medical needs, etc. To the degree possible, the field staff member who will be assigned the case, the juvenile, and his/her parents should participate in the development of the plan. The plan should be realistic in that both the goals set and the resources required are attainable.

**2-7187 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE PROBATION AGENCY PROMOTES THE USE OF AND SEEKS THE RESOURCES TO PROCESS A PREDISPOSITION REPORT IN EVERY CASE.**

**DISCUSSION:** Predisposition reports in all juvenile cases are required by law in most states. They can furnish the court accurate, complete, and relevant data that may indicate the advisability of an alternative to institutionalization.

**2-7188 WRITTEN POLICY AND PROCEDURE PROVIDE THAT WHEN PROBATION IS ONE OF THE DISPOSITION ALTERNATIVES, FIELD STAFF IDENTIFY THE NEED FOR SPECIAL CONDITIONS OF PROBATION, IF ANY, AND RECOMMEND THAT THESE SPECIAL CONDITIONS BE APPENDED TO THE GENERAL CONDITIONS OF PROBATION.**

**DISCUSSION:** In some cases, special conditions should be identified during the predisposition investigation, recommended to the court, and appended to the general conditions by the court if it appears that these additional conditions will enhance public safety or increase the probability of a successful community adjustment. Special conditions should be few in number, realistic, and phrased in positive rather than negative terms.

**2-7189 WRITTEN POLICY AND PROCEDURE PROVIDE THAT ALL PRESENTENCE REPORTS AND RECOMMENDATIONS ARE SUBJECT TO REVIEW BY A SUPERVISOR PRIOR TO SUBMISSION TO THE COURT.**

**DISCUSSION:** Supervisory review of presentence reports and recommendations serves several purposes, including the following: ensures that functions are being properly implemented in accordance with policy, objectives, and procedures; helps to determine that the court will get the needed information in the correct format; ensures that each recommendation is reasonable and supported by the information provided; and contributes to the training of personnel and the development of skills and knowledge.

2-7190 WRITTEN POLICY AND PROCEDURE PROVIDE FOR THE CONFIDENTIALITY OF PREDISPOSITION AND OTHER REPORTS.

DISCUSSION: Information about cases should not be discussed openly, and files and records should not be left unattended. Sharing private information with other agencies and individuals should occur only with the consent of the juvenile, his/her counsel, and/or parents, and when it would clearly be in the best interest of the juvenile to do so.

2-7191 WRITTEN PROCEDURE PROVIDES FOR THE TIMELY TRANSMITTAL BY THE PROBATION AGENCY OF PREDISPOSITION REPORT DATA TO INSTITUTIONAL PERSONNEL WHEN CONFINEMENT OF THE JUVENILE IS ORDERED.

DISCUSSION: In those instances in which the juvenile is ordered confined, predisposition materials should be provided the receiving institution to assist in its classification process. These materials should be sent to the institution at or before the time of the juvenile's arrival. Written guidelines, developed in collaboration with agencies receiving committed juveniles, should be available and cover such matters as method and timing of transmittal of documents.



## RELEASE AND REVOCATION

NOTE: THE FOLLOWING STANDARDS APPLY ONLY WHEN PROBATION AND AFTERCARE RESPONSIBILITY INCLUDES THE AUTHORITY TO RELEASE JUVENILES FROM CONFINEMENT .

### Release Hearing Provisions

2-7192 THE CRITERIA EMPLOYED BY THE RELEASING AUTHORITY IN ITS DECISION-MAKING ARE AVAILABLE IN WRITTEN FORM AND ARE SPECIFIC ENOUGH TO PERMIT CONSISTENT APPLICATION TO INDIVIDUAL CASES.

DISCUSSION: The fair application of discretion requires that a releasing authority articulate clearly and explicitly the basis of its decision-making judgements. Such an expression is necessary for the equitable operation of the field supervision system and for the public and the juveniles' understanding. Vague statements or pleas for total individualization in decision-making are not sufficient. Criteria development is difficult but, nonetheless, a central responsibility for the juvenile.

2-7193 WRITTEN POLICY AND PROCEDURE PROVIDE THAT JUVENILE OFFENDERS ARE AUTOMATICALLY SCHEDULED FOR HEARING AND REVIEW BY THE RELEASING AUTHORITY OR DESIGNATED AGENT WHEN THEY ARE FIRST LEGALLY ELIGIBLE FOR RELEASE CONSIDERATION.

DISCUSSION: It is essential that a juvenile be seen by a releasing authority representative relatively soon after he/she is received in an institution, or as soon as he/she is first eligible for release consideration. At this time, the authority should explain its criteria for release to the juvenile. Offenders, institutional personnel, and field staff should have a clear idea of the authority's view of the juvenile's case as soon as possible in order to determine the factors the authority sees as important to releasing the juvenile.

2-7194 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE RELEASING AUTHORITY SETS A TENTATIVE RELEASE DATE AT THE FIRST HEARING. IF CIRCUMSTANCES PREVENT SETTING A TENTATIVE RELEASE DATE AT THE FIRST HEARING, A SUBSEQUENT HEARING IS HELD WITHIN SIX MONTHS FOR THE PURPOSE OF SETTING A TENTATIVE RELEASE DATE. IN ANY EVENT, THE RELEASE AUTHORITY GIVES REASONS IN WRITING FOR ANY DEFERRAL OF DECISION.

