

# Length of Stay and Release Policy

| <b>DIVISION OF CHILD AND FAMILY SERVICES<br/>Juvenile Justice Services<br/>STATEWIDE POLICY</b> |  |
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| <b>SUBJECT:</b>   | Length of Stay and Release Policy  |
| <b>POLICY NUMBER:</b>   | DCFS/JJ 500.10   |
| <b>EFFECTIVE DATE:</b>  | August 1, 2019   |
| <b>APPROVED BY:</b>   | Kathryn Roose, Deputy Administrator Quality and Oversight  |
| <b>DATE:</b>  |  |
| <b>SUPERSEDES:</b>  | Youth Facility Release (2017) DCFS / JJ 500.10   |
| <b>APPROVED BY:</b>   | Ross Armstrong, Administrator  |
| <b>DATE:</b>  |  |
| <b>REFERENCES:</b>  | <a href="#">NRS 62B.625</a> ; <a href="#">NRS 62B.340</a> ; <a href="#">NRS 62E.525</a> ; <a href="#">NRS 63.700</a> - <a href="#">NRS 63.740</a> ; <a href="#">DCFS-JJS 400.021</a> |
| <b>ATTACHMENTS:</b>   | DCFS Facility Length of Stay Guideline   |

## I. POLICY

The Division of Child and Family Services (DCFS) shall project the length of stay of each youth placed for correctional services and prepare them for a successful release and transition back into their community through a comprehensive re-entry process.

## II. PURPOSE

The purpose of this policy is to establish uniform standards to project length of stay and reentry planning. These conditions are consistent with the relevant guidelines of the agency and the legal requirements for the care and protection of youth under its control.

## III. DEFINITIONS

As used in this document, the following definitions shall apply:

- A. Aftercare: Comprehensive care of a youth following release from a facility including but not limited to conditions of parole, physical placement, education, mental health, physical health and employment.
- B. Case Management: The coordination of services on behalf of committed youth to assess, plan, implement, coordinate, monitor and evaluate the options and services required by each youth to meet their needs.
- C. Case Plan: A comprehensive and individualized plan for each youth that is developed by the state facilities in consultation with youth parole staff (if applicable), the youth, the youth's family/guardian, and all other individuals deemed appropriate and integral to the youth's life. This plan identifies the goals and objectives for each youth based on their identified needs.

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- D. Child and Family Team (CFT): A family-driven, youth-centered, collaborative service team, focused on the strengths and needs of the youth and family. The team consists of the youth (as appropriate), parents/guardian, service professionals, designated facility staff and the youth's assigned Youth Parole Counselor. The team may also consist of other family members, care providers, or individuals identified as being integral to the youth's environment.
- E. Commitment: The legal action of a juvenile court committing a child to the Division of Child and Family Services following adjudication of a delinquent act.
- F. Community: A town, city or place where services can be obtained not restricted by county boundaries.
- G. Conditions of Parole (COP): Written rules that explain to youth, who are under parole supervision, their responsibilities while they are on Parole status.
- H. Facility: A facility operated by the state for the detention, treatment, and rehabilitation of youth (Caliente Youth Center, the Nevada Youth Training Center, and Summit View Youth Center).
- I. Length of Stay: The time a youth is scheduled to be housed at a state facility.
- J. Length of Stay Guideline Matrix: A tool to determine initial length of stay estimates, and ongoing length of stay modifications.
- K. Performance-based Standards (PbS): A program for juvenile justice agencies, facilities, and residential care providers to identify, monitor, and improve conditions and rehabilitation services provided to youths using national standards and outcome measures.
- L. Reentry Plan: A component of the Case Plan identifying the requirements for the youth after release from a state facility.
- M. Release: The termination of a facility's physical custody and supervision responsibilities of a youth committed to the Division of Child and Family Services (DCFS) pursuant to [NRS 63.700 - NRS 63.740](#).
  - 1. Physical custody and supervision responsibilities end when:
    - a. The youth exits a facility operated vehicle at a pre-determined location (including but not limited to, an airport, a treatment facility, or a youth parole office), or
    - b. The moment the youth leaves facility property, if not transported in a facility owned vehicle.
- O. Release Date: Estimated date of release that is projected through the length of stay determination process and reviewed as required. This date is entered into Tyler Supervision.
- P. Tyler Supervision: A secure, web-based criminal justice software program that aids in the organization of data and case management based on client and Division needs.
- Q. YLS/CMI: Youth Level of Service/Case Management Inventory (YLS/CMI) is a tool designed to provide an initial estimate of the youth's risks and needs to identify the appropriate level of supervision and response. Youth shall be re-assessed bi-annually, at a minimum, but policy and/or practice may require a reassessment more often. However, a major event may warrant a reassessment at any time while the youth is in a facility or under parole supervision.

