

Policy Bulletin
DJJ 6.210 (REV 09/10)

POLICY BULLETIN (PB)																							
Subject: Division of Juvenile Facilities Revocation Extension Process (CN 415)																							
PB Number:																							
	California Department of Corrections and Rehabilitation Division of Juvenile Justice	Manual: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;"><input type="checkbox"/></td> <td>Administrative (YAM)</td> <td style="width: 20px;"></td> <td style="width: 20px;"></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Education Services (ES)</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Institutions and Camps (I&C)</td> <td></td> <td style="text-align: right;">7400</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Parole Services (PS)</td> <td></td> <td style="text-align: right;">4200</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Special Education (SE)</td> <td></td> <td></td> </tr> </table>	<input type="checkbox"/>	Administrative (YAM)			<input type="checkbox"/>	Education Services (ES)			<input checked="" type="checkbox"/>	Institutions and Camps (I&C)		7400	<input checked="" type="checkbox"/>	Parole Services (PS)		4200	<input type="checkbox"/>	Special Education (SE)			Revision #: Section #:
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The purpose of this Policy Bulletin (PB) is to provide all Division of Juvenile Justice (DJJ) Institutions and Camps and Paroles Services manual holders with information regarding the attached revised DJJ policy for Division of Juvenile Facilities Revocation Extension Process.

This is the annual review and the policy revisions were required for compliance with negotiated agreements between the parties in L.H. V. Schwarzenegger. Failure to implement the required amendments may result in exposure of CDCR to further litigation.

Instructions

This PB contains changes to the above referenced manual(s). To update your manual(s), please follow the directions below step by step.

1. Locate the correct manual(s), as marked above.

2.	Remove	Insert	Special Instructions
	Division of Juvenile Facilities Revocation Extension Process, Institutions and Camps Manual, Section(s) #7400, Revision Date: 4/15/09	Division of Juvenile Facilities Revocation Extension Process, Institution and Camps Manual, Section #7400, Revision Date: 7/30/10	N/A
	Division of Juvenile Facilities Revocation Extension Process, Parole Services Manual, Section(s) #4200, Revision Date: 4/15/09	Division of Juvenile Facilities Revocation Extension Process, Parole Services Manual, Section #7400, Revision Date: 7/30/10	N/A
	N/A	Insert the forms behind index in numerical order.	For the most current versions of forms, go to: http://intranet/ops/JJ/Pages/Forms.aspx

3. Update the Revision Record Log (first page of the manual) using the revision number reference above.

This cover sheet does not need to be archived in the manual, only the attached items.

Please distribute to interested parties and make additional copies if necessary. Please direct any inquiries to Dolores Slaton, Policy, Procedures, Programs, and Regulations (PPP&R) Unit Manager, at (916) 262-1431.



 RACHEL R. RIOS
 Chief Deputy Secretary (A)

10/7/10

 Approval Date

Attachment(s)



DIVISION OF JUVENILE JUSTICE

Division of Juvenile Facilities Revocation Extension Process

Youth Services

Manual	Section #	Replace(s)
<input type="checkbox"/> Administrative (YAM)		
<input type="checkbox"/> Education Services (ES)		
<input checked="" type="checkbox"/> Institutions and Camps (I&C)	7400	N/A
<input checked="" type="checkbox"/> Parole Services (PS)	4200	N/A
<input type="checkbox"/> Special Education (SE)		

Signature/Approval
Date

Rachel R. Rios
RACHEL R. RIOS
Chief Deputy Secretary (A)

10/7/10
Approval Date

Policy The revocation extension process incorporates statutory and constitutional mandates and provides essential due process guarantees to ensure fairness in the disciplinary process for parole violators.

Scope All youth and staff in a Division of Juvenile Justice (DJJ) facility will be affected by this policy.

