I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Sections 1403, 3810, 3111, 4112, and 4113.

II. APPLICABILITY

All Departmental Juvenile Facilities

III. POLICY

The Department of Corrections recognizes that every juvenile committed to its custody will be released to the community.

Therefore, it is the policy of the Department of Corrections that the facility engage in the process of community reintegration planning beginning at the point of admission and include a community integration component in each committed juvenile’s Case Plan so that the juvenile is provided, within the resources of the facility and as available in the community, the programs and services necessary to address the juvenile’s criminogenic risk factors and needs and to enable the juvenile’s reintegration into the community.

In developing the community reintegration component of the juvenile’s Case Plan, the facility shall consider the criminogenic risk factors and needs of the juvenile, the strengths of the juvenile, the involvement of the juvenile’s parents/legal guardian or other family members, and the availability of appropriate programs and services in the community, as well as any other relevant factors.

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None

VI. PROCEDURES

Procedure A: Community Reintegration Planning Process

1. The community reintegration planning process shall begin at the point of admission of a committed juvenile with the completion of the Initial Risk/Needs Assessment in accordance with Policy 17.1, Admissions.

2. The process shall continue with the preparation of the Assessment Plan at the Initial Classification, the completion of the assessments, screenings, and evaluations required by the Assessment Plan, and the preparation of the Case Plan at the Classification Conference, in accordance with Policies 18.1, Risk/Needs Assessments and 18.2, Classification Committee.

3. The Case Plan shall include a community reintegration component, which shall be reviewed at Quarterly Reviews and Phase Advancement Reviews by the Classification Committee.

4. A Community Reintegration Plan, in the form of a Community Reintegration Agreement and any necessary modification to the Case Plan, shall be presented at a Community Reintegration Plan Review. The Community Reintegration Plan shall be reviewed as set out in Policy 18.2, Classification Committee.

5. The resident’s Juvenile Community Corrections Officer is the resident’s primary case manager and shall be invited to participate in all Classification Committee Conferences/Reviews/Meetings.

Procedure B: Unit Treatment Team

1. The resident’s Case Plan, including the community reintegration components and the resident’s progress toward community reintegration, shall be reviewed on at least a monthly basis by the resident’s Unit Treatment Team. The Juvenile Program Manager shall facilitate the Unit Treatment Team meetings.

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2. The resident’s Juvenile Community Corrections Officer is a member of the Unit Treatment Team, and except when emergency circumstances preclude it, shall be invited to participate in all Unit Treatment Team meetings.

3. Facility staff who are assigned to work with the resident on specific goals are responsible to be part of the Unit Treatment Team and each service provided (e.g., education, psychology, substance abuse, family treatment) shall have a primary point of contact representative who shall be a member of the Unit Treatment Team. Others may be invited to Unit Treatment Team meetings as necessary.

4. Unit Treatment Team meetings should include attendance by the resident, whenever possible.

5. Lack of attendance shall not prohibit a meeting from occurring, as long as there are at least three (3) staff in attendance.

**Procedure C: Components of Community Reintegration**

1. Community reintegration shall be included in the resident’s Case Plan. Community reintegration components shall address:

   a. Facilitation of in-person contact between the resident’s parents/legal guardian and assigned staff, as appropriate;

   b. Treatment for the resident within the context of his/her family, as appropriate;

   c. Maintenance and strengthening of relationships between the resident and his/her family, as appropriate;

   d. Assurances that the resident is referred to and accepted into community programs, if appropriate, before release and that any available funding is identified and verified prior to release;

   e. Development and maintenance of relationships through in-person and other contacts between the resident and community service providers;

   f. Transition programs that provide culturally sensitive and language appropriate services tailored to fit the individual needs of a resident’s cultural background; and

   g. Continuity in programming and services following the resident’s release from the facility.

**Procedure D: Community Reintegration Agreement**

1. The Community Reintegration Agreement shall include as standard conditions of release that the juvenile:

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a. Shall obey and observe all local, state and federal laws;
b. Shall report as directed by the Juvenile Community Corrections Officer and shall obey and observe all instructions of the Juvenile Community Corrections Officer; or designee;
c. Shall not leave the State of Maine except with the prior written consent of the Juvenile Community Corrections Officer to leave the State;
d. Waives extradition from any jurisdiction to the State of Maine;
e. Shall reside as directed by the Juvenile Community Corrections Officer;
f. Shall notify the Juvenile Community Corrections Officer of any change in school or employment status;
g. Shall submit to a search of his/her person, property, and any vehicle or premises in his/her possession or control if requested by the Juvenile Community Corrections Officer, or designee;
h. Shall not possess or use a firearm or other dangerous weapon;
i. Shall not possess or use any illegal substances;
j. Shall submit to random drug or alcohol testing if requested by the Juvenile Community Corrections Officer, or designee; and
k. Shall complete the goals included in the Case Plan.

