

# YOUTH SERVICES POLICY

<b>Title:</b> Probation and Parole Supervision	<b>Type:</b> D. Community Based Services <b>Sub Type:</b> 10. Supervision <b>Number:</b> D.10.7
<b>Page 1 of 8</b>	
<b>References:</b> Title VI of the Civil Rights Act of 1964, La. R.S. 36:408, La. Children's Code Title VIII, Chapters 16 and 17, ACA Standards 2-7018, 2-7131, 2-7132, 2-7133, 2-7133-1, 2-7139, 2-7140, 2-7141, 2-7143, 2-7144, 2-7147, 2-7148, 2-7149, 2-7150, 2-7151, 2-7171, 2-7180, (Juvenile Probation and Aftercare Services) YS Policy Nos A.1.8 “Emergency Operations Plan”, A.1.18 “Shelter/Meals for Employees on Duty During Emergency Situations”, A.2.14 “Secure Care Facility Staffing”, A.5.11 “Video Conferencing”, B.2.1 “Assignment, Reassignment, and Release of Youth”, C.2.1 “Escapes, Runaways, Apprehensions, and Reporting”, C.2.2 “Facility Riot, Significant Disturbance and Hostage Situation”, C.2.12 “Emergency Escorting”, C.2.20 “Youth Transport – Secure Care Facilities”, C.4.1 “Furlough Process”, D.9.1 “Placement of Youth in Residential Facilities”, D.9.13 “Case Assessment Process for Secure Care Placement”, D.10.4 “Community Supervision Classification System”, D.10.11 “Transporting Youth by Community Based Services”, D.10.17 “Probation and Parole Violations”, D.10.22 “Interstate Compact for Juveniles”, and D.10.32 “SAVRY – Community Based Services”	
<b>STATUS: Approved</b>	
<b>Approved By:</b> James Bueche, Ph.D., Deputy Secretary	<b>Date of Approval:</b> 01/08/2019

**I. AUTHORITY:**

Deputy Secretary of Youth Services as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

**II. PURPOSE:**

To establish procedures regarding probation and parole supervision.

**III. APPLICABILITY:**

Deputy Secretary, Assistant Secretary, Chief of Operations, Executive Management Advisor, Regional Directors, Regional Managers, Probation and Parole Supervisors/Juvenile (PPS), and Probation and Parole Officers/Juvenile (PPO/J).

**IV. DEFINITIONS:**

***Community Based Services (CBS)*** - Formerly known as the Division of Youth Services, including the regional probation and parole field offices located throughout the state

***Graduated Sanctions*** - An accountability-based, graduated series of sanctions applicable to juveniles within the juvenile justice system to hold such juveniles accountable for their actions. The graduated response grid is a tool used to ensure that sanctions are consistently applied and that youth offenders under supervision will face uniform, immediate, and consistent consequences that correspond to the SAVRY risk seriousness of the probation/parole violation to prevent their subsequent involvement with the juvenile justice system.

***Individualized Service Plan (ISP)*** – An individualized plan developed by the assigned PPO/J to achieve the desired results for change. The plan is accomplished through the collaborative effort of the PPO/J, youth and parent/guardian. The plan shall contain specific, measurable goals to address the risks, needs and protective factors. The SAVRY, Probation Order, psychological evaluation and other pertinent information shall be used to develop the plan. The ISP is modified throughout supervision as need areas are identified.

***Interstate Compact for Juveniles (ICJ, the Compact)*** - A federally established agreement in which the compacting states recognize that each state is responsible for the proper supervision or return of juveniles, delinquents and status offenders who are on probation or parole and who have absconded, escaped, or run away from supervision and control and in so doing have endangered their own safety and the safety of others. The compacting states also recognize that each state is responsible for the safe return of juveniles who have run away from home and in doing so have left their state of residence. The compacting states also recognize that Congress, by enacting the Crime Control Act, 4 U.S.C. Section 112 (1965), has authorized and encouraged compacts for cooperative efforts and mutual assistance in the prevention of crime.

