Minnesota Department of Corrections

Policy:	**205.050**
Title:	**Juvenile Offender Parole**
Effective Date:	**12/5/17**

PURPOSE: To ensure uniform statewide supervision of juveniles committed to the department upon their release from department facilities.

APPLICABILITY: Minnesota Department of Corrections (DOC); all agents supervising juvenile parolees

DEFINITIONS:
Agent – an employee in the job classification of state corrections agent, county probation officer, or Community Corrections Act (CCA) corrections agent.

PROCEDURES:

A. Agent assignment

1. All juvenile parolees are assigned to an agent and supervised according to the following procedures, and must remain under that agent's supervision until transferred to another agent or discharged.

2. Juvenile parole cases committed to the department are assigned by the district supervisor/designee in state contract counties. In CCA and Minn. Stat. Ch. 244 counties, the supervisor of juvenile services must assign juvenile parole cases.

B. Case contacts

The agent must periodically conduct case contacts with an offender at his/her home, place of employment or school, in the agent's office, or other appropriate places.

1. Contacts must be held with members of the offender's family to help them understand the criminogenic risk factors identified in the risk assessment and review the Case Plan (Court Systems Tracking System (CSTS) form) as deemed necessary.

2. The agent must give the offender the Grievance Procedure (CSTS form) on initial contact and ensure that the offender understands the statement. In addition, the agent must establish with the juvenile offender that the role of parole is not only to monitor the conditions of release, but also to work with the juvenile and his/her family on criminogenic risk areas that may reduce the likelihood of continued involvement in the criminal justice system.

3. Contacts may also be conducted with other persons interested in the individual's welfare, such as employers, relatives, friends, school officials, clergy, welfare, and other agencies. The agent must maintain data practices standards in these contacts.

4. The agent must complete a chronological record of visits and contacts regarding the offender in the electronic database, CSTS. This chronological record (chrono) must present an evaluation of the offender's progress and adjustment under supervision, and is used as a basis for determining further supervision strategies. Contacts must focus on a risk/need domain, change talk, any ambivalence, barriers to change, progress on goals,

motivational interviewing (MI) principles used, update status of special conditions and case plan as necessary, and other notable developments or changes.

4. Agent interviewing contact standards
   a) In facilities: the agent must participate in the initial staffing with the offender and ongoing staffings as deemed appropriate while the offender is on institution status.

   b) In the community: the agent must make contacts with the offender per department juvenile parole supervision levels, department classification system, or through local court services supervision standards.

C. Risk/need/responsivity assessment must be completed as follows:
   1. Agents must administer a risk/need/responsivity assessment to all juveniles placed on parole supervision within 30 days of release from the institution or case assignment.

   2. The agent must formulate a juvenile Case Plan, when deemed appropriate by policy, within 30 days of the offender returning to the community from the institution.

   3. Agents must reassess using the risk/need/responsivity assessment at the initial six-month interval, and at least annually thereafter, until the offender is classified as low risk. With each assessment, the offender and family are provided the option of reviewing the results. Notwithstanding the six month requirement, agents must consider the need for a reassessment during each client contact. Reassessments are not required on low risk supervision cases, unless new charges or problematic behavior occurs.

   4. Professional overrides may be recommended to increase or decrease risk/need level upon supervisory approval.

D. Standards of supervision
   The supervision contact levels for focusing on addressing criminogenic risk factors identified in the risk/need/responsivity assessment or as set by the hearings and release unit (HRU) are as follows:
   1. Enhanced supervision (high/very high risk/need scores) phase one: a minimum of one face-to-face contact per week must occur. Two of these contacts per month must occur at the juvenile's residence. Collateral contacts are completed as necessary. Phase two: a minimum of two face-to-face contacts per month must occur, one of which occurs at the juvenile's residence. Collateral contacts are completed as necessary.

   2. Medium supervision (moderate risk/need scores): at least one face-to-face offender contact every 30 days and collateral contacts as necessary.

   3. Minimum supervision (low risk/need scores): at least one face-to-face offender contact every 90 days to monitor compliance with conditions of release and collateral contacts as necessary.

