

Policy 6.40- Managing Authorized Leaves and Community Involvement Passes Summary

- Provides guidelines for accessing AL and CIPs in accordance with RCW

Background:

The current policy needed to be updated to ensure there was clarity in the process for obtaining Authorized Leave (AL) and Community Involvement Passes (CIPs), and to develop additional supports for staff who are managing the process.

Policy Summary

The policy addresses the legal reasons that youth may go on authorized leave or CIPs, eligibility requirements, and legal limitations on authorized leave. The policy clarifies the process for preparing and approving an authorized leave, updates the Home Review process, including a new form to support staff who complete home reviews, addresses the circumstances for subsequent AL to the same location, and provides requirements for AL in emergencies. Requirements for CIPs were updated and clarified, including the authorization for youth at institution minimum to access AL and CIPs.

Changes from Current Practice

- Requirement was added for the final, approved AL packet to be uploaded to ACT via Document Uploader in order to ensure access for parole and residential staff
- Requirement was added for a debrief with the case manager when a youth returns from AL.
- New forms were created:
 - AL itinerary for approval
 - Tracking form for staff who are monitoring youth on al
 - A checklist for al to support staff with the process of preparing
 - Independent CIP itinerary form
- Forms were updated:
 - Authorized Leave Approval
 - Authorized Leave Order
- Community Facility Standard 7 is referenced for guidelines on treatment addendums and supervision agreements

Training Required: No

Policy Effective Date: December 31, 2018

Staff are responsible for reading and understanding the information contained in the full policy. Review of this summary is not sufficient for full understanding.

POLICY 6.40 MANAGING AUTHORIZED LEAVES AND COMMUNITY INVOLVEMENT PASSES

Policy Committee Chair

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Approved



Marybeth Qeral, Assistant Secretary
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12/14/2018

Authorizing Sources

RCW 9.94A.030
RCW 13.40.205
RCW 72.05.420-430

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12/31/2018

Sunset Review Date
12/31/2022

I. PURPOSE AND SCOPE

This document establishes policy for Authorized Leaves and Community Involvement Passes consistent with Washington State law and public safety. JR supports leave and community involvement as a component of the treatment, rehabilitation, and reentry process.

All staff, contractors, volunteers, and interns working in or for Juvenile Rehabilitation (JR) are responsible for reviewing and complying with JR policies.

II. POLICY

- 1. JR allows, supports and directs authorized leaves (AL) and community involvement passes (CIP) as essential community-reintegrative components of the treatment, rehabilitation, and reentry process for youth, in accordance with RCW 13.40.205.**
- 2. While under commitment to JR, a youth may return to his or her home only on authorized leave status or in the approved custody of program staff or registered volunteers, including mentors.**
 - 2.1. Juveniles directly supervised by program staff or registered volunteers are considered to be in custody.
 - 2.2. Time away from the facility while in approved custody does not count as a part of the maximum twelve hours allowed away from the facility in accordance with RCW 13.40.205.

and Community Involvement Passes 12/31/2018 AUTHORIZED LEAVE

- 3. JR permits authorized leave to strengthen or preserve family relations, make release or parole plans requiring the youth's presence to facilitate future full reintegration into the community; or make residential placement plans out of the youth's home that require the youth's presence in accordance with RCW 13.40.205.**
- 4. Youth placed on authorized leave must meet the following eligibility requirements:** 4.1.
The leave is consistent with public safety;
 - 4.2. The youth has served 60% of the minimum term of confinement;
 - 4.3. The youth is at institution-minimum or minimum security classification per Policy 5.20, *Assigning Security Classification Levels for Youth*.
 - 4.4. The youth has provided a DNA sample, if required, in accordance with Policy 4.40, *Determining the Need for DNA or HIV Testing*;
 - 4.5. The youth does not have a warrant from another jurisdiction identified in NCIC.¹
 - 4.6. YOP youth with an Earned Release Date (ERD) prior to their 26th birthday² will be allowed authorized leave in the same manner as any other JR youth. DOC will be notified in accordance with the Interagency Agreement.
- 5. In accordance with RCW 13.40.205, authorized leave must not:**
 - 5.1. Exceed seven consecutive days.
 - 5.2. Allow a youth to spend more than 30 total days on authorized leave prior to serving the aggregate minimum sentence.
- 6. Youth who are past their minimum sentence may be allowed a maximum of 30 additional days of authorized leave prior to discharge from commitment or release from Parole.**

AUTHORIZED LEAVE PROCESS

- 7. Youth or families may request an authorized leave. Requests must go to the institution Program Manager or Community Facility Administrator.**
- 8. The unit or CF supervisor or designee will discuss the proposed leave with parole counselors in the region where the leave will take place prior to initiating paperwork.**
- 9. If approved by the Community Facility Administrator, the case manager will prepare an Authorized Leave Order (DCYF Form 20-188) in accordance with RCW 13.40.205, and an Authorized Leave Itinerary (DCYF Form 20-305). Staff may use the Authorized Leave Checklist (DCYF Form 20-325) to manage the process.**
 - 9.1. The Order must include the purpose of the leave, how it is to be achieved, the address where the juvenile will reside, and an identified supervisor for the youth.
 - 9.2. The Itinerary must include the proposed schedule of activities for the leave.