Authority Welfare and Institutions Code, Section 1719

- Related Standards/References**
- California Code of Regulations, Title 15, Chapter 4, Section 4961
 - *L.H. v. Schwarzenegger*, Stipulated Order For Permanent Injunctive Relief
 - Disciplinary Decision Making System Policy, I&C Manual, Sections 7300-7394
 - Access to Youth Files and Information Policy, I&C Manual, Section 5770

Related Remedial Plan or Court Order

- Farrell Lawsuit**
- Safety and Welfare
 - Education Services
 - Wards with Disabilities Program
 - Mental Health
 - Health Care Services
 - Sexual Behavior Treatment Program

Other Lawsuits & Court Orders

- L.H. Lawsuit
- Other: _____

Requirements

- This policy has a training requirement: Yes No
- This policy has an audit requirement: Yes No
- This policy has restricted distribution: Yes No
- This policy requires annual review: Yes No
- This policy requires a local procedure: Yes No

Revision Date(s) 9/14/10

Effective Date



DIVISION OF JUVENILE JUSTICE

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DEFINITIONS

Board Coordinating Parole Agent - Division of Juvenile Parole Board agent responsible for coordination and facilitation of parole violation hearings, ensuring coordination and communication with counsel and witnesses, assisting with the provision of necessary accommodations and effective communication for parolees, and providing security at parole violation hearings.

Charges - Behaviors and corresponding codes describing the alleged violation(s) of parole conditions.

Charge Section - A section of the Violation Report form, DJJ 3.264, that lists the alleged charges and includes an evidentiary narrative that describes the alleged behavior

Confidential Informant - A person whose identity is not known to the parolee and whose status as a confidential informant has been established by an outside law enforcement agency

Confidential Information - Any information that may lead to the identity of a Confidential Witness, or that, if disclosed, would present a threat to the safety and security of an institution/facility, or is part of an ongoing investigation that would be compromised if the information was disclosed. Information material to innocence or guilt that does not lead to the identity of the Confidential Witness in a pending revocation proceeding shall be disclosed.

Confidential Witness - A person whose identity is not known to the parolee and whose status as a confidential witness has been established by law enforcement or by an agent of the Division of Juvenile Parole Operations

Corrective Action Plan - A treatment and supervision sanction in the community developed at the parole field unit level, imposed upon parolees in response to parole violations, for which detention is not warranted as an alternative to revocation.

Date of Discovery - The date that the Division of Juvenile Justice obtains knowledge that an alleged violation of parole has occurred.

Day(s) - Calendar days, unless otherwise specified.

Detention Criteria - Factors or behavior(s) that may demonstrate a need for detention.

1. Parolee is a danger to himself/herself,
2. Parolee is a danger to the person or property of another,
3. Parolee is a risk to abscond from parole supervision, or
4. Parolee's mental state has deteriorated to the point where it is likely that there is a threat to public safety.

Detention Section - A section of the Violation Report form, DJJ 3.264, summarizing reasons why the parolee meets detention criteria.

Developmental Disability - A condition attributable to a mental or physical impairment, manifested before age twenty-two, and likely to continue indefinitely, resulting in substantial limitation in three or more specified areas of functioning (i.e., caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working) and will require specific and lifelong extended care.



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Disability - A physical or mental impairment that substantially limits one or more of the major life activities of an individual; a record of such impairment or condition; or being regarded as having such an impairment or condition.

Disciplinary Decision Making System - Division of Juvenile Justice Facility disciplinary system which has the ability to impose a sanction, deprive a youth of something possessed, or deny something which a youth reasonably expects as part of his/her prescribed program because the youth commits an institutional rule or law violation.

Dismissal - Action required if there is insufficient evidence to support a probable cause finding at the Probable Cause Hearing, if there is insufficient admissible evidence to make a finding of good cause by a preponderance of the evidence at the Revocation Hearing or Revocation Extension Hearing, or in the interest of justice.

Disposition Section - A section of the Violation Report form, DJJ 3.264, recommending an appropriate disposition for the violation behavior and outlining reasons for the recommendation.

Dual Commitment - A person who is under the jurisdiction of both the Division of Juvenile Justice and the adult division of the California Department of Corrections and Rehabilitation.

Effective Communication - Communication with persons with disabilities or those with limited English skills and reading ability that is as effective as communication with others. Effective communication may require the use of an appropriate auxiliary aid or service, or may be achieved by methods such as speaking clearly or using simple language and soliciting feedback to ensure understanding.

Exit Interview - A meeting with a parole violator and a hearing officer of the Juvenile Parole Board prior to a parole violator's Revocation Release Date at which the general and special conditions of parole are issued and explained to the parole violator.

Expedited Probable Cause Hearing - A Probable Cause Hearing held at an earlier stage in the proceedings upon sufficient offer of proof by the parolee or his/her counsel that there is a complete defense to all parole violation charges that are the basis for the parole hold.

Fearful Witness - A person whose identity is known to the parolee, but who has indicated that he/she: 1) does not wish to testify; and 2) fears the risk of harm if he/she testifies at a hearing in the presence of the parolee.