E. Collection of payment
   Collection of payment for court ordered restitution, fines, court costs, attorney fees, etc. is not handled by the department. Payments by offenders must be made to, and disbursed by, the court administrator or as otherwise directed by the court.

F. Termination from supervision

The agent must apprise the data entry operator of the date of the offender's discharge from supervision or transfer to a CCA, county probation office (CPO), or interstate jurisdiction.

G. Workload measurement

The agent workload is managed by an automated system. The agent must provide data regarding new cases and report responsibilities to the staff who manage the system.

1. It is expected that each agent's caseload is reviewed at least monthly.

2. Copies of case audits (file management) must be retained in the employee's supervisory file.

H. Juvenile case plans

The Case Plan, along with the risk/need/responsivity assessment and Juvenile Parole Agreement (CSTS forms), provides the focus for case management and supervision planning. Agents must develop a Case Plan for all offenders deemed high risk according to the risk/need/responsivity assessment using the Case Plan within 30 days of release. Offender and parent/guardian input must be considered in the formulation of the Case Plan and signed upon establishment of a new goal. The offender and the supervising agent must review the Case Plan strategies at each visit. The focus for the individual meeting must include either defining goals/new action steps that must be addressed in the Case Plan or a review of the progress on action steps defined in the previous meeting. The agent must adjust the Case Plan according to the needs and performance of the offender. The format for the Case Plan must be as follows:

1. Assets/strengths: list the juvenile offender's assets, strengths, and supports as identified during the risk/need/responsivity assessment interview and/or with collateral contacts.

2. Priority targets: prioritize the risk/need/responsivity assessment domains requiring attention, keeping in mind attitudes/orientation, companions, and patterns of anti-social behavior are the strongest indicators of risk to re-offend.

3. Goals: a maximum of two goal areas identified in the Case Plan that focus on reducing criminogenic risk/needs identified in the risk/need/responsivity assessment. The agent must work with the offender on completing and abiding by release conditions, but if the conditions are not directly related to criminogenic factors, they do not suffice as a Case Plan goal.

4. Goal description: develop realistic goals with the juvenile offender which are short, measurable, attainable, realistic, and timely (SMART).

5. Date goal initiated: the date the goal was first developed with the juvenile offender.

6. Action start date.

7. Action steps are the specific steps to be taken in order to accomplish the goal. Action steps are activities which can be accomplished within a few days or by the next visit until the goal is completed.

8. Responsibility: identify who is responsible for completing the action step (e.g., offender, probation officer, mental health center, school, etc.).

9. Target date: date the task is to be completed.

10. Contingencies/comments: list the motivation incentives, rewards, and/or benefits that are achieved after completing the action step.

11. Review date and status: indicate the date the action step was reviewed with the juvenile offender and its status (achieved, partially achieved, satisfactory progress, or unsatisfactory progress).

12. Completion date.

I. Supervision consultation

When the HRU and the district supervisor are not available for consultation regarding supervision decisions, the agent may contact the officer-of-the-day (OD), who is available 24 hours per day.

J. Social history

The agent must prepare social histories before commitment upon order of the court or within five days of the offender's intake at a facility. The format for social histories is contained in Policy 201.110, "Juvenile Probation Supervision."

1. The agent must obtain supervisory approval and forward one copy to the facility.

2. In those instances when the social history is prepared for the court and requires updating upon the offender's commitment to the department, a cover memo must be submitted along with the social history. The memo should include a brief, updating statement, and agent recommendations for placement.

3. The supervisor must retain one copy of the social history, forward one copy to the central office, and forward one copy to the facility.

K. Release

The agent and facility must be jointly responsible for release planning and for carrying out the release procedures for offenders. The parole date is determined by HRU and release follows within three days of the parole date, unless there is an appeal. The facility staff and agent must determine the day of release and method of transportation.

1. Juvenile Pre-Parole Report (CSTS form): the agent must draft the Juvenile Pre Parole Report when notified by the facility. The report must be submitted to HRU and the facility prior to the hearing officer's review of the case. The report must be received by the agent's supervisor ten days before the hearing officer's review of the case. The agent must retain one copy of the report and forward one copy to the supervisor, who must retain one copy and forward one copy to the HRU and one copy to the facility. The Juvenile Pre-Parole Report must be completed as follows:

   a) Persons contacted: list the persons contacted as part of the investigation, including the name and relationship to the offender. If the person is an agency representative, include the name of the agency and the person's title.

   b) Placement plan: check the appropriate heading, indicate the name and address of the out-of-home placement, and indicate the person who authorized the payment and agency.

c) School or employment: include the name and address of the school or, if employed, the name of the employer and address.

d) Release information

(1) Restitution: if restitution is owed, indicate the amount ordered and to whom it is to be paid.

