


**MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
DIVISION OF YOUTH SERVICES**

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| Subject: PAROLE | Policy Number: 26 |
| Number of Pages: 6 | Section: XIV |
| Attachments: A. Parole Agreement | Related Standards & References: |
| Effective Date: Revised September 1, 2018 Reviewed March 1, 2019 | Approved:  _____ James Maccarone, Director |

I. POLICY

It is the policy of Mississippi Department of Human Services, Division of Youth Services that any juvenile paroled from Oakley Youth Development Center will be placed on parole and supervised by the Community Services Section, Youth Services Counselor for a period of six months unless otherwise specified by the Judge.

Any youth paroled from Oakley Youth Development Center, as specified in Miss. Code 43-21-605, will enter into a parole agreement with the Community Services Section of the Mississippi Department of Human Services, Division of Youth Services.

II. DEFINITIONS

As used in this policy and procedure, the following definitions apply:

Parole – A period of time when a Youth who has been released from the MDHS/DYS institution is supervised by the Community Services Section, Youth Services Counselor in his or her community of residence.

III. ROLE OF YOUTH SERVICES COUNSELOR FOR PAROLE

The role of the Community Services Section, Youth Services Counselor consists of the following duties and responsibilities:

- Prepares social histories, interviews youths, and makes other necessary contacts.

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- Confers with supervisor when the youth displays symptoms of serious mental illness.
- Facilitates enrolling youth in individual and group counseling for troubled youths and or youths in the juvenile justice system.
- Prepares and maintains files, documentation, legal documents, and various reports.
- Provides oversight and monitoring of youth on supervision and provides counseling and support to aid in youths' rehabilitation.
- Provides access to supervision, leadership, and programs for troubled youths and/or youths in the juvenile justice system.
- Initiates correspondence to the student and families and to the courts.
- Develops and maintains relations with the court and the community.
- Serves as a witness in court, providing testimony that describes facts in clear, neutral fashion.
- Makes appropriate youth specific recommendations for disposition.
- Responsible for matching locally available services and supports with identified criminogenic needs.
- Performs related or similar duties as required or assigned by the agency.

IV. PROCEDURE

A. Pre-Parole Requirements

The following requirements must be met when a youth is paroled:

- Institution provides parole date to the Community Services section, Youth Services Counselor at least ten (10) days prior to the youth's parole date. Notification of the date may be made in less than ten (10) days if there is a need to manage population limitations.
- The Community Services section, Youth Services Counselor prepares the parole agreement. Once the Community Services section, Youth Services Counselor has reviewed the parole agreement with the youth's parent or guardian and obtained a parent or guardian signature, the parole agreement is sent to the MDHS/DYS Institution by the Community Services section, Youth Services Counselor. If a parent or guardian refuses to sign the agreement, a note shall be made on the form and witnessed by the Community Services section, Youth Services Counselor. The Community Services section, Youth

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- Services Counselor will notify the court of the parent or guardian's decision not to sign the agreement. The refusal to sign will not delay the parole process. Once received, a designated Oakley Youth Development Center staff will review the terms and conditions of the parole agreement with the youth and obtain the youth's signature. Once the youth is paroled, a designated Oakley Youth Development Center staff will send the signed parole agreement back to the Community Services Section, Youth Services Counselor.
- The Community Services Section, Youth Services Counselor will communicate with the Transitional Coordinator to ensure that all appropriate needs of the youth are addressed prior to the youth being paroled from the Oakley Youth Development Center.
- The Community Services Section, Youth Services Counselor will conduct a service and treatment planning meeting for any youth paroled on psychotropic drugs with the A- Team in accordance with A-Team Policy 36.
- Transportation home from Oakley Youth Development Center is coordinated or arranged by the Institution Section, Youth Services Counselor, the Community Services Section, Youth Services Counselor and the parent or guardian of the youth.

Once the youth is paroled, the initial meeting will be conducted by the Community Services Section, Youth Services Counselor within forty-eight (48) hours, excluding holidays and weekends, of the youth being paroled from Oakley. The Community Services Section, Youth Services Counselor will complete a parental and child interview at the initial parole meeting. A parole tracking form will be completed monthly on all regularly paroled youth from Oakley until their eighteenth birthday, whether the youth is currently on parole or not. The Community Services Section, Youth Services Counselor must inform youth and families at the close of parole that they may continue to call and check in for the agency's own recordkeeping purposes, and that youth and their families are asked to cooperate.