Good Cause - Justifiable, legitimate and unforeseeable reason for delay, asserted in good faith and caused by factors that are beyond the control of the Division of Juvenile Parole Operations, the Juvenile Parole Board, or the Division of Juvenile Justice.

McPherson Status - Status applicable to a youth, juvenile parolee, or juvenile parole violator who is on adult parole or who has discharged from his/her adult case and has voluntarily consented to serve his/her juvenile commitment in an adult institution, which includes parole violations and revocation extensions.

Minor Victim/Witness - Any victim or witness under the age of eighteen (18).

Not in Custody - A parolee who is not on a Division of Juvenile Justice parole hold.

'Not in Custody Hearing' - A revocation hearing for a parolee who is not under a Division of Juvenile Justice parole hold.



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Notice of Charges - An official action conducted by Division of Juvenile Justice staff to personally serve a parolee notice of the charges against him/her including a short factual summary of charged conduct.

Notice of Conditions of Parole - A document that notifies a juvenile parolee of behavior and treatment requirements while under parole supervision.

Notice of Rights - An advisement to a parolee of his/her procedural and due process rights in parole revocation proceedings pursuant to the L.H. stipulated permanent injunction and State and federal constitutions.

Parole Hold - Any invocation by the Division of Juvenile Justice of their authority to involuntarily detain a parolee for revocation proceedings and/or commence revocation proceedings pursuant to Welfare & Institutions Code §1767.3. This term shall not apply to the detention of a parolee who has absconded from the State of California until he or she is physically returned to the State of California and is in custody.

Parole Placement Plans - A report prepared by the Division of Juvenile Parole Operations and provided to the Juvenile Parole Board in preparation for a parole violator's release to parole supervision, which includes but is not limited to: identified placement, recommended special conditions of parole, supervision plans, educational/vocational plans, and community treatment plans.

Parole Report - A report provided to the Juvenile Parole Board that is informational in nature or requests an administrative action other than a parole violation, including but not limited to requests to lift parole holds, continue on parole, and miscellaneous decisions.

Parole Violator - A parolee who violated a condition of parole, and who has been revoked and returned to custody.

Physical Impairment - A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that affects one or more of the bodily systems.

Preponderance of Evidence - Standard of proof that requires a finding that it is more likely than not that a fact or charge is true.

Probable Cause - Facts as would lead a person of ordinary caution and prudence to conscientiously entertain a strong suspicion that an alleged charge is true.

Probable Cause Hearing - A hearing in which the juvenile parolee appears and at which it is determined whether there is probable cause to believe that the juvenile parolee has violated a condition of parole and, if so, whether the juvenile parolee should be detained during the revocation process.

Reasonable Accommodation - A modification or adjustment that will help provide equal access to programs, activities and services for parolees with disabilities or effective communication needs.

Return to Custody Assessment - A recommended disposition offered by the Juvenile Parole Board which is presented to a parolee prior to a Probable Cause Hearing (also termed "the Offer").

Revocation Extension Hearing - The two-phase hearing (evidentiary and disposition) in which the parolee appears before the Juvenile Parole Board, at which it is determined whether the preponderance of the evidence shows that the



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parolee committed Willful Program Failure or Serious In-Custody Misconduct, and in which a parolee's parole revocation period may be extended. A parolee's parole revocation period may not be extended because of the Division of Juvenile Justice's failure to provide a recommended program at all or in a timely manner.

Revocation Hearing - A two-phase hearing (evidentiary and disposition) at which it is determined whether the preponderance of the evidence shows that the parolee violated a condition of parole and whether the parolee should be returned to parole supervision or remanded to custody.

Revocation Proceeding/Revocation Process - All stages of the process by which a parolee/parole violator may be returned to or retained in custody following an alleged parole violation up to and including the revocation or revocation extension hearing and any administrative appeal. In the case of alleged parole violators who are not in custody, the revocation process begins when the parolee is notified of the pending charges and of his or her rights.

Revocation Release Date - The date in which a parole violator will be released to the community.

Revocation Release Report - A report prepared by the facility and provided to the Juvenile Parole Board in preparation for a parole violator's release to parole supervision, which includes but is not limited to: facility adjustment, demonstrated behaviors, treatment program participation and completion, accommodation/effective communication issues.