(2) Pending court action: indicate whether court action is pending and, if so, the date of the alleged offense and the status of the court action.

(3) Recommended conditions of parole: provide a brief statement of any special requirement or instructions that should be in effect if parole is granted and a brief explanation of the reason(s) for these requirements.

(4) Release date: provide the date and transportation as determined by the agent following consultation with facility staff.

(5) Recommendation or comments: if parole is not recommended, provide the reasons why.

(6) Supervision level: check the appropriate box.

2. Juvenile parole agreements

A Juvenile Parole Agreement (CSTS form) must be completed by the facility staff or, if the offender's parole is restructured, by HRU. The Juvenile Parole Agreement must apprise the offender of the rules, requirements and responsibilities of parole, document that rules have been explained to the offender, and that the offender agrees to abide by these provisions, and indicate that parole has been granted by the department.

a) The facility staff must complete the Juvenile Parole Agreement and include any special requirements or instructions that have been requested by the hearing officer, or requested by the agent and approved by the hearing officer.

b) If parole is modified, see Procedure N.3, "Modification of the Parole Agreement."

c) If the agent has any specific requirements or instructions which the agent feels are necessary in the Juvenile Parole Agreement, the agent must indicate them on the Pre-Parole Report for inclusion in the Juvenile Parole Agreement.

d) The parents or guardian must be informed of the parole conditions and may be provided with a copy of the Juvenile Parole Agreement.

L. Case transfers

The agent may consider offender case transfers if the offender moves temporarily or permanently to a new area within the state, if the offender is transferred to an out-of-home placement in another area of the state, or if the offender moves to another state (refer to Policy 206.021, "Interstate Compact – Juvenile Community Supervision"). Formal transfers are not appropriate when a new petition, charge, or violation review hearing is pending. The agent must conduct a placement evaluation prior to the placement of an offender in another jurisdiction, if circumstances are appropriate and possible. In the event of a conflict over the acceptance of a case, the matter must be referred to the respective supervisors for resolution.

1. There is no courtesy supervision. Offenders who are temporarily in another county for placement are not referred for transfer until a permanent residence is established. If an offender temporarily residing in another county is determined to be high risk, the liaison in the county of the temporary residency must be notified of the offender's placement, conviction offense, and history

2. Formal case transfer is used when an offender moves permanently to a new area within the state.
   a) For those counties using CSTS, all intrastate transfer requests, transfer of case assignments, and related communications must use the electronic transfer feature within CSTS.

   b) The receiving agent is responsible for the investigation and for replying to the transfer request within 15 working days after receiving the request.

   c) The sending agent must be responsible for all required reports within 60 days of transfer.

M. Adjustment reports

An Adjustment Report must be provided to HRU and the agent's supervisor. An Adjustment Report presents the quality and character of adjustment made by the offender since the last review in addressing criminogenic factors, making progress on the Case Plan, and compliance with conditions of release. The agent recommends changes in the level of supervision, continued supervision, or discharge, and the reasons for the recommendations.

1. The agent must prepare an Adjustment Report on an offender every six months at the request of HRU. Agents may initiate a special review by submitting an Adjustment Report recommending discharge or a change in the level of supervision.
   a) The agent retains one copy of the Adjustment Report and forwards one copy to the supervisor two weeks prior to the scheduled review date.

   b) The supervisor must forward one copy to HRU and one copy to the facility one week prior to the scheduled review date.

2. In certain cases, the hearing officer may request additional information. This information must be submitted on the Uniform Case Report (CSTS form, distributed as the Adjustment Report), designated "Addendum to Adjustment Report" and dated.