2. The Community Reintegration Agreement may also include additional conditions of release tailored to the resident’s particular situation.

3. The Community Reintegration Agreement shall also include the date the resident is to be released to Community Reintegration and the anticipated date of the resident’s discharge. The date of release to Community Reintegration may be changed at the sole discretion of the Superintendent, or designee, if the resident’s behavior or participation in programs or services has become unacceptable so as to require a delay of a week or less in the release date, or if circumstances such as weather or inability to complete transportation arrangements, causes a delay. The reason for any delay shall be provided to the resident in writing and noted in the resident’s Master Administrative Record.

4. The resident shall be required to sign the Community Reintegration Agreement, indicating that he/she understands the Community Reintegration Agreement and understands the circumstances under which he/she may be returned to the facility.

5. The resident’s release to Community Reintegration is subject to change as set out in Policy 18.2, Classification Committee. The resident’s discharge is subject to change as set out in Policy 20.3, Release and Discharge.

Procedure E: Return to the Facility
1. A juvenile released to Community Reintegration may be returned to the facility for a violation of the conditions of the Community Reintegration Agreement or new criminal conduct, because the community placement or services are not appropriate for the juvenile, the juvenile is not suitable for the placement or services, or the placement or services are no longer available, or for any other reason that it is deemed that the juvenile’s welfare would be promoted by a return to the facility.

2. If the Juvenile Community Corrections Officer, or designee, observes, receives a report of, or otherwise discovers that the juvenile has violated the conditions of the Community Reintegration Agreement or has committed new criminal conduct, or if the Juvenile Community Corrections Officer believes that the community placement or services are not appropriate for the juvenile, the juvenile is not suitable for the placement or services, or the placement or services are no longer available, or believes for any other reason that the juvenile’s welfare would be promoted by a return to the facility, the Juvenile Community Corrections Officer may request that the juvenile be returned to the facility.

3. The request shall be made to the Regional Correctional Administrator, or designee. If the Regional Correctional Administrator, or designee, agrees with the request, the Juvenile Community Corrections Officer shall contact the facility’s Superintendent, or designee. If the Superintendent, or designee, agrees to the request, The Juvenile Community Corrections Officer and Superintendent, or designee, shall make all necessary arrangements to facilitate the return.

4. If the Superintendent, or designee, does not agree to the request, the Superintendent, or designee, and the Regional Correctional Administrator shall contact the Associate Commissioner, or designee, for final resolution.

5. In an emergency situation, a juvenile may be returned to the facility with the approval of the Commissioner, Associate Commissioner, or designee.

6. If the juvenile has absconded from Community Reintegration, the Commissioner, or designee, may issue a warrant for the juvenile’s arrest.

7. Prior to the juvenile’s return, the Juvenile Community Corrections Officer shall notify the Juvenile Facility Operations Supervisor of any risks the juvenile presents to safety of self or others or to the security or orderly management of the facility.
8. A resident who has been returned to the facility from Community Reintegration shall receive a Reclassification Conference as set out in Policy 18.2, Classification Committee.

9. If the Juvenile Community Corrections Officer does not believe return to the facility is warranted to protect the juvenile or the public, and believes adding conditions to the Community Reintegration Agreement or modifying existing conditions, other than standard conditions, the Juvenile Community Corrections Officer shall indicate the changes to the Community Reintegration Agreement in writing.

10. Any additional conditions or modifications to existing conditions take effect once the juvenile is notified in person. The juvenile must sign the document containing the changes, indicating his/her understanding of them.

11. If the juvenile has a Community Reintegration Plan which includes a scheduled date for a Special Review to review the juvenile’s progress, the Juvenile Community Corrections Officer shall present the changes to the Classification Committee at the Special Review for final decision.

VII. PROFESSIONAL STANDARDS:

ACA:

4-JCF-3A-24 Juveniles can be released earlier than initially anticipated, according to law and in conformity with the authority’s previously established and written criteria.

4-JCF-3A-25 The releasing authority has available in writing information about a juvenile’s prior history; his/her current situation, and events in the case since any previous hearings; the juvenile’s future plans; and relevant conditions in the community. Materials in the case files are clearly identified as to source, and verified for the accuracy of the content of the material, and confidentiality.

4-JCF-5I-02 Social services staff at the facility work closely with aftercare/parole workers and the releasing authority to secure appropriate housing for juveniles upon release. Juveniles in need of transitional assistance participate in developing a well-defined and coordinated plan for housing, education, employment, counseling, and medical services.

4-JCF-5I-04 Where statutes permit, juveniles should be afforded opportunities for graduated release and participation in employment and education programs.