DISCUSSION: It is essential that the uncertainty surrounding the time a juvenile must serve in an institution be eliminated as soon as possible after commitment. Juveniles should establish goals based upon tentative release dates, and the earlier they know these dates

the earlier they can begin to make plans for release. It may be that, from time to time, because of a set of circumstances, the authority will be unable to set a tentative release date for a juvenile at the first hearing. In that case, the reasons for that deferral should be articulated and a definite review date established for a future hearing within six months of the first hearing for the purpose of setting a tentative release date.

2-7195 WRITTEN POLICY AND PROCEDURE PROVIDE THAT JUVENILE OFFENDERS ARE NOT HELD BEYOND TENTATIVE RELEASE DATES ONCE THE DATES ARE FIXED, EXCEPT UPON A HEARING BY THE RELEASING AUTHORITY, AT WHICH TIME THE REASONS FOR DEFERRAL OF RELEASE ARE ARTICULATED IN WRITING.

DISCUSSION: In general, a tentative release date is observed once it is fixed unless sound reasons to the contrary are evidenced. From time to time, sufficient information will come to an authority's attention to require deferring a date. In such a case, the authority makes a record of the specific reasons for the deferral of release, and sets a definite time for the next review of the case. The aim is to keep a clear release date, known to juveniles and corrections officials, and to articulate the reasons for various actions taken by the releasing authority.

Temporary delays may be required because of circumstances surrounding a specific release plan or situation. These delays should be brief — no more than a few days — and controlled by the authority's policy and appropriate administrative review.

2-7196 WRITTEN POLICY AND PROCEDURE PROVIDE THAT JUVENILE OFFENDERS CAN BE RELEASED EARLIER THAN INITIALLY ANTICIPATED, ACCORDING TO LAW AND IN CONFORMITY WITH THE AUTHORITY'S PREVIOUSLY ESTABLISHED AND WRITTEN CRITERIA.

DISCUSSION: It is essential that a releasing authority establish criteria that may be used to advance the release date of a juvenile. For example, the behavior of the juvenile in a work release program, particularly meritorious efforts while in the institution, or a mutually agreed-upon program contract may be among the conditions a release authority might establish as legitimate criteria for advancing a release date.

2-7197 WRITTEN POLICY AND PROCEDURE PROVIDE THAT PRIOR TO A HEARING, THE RELEASING AUTHORITY AND THE HEARING EXAMINERS HAVE, IN WRITING, INFORMATION ABOUT A JUVENILE'S PRIOR HISTORY, HIS/HER CURRENT SITUATION, EVENTS IN THE CASE SINCE ANY PREVIOUS HEARING, THE JUVENILE'S FUTURE PLANS, AND RELEVANT CONDITIONS IN THE COMMUNITY. THE JUVENILE'S MASTER FILE SHALL BE AVAILABLE TO HEARING EXAMINERS AS A REFERENCE SOURCE DURING THE HEARING.

DISCUSSION: The degree to which a release hearing is effective will be determined in large measure by the quality and accuracy of the information available to the person hearing the case. Persons responsible for conducting release hearings should review case material in advance of the hearing.

2-7198 WRITTEN POLICY AND PROCEDURE PROVIDE THAT MATERIALS IN THE CASE FILES ARE CLEARLY IDENTIFIED AS TO SOURCE, VERIFICATION, AND CONFIDENTIALITY.

DISCUSSION: The degree to which release decision-makers may rely on information is determined in large measure by the accuracy of the material. One key to that assessment is knowing that material has been verified and the nature of that verification.

2-7199 WHEN, IN THE OPINION OF THE RELEASING AUTHORITY, A CASE REQUIRES AN EXAMINATION AND OPINION BY PSYCHIATRISTS OR PSYCHOLOGISTS, CERTIFIED MEMBERS OF THE APPROPRIATE PROFESSIONS ARE AVAILABLE FOR SUCH EXAMINATIONS AND OPINIONS.

DISCUSSION: From time to time, the opinions of professional personnel, such as psychiatrists or psychologists, are extremely important in release decision-making. It is essential that a correctional system be able to provide such expert analyses when required by the releasing authority.

2-7200 WRITTEN POLICY AND PROCEDURE PROVIDE THAT NO JUVENILE OFFENDER IS DENIED RELEASE UNLESS A FACE-TO-FACE HEARING IS CONDUCTED BY THE RELEASING AUTHORITY.

DISCUSSION: Cases may be reviewed periodically through files and correspondence; however, each time the denial of release is possible, a personal hearing before a releasing authority or hearing examiner takes place. An important purpose of this hearing is giving the juvenile a chance to present his/her case directly to responsible decision-making authorities. Further, no matter how carefully developed a record system may be, frequently during the course of a face-to-face interview inaccuracies are discovered or relevant information that is not included in the official record is obtained.

2-7201 WRITTEN POLICY AND PROCEDURE PROVIDE THAT JUVENILE OFFENDERS ARE NOTIFIED AT LEAST 14 CALENDAR DAYS IN ADVANCE OF THEIR HEARINGS AND ARE SPECIFICALLY ADVISED AS TO THE PURPOSE OF THE HEARINGS.

DISCUSSION: It is essential that juveniles are well advised as to the purpose of the release hearing and have information about the kinds of issues that will be discussed. Juveniles are often unclear as to precisely what is happening, and are unable to take full advantage of

the hearing given to them. In this respect, it is important that institutional personnel work closely with juveniles to help them prepare for the hearing and to assist in the development of material for presentation to the authority.