N. Parole violation

A parole violation occurs when the offender fails to meet the conditions of parole. This may necessitate a modification of parole conditions and/or a revocation hearing. The agent must immediately investigate alleged parole violations. A revocation hearing is initiated only after the agent and supervisor/designee confer, review the current circumstances, and conclude that revocation is appropriate. The agent and supervisor must contact HRU for approval if the restructuring of parole is deemed to be an appropriate alternative.

O. Violation and Uniform Case Reports

1. A violation report (CSTS form) must be submitted immediately after the agent investigates the alleged or proven violation and determines the facts of the violation.
   a) One copy must be forwarded to HRU, one copy to the facility, and one copy to the agent's supervisor.

b) Three copies of the report must be given to the hearing officer at the violation hearing.

c) Copies of the violation report. all evidence, and other documents to be used at the hearing must be provided to the public defender or privately-retained attorney at least two working days prior to the hearing, unless this requirement is waived by the offender's counsel.

2. The violation report must be factual, thorough, valid, and consistent. Allegations, opinions, observations, and judgments must be labeled as such. Supervisory consultation precedes the actual returning of the offender and preparation of the reports, whenever possible. Instructions to complete the Uniform Case Report are as follows:

a) Heading: fill out completely.

b) Prior record: list the commitment offense(s), location, date, and disposition for all felony, gross/misdemeanor, traffic and juvenile offenses, including those offenses prior to the department, and the date of the offenses.

c) Present offense: briefly describe the offense(s) for which the offender was adjudicated.

d) Special conditions: list each special condition imposed by HRU and its current status.

e) Nature of violation: a summary including violation dates, accomplices, property damage or harm done, listing all offenses, whether alleged, admitted, or those for which the offender was convicted.

f) Adjustment: include a summary description and evaluation of the offender's adjustment, community educational involvement, living conditions, significant relationships, finances, restitution obligations, and problems since the last review. The adjustment section must substantiate the agent's recommendation.

g) Contacts: note the number of contacts, face-to-face visits, and the date of last visit. Collateral contacts with others about the offender must be reported. Other significant communications, such as telephone interviews, must also be mentioned.

h) Custody: current status.

i) Rationale and recommendation: provide a brief summary or rationale for the recommendation, taking into consideration what action/treatment is needed to address the underlying causes of the violation and community safety.

3. Modification of parole agreement

Modification (restructure) of the Juvenile Parole Agreement establishes changes in the special conditions of the Juvenile Parole Agreement when the offender fails to meet the conditions of parole and the agent decides that revocation is not appropriate. Modification of the Juvenile Parole Agreement is also used when situations change in the community, necessitating a change in the present Juvenile Parole Agreement. The agent must receive

supervisory and HRU approval to modify the Juvenile Parole Agreement. Modification of parole agreements for offenders under enhanced supervision require prior approval from HRU.

a) The agent must complete the restructured Juvenile Parole Agreement and a memo outlining the changes. The agent retains one copy of the restructured Juvenile Parole Agreement, and forwards one copy to the supervisor along with the memo and one copy of the restructured Juvenile Parole Agreement to the offender. The supervisor retains one copy and forwards the original restructured Juvenile Parole Agreement and memo to HRU and one copy to the facility. After the hearing officer approves the restructured Juvenile Parole Agreement, HRU must forward one copy to the agent. The agent must provide one copy to the offender, one to the parent/guardian, and one copy to the facility, and forward the original to central office records.

b) If the offender disputes a modification of the agreement, the agent informs the offender that the offender has the right not to sign the modified agreement. If the offender refuses to sign, the agent must initiate a revocation hearing or a parole review. The agent has the authority to designate placement until the hearing or review is completed.

P. Informants/undercover agents

The use of offenders as informants or undercover agents is discouraged by the department. Offenders are not provided with written permission to act as informants or undercover agents.

1. If an offender does act as an informant or undercover agent, the offender must not violate the law or the conditions of parole. Violations of the law or the conditions of parole must be reported to the court or HRU.

2. If offenders participate as informants or undercover agents, it must not serve as the basis for a recommendation to the court or HRU to reduce time under supervision.

Q. Juvenile apprehension and/or detention (A&D) orders

Juvenile A&D orders inform and/or request appropriate agencies of the department's desire to apprehend, detain, and/or return an offender under the jurisdiction of the department.