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## IV. PRACTICE GUIDELINES

### A. Length of Stay Determination Process

1. Facility staff are responsible for projecting the length of stay and release date of youth committed to DCFS prior to a youth's arrival to the facility.
2. Facility staff may utilize the following to project length of stay:
  - a. Best practice guidelines;
  - b. YLS/CMI Score;
  - c. [Length of Stay Guideline Matrix](#) and release criteria based on the youth's risk of reoffending; and
  - d. The seriousness of the act for which the youth was adjudicated delinquent.
3. The Superintendent is responsible for making the final determination on the projected release date and for ensuring that the date is recorded in Tyler Supervision.

### B. Ongoing review of length of stay:

1. Facility staff shall review the youth's projected length of stay/release date against their progress towards their treatment program and their identified goals no less than once every 90 days.
2. Facility staff may utilize the following to review projected length of stay/release date in addition to their progress towards their treatment program and their identified goals:
  - a. Best practice guidelines;
  - b. [Length of Stay Guideline Matrix](#) and release criteria based on the youth's risk of reoffending;
  - c. Most current YLS/CMI; and
  - d. The seriousness of the act for which the youth was adjudicated delinquent.
3. Facility staff may make recommendations to the Superintendent for an adjustment or modification to the projected length of stay/release date.
4. The Superintendent is responsible for making the final determination on any adjustments or modifications of the projected release date and for ensuring that date is entered into Tyler Supervision. The Superintendent may designate a staff person to input the adjusted or modified release date into Tyler Supervision.

### C. Reentry Planning Process:

1. The reentry planning process shall begin at the time of commitment to DCFS. The assigned Youth Parole Counselor will explain the commitment and reentry process to both the youth and their parent(s)/or guardian(s). This process shall also be available in writing.
2. Facility staff shall have access to all the information available for a youth to project length of stay as well as to provide the most appropriate programs and services for the youth.
3. Youth shall identify individualized goals which may be listed on the YLS/CMI or any assessment provided to the youth.
4. A Child and Family Team (CFT) meeting for reentry planning must be held at least 30 days before a youth's scheduled release from a state facility.

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5. When appropriate, the CFT meeting shall be attended by:
  - a. The youth;
  - b. A parent/guardian;
  - c. The Youth Parole Counselor;
  - d. The Superintendent or designee of the facility;
  - e. A Mental Health Counselor; and
  - f. Community providers such as a representative from a non-family placement.
6. The CFT will complete the reentry plan, which shall be a component of the case plan. The reentry plan shall include:
  - a. A detailed description of the youth's progress towards their treatment program and individualized goals. Specifically, the plan will address progress in the following areas: education, counseling, and treatment;
  - b. A plan for education, counseling, and/or treatment of the youth upon their release;
  - c. A plan to address any needs that may arise as part of the transition process;
  - d. Identification of the level of supervision and the requirements for supervision;
  - e. A plan for engagement of the youth's family and outside activities;
  - f. A list of referrals necessary upon release; and
  - g. The community placement of the youth.
7. The Youth Parole Counselor shall ensure all elements of the reentry plan are in place prior to the youth's release from the facility including, but not limited to:
  - a. Securing an appropriate placement for the youth;
  - b. Scheduling of medical and/or mental health appointments, ;
  - c. Securing health insurance for youth who are being paroled to a community placement;
  - d. Providing families with information on how to obtain health insurance;
  - e. Ensuring the youth is enrolled in an education program or training; and
  - f. Assisting the youth in identifying possible avenues of employment.
8. The CFT shall consider potential victim issues when attempting to locate the appropriate community placement and completing the reentry plan. Victim issues may include the alleged victim(s) of the youth or the victimization of the youth.
9. The Youth Parole Counselor shall ensure that the family, legal guardian, or other community placement participates in the youth's aftercare program by including them in the reentry planning process.
10. The Youth Parole Counselor shall ensure that the family, legal guardian, or other community placement is aware of the assessed risks and needs of the youth upon reentry.
11. The Youth Parole Counselor shall ensure compliance with court orders related to scheduling pre or post release hearings prior to the youth's release from a facility.