¹ 10/1/2019 Technical Edit: Updated statement according to passage of SB5497.

² 10/1/2019 Technical Edit: Updated age according to passage of HB1646.

and Community Involvement Passes 12/31/2018**10. The case manager will complete the required paperwork for approval. The packet will include:**

- 10.1. The Authorized Leave Order (DCYF Form 20-188).
- 10.2. A completed warrant check.
- 10.3. Documentation of notifications completed in accordance with Policy 1.80, *Notifying the Community of Youth Placement, Transfer or Release*.
- 10.4. A Home Review Questionnaire (DCYF Form 20-310) documenting the completed Home Review.
- 10.5. The completed Authorized Leave Itinerary (DCYF Form 20-305).
- 10.6. The completed Authorized Leave Approval form (DCYF Form 20-201) ready for signature.

11. Case managers will submit completed packets for final approval at least 14 days prior to each leave.

- 11.1. The Order must be signed by the youth and the youth's parent, guardian, or approved supervising adult prior to the leave.
- 11.2. Completed, approved packets must be uploaded to ACT by the start date for the authorized leave. A copy must be placed in the youth's case file per Policy 2.40, *Managing Youth Case Files*.

12. Case managers at the community facility will forward a copy of the approved itinerary (DCYF Form 20-305) to the parole counselor seven days prior to the start of the leave.**13. Case managers at the community facility may take youth home on a visit prior to the beginning of the authorized leave.****14. JR staff will document youth leave by adding a move "To AL" in the ACT Move Manager.³****15. JR staff will monitor youth while on authorized leave using the approved itinerary. Staff will document required checks on the AL Tracking form (DCYF Form 20-304).****16. Youth returning from authorized leave will:**

- 16.1. Be searched in accordance with Policy 5.70, *Conducting Searches*.
- 16.2. Debrief with the case manager about any issues during leave. The case manager will document the debrief in the case note or TPPN⁴ in ACT.

APPROVAL FOR AUTHORIZED LEAVE**17. Youth must not go on leave without written approval.**

- 17.1. The Superintendent or Associate Superintendent must approve the authorized leave for youth at institution minimum security classification.
- 17.2. The Regional Administrator and Community Facility Administrator must approve the authorized leave for youth at minimum security classification.

³ 3/14/19 Technical Edit: Added documenting a "Move" in ACT for authorized leave. ⁴ 3/14/19 Technical Edit: Replaced "YFEN" with "case note or TPPN"

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- 18. Written approval will be documented on the Authorized Leave Approval form (DCYF Form 20-201).**
- 19. The approved Authorized Leave Order (DCYF Form 20-188) must be carried by the youth at all times while on leave.**

HOME REVIEWS

- 20. For the first authorized leave to the home where the youth will be staying, the Home Review Questionnaire (DCYF Form 20-310) must be completed no later than 15 days prior to the start of the leave.**
- 21. Home Reviews will be conducted in person at the home where the leave will occur.**
- 22. The Home Review will be conducted by a parole counselor or designee from the region where the leave will occur.**
 - 22.1. The community facility case manager may conduct the review in person if a supervised home visit is already scheduled.
 - 22.2. The sending facility will confirm that the Home Review is completed prior to the start of the leave.
- 23. Completed Home Review Questionnaires must be scanned and uploaded to ACT via Document Uploader. ENDING**

AUTHORIZED LEAVE

- 24. Authorized Leave will be terminated when the youth returns to the facility.**
 - 24.1. Staff must document the youth's return in the ACT Move Manager.⁵
- 25. Residential or regional staff may terminate authorized leave if a youth violates the provisions of an Authorized Leave Order.**
 - 25.1. Law enforcement may be requested to apprehend and return to custody a youth who has violated the order.
 - 25.2. Escapes must be handled in accordance with Policy 5.30, *Handling Youth Escapes or Unauthorized Absences*.
- 26. Authorized leave may end with release to parole or discharge from commitment.**