1. A&D orders must be prepared:
   a) When the offender's whereabouts are unknown or the offender refuses direct contact with the agent;

   b) When the agent concludes that sufficient evidence exists that the offender has violated parole/that revocation is appropriate and the offender has demonstrated through recent behavior that the offender is unlikely to be present for an on-site revocation hearing; or

   c) When the offender has demonstrated by recent behavior that the offender is a danger to self or others. The agent must abide by the approved time limitations of jail/detention centers for the detention of juvenile offenders.

2. The A&D order must be issued and signed by the supervisor after consultation with the agent. In an emergency, the agent may issue the order and notify the supervisor as soon as possible. The order must be numbered and logged at the time it is issued, as well as when it is canceled.

3. District supervisors (or, in the case of some CCA counties, the senior staff person responsible for liaison) must be the controller of A&D orders and must assign all orders. An A&D order tracking log must be maintained in district offices to provide centralized recording of issued A&D orders. HRU maintains a list of active A&D orders.

4. A limited supply of these orders pre-signed by the district supervisor (or senior department liaison person) is provided to a designated supervisor/manager in each CCA area. The designated CCA supervisor/manager authorizes the issuance of the order after a written or phone request by the agent. The issuance of the order must be reported by immediately forwarding a copy of the A&D order to the department supervisor/senior liaison person.

5. In counties with department-supplied juvenile court services or county-supplied court services, the procedure used by CCA counties may be followed if the district supervisor designates a custodian of the orders for a given county. In counties without a designated custodian, the district supervisor (or, in the supervisor's absence, the regional manager) issues the orders, after a written or telephone request by the agent.

6. The original copy of the A&D order must be forwarded to HRU and one copy to the detention center, if applicable. One copy must be forwarded to the law enforcement agency most directly concerned, the alternate law enforcement agency or other agency, the facility file, the agent, the agent's supervisor, and the department supervisor or senior liaison in CCA counties.

7. The agent must cooperate with and provide assistance to local law enforcement agencies to bring about the apprehension of the juvenile parolee.

R. The cancellation of a juvenile A&D order cancels a previously-issued A&D order. It must be immediately prepared by the person who issued the A&D order when the offender is released from detention. The date the offender is apprehended must be indicated on the form to help law enforcement to eliminate suspects. The form must be distributed to the same parties that received the A&D order.

S. Re-placement reports

Re-placement reports (CSTS form, use the Uniform Case Report) are used to inform the receiving facility and HRU when current community resources for acceptable placement of a returned offender have been exhausted.

1. The re-placement report must be prepared:
   a) When a return to the facility is necessary to await placement, and only after all feasible resources for placement in the community have been exhausted;

   b) When a new acceptable placement has been located but is temporarily unavailable; and/or

   c) When an approved placement ceases to be available.

2. Supervisors must contact the facility superintendent/designee prior to return to ascertain the availability of space and to determine a suitable date and time for return. Placement must be located as quickly as possible.

a) If the offender will be remaining in the facility for more than seven working days, a hearing officer's review is required.

b) The re-placement case remaining at the facility for more than seven days requires a parolee not placed report and biweekly subsequent reports.

3. The format for the re-placement report is as follows:
   a) Reason for re-placement: why the original and subsequent placements have failed, indicating what resources have been investigated for a new placement and why they were not available. State the prognosis for locating a satisfactory placement, including an evaluation of the amount of time required to find such a placement. Outline the offender's feelings about re-placement.

   b) Adjustment: provide the offender's adjustment, activities, and attitude, stating any particular problems relative to adjustment including addressing criminogenic risk factors.

   c) Recommendation: the agent's plan for returning the offender to the community.

4. Distribution of the re-placement report is as follows:
   a) One copy must be provided to the offender when placed in the facility, when possible.

   b) One copy must be provided to the supervisor for his/her approval. The supervisor retains one copy, forwards one copy to HRU, and forwards one copy to the facility.

   c) The agent retains one copy.

