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POLICY NUMBER:		
CHAPTER 20: RELI	EASE/DISCHARGE PREPARATION	
	STATE of MAINE	PROFESSIONAL
ARTMENT	DEPARTMENT OF CORRECTIONS	STANDARDS:
	Division of Juvenile Services	
Approved by: Martin Magnusson		See Section VII
Signature of Commissioner		
EFFECTIVE DATE:	LATEST REVISION:	CHECK ONLY IF
May 17, 2004	July 30, 2004	APA[X]

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 3035.

II. APPLICABILITY

All Departmental Juvenile Facilities

III. POLICY

A resident's participation in the Furlough Pass/Furlough Leave Program provides the resident with an opportunity to prepare for a successful transition from the facility to the community. The Furlough Pass/Furlough Leave Program allows a resident to participate in off-grounds activities and programs on a day or overnight basis, to include weekends and holidays at home with the resident's family. Participation in this program is a privilege that may be afforded to residents who meet the established criteria.

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VI. PROCEDURES

PROCEDURE A: Furlough Pass/Furlough Leave Program, General

- 1. The facility shall maintain a process that allows a resident committed for an indeterminate period who meets the eligibility criteria to apply to participate in the Furlough Pass/Furlough Leave Program.
- 2. The facility Furlough Pass/Furlough Leave Program shall include, but not be limited to, the following:
 - a. Screening and approval process;
 - b. Rules and conditions for residents while on furlough pass/furlough leave;
 - c. Notification practices;
 - d. Random contact practices; and
 - e. Documentation
- 3. The person who sponsors a resident for a furlough pass or furlough leave must be approved by the Superintendent, or designee. An approved sponsor for a furlough pass may be a volunteer, including a mentor, who has been cleared through the volunteer process and has completed training to include training specific to furlough passes, a contractor who has completed training to include training specific to furlough passes, a Juvenile Community Corrections Officer or facility employee, a Department of Human Services caseworker, or a family member. Only a family member may be an approved sponsor for a furlough leave. Family members approved as furlough pass/furlough leave sponsors shall receive orientation by the facility regarding the furlough pass/furlough leave program prior to the resident's first furlough pass with that sponsor.
- 4. If only one resident receives a furlough pass for the off-grounds activity or program, there must be at least two (2) approved sponsors supervising the resident at all times, unless the approved sponsor is a family member or Department of Human Services caseworker. A family member may supervise a resident on a furlough pass alone. It is up to the Department of Human Services to determine if a caseworker may supervise a resident on a furlough pass alone. If more than one resident receives a furlough pass for the off-grounds activity or program, the Juvenile Facility Operations Supervisor shall

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determine the number of approved sponsors required to supervise the residents, based on the number of residents and the risk to the residents or others, including the community. If only one (1) approved sponsor is required to supervise the residents, the sponsor shall supervise them all together at all times.

- 5. For purposes of this policy, family member means: spouse, natural, foster or adoptive mother, father, grandfather or grandmother, adult brother or sister or stepmother, stepfather, stepgrandfather or stepgrandmother, or adult stepbrother or stepsister, other family member approved by the Superintendent, a legal guardian, or a person that was primarily responsible for raising the resident, as verified by designated departmental staff, or, in the case of a resident who is 18 or over, a person with whom the resident had a marital like relationship for at least one (1) year prior to the resident's commitment, as verified by designated departmental staff.
- 6. When a resident is committed for an indeterminate period, the Notice to Sponsor Regarding the Furlough Pass/Furlough Leave Program form (Attachment A) shall be provided to the resident's parent or other family member most likely to become a furlough pass/furlough leave sponsor at the same time as other materials, such as the handbook and visitation rules, are provided. A furlough pass sponsor, other than a Juvenile Community Corrections Officer, a Department of Human Services caseworker, or a facility employee, shall be provided the Notice prior to the time of approval to be a sponsor. No person, other than a Juvenile Community Corrections Community Corrections Officer, a Department of Human Services caseworker, a sponsor of Human Services caseworker, or a facility employee, shall be provided the Notice prior to the time of approval to be a sponsor. No person, other than a Juvenile Community Corrections Officer, a Department of Human Services caseworker, or a facility employee, shall be approved to be a sponsor unless the form has been signed and returned to the facility.