SUBSEQUENT AUTHORIZED LEAVE TO THE SAME LOCATION

- 27. Staff must complete notifications on the same timeline as the initial authorized leave.**
- 28. Home Reviews are not required for a subsequent authorized leave to the same location.**
- 29. Staff must complete the full AL packet no later than 14 days prior to the leave start date.**
- 30. The youth's residential case manager will notify the parole program manager and case manager of the leave in ACT no later than 7 days prior to the leave start date.**

⁵ 3/14/19 Technical Edit: Added documenting a "Move" in ACT for authorized leave.

and Community Involvement Passes 12/31/2018 AUTHORIZED LEAVE IN EMERGENCIES**31. In-state authorized leave for emergency situations in accordance with RCW 13.40.205(7) will be approved by Superintendents or Regional Administrators.**

- 31.1. Youth may go on authorized leave prior to the 60% of minimum sentence in emergency situations in accordance with RCW 13.40.205(7).
- 31.2. Emergency leave must not exceed 48 hours. Travel time is not included in the 48 hours of leave. (RCW 13.40.205(7))
- 31.3. Emergency medical leave must not exceed the period of time necessary to obtain the required medical care, however it may exceed the seven day limit per RCW.
- 31.4. Emergency leave must not be charged against the 30-day maximum authorized leave requirement.
- 31.5. The Superintendent or Regional Administrator may make an exception to the requirement for a DNA sample to be collected in emergency situations.
- 31.6. For youth in an institution, The Superintendent must notify:
 - 31.6.1. The Division Director of any emergency leave for youth at maximum or medium security classification; and
 - 31.6.2. The regional office or offices of assignment and destination of emergency leave.
- 31.7. For youth in community facilities, the Regional Administrator must notify:
 - 31.7.1. The Division Director of any emergency leave
 - 31.7.2. The regional office or offices of assignment and destination of emergency leave.
- 31.8. Emergency leaves will be documented in a ROA.

32. Youth will be approved to attend funerals of family members unless there is a security issue that cannot reasonably be managed. Staff supervision is required.

- 32.1. If approved, youth will be allowed to attend the funeral in personal clothing or plain state-issued clothing. Jumpsuits are prohibited for funerals.
- 32.2. Youth will not be placed in mechanical restraints during the funeral.
- 32.3. If there is a security issue that cannot be reasonably managed, attendance may be denied only by the Superintendent or Regional Administrator and must be documented in an incident report.
- 32.4. Law enforcement will be notified verbally for institution youth on the day of departure.

33. Youth may be approved to visit gravely ill family members unless there is a security issue that cannot be reasonably managed. Staff supervision is required for short term visits. Authorized leave may be used if there is sufficient time to complete the process before the visit occurs.**34. Authorized leave to another state must be limited to emergency situations or necessary medical situations. AL to another state requires the approval of the Assistant Secretary or designee in accordance with Policy 6.60, *Accessing Interstate Compact Services*.**

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35. JR facilitates participation in work, educational, community service and treatment programs in the community to facilitate progress toward treatment goals and promote a successful reentry to the community (RCW 13.40.205(10))

36. Routine employment and education related activities, including community service or volunteer activities, are not considered community involvement passes.

36.1. Supervision and monitoring must be completed by JR staff in partnership with employers, school personnel and volunteer supervisors in accordance with RCW 72.05.430.

36.2. Prior to youth beginning an employment or education activity, a treatment addendum must be completed and a supervision agreement signed in alignment with Community Facility Standard 7, *Community Access*.

37. JR authorizes Community Involvement Passes for youth at institution minimum and youth at minimum security classification. The following types of passes may be used:

37.1. Community Involvement Pass – Treatment

37.1.1. This pass is limited to family activities related to treatment goals, mentoring activities, or community-based treatment programs.

37.1.2. Prior to the CIP, staff will complete the Community Involvement Pass form (DCYF Form 20-301), which must include a completed itinerary with timelines and addresses of planned locations.

37.1.3. Adults taking the youth on the CIP must sign the Orientation to Community Involvement Passes (DCYF Form 20-303).

37.2. Independent Community Involvement Pass

37.2.1. This pass is limited to activities related to treatment and reentry needs, and must be directly related to the youth's treatment goals.

37.2.2. Staff will complete the Independent Community Involvement Pass form (DCYF Form 20-320), which must include a completed itinerary with timelines and addresses of planned locations.