**2-7202 RELEASE HEARINGS ARE CONDUCTED WITH A CONCERN FOR PRIVACY AND WITH AMPLE OPPORTUNITY FOR THE JUVENILE TO EXPRESS HIS/HER VIEWS.**

**DISCUSSION:** Release hearings should be conducted without extraneous interruptions and with a very careful focus on the juvenile. A significant effort should be made to give the juvenile full opportunity for the expression of his/her views.

**2-7203 THE RELEASING AUTHORITY HAS A WRITTEN POLICY RESTRICTING ACCESS TO HEARINGS TO THOSE PERSONS NECESSARY FOR THE ORDERLY AND FAIR CONDUCT OF SUCH HEARINGS.**

**DISCUSSION:** In general, release hearings should not be open to the public. Attendance should be limited to specific persons who, in the authority's judgement, have information that should be disclosed in the hearing rather than at another place or time. The authority may also want to encourage a small number of observers to attend release hearings in order to better understand the role of the authority. This in no way restricts parents and other immediate family members whose attendance as observers is approved by the juvenile and the authority.

**2-7204 WRITTEN POLICY AND PROCEDURE PROVIDE FOR THE JUVENILES' ACCESS TO INFORMATION ON WHICH RELEASE DECISIONS ARE MADE. INFORMATION CONSIDERED HARMFUL TO THE JUVENILE MAY BE WITHHELD.**

**DISCUSSION:** In the absence of compelling reasons for nondisclosure, the juvenile should be familiar with the information regarding his/her case. Records and documents must be handled in accordance with established procedures or upon other proper authorization.

**2-7205 WRITTEN POLICY AND PROCEDURE PROVIDE THAT A JUVENILE MAY BE PROVIDED WITH REPRESENTATION AT THE RELEASE HEARING.**

**DISCUSSION:** There are numerous situations in which a juvenile requires the assistance of another person if he/she is going to have appropriate consideration of his/her case. A language difference may require a translator or the tension of a hearing may call for the presence of a trusted counselor. The authority should make certain that appropriate representation is available, when necessary, under a previously adopted and promulgated set of rules.

2-7206 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE JUVENILE IS NOTIFIED BY THE RELEASING AUTHORITY OR THE HEARING EXAMINERS WHO HAVE HEARD THE CASE IMMEDIATELY AFTER THE RELEASE HEARING.

DISCUSSION: The releasing authority should clarify the meaning of its decision and discuss the subsequent steps that might be taken by the juvenile. Therefore, it is essential that a representative of the releasing authority meet personally with each juvenile after the interview to make the outcome of the case known and understandable.

2-7207 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE PERSON CONDUCTING THE HEARING RECORDS AND PRESERVES A SUMMARY OF THE MAJOR ISSUES AND FINDINGS IN THE HEARING.

DISCUSSION: The use of dictation equipment during a hearing ensures an accurate record of the major issues and findings.

2-7208 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE REASONS FOR A RELEASING AUTHORITY'S DECISION ARE WRITTEN AND MADE AVAILABLE TO APPROPRIATE STAFF AND TO THE JUVENILE WITHIN 14 CALENDAR DAYS (EXCLUDING HOLIDAYS) OF THE HEARING.

DISCUSSION: Recording the reasons for the decision is an essential part of the release decision-making process for a number of reasons: It provides a basis of appeal; it is important for institutional officials and juvenile offenders in shaping their future programs; it is helpful for research purposes; and it provides for the continued development of criteria.

2-7209 WRITTEN POLICY AND PROCEDURE ESTABLISH AN APPEAL PROCESS THAT IS AVAILABLE IN WRITTEN FORM, WHEREBY RELEASING AUTHORITY DECISIONS CAN BE REVIEWED UNDER THE RULES FIXED BY THE AUTHORITY, AND JUVENILES ARE INFORMED OF THE STEPS NECESSARY TO AVAIL THEMSELVES OF THAT PROCESS.

DISCUSSION: Release decisions should be made by the hearing examiners or panels of releasing authority members who interview the juvenile.

2-7210 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE RELEASING AUTHORITY DOES NOT ACCEPT THE PRESENCE OF A DETAINER AS AN AUTOMATIC BAR TO RELEASE, PURSUES THE BASIS OF ANY SUCH DETAINER, AND RELEASES THE JUVENILE TO DETAINERS AT THE APPROPRIATE TIME.

DISCUSSION: Detainers represent an outstanding charge that may or may not be adjudicated, and should not automatically constitute a bar

to release. Staff should, as a matter of practice, trace detainees to determine their basis.

2-7211 WRITTEN POLICY AND PROCEDURE PROVIDE FOR ASSISTANCE TO JUVENILES IN EXECUTING APPEALS, AND IN DEALING EFFECTIVELY WITH RELEASE PROCEDURES.

DISCUSSION: It is important that qualified personnel assist juveniles in all matters with respect to release, including the development of resources that enhance the opportunities for them to cope successfully with the requirements of release.

2-7212 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE RELEASING AUTHORITY USES ITS POWER TO PROVIDE RELEASE FROM ACTIVE SUPERVISION AND TO GRANT COMPLETE DISCHARGE TO JUVENILES.

DISCUSSION: The power to provide for no active supervision and the discharge of juveniles on aftercare is essential to the releasing authority. It is important to discontinue active supervision when it is no longer required. The releasing authority should use alternatives to active supervision in individual cases whenever possible.