PROCEDURE B: Furlough Pass

- 1. A furlough pass is a privilege granted to a resident to be outside the facility with a person approved to be a sponsor (such as a family member, a volunteer, a contractor, a Juvenile Community Corrections Officer or a facility employee, or, if applicable, the resident's Department of Human Services caseworker) and under specified conditions for up to twelve (12) hours. If the resident is being taken outside the facility with two (2) facility staff members at least one (1) of which is certified correctional staff (Juvenile Program Worker, Juvenile Program Specialist, Juvenile Facility Operations Supervisor, or other certified correctional staff), a furlough pass is not required. Participation in a community transition release program (work release, public service release or education release) does not require a furlough pass.
- 2. A furlough pass must be authorized for a specified location or locations within the State of Maine and for a specified period of time.
- 3. A resident's first furlough pass may be up to six (6) hours long but may not be to the resident's home. The second and subsequent furlough passes may be up to twelve (12) hours long. A resident may receive no more than two (2) furlough passes (or furlough leaves) per month. The Superintendent, or designee, may grant exceptions to the requirements in this paragraph to a resident who is allowed a special furlough pass or a special furlough leave as set out in Procedure E.

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- 4. The resident must be under the supervision of the resident's approved sponsor at all times, unless otherwise approved by the Superintendent, or designee. A resident granted a special furlough pass, as set out in Procedure E, must either be under the supervision of the resident's approved sponsor or a staff member of the program at all times.
- 5. A furlough pass, other than a special family emergency furlough pass, must be based on the resident's case plan and may be issued only for one of the following reasons:
 - a. To participate in an approved treatment program;
 - b. To attend an interview, assessment or evaluation for placement, treatment, employment, education or other approved reason;
 - c. To visit with family off-site at an approved location;
 - d. To participate in an off-grounds activity approved by the facility, e.g., a sporting or cultural event, shopping trip, meal.
- 6. No person, other than a family member, as defined in Procedure A. 5., may be approved to sponsor a resident for an off-site activity in a non public place.
- 7. Except as set out in Procedure E, to be eligible for a furlough pass, a resident must be, at a minimum, on Phase 3, Level 3, must not be classified high risk, and must not have any pending disciplinary charge or proceedings or any disciplinary disposition to be completed.
- 8. A pending charge, warrant, detainer, or other legal hold, history of or threat of escape or other risk to the resident or others, including the community, may preclude an otherwise eligible resident from receiving a furlough pass.
- 9. A resident's failure to follow any of the rules or conditions of the furlough pass may result in disciplinary action and/or suspension or restriction of furlough pass privileges.
- 10. A furlough pass shall be withdrawn for any resident who does not continue to meet all the eligibility criteria up to the time of leaving on the pass and may be withdrawn at any time for any other reason at the discretion of the Superintendent, or designee.
- 11. Any resident who fails to return from a furlough pass and/or who fails to remain at any specified location is an escapee and shall be handled in accordance with Department of Corrections Juvenile Facilities Policy 9.12.

PROCEDURE C: Furlough Leave

1. A furlough leave is a privilege granted to a resident to be outside the facility with a family member who is an approved sponsor and under specified conditions for

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overnight or longer. No one other than a family member, as defined in Procedure A.5., may be approved to be a sponsor for a furlough leave. If the resident is being taken outside the facility with two (2) facility staff members at least one (1) of which is certified correctional staff (Juvenile Program Worker, Juvenile Program Specialist, Juvenile Facility Operations Supervisor or other certified correctional staff), a furlough leave is not required.

- 2. A furlough leave must be authorized for a specified location or locations within the State of Maine and for a specified period of time. The primary furlough leave location must have a hard wired telephone.
- 3. A resident must have successfully completed two (2) furlough passes before being approved for a furlough leave. A resident's first furlough leave may be up to 24 hours long. The second furlough leave may be up to 48 hours long. Subsequent furlough leaves may be up to five (5) days long. A resident may receive no more than two (2) furlough leaves (or furlough passes) per month. The Superintendent, or designee, may grant exceptions to the requirements in this paragraph to a resident who is allowed a special furlough pass or a special furlough leave as set out in Procedure E.
- 4. The resident must be under the supervision of the resident's approved sponsor at all times, unless otherwise approved by the Superintendent, or designee. A resident granted a special furlough leave, as set out in Procedure E, must either be under the supervision of the resident's approved sponsor or a staff member of the program at all times.
- 5. A furlough leave, other than a special family emergency furlough leave, must be based on the resident's case plan and may be issued only for one of the following reasons:
 - a. To participate in an approved treatment program;
 - b. To attend an interview, assessment or evaluation for placement, treatment, employment, education or other approved reason;
 - c. To visit with family off-site at an approved location;
- 6. Except as set out in Procedure E, to be eligible for a furlough leave, a resident must be, at a minimum, on Phase 3, Level 3, must not be classified high risk, and must not have any pending disciplinary charge or proceedings or any disciplinary disposition to be completed.
- 7. A pending charge, warrant, detainer, or other legal hold, history of or threat of escape or other risk to the resident or others, including the community, may preclude an otherwise eligible resident from a furlough leave.
- 8. A furlough leave shall be withdrawn for a resident who does not continue to meet all the eligibility criteria up to the time of leaving on the leave and may be withdrawn at any time for any other reason at the discretion of the Superintendent, or designee.