### D. Release procedures:

1. The youth's projected release date, and any changes to the release date thereof, shall be entered into Tyler Supervision by designated facility staff. The projected release date shall drive the reentry planning process, which shall begin at least 30 days prior to the release date.

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2. The reentry plan shall be written in a language the youth and their family can clearly understand and will be culturally appropriate.
3. The Superintendent of the facility and the Chief of the Youth Parole Bureau shall set the date of the child's release on parole not later than 30 days after the Superintendent has given the Chief a notice of intent to parole the child (NRS 63.720.2).
4. The facility shall establish a procedure for the return or transfer of the youth's personal property as part of their transition process.
5. The facility shall ensure secure transportation of the youth from the facility to a Youth Parole Bureau Office or other location as requested by the Chief of Parole.
6. All youth shall be released in appropriate clothing. Drug, alcohol, or gang related clothing is prohibited. Clothing shall be appropriate for the weather at the time of release.
7. In the event a youth is being released to an out of state placement, facility and parole staff shall follow the requirements of the Interstate Compact on Juveniles (ICJ).
8. The Youth Parole Counselor shall meet with the youth and their family at the time of release.
9. The facility shall ensure the Performancebased Standards (PbS) Youth Exit Survey is completed by the youth prior to release.
10. Youth Parole shall ensure the PbS Family Survey is completed and returned to the facility within two weeks of release.
11. Facility staff and Youth Parole shall comply with DCFS-JJS 400.021 Medication Administration and Management when releasing a youth on medications.
12. If the release process is hindered or terminated, the Superintendent or designee shall document the reason for the delay of release or termination of release in Tyler Supervision and ensure all appropriate parties are notified.
13. The Superintendent or designee shall document the actual release date, time, and reason in Tyler Supervision.

### **V. DATA REQUIREMENTS**

- A. The following data reports shall be completed by each state facility and reported to DCFS as requested:
  1. The actual length of stay, in days, of each youth released on parole.
  2. The actual length of time, in days, from the initial reentry planning meeting as compared with the documented release date for each youth.
  3. The percentage of youth with family participation at the first CFT, and each subsequent CFT. This includes who is in attendance, in person or by phone or video.
  4. The percentage of youth whose case plan includes family participation, includes the first case plan and each case plan revision.

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5. The percentage of family surveys completed.
  6. The average assessed risk level of each youth at admission and the average assessed risk level of youth at release. This includes the overall risk score and the individual domain risk scores for each youth at admission and at each subsequent reassessment to assess the increase or decrease in overall risk and risk in individual domains.
  7. The type and number of disciplinary action(s) taken in the facility for each youth.
  8. The type(s) of educational/vocational training provided in the facility for each youth.
  9. The services by type provided at the facility for each youth.
- B. The following data report must be completed by the Youth Parole Bureau and reported to DCFS as requested:
1. The actual length of stay, in days of all youth successfully terminated off parole.
  2. The percentage of youth with family participation each CFT while on parole. This includes who is in attendance, in person or by phone or video.
  3. The average assessed risk level of each youth currently on parole. This includes the overall risk score and the individual domain risk scores for each youth at the time parole begins and at each subsequent reassessment to assess the increase or decrease in overall risk and risk in individual domains.
  4. The services by type provided for each youth.
  5. Education and employment for each youth.