2-7213 WRITTEN POLICY AND PROCEDURE PROVIDE THAT JUVENILES ON AFTERCARE ARE NOT CONTINUED UNDER ACTIVE SUPERVISION AFTER ONE YEAR UNLESS, CONSISTENT WITH THE RELEASING AUTHORITY'S WRITTEN POLICY, GOOD REASONS EXIST TO SHOW THAT SUCH CONTINUED SUPERVISION IS REQUIRED.

DISCUSSION: There is evidence that the number of violations of aftercare conditions declines after the first year under supervision. A policy should exist stating that continued active supervision of a juvenile after one year requires a specific affirmative justification.

#### Revocation Provisions

2-7214 WRITTEN POLICY AND PROCEDURE PROVIDE THAT THE AGENCY RESPONSIBLE FOR THE COMMUNITY SUPERVISION OF THE JUVENILE IS AUTHORIZED TO PETITION THE PLACING AUTHORITY IF IT APPEARS THAT THE JUVENILE HAS WILLFULLY FAILED TO COMPLY WITH ANY PART OF THE DISPOSITION OR RELEASE ORDER. A COPY OF THIS PETITION IS PROVIDED TO THE JUVENILE, HIS/HER ATTORNEY, AND PARENT AND/OR GUARDIAN.

DISCUSSION: Because they have the authority to apply sanctions against the juvenile, the court or releasing authority should be informed of all cases of willful nonconformance by the juvenile.

2-7215 WRITTEN POLICY AND PROCEDURE SPECIFY THAT JUVENILES ALLEGED TO HAVE VIOLATED CONDITIONS OF THEIR PROBATION/

AFTERCARE NOT BE PLACED IN DETENTION UNLESS IT IS NECESSARY TO PROTECT THE PUBLIC SAFETY, PREVENT SELF-INJURY, OR ENSURE THE PRESENCE OF THE JUVENILE AT SUBSEQUENT COURT HEARINGS OR THEY ARE BEING HELD FOR TRANSFER TO ANOTHER JURISDICTION.

DISCUSSION: Violations of the conditions of community supervision do not necessarily require detention. In keeping with the principle of applying the least intrusive restriction, specific criteria should govern the use of detention.

2-7216 A PROBABLE CAUSE HEARING IS CONDUCTED BY A HEARING OFFICER WHO HAS NOT BEEN INVOLVED IN THE CASE AND WHO CONDUCTS THE HEARING AND MAKES FINDINGS AS TO PROBABLE CAUSE FOR REVOCATION TO THE RELEASING AUTHORITY.

DISCUSSION: The Morrissey case provides that the hearing officer need not be a judicial officer, but may be a parole staff member, so long as that staff member is impartial.

2-7217 WHEN A JUVENILE IS TAKEN INTO CUSTODY ON A DETENTION WARRANT, OR WHEN A DETENTION WARRANT IS LODGED IN CONJUNCTION WITH PENDING CRIMINAL CHARGES, A PROBABLE CAUSE HEARING IS HELD WITHIN 14 CALENDAR DAYS.

DISCUSSION: Courts often require that a preliminary hearing be conducted as soon as possible after a juvenile is taken into custody. The purpose of the hearing is to determine whether probable cause exists which indicates that probation or parole conditions have been violated.

2-7218 THE PROBABLE CAUSE HEARING MAY BE DELAYED OR POSTPONED FOR GOOD CAUSE, AND THE JUVENILE MAY WAIVE THE HEARING IF FIRST INFORMED OF RIGHTS PERTAINING TO THE HEARING AND OF THE CONSEQUENCES OF WAIVING THE HEARING.

DISCUSSION: Due process requires that any waiver of rights by the juvenile be done knowingly and voluntarily. Therefore, the revoking authority should assure that no form of coercion is used to induce a waiver of the preliminary hearing, and that the juvenile understands the nature and consequences of the hearing before waiving it.

2-7219 THE PERSON WHO CONDUCTS THE PROBABLE CAUSE HEARING DETERMINES WHETHER THERE IS PROBABLE CAUSE TO REVOKE PROBATION OR PAROLE AND HOLD THE JUVENILE FOR A REVOCATION HEARING BEFORE THE REVOKING AUTHORITY.

DISCUSSION: None.

2-7220 THE HEARING OFFICER ISSUES A VERBAL DECISION OR A RECOMMENDATION IMMEDIATELY AFTER THE HEARING AND PROVIDES A WRITTEN DECISION TO THE JUVENILE WITHIN 21 CALENDAR DAYS OF THE HEARING.

DISCUSSION: None.

2-7221 THE REVOKING AUTHORITY MAY EMPOWER THE HEARING OFFICER TO MAKE THE PROVISIONAL REVOCATION DECISION OR TO REPORT FINDINGS AND RECOMMENDATIONS TO THE AUTHORITY FOR A DECISION AS TO REVOCATION.

DISCUSSION: The hearing officer should make a summary of the documents presented and responses made at the preliminary hearing in order to make a determination as to probable cause for revocation. Although the findings need not be formal, the officer should state the reasons for the determination and indicate the evidence relied upon.

2-7222 WHEN VIOLATIONS OCCUR, ALTERNATIVES TO REVOCATION AND INCARCERATION ARE CONSIDERED TO THE EXTENT THAT PUBLIC SAFETY IS NOT ENDANGERED AND THE POSSIBILITY OF SUCCESSFUL COMMUNITY ADJUSTMENT EXISTS.