***IV-E Candidacy Form*** – A prescreening form used to make the determination of a youth being at imminent risk of removal from their home if additional intervention services are not provided.

***Juvenile Electronic Tracking System (JETS)*** - The centralized database utilized to track all youth in OJJ custody or under OJJ supervision.

***Modification of Disposition*** - The process by which the court modifies a previous disposition to include: changing the youth's legal custody; suspending all or part of any order of commitment; eliminating conditions of probation; or adding any further conditions authorized by the La. Children's Code Articles 897(B) or 899(B). A Modification of Disposition order may also terminate an Order of Disposition at any time while the order is still in force.

**Override** – The process by which approval is obtained to deviate from the “OJJ Disposition Matrix” when the disposition recommendation is outside of the range of options in the indicated cell; or the youth does not meet the noted requirements on the matrix for a specific placement.

**PPO/J** - Includes CBS probation officers (Probation and Parole Officer 1, 2 and 3/Juvenile).

**PPS/J Probation and Parole Supervisors/Juvenile** - Supervisors charged with overseeing the probation staff in the Community Based Services (CBS) offices located throughout the state.

**Regional Managers** - Managers of the CBS offices located throughout the state.

**Service Referral Matrix** - An inventory of community services specific to a region used to identify and match proper services based on the individual youth’s risk/need factors. This proper matching between risk/needs and services has been shown to be critical in reducing re-offending and likewise improving public safety.

**Structured Assessment of Violence Risk in Youth (SAVRY)** - An evidence-based assessment designed to assist professionals in making judgments about a youth’s needs for case planning. The SAVRY utilizes a structured, professional judgment method of assessment, meaning that the individual completing the assessment rates the youth on a number of evidence-based risk factors and then weighs all the information to come to a final determination that the youth is Low, Moderate or High risk for future reoffending.

## V. POLICY:

Youth placed on probation or parole shall be supervised in such a manner as to protect public safety by monitoring compliance with the court ordered conditions of supervision and assisting the youth in correcting his delinquent behavior. The youth and parent/guardian shall be provided a copy of the probation or parole order.

YS shall not exclude youth from participation in any program or activity based on the grounds of age, sex, religion, race, color, national origin, sexual orientation, political belief, or disability.

A Service Referral Matrix identifying available resources by the youth’s risk and needs areas shall be maintained for each parish/service area and revised annually, at a minimum, or as needed.

**VI. PROCEDURES:**

- A. The PPO/J shall make the initial face-to-face contact with the youth within twenty-four (24) hours of receiving notification that he/she has been placed on probation, parole or in the custody of YS/OJJ. The 24 hour contact may be made by phone if the PPO/J is unable to make face-to-face contact with the youth. If contact is not made face-to-face, the reason shall be included in the JETS narrative. The PPO/J shall provide the after-hours contact information for the OJJ Regional Duty Officer. The PPO/J shall create a case narrative in JETS within seven (7) working days to document the contact and information that was provided.
  
- B. The PPO/J shall meet with the youth and parent/guardian to secure the birth certificate, social security card, immunization records, educational records, insurance card, and any other documentation deemed necessary.

The PPO/J shall also complete the following and secure the youth parent/guardian's signature as required:

1. Probation/Parole Order
2. "AFCARS" form
3. "Agreement to Pay Supervision Fees"
4. (refer to YS Policy D.10.5 re: collection screen and/or restitution)
5. "Grievance Forms A and B" in JETS (refer to YS Policy D.10.21)
6. "Media Release Youth" (refer to YS Policy C.1.13 (b))
7. "Consent to Release Information"
8. "SAVRY Social History", if applicable (refer to YS Policy D.11.1)
9. "SAVRY ISP", if applicable (refer to YS Policy D.10.32)

Additional documentation may be required when a youth has been placed in YS custody. (Refer to YS Policies D.9.1 and D.9.13).

