



**Administrative Policies and Procedures: 12.14**

<b>Subject:</b>	<b>Public Notification of Release of Juvenile Offender</b>
<b>Authority:</b>	TCA 37-5-105 (3), 37-5-106, 37-5-123
<b>Standards:</b>	ACA: 4-JCF-6G-07; <b>DCS Practice Model Standard: 5-400</b>
<b>Application:</b>	To All Department of Children's Services Employees and Private Providers Employees
<b>Policy Statement:</b>	
The Department of Children's Services (DCS) (or its contractors) shall notify members of the public who have <u>requested</u> to be notified upon the release of juveniles adjudicated to have committed a delinquent act that would constitute a felony if committed by an adult, or a youth who has escaped from DCS custody.	
<b>Purpose:</b>	
To establish guidelines to ensure that citizens that wish to be notified of the release of juveniles who have committed a delinquent act that would constitute a felony if committed by an adult are notified.	
<b>Procedures:</b>	
<b>A. Request for Notification Procedures</b>	<ol style="list-style-type: none"> <li>1. All Requests for Public Notification of Release or escape of a Juvenile Offender will be directed to the Department of Children's Services, Victim's Rights Liaison or designee.</li> <li>2. Upon review of the request, form <b>CS-0587, Request for Public Notification of Release of Juvenile Offender</b> will be forwarded to the requestor by the Victim's Rights Liaison or designee.</li> <li>3. When form <b>CS-0587 Request for Public Notification of Release of Juvenile Offender</b> form has been completed and returned to the Department, the Victim's Rights Liaison will contact the youth's facility case manager to confirm that a release staffing has been convened and that a projected release date has been determined or pending.</li> <li>4. Victims that request notification regarding an escapee, the Victim's Rights Liaison will send a follow-up notification when the escapee is returned to DCS</li> </ol>

	<p>custody.</p> <p>5. The Victim's Rights Liaison will maintain a file and track proposed release dates on all juveniles for which form <b>CS-0587, Request for Public Notification of Release of Juvenile Offender</b> has been received.</p> <p>6. The Victim's Rights Liaison must notify the youth's Family Service Worker to receive a copy of form <b>CS-0130, Release to Home Placement</b> and a treatment summary documenting the youth's progress in all Individual Program Plan (IPP) areas at least thirty (30) days prior to the youth's projected return home.</p> <p>6. The Victim's Rights Liaison will then verify if form <b>CS-0587, Request for Public Notification of Release of Juvenile Offender</b> has been received for the delinquent youth who will be released.</p>
<p><b>B. Responsibilities of the Release Notification Committee</b></p>	<p>1. If a request for public notification form is on file, the Victim's Rights Liaison will convene the <i>Release Notification Committee</i> that will include, but not be limited to:</p> <ul style="list-style-type: none"> <li>a) Victim's Rights Liaison;</li> <li>b) Director of Treatment Services;</li> <li>c) Director of Community Services; and</li> <li>d) DCS Legal Counsel.</li> </ul> <p>2. A determination of the disposition of the request for notification will be made and a determination completed twenty (20) days prior to the proposed release date.</p> <p>3. The <i>Release Notification Committee</i> will be responsible for determining whether to approve or deny a notification request on a case-by-case basis.</p>
<p><b>C. Criteria for Denial of a Request for Notification</b></p>	<p>The <i>Release Notification Committee</i> will approve the Request for Notification unless:</p> <ul style="list-style-type: none"> <li>1. The classification of the delinquent act would not be a felony if committed by an adult; or</li> <li>2. The Committee determines on a case-by-case basis that the denial of the request would be in the best interests of the juvenile and that notification may result in harm to the juvenile. In determining the risk of harm to the juvenile, the Release Notification Committee may consider the following: <ul style="list-style-type: none"> <li>a) The characterization of the requesting party as victim or as member of the public; and/or</li> <li>b) Threats to the child or child's family.</li> </ul> </li> </ul>

<p><b>D. Notification of Committee's Decision</b></p>	<ol style="list-style-type: none"> <li>1. After consideration has been given the request for notification by the committee, the Victim's Rights Liaison will send written notice to the requestor of the determination made by the committee with regards to the denial or approval of the notification request.</li> <li>2. If the committee approves the request, the notification of the release will contain <b>only</b> the date of the release to home placement.</li> <li>3. The notification must not contain the address or the telephone number of the juvenile's home placement.</li> </ol>
<p><b>E. Documentation:</b></p>	<p>Unless other requirements are specified in this policy for documentation, or events not documented elsewhere, or requiring broader explanation will be documented on the appropriate screens in <b>TFACTS</b> within thirty (30) days from the date of the contact or occurrence.</p>

<p><b>Forms:</b></p>	<p><a href="#"><u>CS-0587, Request For Public Notification of Release of Juvenile Offender</u></a></p>
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<p><b>Collateral Documents</b></p>	<p><i>None</i></p>
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