DISCUSSION: Alternatives to incarceration include: the imposition of special conditions of future probation/parole; increasing the intensity of supervision or surveillance; placement in a halfway house; enrollment in a local detoxification facility; transfer of the case to another district or area; and involvement with a community or self-help organization.



## **CITIZEN AND VOLUNTEER INVOLVEMENT**

**NOTE:** VOLUNTEERS OFTEN CAN SUPPLY SERVICES NOT AVAILABLE THROUGH REGULAR CHANNELS. THE USE OF VOLUNTEER SERVICES SHOULD BE DESIGNED TO ENHANCE AND IMPROVE THE SERVICES AND PROGRAM OFFERINGS OF THE FACILITY AND NOT USED TO REPLACE REGULAR PROGRAM ACTIVITIES OR EMPLOYEES.

**2-7223** WRITTEN POLICY AND PROCEDURE PROVIDE FOR SECURING VOLUNTEER CITIZEN INVOLVEMENT IN THE PROGRAMS, INCLUDING ROLES AS ADVISORS, INTERPRETERS BETWEEN THE PROGRAM AND THE PUBLIC, DIRECT SERVICE ROLES, AND COOPERATIVE ENDEAVORS WITH JUVENILES UNDER SUPERVISION.

**DISCUSSION:** Probation/aftercare agencies should assign staff responsibility for promoting and maintaining volunteer citizen involvement in their programs. A citizen advisory committee should be formed to assist with various programs such as juvenile employment, and opportunities should be created for direct and continuing contact between individual citizens and juveniles.

**2-7224** WRITTEN POLICY AND PROCEDURE FOR VOLUNTEER CITIZEN INVOLVEMENT INCLUDE A SYSTEM FOR SELECTION, TRAINING, TERM OF SERVICE, TERMINATION OF SERVICE, DEFINITION OF TASKS, RESPONSIBILITIES, AND AUTHORITY FOR VOLUNTEERS.

**DISCUSSION:** The structure and goals of the volunteer program should be stated clearly so that the volunteer's experience will be productive and satisfying, and problems and misunderstandings will be minimized. A period of orientation and training should be provided, followed by continuing supervision and guidance from designated staff.

**2-7225** WRITTEN POLICY AND PROCEDURE PROVIDE FOR THE RECRUITMENT OF VOLUNTEERS FROM ALL CULTURAL AND SOCIO-ECONOMIC SEGMENTS OF THE COMMUNITY.

**DISCUSSION:** Volunteer contributions can be made in many ways, and a volunteer corps representative of a cross-section of the community has much to contribute.

**2-7226** WRITTEN POLICY AND PROCEDURE SPECIFY THAT VOLUNTEERS AGREE IN WRITING TO ABIDE BY ALL AGENCY POLICIES, PARTICULARLY THOSE RELATING TO THE SECURITY AND CONFIDENTIALITY OF INFORMATION.

**DISCUSSION:** Volunteers will be exposed to information about juveniles and their backgrounds and, at times, to information about

the agency and its operation. It is important that volunteers respect the confidentiality of offender information and other privileged information.

2-7227 WRITTEN POLICY SPECIFIES THAT VOLUNTEERS PERFORM PROFESSIONAL SERVICES ONLY WHEN CERTIFIED OR LICENSED.

DISCUSSION: Volunteers should not perform professional services without proper certification, examination, or licensing. Volunteers offering professional services could be required to cite their credentials and/or certificate status in their initial application. Tutoring or sponsorship of a craft or hobby program is not considered a professional service.

2-7228 WRITTEN POLICY AND PROCEDURE SPECIFY THE PROVISION OF MENTAL HEALTH SERVICES FOR JUVENILES IN NEED OF SUCH SERVICES TO INCLUDE, BUT NOT BE LIMITED TO, SERVICES PROVIDED BY QUALIFIED MENTAL HEALTH PROFESSIONALS WHO MEET EDUCATIONAL AND/OR LICENSURE/CERTIFICATION CRITERIA SPECIFIED BY THEIR RESPECTIVE PROFESSIONAL DISCIPLINES, I.E., PSYCHIATRY, PSYCHOLOGY (PSYCHIATRIC NURSING), AND SOCIAL WORK.

DISCUSSION: Juveniles with severe mental health problems are a continuing and increasing source of concern in correctional institutions. It is essential that an adequate number of qualified staff members are available to directly deal with these juveniles as well as to advise other correctional workers in their contacts with such individuals.

## **GLOSSARY**

### *Absconder*

A juvenile who fails to report for probation or aftercare supervision or an escapee or runaway from a juvenile placement.

### *Adjudicatory Hearing*

A hearing to determine whether the allegations of a petition are supported by the evidence beyond a reasonable doubt or by a preponderance of the evidence.

### *Admission*

The point of entry into a program; during admission processing the juvenile receives an orientation to the goals of the program and program rules and regulations. Assignment to living quarters and to appropriate staff members is also completed at this time.

### *Affirmative Action*

A concept designed to ensure equal opportunity for all persons regardless of race, religion, age, sex, or ethnic origin. These equal opportunities shall include all personnel programming, including selection, retention, rate of pay, demotion, transfer, layoff, termination, and promotion.

### *Aftercare*

Control, supervision, and care exercised over juveniles released from facilities through a stated release process. (See Releasing Authority.)

### *Agency*

The unit of a governing authority which has direct responsibility for the operation of a corrections program, including the implementation of policy as set by the governing authority. For a community residential center, this would be the administrative headquarters of the facilities. In a public agency, this could be a probation department, welfare department, or similar agency. For a juvenile correctional organization, this would be the central office responsible for governing the juvenile correctional system for the jurisdiction.