T. The parolee not placed report (CSTS form, use the Uniform Case Report) is used to inform the facility and HRU of the placement efforts made for an offender awaiting release when the parole has previously been granted. The hearing officer must review the parolees not placed cases every 14 days. The agent must submit this report five days prior to the hearing date.
1. The format for the parolee not placed report is as follows:
   a) Heading: identifies the specific legal and objective information. The date of commitment is the date the offender is committed to the department; the expiration is the date of the offender's 19th birthday, or 21st birthday for extended jurisdiction juveniles (EJJ); the status is parole or institution; the release is date of the offender's last release from the facility; and the judge is the sentencing judge.

   b) Offense(s): list the commitment offense and all felony offenses, including those offenses made prior to commitment to the department, and the dates of the offenses.

   c) Family and home situation: list the offender's placement history prior to state commitment. Summarize the information and list all pertinent dates, summarize the present family situation, and outline the factors that make other placement advisable (this may be omitted if the same information has been provided in a recent report).

   d) Types of placement recommended.

e) Financial resources: indicate the county with financial responsibility for the offender and any other financial resources available to the offender.

f) Placements contacted: list all referrals and contacts made and the results obtained from each potential placement.

g) Problems in placing this offender.

h) Recommendation: provide the agent's recommendation for the appropriate action.

2. If subsequent reports are required, only updated information must be included.

3. The agent retains one copy of the report and forwards one copy to the supervisor. The supervisor retains one copy, forwards one copy to HRU, and forwards one copy to the facility.

U. Decisions for out-of-home placement

1. Out-of-home placements must be made if an offender is without family, is not accepted by parents, or if home conditions are such that a return to the home would be detrimental to the offender's treatment and/or the community.

2. Recommendations to the county Department of Human Services to remove an offender from his/her home must be submitted and kept on file only after all efforts to allow parents to adequately fulfill their roles in the family have failed, or if such action is necessary to ensure the safety of the offender and/or the public.

3. When the removal of an offender from the offender's own home is considered, every effort should be made to involve the offender and the offender's parents or guardian in the deliberations relating to that decision. When possible, the offender must be permitted to view the out-of-home placement before the formal placement. Compliance with the Indian Child Welfare Act is required, when applicable.

V. Processing an out-of-home placement

1. All out-of-home placements must comply with Minn. Stat. §257.071.

2. The county of commitment assumes funding for out-of-home care. All financial arrangements must be completed prior to placement.

3. Licensing: offenders may only be placed in licensed residential homes, including foster homes. While it is not required that homes be licensed for placement of parolees over 18 years of age, the county of residence may stipulate that they must not use child welfare funds in an unlicensed home.

4. Agent responsibility

a) It is the assigned agent's responsibility to make out-of-home placement referrals.

b) Out-of-home placement referrals must be made in advance of the anticipated time for placement. Even if a placement cannot be located in advance, an early referral

clarifies the financial responsibility (which is often complicated) and gives the Department of Human Services a chance to seek an appropriate placement.

c) The agent assumes primary responsibility for discussing out-of-home placement with the offender's parents or guardian.

5. Placement with relatives: sometimes placing an offender with an older sibling, aunt, uncle, grandparent, etc., may be more appropriate and successful than with a stranger. All licensing and funding arrangements, if required, must be completed prior to placement.

INTERNAL CONTROLS:

A. All contact and chronological information as well as all reports produced are stored using the electronic CSTS database.

B. Agent caseloads are audited at least annually to ensure compliance with policy regarding supervision and contact standards.

C. Copies of case audits are placed in the employee's supervisory file.

ACA STANDARDS: 2-7103, 2-7110, 2-7116 through 2-7119, 2-7129, 2-7130, 2-7132 through 2-7135, 2-7137 through 2-7139, 2-7143 through 2-7145, 2-7153, 2-7154, 2-7158, 2-7165, 2-7174 and 2-7175

REFERENCES: Minn. Stat. §§244.19 subd. 3; 401.01, subd.1 and 257.01
Division Directive 201.110, "Juvenile Offender Probation Supervision"
Policy 206.021, "Interstate Compact – Juvenile Community Supervision"

REPLACES: Policy 205.050, "Juvenile Offender Parole," 6/2/15.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Notice of Juvenile Parole Violation and Right to Hearing (106.140A)

APPROVED BY:
Deputy Commissioner, Facility Services
Deputy Commissioner, Community Services
Assistant Commissioner, Facility Services
Assistant Commissioner, Operations Support