Serious In-Custody Misconduct - In-custody behavior by a parole violator that poses an immediate and serious threat to the safety and security of youth, staff or property within the facility (See Revocation Extension Matrix).

Sufficient Offer of Proof - A reasonable likelihood that a parolee would produce uncontroverted evidence of his/her innocence at an expedited probable cause hearing.

Supplemental Charges - Additional charges based on evidence discovered by the Division of Juvenile Parole Operations after the parole hold for detained cases or after the Notice of Rights step for Not-In-Custody cases.

Victim - A person against whom a parole violation has been committed.

Violation Levels:

Level I: Minor violations of parole for which detention may not be warranted.

Level II: Selected minor law violations, moderate technical violations, or repetitive Level I behavior for which detention may not be warranted.

Level III: Any behavior that the Division of Juvenile Parole Operations believes represents a risk or threat to public safety. Level 3 violations are mandatory referrals to the Juvenile Parole Board.

Violation Report - A three-part report (Charge Section, Detention Section and Disposition Section) describing a parolee's alleged violations of parole and recommendations presented to the Juvenile Parole Board during parole revocation proceedings.

Willful Program Failure - Repeated and intentional refusal to attend and/or participate in a treatment and training program. The repeated refusal shall be documented by treatment staff. Staff shall specify the dates of non-



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participation and shall include information demonstrating that the parole violator does not have a mental or physical impairment that prevents him/her from fully participating in the program. A parole violator shall not be charged with willful program failure when program unavailability, facility lockdown, instructor absence or other circumstances beyond the parole violator's control prevent him/her from completing the program prior to the expiration of his/her revocation term.

TRAINING

The Division of Juvenile Justice shall provide comprehensive annual training to DJJ staff, including but not limited to all JPB Commissioners, JPB Hearing Officers, JPB Board Coordinating Parole Agents, JPB Americans with Disabilities Act (ADA) Coordinators, DJJ Parole Agents, DJJ Youth Correctional Counselors, and other JPB and DJJ personnel who have direct or supervisory responsibility for communicating with or making decisions affecting juvenile parolees in connection with revocation proceedings.

This training shall include the general requirements of Title II of the Americans with Disabilities Act (ADA) and effective communication needs, requirements of the L.H. v. Schwarzenegger Permanent Injunction, due process rights of juvenile parole violators, and the policies and procedures developed pursuant to the L.H. v. Schwarzenegger Permanent Injunction. The training shall be tailored to the job classification(s) and responsibilities of the staff present at the training sessions.

Additionally, the DJJ shall provide training regarding this policy to all parole violators at orientation upon revocation of parole. All parole violators having received orientation prior to implementation of this policy shall receive notification on the policy and its implementation.

GOAL

Ensure due process rights in the revocation extension process for parole violators.

QUALITY ASSURANCE

Each facility shall utilize the Wards Information Network (WIN) and the Juvenile Scheduling and Tracking System (JSTS) for monitoring and tracking of key timeframes and the provision of accommodations. Management oversight and facility self-monitoring will be utilized to ensure compliance with the provisions of the L.H. Stipulated Permanent Injunction.

ANTI-DISCRIMINATION

The Division of Juvenile Justice shall comply with all anti-discrimination laws in revocation extension proceedings, making parole placements or referral to programs, activities, or services.