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 Any resident who fails to return from a furlough leave and/or who fails to remain at any specified location is an escapee and shall be handled in accordance with Department of Corrections Juvenile Facilities Policy 9.12.

PROCEDURE D: Furlough Pass/Furlough Leave Request and Approval Process

- The resident's Unit Treatment Team shall determine the appropriateness of furlough passes/furlough leaves for each eligible resident, to include completion of the Furlough Pass/Furlough Leave Eligibility, Risk Assessment and Recommendation Form (Attachment B) and the conditions under which furlough passes/furlough leaves may be approved as a general matter.
- 2. The resident's Unit Treatment Team may review its determination if circumstances change.
- 3. A resident who is eligible and determined appropriate for a furlough pass/furlough leave and who wishes to request a furlough pass/furlough leave must submit a Furlough Pass/Furlough Leave Request form (Attachment C) to the resident's Juvenile Program Manager, or designee, by a date specified by the Juvenile Program Manager, or designee. The Juvenile Program Manager, or designee, shall contact the resident's Juvenile Community Corrections Officer and, if appropriate, the resident's Department of Human Services Caseworker for input. If the Furlough Pass/Furlough Leave Request is to the sponsor's address and the resident has not previously had a furlough pass/furlough leave to that address, the Juvenile Program Manager, or designee, shall then submit the request to the appropriate Regional Correctional Administrator to conduct a site review.
- 4. Once the site review report is completed, the Regional Correctional Administrator shall send the report to the Juvenile Program Manager, or designee, who shall bring it and the Furlough Pass/Furlough Leave Request form to the Unit Treatment Team, provided the following requirements have been met:
 - The Furlough Pass/Furlough Leave Request form has been submitted by the date specified;
 - The resident remains eligible for a furlough pass/furlough leave;
 - The length of time and the dates are appropriate;
 - The form is complete;
 - If the resident's sponsor is a family member, the Notice to Sponsor form is on file; and
 - If the resident's sponsor is a volunteer, the volunteer has been cleared through the volunteer process; has completed training, to include training specific to furlough passes; and has been approved to take the resident on a furlough pass by the Chief of Volunteers.
- 5. If the Unit Treatment Team recommends approval of the furlough pass/furlough leave, after considering all relevant information, the Juvenile Program Manager, or designee,

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shall complete and sign the Furlough Pass/Furlough Leave Authorization form (Attachment D) and forward the completed form to the Superintendent, or designee, for final determination. The form must be forwarded at least two (2) weeks in advance of the furlough pass/furlough leave date.

- 6. If the furlough pass/furlough leave is approved by the Superintendent, or designee, the Superintendent, or designee, shall sign the authorization form and return it to the Juvenile Program Manager, or designee, shall make a copy of the authorization form and forward both the original and the copy to the Juvenile Facility Operations Supervisor. The form shall specify all conditions, including any special conditions, for the furlough pass/furlough leave.
- 7. At least one (1) week before the resident's furlough pass/furlough leave date, the Juvenile Program Manager, or designee, shall add the resident's name to the Furlough Pass/Furlough Leave List (Attachment E) and shall forward a copy of the list, once completed, to the Juvenile Facility Operations Supervisor, Central Control, admitting staff, facility health care staff, the Regional Correctional Administrator and the Juvenile Community Corrections Officer.
- 8. Prior to the resident leaving on the furlough pass/furlough leave, designated facility staff shall check to ensure that the resident continues to meet all the eligibility criteria and shall initial the authorization form indicating that the check has been made.
- 9. Prior to the resident leaving on the furlough pass/furlough leave, designated facility staff shall meet with the resident to review the conditions and obtain the resident's signature on both the original and the copy of the Furlough Pass/Furlough Leave Authorization form.
- 10. When the sponsor arrives at the facility to pick up the resident, the Juvenile Facility Operations Supervisor, or designee, shall ensure that facility health care staff are notified to determine whether the resident needs to take any medication while on the furlough pass/furlough leave. If the resident does need to take medication, the health care staff shall provide the medication to the sponsor, unless the resident has attained the age of 18 and does not have a guardian, in which case the medication shall be provided to the resident. In either case, the health care staff shall provide instructions for the taking of the medication.
- 11. The Juvenile Facility Operations Supervisor, or designee, shall review the rules and conditions of the furlough pass/furlough leave with the sponsor(s) and shall ensure that the sponsor(s) signs both the original and the copy of the Furlough Pass/Furlough Leave Authorization form and shall provide one form to the resident and retain the other until the resident returns. Upon the resident's return, the Juvenile Facility Operations Supervisor, or designee, shall ask the sponsor(s) for the Furlough Pass/Furlough Leave Authorization form that was provided to the resident with the comments that have been added by the sponsor(s). If the sponsor has not completed the comment section of the Furlough Pass/Furlough Leave Authorization form, the sponsor shall be requested to fill it out prior to leaving the facility. That form shall be copied and one shall be forwarded

