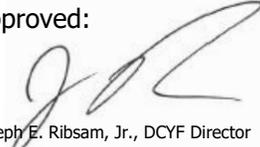


2352 JUVENILE PAROLE HEARING	
Chapter: <b>Sununu Youth Services Center</b>	Section: <b>Release</b>
 <p>New Hampshire Division for Children, Youth and Families Policy Manual  Policy Directive: <b>19-50</b>  Effective Date: <b>December 2019</b>  Scheduled Review Date:</p>	<p>Approved:</p>  Joseph E. Ribsam, Jr., DCYF Director
Related Statute(s): <a href="#">RSA 169-B</a> , <a href="#">RSA 170-H</a> , <a href="#">RSA 621</a> , and <a href="#">RSA 621-A</a> Related Admin Rule(s): Related Federal Regulation(s):	Related Form(s): <b>FORM 1350, FORM 1354,</b> <b>FORM 2130, FORM 2141, and FORM 2361</b> Bridges' Screen(s) and Attachment(s):

All children and youth need and deserve permanency. The Division for Children, Youth and Families (DCYF) provides an evidenced-based, medical model program to help committed youth make a successful transition back to their home communities. The Juvenile Parole Hearing is a youth's opportunity to make an argument to the Juvenile Parole Board for release to the community. Graduated furloughs and Administrative Release (AR) provide youth an important period of adjustment in the community through a systematic decrease in highly structured supervision and a corresponding increase in responsibility for self-regulation. They also serve as opportunities to assess the youth's readiness for parole.

### Purpose

To establish the procedures for both Juvenile Justice Services (JJS) and the Sununu Youth Services Center (SYSC) for parole hearings before the New Hampshire Juvenile Parole Board.

### Definitions

- "AR"** or **"Administrative Release"** means an administrative procedure to provide a period of community adjustment before parole status is granted [see: RSA 170-H:2, I; and RSA 621:3, I]. Except in cases of emergency as determined by the commissioner of the Department of Health and Human Services, an administrative release remains in effect for no longer than 30 days [see: RSA 170-H:5].
- "CC"** or **"Clinical Coordinator"** means the master level clinical therapist assigned to each youth at SYSC to conduct mental health and behavioral assessment, facilitate individual and family and group therapy, diagnose mental health conditions via DSM5, and create Focal Treatment planning for youth.
- "DCYF"** or the **"Division"** means the Department of Health and Human Services' Division for Children, Youth and Families.
- "FTP"** or **"Focal Treatment Plan"** means the written, time-limited, goal-oriented, therapeutic plan (Form 2130) developed by the youth, family, and the treatment team which includes strategies to address assessed focal areas of behavior that brought the youth into secure placement and is consistent with rehabilitative and restorative practices.
- "Furlough"** means when a youth is allowed to leave SYSC and return home or to their community for a temporary period of time.

**"JPPO" or "Juvenile Probation and Parole Officer"** means an employee of DCYF who is authorized by the Division to perform functions of the job classification Juvenile Probation and Parole Officer

**"Juvenile Parole Board" or "Board"** means the juvenile parole board established in RSA 170-H:3 that provides a means of rehabilitating youth who have been committed to the custody of the Department of Health and Human Services, without continued incarceration which demonstrates recognition of the need to protect the public from criminal acts by juvenile parolees.

**"Parole"** means a conditional release from the custody of the department which allows a delinquent to serve the remainder of their commitment outside of an institution or facility operated by the Department, contingent upon compliance with the terms and conditions of parole as established by the Juvenile Parole Board (RSA 170-H:2 VII).

**"Parole Board Administrator"** means the state employee identified to provide administrative support to the Board.

**"SYSC" or the "John H. Sununu Youth Services Center"** means the architecturally secure juvenile treatment facility administered by the Division for Children, Youth and Families for committed juveniles and detained youth, and for NH youth involved with the NH court system prior to their adjudication.

**"UM" or "Unit Manager"** means an employee of DCYF who is authorized by the Division to have supervisory duties for a residential unit within the SYSC.

**"YC" or "Youth Counselor"** means an employee of DCYF who is authorized by the Division to perform functions of the job classification Youth Counselor.

**"YouthCenter"** means the web-based automated information system used by DCYF staff to document and track information regarding youth committed or detained at the SYSC.