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PROCEDURES

1.0 General Policy

- 1.1. The Division of Juvenile Facilities (DJF) handles youth discipline through the Disciplinary Decision Making System (DDMS). DDMS provides a graduated system of youth discipline designed to be administered commensurate with the seriousness of the offense. The youth disciplinary system incorporates statutory and constitutional mandates and provides essential due process guarantees to ensure fairness and equal application.
- 1.2. Parole violators will be subject to Level 1 and Level 2 DDMS, as well as Level 3 DDMS that do not extend the Revocation Release Date (RRD). Extensions of the RRD shall not occur except where the Juvenile Parole Board (JPB) finds by a preponderance of the evidence that a parole violator has committed Serious In-Custody Misconduct or Willful Program Failure as defined in these policies. Any recommendation for an extension to a RRD shall be referred to the JPB for revocation extension proceedings.
- 1.3. The Revocation Extension Hearing must occur at the earliest practical time after the alleged conduct, but in any event, no later than thirty-five (35) calendar days after notice to the parole violator of the charges, absent good cause for going beyond that time. An attorney will be assigned to represent the parole violator in the revocation extension proceedings.
- 1.4. If a parole violator is subject to revocation extension proceedings for behavior that occurs within thirty (30) days of his/her RRD, the DDMS Coordinator is responsible for expediting the revocation extension proceedings such that the parole violator is not held for more than thirty-five (35) days past his/her RRD for purposes of completing those proceedings. In the event that a parole violator is detained for more than thirty-five (35) days past his/her RRD, he/she will be given day-for-day credit for every additional day the hearing occurs beyond thirty-five (35) days.
- 1.5. RRD extensions can only be ordered by the JPB at the Revocation Extension Hearing.
- 1.6. In revocation extension proceedings, the parole violator will have the following rights:
 - 1.6.1. To receive accommodation for disabilities and effective communication needs throughout the revocation extension process.
 - 1.6.2. A copy of the pending Level 3 Serious Misconduct Behavior Report form, DJJ 8.403B.
 - 1.6.3. A copy of all evidence that will be used against the parole violator unless it is deemed confidential.
 - 1.6.4. An attorney to represent the parole violator at all times during the revocation extension process.
 - 1.6.5. A Revocation Extension Probable Cause Hearing within thirteen (13) business days following the notice of charges and rights. The parole violator has a right to present letters, documents and speak on his/her own behalf at the hearing. At this hearing, the parole violator will also be given an opportunity to discuss and accept or reject any Revocation Extension Assessment (REA).
 - 1.6.6. If the charges are not resolved at the Revocation Extension Probable Cause Hearing, the parole violator has a right to a Revocation Extension Hearing within thirty-five (35) calendar



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days of receiving notice of the charges. The parole violator also has a right to receive notice of the date and time of the hearing.

- 1.6.7. To be heard in person and to present witnesses and documentary evidence in his/her defense at a Revocation Extension Hearing.
- 1.6.8. To a neutral and detached hearing officer.
- 1.6.9. To a written decision by the hearing officer as to the evidence relied on and the reasons for the decision.
- 1.6.10. To receive an audible audio recording of the Revocation Extension Hearing within ten (10) business days of receipt of written request.
- 1.6.11. To grieve or appeal if the parole violator did not get the help for disability or effective communication needs that he/she asked for on the Request for Accommodation and Assistance form, DJJ 3.260, or if new problems came up.
- 1.6.12. To file an appeal with the assistance of an attorney within twenty (20) business days of receipt of the written hearing decision.

2.0 Pending a District Attorney Referral

- 2.1. If Level 3 Serious In-Custody Misconduct has been referred to the District Attorney for prosecution and charges have been filed, a parole violator may conditionally waive the Revocation Extension Hearing, but retain the option to request a hearing. This type of waiver is referred to as an "optional waiver". In order for the parole violator to be eligible to optionally waive his/her Revocation Extension Hearing, charges must have been filed on the same behavior as the Level 3 Serious In-Custody Misconduct. Information that the District Attorney is considering filing charges is insufficient to allow the parole violator to optionally waive his/her Revocation Extension Hearing and the revocation extension process continues within normal timeframes.
- 2.2. At the Revocation Extension Probable Cause Hearing, in the presence of the hearing officer and with the assistance of his/her attorney, a parole violator may optionally waive the Revocation Extension Hearing. Upon receipt of a signed optional waiver, the parole violator's Revocation Release Date (RRD) will be extended for the period indicated on the Parolee-Attorney Decision form (DJJ 3.273).
- 2.3. The decision to grant or deny the optional waiver will be made at the Probable Cause Hearing. A parole violator who signs an optional waiver may later request a Revocation Extension Hearing.
- 2.4. A hearing request must be received by the Juvenile Parole Board (JPB) or postmarked no later than thirty-five (35) days before expiration of the revocation period as ordered by the JPB.
- 2.5. Upon receipt of a hearing request, the JPB shall schedule an Optional Waiver Review. At the hearing, the hearing officer may take any appropriate action not to exceed the REA.

3.0 Activating the Optional Waiver

- 3.1. Once a parole violator's court proceedings have been completed, the parole violator may request that the revocation extension process be resumed. In order to do this, the parole violator notifies the JPB by sending in an Optional Waiver Activation Card form, DJJ 3.280, or written notification requesting a Revocation Extension Hearing.



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- 3.2. The JPB then schedules an Optional Waiver Review no later than thirteen (13) business days after receipt of the request, and if necessary a Revocation Extension Hearing no later than thirty-five (35) days after receipt of the request.