The PPO/J shall provide the youth and parent with the contact information for the YS Ombudsman (refer to YS Policy B.8.15). The youth and parent/guardian shall also be provided a copy of the signed Probation/Parole Order.

The PPO/J shall provide the youth and parent/guardian with the type, extent and method to access available services. The PPO/J shall create a case narrative in JETS within seven (7) working days to document that the information was provided.

The PPO/J shall assist the youth in continuing his/her academic education or vocational training and encourage and assist those seeking employment.

The PPO/J(s) shall be knowledgeable of the recreational activities available to youth in the parishes to which he is assigned. The PPO/J shall instruct the youth and parents/guardians on how to access recreational activities in their area.

- C. Prior to contacting outside agencies regarding the youth's needs, a signed "Consent to Release Information" form shall be obtained from the youth and parent/guardian. The form shall be created in JETS and a signed copy filed in Section 2 of the case record.
- D. The PPO/J shall complete the "IV-E Candidacy" form in JETS on all cases that require a "SAVRY ISP" after the ISP has been completed and signed by all parties.

If the youth is deemed a IV-E candidate, the issues identified on the pre-screen form that are placing the youth at imminent risk of removal from their home must be addressed on the ISP. The goal on the ISP shall include the specific services that are being put in place to prevent the youth's removal.

The "IV-E Candidacy" form shall be completed in JETS at least every six (6) months. If a youth is not currently a IV-E candidate and there are changes in his/her behavior, new arrests, etc. a new "IV-E Candidacy" form should be completed in JETS prior to the next one being due.

- E. PPO/J(s) shall establish cooperative working relationships with other youth serving agencies, including agencies providing placement assistance, health services, fiscal resources, education and vocational resources in the parishes to which he is assigned. The PPO/J shall maintain regular contact with these agencies in order to remain knowledgeable of any change in services.
- F. Youth under the Office of Juvenile Justice (OJJ) supervision shall be assigned an appropriate level of supervision based on the objective initial assessment of identified risk factors using the SAVRY Assessment, court orders, and all pertinent information. Supervision Contacts shall be made in accordance with YS Policy No. D.10.4. All contacts shall be documented in a JETS case narrative within seven (7) working days.

Narrative entries shall summarize contacts with the youth, parent and collaterals and include all pertinent information. During the contact, the PPO/J shall discuss the youth's compliance with any court ordered conditions as well as his progress towards meeting the goals and objectives identified in the "Individualized Service Plan" (ISP).

- G. When contacting youth outside the office, the PPO/J should take whatever steps are necessary to ensure the youth's confidentiality while keeping officer safety a priority. The PPO/J should identify himself as the youth's probation officer, only if necessary, and only to those who have a need to know.
  
- H. Random curfew checks should be conducted as appropriate. These contacts should be meaningful and address the needs outlined in the ISP. When conducting curfew checks, officer safety shall be paramount, and no less than two PPO/J(s) shall be present. A certified law enforcement officer may substitute for one PPO/J. PPO/J(s) shall carry the following when conducting curfew checks:
  - 1. Agency Identification Card;
  - 2. Special Agent Commission Card;
  - 3. Boot Badge (conspicuously displayed);
  - 4. Handcuffs;
  - 5. Firearm with a spare full magazine;
  - 6. Intermediate weapon;
  - 7. Radio or Cell phone (if available);
  - 8. Flashlight;
  - 9. Body armor; and
  - 10. Jacket or shirt which clearly identifies the PPO/J as a probation officer.

Law enforcement agencies with jurisdiction over the area where the youth resides should be notified of the curfew checks. Notification should include the approximate time and neighborhood where checks are to be conducted. Parents/guardians and youth should be aware of the purpose of the visit. Contacts should address the needs of the youth as identified in the ISP. In the event a PPO/J feels his safety may be in jeopardy, he shall disengage immediately.