38. Community involvement passes will:

38.1. Not be considered an authorized leave.

38.2. Not exceed 12 hours away from the facility per day, including travel time (RCW 13.40.205(10)).

38.3. Not be conducted in a residential setting.

39. Prior to using a Community Involvement Pass:

39.1. Youth must be prepared for community access per Policy 6.30, *Facilitating Transition to JR Community Facilities*.

39.2. Notification is required for CIPs for youth with violent, kidnapping, stalking, or sex offenses in accordance with Policy 1.80, *Notifying the Community of Youth Placement, Transfer or Release*.

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- 39.3. For youth at institution-minimum security classification with victim/witness notification requirements, one-time victim/witness notification is required for CIPs.

APPROVAL FOR A COMMUNITY INVOLVEMENT PASS

40. Youth must not go on the CIP without written approval.

- 40.1. The Superintendent or Associate Superintendent must approve a CIP for youth at institution minimum security classification.

- 40.2. The Community Facility Administrator or designee must approve a CIP for youth at minimum security

classification. **EXCEPTIONS**

- 41. Exceptions to non-statutory provisions of this policy require approval from the Superintendent, Regional Administrator, or designee.**

- 42. The Assistant Secretary's approval is required for any exception allowing authorized leaves out of state. Out-of-state leave is addressed by Policy 6.60, *Accessing Interstate Compact Services*.**

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III. DEFINITIONS

Authorized Leave (AL): An approved absence of a youth from the physical custody of a residential program. Eligibility requirements per RCW must be met.

Community Involvement Pass (CIP): Participation in work, educational, community service and treatment programs in the community that facilitate progress toward treatment goals and promote a successful reentry to the community. CIP's are allowed under the supervision of a non-JR adult. CIP's must not be deemed as authorized leave.

Emergency Leave: Leave for the death or critical illness of a youth's family member.

Emergency Medical Leave: Leave for the purposes of obtaining medical care not available in a JR operated or contracted facility.

Family⁶: Parents, spouse, or relatives.

Kidnapping Offense⁷: A current term of incarceration or criminal history which includes a commitment for a kidnapping offense or for unlawful imprisonment where the victim is a minor and the offender is not the minor's parent (see RCW 9.94A.030).

Natural Supports⁶: Additional people youth and young adults rely on for mental, emotional, or financial support, lived with, or have a significant role in their life. This includes but is not limited to their: mentor, religious, tribal or community leader, or social worker.

Parents⁶: The biological, adoptive, or foster parent, legal guardian or custodian, and includes the parent's spouse or significant other.

Relatives⁶: Grandparents, siblings, aunts and uncles, cousins, nieces and nephews, children, and any other extended family members defined by law or custom, including an Indian youth as defined in 25 U.S. Code Sec. 1903.

Stalking Offense⁷: A current term of incarceration or criminal history which includes a commitment for a stalking offense listed in RCW 9.94A.030.

Violent Offense⁷: A current term of incarceration or criminal history which includes a commitment for a violent offense listed in RCW 9.94A.030.

Youth who Sexually Offended (YSO)⁸: Youth committed to JR whose current term of incarceration includes a sex offense defined under RCW 9.94A.030 or who has a criminal history of a prior sex offense.

⁶ 1/21/2021 Technical Edit: Updated family definition (split into family, natural supports, parents, and relatives)

⁷ 1/21/2021 Technical Edit: Updated definition to align with Policy 1.80.

⁸ 1/21/2021 Technical Edit: Updated definition to align with Policy 4.50

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IV. REFERENCES

Community Facility Standard 7 – Community Access

V. RELATED JR POLICIES

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|---|---|
| Policy 1.80 - Notifying the Community of Youth Placement, Transfer or Release | Policy 5.20 – Assigning Security Classification Levels for JR Youth |
| Policy 2.40 – Managing Youth Case Files | Policy 5.30 - Handling Youth Escapes or Unauthorized Absences |
| Policy 2.60 – Managing Youth who are Foreign Nationals | Policy 6.60 - Accessing Interstate Compact Services |
| Policy 4.40 - Determining the Need for DNA and HIV Testing | |

VI. FORMS AND DOCUMENTS

| Document Title | In ACT? | Link to Form |
|---|---|---------------------|
| Authorized Leave Approval |  | DCYF Form 20-201 |
| Authorized Leave Checklist | | DCYF Form 20-325 |
| Authorized Leave Itinerary | | DCYF Form 20-305 |
| Authorized Leave Order |  | DCYF Form 20-188 |
| Authorized Leave Tracking Form Community | | DCYF Form 20-304 |
| Involvement Pass | | DCYF Form 20-301 |
| Home Review Questionnaire | | DCYF Form 20-310 |
| Independent Community Involvement Pass | | DCYF Form 20-320 |
| Orientation to Community Involvement Passes | | DCYF Form 20-303 |