4.0 Dual Jurisdiction Cases

- 4.1. The Division of Juvenile Facilities (DJF) shall be responsible for revocation extension referrals for parole violators housed in Division of Juvenile Justice (DJJ) facilities.
- 4.2. The Division of Juvenile Parole Operations (DJPO) shall be responsible for revocation extension referrals for parole violators housed in non-DJJ facilities. However, the Division of Juvenile Justice Facilities' Population Management Section will continue to supervise only those parole violators housed in the Division of Adult Institutions (DAI) that were under their supervision prior to implementation of these policies and procedures, until such time as they are returned to parole supervision or returned to a DJJ facility. In these cases, the Population Management Parole Agent III, under the direction of the Intake and Court Services Administrator, will fulfill the responsibilities outlined below.

5.0 Initial Action

- 5.1. Staff
 - 5.1.1. Prepares a behavior report on all prospective Level 3 disciplinary actions by the end of assigned shift or no later than twenty-four (24) hours after observing or discovering the violation.
 - 5.1.2. Immediately routes the behavior report to the Living Unit Program Manager for review.
- 5.2. Living Unit Program Manager
 - 5.2.1. Within two (2) business days, reviews the behavior report and supporting documents to determine appropriate course of action.
 - 5.2.2. If the report is not written in a clear and concise manner, the Living Unit Program Manager returns the behavior report to the originator for clarification and rewrite by the end of the second (2nd) business day.
 - 5.2.3. If appropriate, reduces to a Level 2 if the behavior report describes a Level 2 violation.
 - 5.2.4. Routes the behavior report to the DDMS office if proceeding as a Level 3 violation without a referral for revocation extension proceedings as per the DDMS policy.
 - 5.2.5. If the Living Unit Program Manager makes a recommendation that the alleged Level 3 behavior be referred to the Juvenile Parole Board for revocation extension proceedings, the following process shall be followed:
 - 5.2.5.1. Assigns and charges a violation code based only on the most serious behavior
 - 5.2.5.2. Attaches a Level 3 flowchart.
 - 5.2.5.3. Completes a Screening Referral for Revocation Extension Hearing form, DJJ 3.265.
 - 5.2.5.4. Flags the case "Expedite," if the parole violator is within thirty-five (35) calendar days of his/her RRD.
 - 5.2.5.5. Requests an investigation if the case is complex (additional time for investigation allowed if necessary).
 - 5.2.5.6. Forwards the packet to the DDMS office.



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- 5.3. Disciplinary Decision Making System Office
 - 5.3.1. Within one (1) business day, prepares the revocation extension screening packet and forwards to the Superintendent or his/her designee.
- 5.4. Superintendent or Designee
 - 5.4.1. Within three (3) business days, reviews the Level 3 Serious Misconduct Behavior Report and Screening Referral for Revocation Extension Hearing forms to determine if it meets the following criteria for referral to the Juvenile Parole Board (JPB):
 - 5.4.1.1. Serious In-Custody Misconduct or Willful Program Failure and all other sanctioning options have been considered and it is determined that those other sanctions are unsuitable in light of the parole violator's previous case history and the circumstances of the misconduct.
 - 5.4.1.2. If the review identifies an offense which should be referred to the JPB, the Superintendent or his/her designee documents the qualifying reason on Screening Referral for Revocation Extension Hearing form, DJJ 3.265 and approves the request.
 - 5.4.1.3. Forwards referral to the DDMS office for preparation of the revocation extension notice of rights. If the request is denied by the Superintendent or his/her designee, documents the response on the Screening Referral for Revocation Extension form, DJJ 3.265 and returns the referral to the DDMS office to be processed as a Level 3 without an extension of the RRD.
- 5.5. Disciplinary Decision Making System Office
 - 5.5.1. If the referral is approved, within two (2) business days, prepares the Notice of Revocation Extension Rights and Acknowledgment form, DJJ 3.263, and Section 1 of the Request for Accommodation and Assistance form, DJJ 3.260, after reviewing the parole violator's file and WIN for disability accommodation and effective communication needs.
 - 5.5.2. Enters tracking information into the Juvenile Scheduling and Tracking System (JSTS).
 - 5.5.3. Routes to the Investigator for notice of rights.
- 5.6. Investigator or Designee (must be at a supervisory level)
 - 5.6.1. Within two (2) business days, serves the Notice of Revocation Extension Rights and Acknowledgment form, DJJ 3.263, and provides the parole violator copies of the Level 3 Serious Misconduct Behavior Report and Supplemental Reports.
 - 5.6.2. After field file and data base review, but prior to serving the notice of charges and rights, completes Section I of the Request for Accommodation and Assistance form, DJJ 3.260. If a disability accommodation/effective communication need is identified during the completion of Section I, the DDMS Investigator shall contact the Wards with Disabilities Program (WDP) Coordinator to arrange for any needed accommodation during the serving of notice.
 - 5.6.3. The DDMS Investigator meets with the parole violator to conduct an interactive interview and asks the parole violator to complete Section II of the Request for Accommodation and Assistance form, DJJ 3.260.
 - 5.6.4. The DDMS Investigator shall then complete Section III of the Request for Accommodation and Assistance form DJJ 3.260 and provide the parole violator with copies of the following forms:
 - 5.6.4.1. Level 3 Serious Misconduct Behavior Report form, DJJ 8.403B, including a short factual summary of the behavior.