### *Agency Administrator*

The administrative officer appointed by the governing authority who is responsible for all operations of the agency and all related programs placed under control of the agency.

### *Camp*

Nonsecure residential programs located in relatively remote areas. The juveniles participate in a structured program that emphasizes an outdoor work program including conservation and related activities. Although there are often 20 to 60 youths in such facilities, 50 juveniles is the maximum allowed by the standards. Resident age varies from 15 to 18 years.

### *Case Conference*

A conference between those individuals working with a juvenile under supervision or confinement for the purpose of ensuring that court-ordered services are being provided.

### *Casework*

The function of the caseworker, social worker, or other professional in providing services to the juvenile.

### *Chronic Care*

Health care provided to patients over a long period of time.

### *Co-correctional Facility*

An institution designed to house both male and female juveniles.

## GLOSSARY

### *Code of Ethics*

A set of rules describing acceptable standards of conduct for all employees.

### *Committing Authority*

The agency or court responsible for placing a youth in the community program.

### *Community Residential Program*

Community residential programs are housed in structures without security fences and security hardware, or other major restraining construction typically associated with correctional facilities. They are often converted apartment buildings or private homes. They are not constructed as or intended to be detention facilities. Except for daycare programs, they provide 24-hour care, programs, and supervision to juveniles in residence. The focus of all such programs is to provide the juvenile with positive adult models and program activities that assist in resolving problems specific to this age group and provide an environment conducive to positive behavior in the community. (See Nonresidential Programs.)

### *Community Resources*

Those social and welfare agencies, service clubs, citizen interest groups, self-help groups, and citizen volunteers who have the potential to assist juveniles. These various resources, which may be public or private, national or local, have the potential for help ranging from material and financial assistance, to guidance, counseling, and supportive services.

### *Conflict of Interest*

Any employee action that adversely affects the interest of the institution. Outside concerns may bring undue pressure upon the employee in his/her effort to make decisions concerning official duties.

### *Contraband*

Any item possessed by juveniles or found within the facility that is illegal by law or that is expressly prohibited by those legally charged with the responsibility for administration and operation of the facility or program.

### *Contractual Arrangement*

An agreement between a private party to provide services to juveniles for remuneration, such as an incorporated agency or a married couple. (See Independent Operators.)

### *Corporal Punishment*

Any act of inflicting punishment directly on the body, causing pain or injury.

### *Correctional Facility*

A place or organization designed and equipped to incarcerate or maintain persons sentenced by legal authority.

### *Counseling*

Planned use of interpersonal relationships to promote social adjustment. Counseling programs provide opportunities to express feelings verbally with the goal of resolving problems of individual juveniles. There are at least three types of counseling that may be provided: individual, in a one-to-one relationship; small group counseling; and large group counseling in a living unit (i.e., therapeutic community).

### *Delinquent Act*

An act that if committed by an adult would be a crime.

*Delinquent Juvenile*

A juvenile who has been charged with or adjudicated for conduct which would be under the law of the jurisdiction in which the offense was committed and be a crime if committed by an adult. (See also Status Offender and Juvenile Offender.)

*Detainer*

A warrant placed against a person in a federal, state or local correctional facility, notifying the holding authority of the intention of another jurisdiction to take custody of that individual when that person is released.

*Detention*

Temporary care of juvenile alleged to be delinquent who requires secure custody in a physically restricting facility.

*Dispositional Hearing*

A hearing held subsequent to the adjudicatory hearing in order to determine what order of disposition (i.e., probation, training school, foster home) should be made concerning a juvenile adjudicated as delinquent.

*Dormitory*

Any room sleeping more than five juveniles.

*Educational Program*

A program of formal academic education or a vocational training activity designed to improve the juvenile's employment capability.

*Emergency Care*

Care for an acute illness or unexpected health care need that cannot be deferred until the next scheduled sick call. Emergency care shall be provided to the juvenile population by the medical director, physician, other staff, local ambulance services and/or outside hospital emergency rooms. This care shall be expedited by following specific written procedures for medical emergencies described in this document.

*Environmental Health*

All the conditions, circumstances, and surrounding influences that affect the health of persons or groups required to be in the area.

*Facility*

A place, an institution, a building or part thereof, set of buildings, or an area, whether or not enclosing a building or set of buildings, which is used for the lawful custody and treatment of juveniles and may be owned and/or operated by public or private agencies.

*Field Services*

The professional workers assigned case responsibility for control, supervision, and provision of program services to juveniles. (Sometimes referred to as field workers.)

*First Aid*

Care for a condition that requires immediate assistance from a person trained in first aid care and the use of the facility's first aid kits.

*Footcandle*

A measurement of light equal to the amount of direct light thrown by one international candlepower on a surface one foot away.

## GLOSSARY

### *Governing Authority*

For public/governmental agencies, the administrative department or division to which the agency reports; it is the policy-setting body. For private agencies, this may be an administrative headquarters or central unit, or the board of directors or trustees.

### *Grievance*

A circumstance or action considered to be unjust and grounds for complaint or resentment.

### *Group Homes*

These are nonsecure residential programs emphasizing family-style living in a homelike atmosphere. Program goals are similar to those for large community residential programs. Although group homes usually house youths who are court committed, they also house abused or neglected youths who are placed by social agencies. Small group homes serve from 4 to 8 youths; large group homes serve from 8 to 12 youths. The age range varies from 10 to 17, with the concentration from ages 13 to 16.