### VI. PROCEDURES

- A. Each facility shall develop a Standard Operating Procedure consistent with this policy to include, at minimum:
1. The number of days/months for a “Standard Length of Stay” and “Extended Length of Stay”
  2. Events that may affect estimated length of stay
  3. Data and documentation requirements
- B. The Youth Parole Bureau shall develop Standard Operating Procedures consistent with this policy.
- C. The [Length of Stay Guideline](#) and release criteria based on the youth’s risk of reoffending shall be submitted to the Deputy Administrator for Residential Services any time it is reviewed, adjusted, or modified pursuant to this policy.

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## DCFS FACILITY LENGTH OF STAY GUIDELINE

Youth Name: \_\_\_\_\_ Date of Entry: \_\_\_\_\_ CYC / NYTC / SVYC

### I. DELINQUENCY HISTORY

**Item 1: Prior Commitments to a Correctional Facility**

- NONE..... =3
- ONE..... =2
- 2 Or More.....=0

(Two or more subsequent commitments proceed to Category D)

**ITEM 1 Score** \_\_\_\_\_

**Item 2: Total Felony Dispositions** \_\_\_\_\_

- 0-1.....=3
- 2-3.....=2
- 4-5.....=1
- More Than 5.....=0

NOTE: Any life endangering or substantial bodily harm results in zero score.

**ITEM 2 Score** \_\_\_\_\_

**Item 3: Total Misdemeanor Dispositions**

- 0-4.....=2
- 5-9.....=1
- More Than Nine.....=0

**ITEM 3 Score** \_\_\_\_\_

**Item 4: YLS/CMI Total Risk/Needs Level**

- Low..... =3
- Moderate>..... =2
- High..... =1
- Highest..... =0

**ITEM 4 Score** \_\_\_\_\_

**Item 5: Parole/Commitment Status**

- Not on Parole..... =2
- On Parole.....=0

**ITEM 5 Score** \_\_\_\_\_

**TOTAL SCORE:** \_\_\_\_\_

### II. CATEGORIES

|          |          |          |          |
|----------|----------|----------|----------|
| <b>A</b> | <b>B</b> | <b>C</b> | <b>D</b> |
| (13-10)  | (9-8)    | (7-5)    | (4-0)    |

### III. GUIDELINE MATRIX

| OFFENSE CATEGORY  | A   | B   | C   | D   |
|---|-----|-----|-----|-----|
| <p><b>1. Property and Public Order Offenses</b><br/>                     All misdemeanors against property and public order (i.e., Taking vehicle without consent of owner, petty larceny, possession of burglary tools, disorderly conduct, battery, possession of drug paraphernalia, Probation/Parole Violations, etc.).<br/> <b>ALL FELONIES IN THIS CATEGORY BEGIN IN COLUMN D</b></p> | STD | STD | STD | EXT |
| <p><b>2. Persons/Controlled Substances Offenses</b><br/>                     Felonies against person-no injury (i.e., aggravated burglary, robbery, Coercion, intimidation, assault (felony), possession of controlled substance).</p>  | STD | STD | EXT | EXT |
| <p><b>3. Persons/Controlled Substance Trafficking Offenses</b><br/>                     Serious Felonies and Felonies Against Persons with Serious Injury/Weapons (i.e., Trafficking Controlled Substance, Possession with Intent to Sell, Battery with Substantial Harm, Assault/Battery with a Deadly Weapon, Kidnapping, Sexual Assault, Robbery with a Weapon).</p>                     | EXT | EXT | EXT | EXT |
| <p><b>4. Homicide/Felony Sex Offenses</b><br/>                     Homicide (all degrees) and felony Sex Offenses will be considered on an Individual basis.</p>  |     |     |     |     |

**DEPARTURE FROM THE GUIDELINE MAY BE MADE WHEN SUBSTANTIAL AND COMPELLING CIRCUMSTANCES EXIST.**

LENGTH OF STAY GUIDELINE IS \_\_\_\_\_ Standard OR \_\_\_\_\_ Extended

\_\_\_\_\_  
 NAME OF PERSON COMPLETING GUIDELINE      SIGNATURE      DATE