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- 5.6.4.2. Notice of Revocation Extension Rights and Acknowledgement form, DJJ 3.263.
- 5.6.4.3. Request for Accommodation and Assistance form, DJJ 3.260, signed
- 5.6.4.4. Accommodation and Assistance Grievance form, DJJ 3.261.
- 5.6.5. The Investigator shall ensure that any needed effective communication methods are used in explaining all steps of the notice of charges and rights.
- 5.6.6. If applicable, complete the Confidential Information Disclosure form, DJJ 3.286.
- 5.6.7. DDMS Investigator enters information from Section II and III of the Request for Accommodation and Assistance form DJJ 3.260 in to JSTS, and does not print out a new form.
- 5.6.8. Routes the complete packet and forms back to the DDMS office.
- 5.7. Disciplinary Decision Making System Office
 - 5.7.1. Within one (1) business day, forwards the Revocation Extension packet to the Juvenile Parole Board (JPB) for processing with the following forms:
 - 5.7.1.1. The Revocation Extension Packet Content Checklist form, DJJ 3.283, Column 1 completed.
 - 5.7.1.2. Level 3 Serious Misconduct Behavior Report form, DJJ 8.403B.
 - 5.7.1.3. Screening Referral for Revocation Extension Hearing form, DJJ 3.265.
 - 5.7.1.4. A copy of investigation report and any other evidence to be used in the revocation extension proceeding.
 - 5.7.1.5. The Request for Accommodation and Assistance form, DJJ 3.260, Sections 1 through 3 completed, bearing the parole violator's signature, along with all required source documents.
 - 5.7.1.6. Notice of Revocation Extension Rights and Acknowledgement form, DJJ 3.263, bearing the parole violator's signature.
 - 5.7.1.7. Parole Revocation Hearing Notice and Witness Determination form, DJJ 3.268.
 - 5.7.1.8. Confidential Information Disclosure form, DJJ 3.286.
 - 5.7.1.9. A copy of the Action Log form, DJJ 1.601F.
 - 5.7.1.10. Jurisdiction and Confinement History.
 - 5.7.2. Enters timeline tracking information and information from Sections I, II, and III from the Request for Accommodation and Assistance form, DJJ 3.260, into the Juvenile Scheduling and Tracking System (JSTS).
- 5.8. Parole Agent III
 - 5.8.1. Upon notification from the Juvenile Parole Board (JPB), schedules visits with attorney for review of the files and interview with the parole violator prior to the Probable Cause Hearing and/or Revocation Extension Hearing
(*See Access to Youth Files and Information Policy CN 297*)
 - 5.8.1.1. Requests for attorney access to non-confidential sections of parole violator files in the revocation extension process shall be granted no later than one (1) business day after having received written request.
 - 5.8.1.2. Copies of relevant information requested from the parole violator's files, shall be provided to the attorney within two (2) business days after review of the file is completed.
 - 5.8.2. Coordinates the hearing date and time with the JPB Scheduler.
 - 5.8.3. Coordinates with the Wards with Disabilities Program (WDP) Coordinator for any needed accommodations for attorney consult and hearings.



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- 5.9. During the Revocation Extension Hearing only, the DDMS Coordinator:
 - 5.9.1. Presents the case and evidence.
 - 5.9.2. Asks clarifying questions of witnesses.