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for inclusion in the resident's Master Administrative File and the other for inclusion in the resident's Case Management File.

PROCEDURE E: Special Furlough Pass/Furlough Leave

- 1. If approved by the Superintendent, or designee, a special furlough pass does not need to meet the requirements in Procedure B. 3 and a special furlough leave does not need to meet the requirements in Procedure C. 3.
- 2. A special furlough pass or special furlough leave is a privilege granted by the Superintendent, or designee, and may only be for the period of time necessary to complete the activity, including travel time to and from the location of the activity.
- 3. A special family emergency furlough pass/furlough leave is a privilege granted to a resident for a family emergency (life threatening medical emergency, death bed visit, or funeral).
 - a. For a resident who is eligible for a furlough pass/furlough leave, the Furlough Pass/Furlough Leave Request form shall be submitted by the resident to any facility staff person at the earliest opportunity. The staff person shall notify the Juvenile Program Manager or, in the absence of the Juvenile Program Manager, the Juvenile Facility Operations Supervisor who, in turn, shall notify the Superintendent, or designee, for a decision on the request and ensure that the appropriate paperwork is completed.
 - b. In the case of a resident who is not otherwise eligible for a furlough pass/furlough leave, the Superintendent, or designee, may authorize a transport of the resident with two (2) facility staff members, at least one (1) of which shall be certified correctional staff.
- 4. A special evaluation furlough pass/furlough leave is a privilege granted to a resident to attend an interview, assessment, or evaluation for a proposed placement or treatment program.
 - a. A resident who is not otherwise eligible for a furlough pass/furlough leave may be granted a special evaluation furlough pass/furlough leave, if approved by the Superintendent, or designee.
 - b. The process for requesting and approving a special evaluation furlough pass/furlough leave is the same as for any other furlough pass/furlough leave, outlined in Procedure D. above, except that the timeframes may be shortened as necessary.
- 5. A special trial placement furlough leave is a privilege granted to a resident to stay at a proposed placement overnight.

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- a. A resident who is not otherwise eligible for a furlough pass/furlough leave may be granted a special trial placement furlough leave, if approved by the Superintendent, or designee.
- b. The process for requesting and approving a special trial placement furlough leave is the same as for any other furlough leave, outlined in Procedure D. above, except that the timeframes may be shortened as necessary.
- 6. A special day treatment furlough pass is a privilege granted to a resident to attend a treatment program on a day basis.
 - a. A resident who is not otherwise eligible for a furlough pass/furlough leave may be granted a special day treatment furlough pass, if approved by the Superintendent, or designee.
 - b. The process for requesting and approving a special day treatment furlough pass is the same as for any other furlough pass, outlined in Procedure D. above, except that the timeframes may be shortened as necessary.
 - 7. A special hospital admission furlough pass/furlough leave is a privilege granted to a resident for admission to a hospital for medically necessary treatment, as determined by the facility health care staff.
 - a. For a resident who is eligible for a furlough pass/furlough leave, the Furlough Pass/Furlough Leave Request form shall be submitted by the resident to any facility staff person at the earliest opportunity. The staff person shall notify the Juvenile Program Manager or, in the absence of the Juvenile Program Manager, the Juvenile Facility Operations Supervisor who, in turn, shall notify the Superintendent, or designee, for a decision on the request and ensure that the appropriate paperwork is completed.
 - b. In the case of a resident who is not otherwise eligible for a furlough pass/furlough leave, the Superintendent, or designee, may authorize a transport of the resident with two (2) facility staff members, at least one (1) of which shall be certified correctional staff.
 - c. A resident granted a special hospital admission furlough pass/furlough leave may only receive visits or telephone calls from persons who are allowed visits or telephone calls while the resident is at the facility.
- 8. A special furlough pass/furlough leave must be authorized for a specified location or locations within the State of Maine and for a specified period of time.
- 9. For a special family emergency furlough pass/furlough leave, the resident must be under the supervision of the resident's approved sponsor at all times For any other

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special furlough pass/furlough leave, the resident must either be under the supervision of the resident's approved sponsor or a staff member of the program at all times.