### *Handicapped Juvenile*

A person with a mental or physical impediment or disadvantage that restricts that person's ability to utilize programs or services.

### *Hearing*

A proceeding to determine a course of action, such as the placement of a juvenile, or to determine guilt or innocence in a disciplinary matter. Arguments, witnesses, or evidence are heard by a judicial officer or administrative body in making the determination.

### *Holidays*

All days legally designated as nonworkdays by statute or by the governing authority.

### *Independent Operators*

A person or persons who contract with the probation department or other governmental agency to operate and manage a group home, foster home, or community center for juveniles.

### *Information System*

The concepts and supporting technology for the collection, organization, and delivery of information for administrative use. There are two major types of information: (1) standard information, consisting of data required for operational control, such as the daily count, payroll data, probation/aftercare success recidivism rates, and case load levels; and (2) demand information, consisting of information that can be generated when a report is required, such as information on the number of juveniles eligible for discharge during a 12-month period by offense, sentence, and month of release.

### *Intake*

The process for determining whether the interests of the public or the juvenile require the filing of a petition with the juvenile court. Generally an intake officer receives, reviews, and processes complaints, recommends detention or release where necessary, and provides services for juveniles and their families, including diversion and referral to other community agencies.

### *Independent Outside Source*

A person qualified by license, education, or experience to examine a condition or service. To be considered independent, the examiner must not be in the employment of the facility being inspected. Example: An outside auditor or inspector examining a program or condition within a juvenile detention facility may not be an employee of that facility and still be considered independent. An auditor or inspector examining a program or condition within a community center may not be an employee of that center and still be considered independent.

*Interstate Compact for the Supervision of Probationers and Parolees*

An agreement entered into by eligible jurisdictions in the United States and its territories which provides the means for these jurisdictions to function cooperatively in working with probationers and releasees.

*Interstate Compact on Juveniles*

An agreement authorizing the interstate supervision of juvenile delinquents and the cooperative institutionalization of special types of delinquent juveniles, such as psychotics and defective delinquents.

*Juvenile*

A person under the age of 21, or as defined in the local jurisdiction as under the age of majority.

*Juvenile Court*

The court having jurisdiction over juveniles who are alleged or found to be delinquent.

*Juvenile Offender*

An individual subject to juvenile court jurisdiction for purposes of adjudication and programming based on age and offense limitations as defined by law. (See Delinquent Youth.)

*Life Safety Code*

A manual published and updated by the National Fire Protection Association specifying minimum standards for fire safety necessary in the public interest; two chapters are devoted to corrections facilities.

*Major Equipment*

All equipment that is securely and permanently fastened to the building or any equipment with a current book value of \$1,000 or more.

*Nonresidential Programs*

Nonresidential programs provide intensive services to juveniles who live at home and report to the program on a daily basis. Juveniles in these programs require more attention than provided by probation and aftercare services. Often the program operates its own education program through the local school district. The population of nonresidential programs may be as many as 50 boys and girls ranging in age from 10 to 18. The population is usually drawn from court commitments, but may include juveniles enrolled as a preventive or diversionary measure. The program may operate as part of a residential program, and it may provide space for occasional overnight stays by program participants where circumstances warrant additional assistance.

*Nonsecure Detention Facility*

Facilities such as foster or group homes.

*Official Personnel File*

A current and accurate record of the employee's job history, including all important information relating to that history.

*Parent*

The person with whom a juvenile regularly lives and who is the natural, adoptive, or surrogate parent.

*Parent Governmental Organization*

The administrative department or division to whom the agency seeking accreditation reports; it is the policy-setting body. (Also referred to as parent agency.)

## GLOSSARY

### *Petition*

An application for a court order or other judicial action. Hence, a delinquency petition is an application for the court to act in the matter of a juvenile apprehended for a delinquent act.

### *Physical Examination*

A thorough evaluation of a patient's current physical condition and medical histories conducted by, or under the supervision of, a licensed professional.

### *Placing Authority*

That agency or body with the authority to order a juvenile into a specific dispositional placement. This may be the juvenile court, the probation department, or other duly constituted and authorized placement agency.

### *Policy*

A definite, stated course or method of action that guides and determines present and future decisions and activities. A policy is a statement of principles that guides the agency in the attainment of objectives. To comply with a standard that requires a policy for a certain area, there must be not only a written policy, but also evidence that a line of action or principle has been adopted and is being followed by the agency.

### *Probation*

A court-ordered disposition alternative through which an adjudicated delinquent is placed under the control, supervision, and care of a probation field staff member.

### *Procedure*

A procedure provides the detailed and sequential actions that must be executed to ensure that a policy is fully implemented.

### *Professional Associations*

A collective body of persons engaged in a particular profession or vocation. The American Correctional Association, the American Medical Association, and the National Association of Clinical Psychologists are examples of professional associations; however, in the United States there are hundreds of similar professional groups.

### *Program*

The plan or system through which a correctional agency works to meet its goals; often this program requires a distinct physical setting, such as a community residential facility, group home, or foster home.

### *Program Director*

The person directly in charge of the program, who may also be called the administrator, superintendent, or house parent.

### *Program Participant*

A juvenile identified or qualified by the courts as a facility resident.