6.0 Post Hearing Process (Probable Cause or Revocation Extension Hearing)

- 6.1. Disciplinary Decision Making System Office
 - 6.1.1. Receives the Revocation Extension Packet from the Board Coordinating Parole Agent.
 - 6.1.2. Posts the Juvenile Parole Board action on the Action Log and in the Ward Information Network (WIN).
 - 6.1.3. Files one copy of the Revocation Extension Packet and the following Juvenile Parole Board (JPB) findings and orders on the right side of the field file, under the Action Log.
 - 6.1.3.1. Summary of RevEx Hearing and Decision form, DJJ 3.277-PCH.
 - 6.1.3.2. Summary of RevEx Hearing and Decision form, DJJ 3.277-REV, if applicable.
 - 6.1.3.3. Summary of RevEx Hearing and Decision form, DJJ 3.277-OWR, if applicable.
 - 6.1.4. Enters the disposition of the revocation extension proceedings on the Institutional Summary of Level 3 DDMS Action form, DJJ 1.604.
 - 6.1.5. Distributes the completed original Revocation Extension Packet documentation and JPB findings and orders to the Master File Unit and copies to the field file, living unit file and parolee. Copies of the JPB findings and orders will be distributed to Information Systems and the JPB.

7.0 Appeal of Revocation Extension Hearing Actions

NOTE: Revocation Extension Hearing decisions shall have one level of administrative appeal to the JPB.
(See *Appeals section of Juvenile Parole Board Policies and Procedures CN 416*).

- 7.1. The parole violator must:
 - 7.1.1. File any appeal within twenty (20) business days after receipt of the written hearing decision, and,
 - 7.1.2. Submit the appeal to the Executive Officer of the JPB.
 - 7.1.3. The parole violator has the right to assistance by counsel in preparing an administrative appeal and at any new hearing granted pursuant to an appeal.
- 7.2. Parole Agent III
 - 7.2.1. Coordinates with the JPB and schedules visits with the attorney to assist the parole violator in their appeal preparation.
 - 7.2.2. Coordinates with the JPB in preparation for and scheduling of any new hearing ordered as a result of an appeal.
 - 7.2.3. For decisions involving a new hearing, schedules the parole violator for a Revocation Extension Hearing. The hearing must be held within ten (10) business days of the issuance of the appeal decision.
- 7.3. Disciplinary Decision Making System Office
 - 7.3.1. Posts the JPB action on the Action Log and in WIN.



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- 7.3.2. Files one copy of the Administrative Appeal Decision form, DJJ 1.311, and Appeal of Parole Revocation Decision form, DJJ 3.290, on the right side of the field file, under the Action Log.
- 7.3.3. Enters the disposition on the Institutional Summary of Level 3 DDMS Action form, DJJ 1.604.
- 7.3.4. Files one copy of each DDMS form on the left hand side of the field file under DDMS.
- 7.3.5. Distributes as indicated on Administrative Appeal Decision form, DJJ 1.311.
- 7.3.6. In an administrative file, retains a complete set of the Revocation Extension documents for one year from the date the Revocation Extension process was completed.

FORMS

1. Action Log, DJJ 1.601F
2. Administrative Appeal Decision, DJJ 1.311
3. Appeal of Parole Revocation Decision, DJJ 3.290
4. Confidential Information Disclosure, DJJ 3.286
5. Institutional Summary of Level 3 DDMS Actions, DJJ 1.604
6. Level 3 Serious Misconduct Behavior Report, DJJ 8.403B
7. Notice of Revocation Extension Rights and Acknowledgement, DJJ 3.263
8. Optional Waiver Activation Card, DJJ 3.280
9. Parole Revocation Hearing Notice and Witness Determination, DJJ 3.268
10. Parolee-Attorney Decision, DJJ 3.273
11. Request for Accommodation and Assistance, DJJ 3.260
12. Request for Accommodation and Assistance, Definitions, DJJ 3.260B
13. Request for Accommodation and Assistance, Instructions, DJJ 3.260A
14. Revocation Extension Packet Content Checklist, DJJ 3.283
15. Screening Referral for Revocation Extension Hearing, DJJ 3.265
16. Summary of RevEx Decision: Revocation Extension Assessment, DJJ 3.278-REA
17. Summary of RevEx Hearing and Decision, DJJ 3.277-OWR
18. Summary of RevEx Hearing and Decision, DJJ 3.277-PCH
19. Summary of RevEx Hearing and Decision, DJJ 3.277-REV