PROCEDURE F: Notification

- 1. If a resident is approved for a furlough pass of over six (6) hours, a furlough pass of any length during which the resident goes home, or a furlough leave, any victim requesting notification of the resident's release shall be notified in accordance with Departmental Policy 6.1.
- 2. If the resident is approved for a furlough leave, the Superintendent, or designee, shall notify local law enforcement at least twenty-four (24) hours in advance of the furlough leave. In the case of a special family emergency furlough leave, if twenty-four (24) hours notice is not possible, notice shall be provided as soon as possible.
- 3. A copy of the Furlough Pass/Furlough Leave Authorization form shall be sent to the resident's Juvenile Community Corrections Officer upon approval by the Superintendent, or designee.

PROCEDURE G: Random Contacts with Residents on Furlough Pass/Furlough Leave

- Designated facility staff shall ensure that each resident on a furlough pass authorized for a period of time greater than six (6) hours during which the resident goes home or on a furlough leave is contacted by telephone, and personally spoken to, on a random basis, at least once per shift. If applicable, contact or attempted contact shall be documented in the housing unit log and on the Resident's Contact form. (See Attachment F)
- 2. If contact is not made after two (2) tries on any one shift, the staff shall immediately notify the Juvenile Facility Operations Supervisor, who shall notify the Superintendent, or designee. The Superintendent, or designee, shall determine what additional action, if any, should be taken. If the Superintendent, or designee, determines that the resident needs to be contacted in person, the Superintendent, or designee, shall contact local law enforcement and ask them to check on the resident. In the event local law enforcement is unavailable, the resident's Juvenile Community Corrections Officer shall be contacted and asked to check on the resident. After law enforcement or the Juvenile Community Corrections Officer has checked and reported back or if a check was not conducted within a reasonable period of time, the Superintendent, or designee, shall make a decision at that time whether the resident is to be returned to the facility.
- 3. Instances of non-contact may be grounds for disciplinary action and/or suspension or restriction of furlough pass/furlough leave privileges.
- In any instance in which contact, as required under Procedure G, is not made after two (2) tries, reports shall be written by appropriate staff detailing all actions taken and the results of those actions.

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PROCEDURE H: Termination or Extension

- 1. After a resident has been issued a furlough pass/furlough leave, the pass or leave may be terminated at any time for any reason at the discretion of the Superintendent, or designee.
- 2. If a furlough pass or furlough leave is terminated, the Superintendent, or designee, shall determine whether to ask the sponsor to return the resident to the facility or whether the resident is to be returned to the facility.
- 3. The Superintendent, or designee, may extend the authorized duration of a furlough pass or furlough leave in the event of an emergency (e.g., storm, verified vehicle breakdown, verified family emergency, etc).

PROCEDURE I: Documentation

- 1. A copy of every completed Notice to Sponsor regarding Furlough Passes/Furlough Leave Program form shall be maintained in the individual resident's Master Administrative file and Case Management file.
- 2. A copy of every Furlough Pass/Furlough Leave Eligibility, Risk Assessment and Recommendation Form shall be maintained in the resident's Master Administrative file and Case Management file.
- 3. A copy of every Furlough Pass/Furlough Leave Request form, whether or not processed, and every Authorization Form, whether or not the request is approved, shall be maintained in the resident's Master Administrative file and Case Management file.
- 4. A copy of every Furlough Pass/Furlough Leave List shall be maintained by the Superintendent, or designee.
- 5. Whenever a resident departs the facility on a furlough pass/furlough leave, designated facility staff shall make a log notation to include the date and time of the resident's departure, and name of the sponsor who is picking up the resident. Whenever a resident returns from a furlough pass/furlough leave, designated facility staff shall make a log notation to include the date and time of the resident's return, name of the sponsor who is dropping off the resident, and the receipt of the Furlough Pass/Furlough Leave Authorization form, with comments added by the sponsor. Designated staff shall ensure that appropriate changes are recorded to the internal facility resident count.
- In any instance in which contact, as required under Procedure G, is not made after two (2) tries, copies of the written reports detailing all actions taken and the results of those actions shall be maintained in the resident's Master Administrative file and Case Management file.

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VII. PROFESSIONAL STANDARDS:

ACA: 3-JTS-5I-01, 3-JTS-5I-02, 3-JTS-5I-03, 3-JTS-5I-04, 3-JTS-5I-06

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