### *Ranch*

These nonsecure residential programs provide services to youths in rural settings. Typically, the residents participate in a structured program of education, recreation, and facility maintenance, including responsibility for the physical plant, its equipment, and livestock. Often there are 20 to 60 juveniles in the ranch setting, ranging in age from 13 to 18 years. The standards in this manual restrict the maximum population to 50 youths.



*Rated Capacity*

The actual number of beds available for regular use. This does not include hospital beds, segregation beds, or other spaces used only on a temporary basis.

*Releasing Authority*

The decision-making body and/or person which has the responsibility to grant, deny, and revoke release from a juvenile institution or program of supervision. In some jurisdictions it is called the parole board or the parole commission. (See Aftercare.)

*Referral*

The process by which a juvenile is introduced to an agency or service where the assistance needed can be obtained.

*Secure Institution*

Any facility that is designed and operated to ensure that all entrances and exits are under the exclusive control of the facility's staff, thereby not allowing a juvenile to leave the facility unsupervised or without permission.

*Renovation*

A significant structural or design change in the physical plant of a facility.

*Security Devices*

Locks, gates, doors, bars, fences, screens, ceiling, floors, walls, and barriers used to confine and control detained persons. Also included are electronic monitoring equipment, security alarm systems, security light units, auxiliary power supplies, and other equipment used to maintain facility security.

*Self-Insurance Coverage*

A statewide system designed to insure the payment of all legal claims for injury or damage incurred as a result of the actions of state officials, employees, or agents.

*Shelter Facility*

Any public or private facility, other than a juvenile detention or correctional facility, designated to provide either temporary placement for alleged or adjudicated status offenders prior to the issuance of a disposition order, or longer term care under a juvenile court disposition order.

*Status Offender*

A juvenile who has been charged with or adjudicated for conduct that would not, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult. (Status offenders are not housed in training schools.)

*Training*

Formal classroom instruction; on-the-job training under the direction of an instructor; training meetings or conferences that include a formal agenda and instruction by a teacher, manager, or official; physical training; or other instructional programs that include a trainer/trainee relationship. Training programs usually include requirements for completion, attendance recording, and a system for recognition of completion.

*Training School*

Youth Development Center, Youth Village, Youth Correction Center, Youth Treatment Center, Youth Service Center, or Schools or Homes for Boys and Girls.

The typical training school may provide supervision, programs and residential services for over 100 residents; however, programs of over 100 juveniles are not encouraged. The standards for new

## GLOSSARY

facilities in this manual require that each new training school have no more than 100 beds and be limited to two stories in height.

These facilities are designed and operated to ensure that all entrances and exits are under the exclusive control of facility staff, thereby not allowing a juvenile to leave the facility without authorization.

Youth development centers, youth treatment centers, secure training schools, and other facilities in this category may serve relatively smaller populations ranging from 40 to 100 juveniles. The age range served is generally from 13 to 18 years, although in many jurisdictions residents may be as young as 10 years or as old as 20 years. The latter instance usually involves juveniles who have been returned to the facility as parole violators.

### *Urine Surveillance Program*

A program whereby urine samples are collected on an irregular schedule from those juveniles suspected of, or having a history of, drug use, for the purpose of determining current or recent use of drugs.

### *Volunteers*

Persons who donate their time and effort to enhance the activities of the program. They are selected on the basis of their skills or personal qualities to provide services in recreation, counseling, education, religious activities, etc.

### *Workmen's Compensation*

A statewide system of benefits for employees who are disabled by job-related injury.

## Code of Ethics

### AMERICAN CORRECTIONAL ASSOCIATION

The American Correctional Association expects of its members unfailing honesty, respect for the dignity and individuality of human beings, and a commitment to professional and compassionate service. To this end we subscribe to the following principles.

Relationships with clients/colleagues/other professionals/the public—

- Members will respect and protect the civil and legal rights of all clients.
- Members will serve each case with appropriate concern for the client's welfare and with no purpose of personal gain.
- Relationships with colleagues will be of such character to promote mutual respect within the profession and improvement of its quality of service.
- Statements critical of colleagues or their agencies will be made only as these are verifiable and constructive in purpose.
- Members will respect the importance of all elements of the criminal justice system and cultivate a professional cooperation with each segment.
- Subject to the client's rights of privacy, members will respect the public's right to know, and will share information with the public with openness and candor.
- Members will respect and protect the right of the public to be safeguarded from criminal activity.

Professional conduct/practices—

- No member will use his official position to secure privileges or advantages for himself.
- No member will act in his official capacity in any matter in which he has personal interest that could in the least degree impair his objectivity.
- No member will use his official position to promote any partisan political purposes.
- No member will accept any gift or favor of a nature to imply an obligation that is inconsistent with the free and objective exercise of his professional responsibilities.
- In any public statement members will clearly distinguish between those that are personal views and those that are statements and positions on behalf of an agency.
- Each member will be diligent in his responsibility to record and make available for review any and all case information which could contribute to sound decisions affecting a client or the public safety.
- Each member will report without reservation any corrupt or unethical behavior which could affect either a client or the integrity of the organization.
- Members will not discriminate against any client, employee or prospective employee on the basis of race, sex, creed or national origin.
- Each member will maintain the integrity of private information; he will neither seek personal data beyond that needed to perform his responsibilities, nor reveal case information to anyone not having proper professional use for such.
- Any member who is responsible for agency personnel actions will make all appointments, promotions or dismissals only on the basis of merit and not in furtherance of partisan political interests.

(Adopted August 1975 at the 105th Congress of Correction)