B. Required Explanations at Initial Meeting

The Community Services Section, Youth Services Counselor will discuss the parole agreement in detail including any special conditions with the youth and parent(s) or guardian(s) at the initial parole meeting. Explanations must include any specific programs or requirements for fulfilling the mandatory school attendance requirement.

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The Community Services Section, Youth Services Counselor will explain the counselor's role, the parole process and youths' rights using youth friendly language.

During the initial visit, the Community Services Section, Youth Services Counselor will inquire about and try to recognize any disability that the youth or family may have which would impact their ability to understand. The Community Services Section, Youth Services Counselor will make reasonable modifications to practices and procedures for such disabilities, limited literacy or other limitations.

The Community Services Section, Youth Services Counselor will explain to the youth and parent or guardian the following using youth friendly language suitable for children's developmental stage, age, education and cognitive abilities:

- If the youth fails to follow the rules of parole agreement, the Community Services Section, Youth Services Counselor will be responsible for reporting the violation to the court.
- If the youth comes back to court charged with a violation, the youth has a right to challenge the charge and has a right to be represented by counsel.
- During the Revocation Hearing, the Community Services Section, Youth Services Counselor will make a recommendation on how the case should be resolved and the consequences to be given.
- The recommendation will be based on what is in the youth's best interest and safety of the community, as derived from all background information. (See section D)
- The potential consequences to youth and parents, guardians or custodians can range from an apology letter, to earlier curfew, to electronic monitoring, to detention, to a new placement.
- How often he or she is expected to report for parole conferences.

C. Explanation and Review of the Parole Agreement

The parole agreement must include any special conditions of the youth's parole, including any requirements to attend a particular education program while a youth is suspended or expelled. The special conditions will specify the actions that the youth must undertake and any deadlines for compliance. Specifically, it will be outlined in the parole agreement any places that the youth is not allowed to visit. The contract will further outline any victims or other people identified by the court that the youth

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must not contact, talk to or send messages by mail, phone, email, text messaging or through internet, through other people or any other way.

A designated Oakley Youth Development Center staff will explain each provision in the parole agreement to the youth, and ask the youth to explain each provision in his or her own words. The designated Oakley Youth Development Center staff will obtain the youth's signature on the parole agreement.

Upon the first meeting with the youth after parole, the Community Services Section, Youth Services Counselor will again review the parole agreement with the youth line for line, have the youth repeat back the meaning. Once it is clear that the youth understands each provision, the Community Services Section, Youth Services Counselor will ask the youth to initial in the first space by the provision, and the counselor will initial in the second space.

D. Parole Violation and Revocation Process

In determining when to complete a Violation Complaint Questionnaire, request a custody order for detention, and/or file a request for a petition to revoke parole, the Community Services Section, Youth Services Counselors must be guided by the factors explained and outlined in Graduated Responses Policy 42. Before filing any of these requests, the Community Services Section, Youth Services Counselors must first try all appropriate less restrictive responses. The court's prosecuting attorney will determine whether to file a Petition to Revoke and schedule a Revocation Hearing unless otherwise specified by the Judge. The Community Services section, Youth Services Counselor's recommendation to the court for disposition, should the court determine that there has been a violation of probation, will also be guided by Graduated Responses Policy 42. The Community Services Section, Youth Services Counselors may not recommend detention or other incarceration for violations that are not detainable offenses unless all alternatives have been exhausted.

E. Monitoring and Supervision

The Community Services Section, Youth Services Counselor will monitor and supervise the youth for six months by follow-up telephone or office visits according to Policy 41 Case Contact Standards.

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F. Case Closure

The Community Services Section, Youth Services Counselor will draft and file a motion to close a case if all terms and conditions are successfully completed. If the case is closed satisfactorily, the Community Services Section, Youth Services Counselor will attach all supporting documentation to show proof of completion. The Community Services Section, Youth Services Counselor will continue to monitor the case until the judge signs the motion to close. After the Judge signs the motion to close, the Community Services Section, Youth Services Counselor will notify the youth and parent or guardian that the case has been closed. Upon completion of parole, the Community Services Section, Youth Services Counselor will, with the court's permission, sign and date the parole agreement indicating that the youth has met the terms of his or her parole and provide a copy of the signed parole agreement to the youth and parent, guardian, or custodian.