- I. Transferring Supervision
  - 1. If a youth intends to move out of the region of origin and will reside with someone other than his parent or legal guardian, the PPO/J (region of origin) shall complete the "Courtesy Supervision" form in JETS requesting a home evaluation and forward to the region in which the proposed placement is located. The receiving region shall complete the "Home Evaluation" in JETS and report the findings within ten (10) working days. The results of the home study shall be submitted to the court for approval.

2. If the youth and his family intend to move outside of the region of origin, the PPO/J (region of origin) shall notify the court, complete the "Courtesy Supervision" form in JETS, and forward to the receiving region with the following:
  - a. Copies of active court orders;
  - b. Evaluations;
  - c. Forms requiring the youth and parent signatures; and
  - d. Documents not found in JETS.
3. Supervision of youth who move out of state shall be transferred in accordance with the procedures of the Interstate Compact for Juveniles (refer to YS Policy No. D.10.22).

**J. Probation Violations/Modification of Disposition**

1. In all cases, prior to YS staff filing a Motion for Modification of Disposition with the court, a recommendation that a youth's probation be revoked and placed in YS custody shall be preceded by a case staffing and made in accordance with the "OJJ Disposition Matrix" (YS Policy D.11.1 (a)). Any deviation from the "Disposition Matrix" requires the approval through an override/exception. (see YS Policies D.9.1, D.9.13, and D.10.17)

OJJ shall not make a recommendation to place a youth in YS custody unless his/her welfare or the safety and protection of the public cannot be adequately safeguarded without such removal.

2. Prior to recommending a youth be placed in YS custody, to the extent public safety is protected and the youth is not a threat to himself or others, YS shall employ all available resources to prevent the removal of the youth from their home including:
  - a. All appropriate services based on the identified SAVRY risk and needs have been exhausted;
  - b. Graduated Sanctions utilized in response to probation/parole violations; and
  - c. Supervision of the youth at the Intensive level of supervision

**K. Modification of Disposition/Early Termination**

A Motion to Modify Disposition requesting early termination of supervision shall only be made after a staffing with the supervisor has been held. Following the staffing, a Release Order shall be submitted to the court.

Youth who have exhibited a level of compliance with community supervision and intervention and have a SAVRY Summary Risk rating of Low on two consecutive SAVRY Reassessments shall be considered for early termination.

The PPO/J shall refer to the risk level identified by the psychosexual assessment, when a youth is adjudicated on a sexual offense and/or is participating in the Sexual Behavior Problem Treatment Program, when considering approaching the Court for early release from supervision

- L. Regional Managers shall conduct an annual review to ensure that programs and services meet the needs of the local population.

Regional Managers are authorized to develop additional procedures necessary to implement this policy.

**VII. OCCASIONAL ASSIGNMENTS AS DIRECTED/NEEDED:**

- A. Examples of occasional assignments for PPO/J(s) are as follows:
  - 1. Provides support in the event of an emergency or escape. (Refer to YS Policy Nos. A.1.8, A.1.18, C.2.1, and C.2.2)
  - 2. Assists with transports of youth when needed. (Refer to YS Policy Nos. C.2.12, C.2.20 and D.10.11)
  - 3. Renders support to staff in the Secure Care Facilities. (Refer to YS Policy Nos. A.2.14, A.5.11, B.2.1, C.4.1 and D.10.4)
- B. Examples of occasional assignments for PPS/J(s) are as follows:
  - 1. Provides support to Probation and Parole officers in the field and in court on arrests and transports, as well as escape apprehensions. (Refer to YS Policy Nos. C.2.1 and D.10.11)
  - 2. Gives assistance to staff in the Secure Care Facilities when needed. (Refer to YS Policy Nos. A.2.14 and B.2.1)

**Previous Regulation/Policy Number:** D.10.7

**Previous Effective Date:** 10/20/2017

**Attachments/References:**