## Policy

- I. Discharge planning, including parole preparation, begins upon a youth's commitment to SYSC. As part of this preparation, the following shall be considered:
  - A. The Youth's designation as either a "non-violent offender" or a "violent offender" (see definition of violent crime, RSA 169-B:35-a I.(c)) at the time of their commitment, based upon their offense history;
  - B. The youth's clinical assessments and diagnoses;
  - C. The youth's classification; and
  - D. The youth's Focal Treatment Plan (FTP) as described in policy 2130 Treatment Plans and Reviews.
- II. Parole Hearing Eligibility (these timeframes shall not be waived by the Division):
  - A. Youth **shall** have their first parole hearing according to the following (see RSA 621:19):
    1. Misdemeanor level offenses: No later than three (3) months from the date of commitment;

2. Felony level offenses (non-violent offender): No later than six (6) months from the date of commitment; or
  3. For "Violent crimes" as defined in RSA 169-B:35-a I.(c), including those listed below, parole shall be scheduled at the Division's direction so long as continued commitment is not necessary to protect the safety of the child or the community.
    - (a) Capital, first-degree or second-degree murder;
    - (b) Attempted murder;
    - (c) Manslaughter;
    - (d) Aggravated felonious sexual assault;
    - (e) Felonious sexual assault;
    - (f) First-degree assault; or
    - (g) Negligent homicide committed in consequence of being under the influence of intoxicating liquor or controlled drugs, as defined by statute;
- B. For youth who are returned while on administrative release, prior to their parole hearing, the hearing shall be scheduled consistent with the above timeframes starting from the date of commitment, not the date of return;
- C. If a committed youth is awaiting adjudication or disposition on additional delinquency petitions, the timelines above are placed on hold pending the outcome of the current matter(s) (see RSA 621:19 I-a);
1. If the youth is committed on a subsequent offense following any subsequent adjudications, the timeframes for the next parole hearing run from the most recent commitment;
  2. If the youth is "re-committed" on the prior offense the timeframes for the parole hearing start from the date of the new commitment (unless the timeframe for the prior offense is after the more recent offenses); and
- D. If parole is denied the youth shall have another parole hearing in two (2) months and SYSC staff and the JPPO shall ensure the next hearing is scheduled in a timely manner, unless the youth seeks review of the Parole Board's decision in accordance with RSA 621:19 I-b and is released on parole at the Court's direction.
- III. In advance of the parole hearing:
- A. The Clinical Coordinator shall ensure the final version of the SYSC Parole Report to the Board (Form 1354) is submitted to the JPPO no later than seven (7) business days before the scheduled hearing along with the following:
1. The youth's completed Clinical Classification Report (Form 2141), including all attachments; and

2. Any other relevant information necessary for the parole board to make its decision including, but not limited to, disciplinary records, treatment records, and discharge planning records;
- B. The JPPO shall gather the reports noted directly above from SYSC staff and prepare a parole packet to submit to the Parole Board Administrator no later than five (5) business days from the parole hearing. The packet shall include:
    1. The SYSC report(s), including all attachments;
    2. The completed Parole Report (Form 1354);
    3. The proposed Conditions of Parole (Form 1350) if parole is recommended, along with Form 2361 Exit Guidelines; and
    4. Any other relevant information necessary for the parole board to makes its decision including but not limited to disciplinary records, treatment records, discharge planning records, and relevant reports from community providers or other entities; and
  - C. Pursuant to RSA 169-B:12, V no employee of the Department shall discuss or advise the juvenile or parent(s)/guardian(s) regarding the youth's right to counsel.
- IV. Roles and Responsibilities at the Juvenile Parole Hearing:
- A. The JPPO is the lead in presenting the Division's case to the Juvenile Parole Board.
  - B. A SYSC staff member shall attend and be prepared to testify at the direction of the JPPO.
  - C. Staff attending the hearing shall conduct themselves in a manner consistent with RSA 170-H and relevant Administrative Rules.
- V. When parole is granted:
- A. The JPPO shall ensure that the youth has a signed copy of their Conditions of Parole prior to release; and
  - B. A copy of the completed Hearing Decision shall accompany the youth to Admissions for authorization for release.
- VI. When parole is denied:
- A. SYSC staff and/or the JPPO shall counsel the youth on the Parole Board's decision and coordinate the return of the youth to their unit.