



SCDC POLICY

NUMBER: OP-22.39

TITLE: YOUNG OFFENDER PAROLE AND REENTRY SERVICES (YOPRS)

ISSUE DATE: July 23, 2024

RESPONSIBLE AUTHORITY: DIVISION OF YOUNG OFFENDER PAROLE AND REENTRY SERVICES

POLICY MANUAL: OPERATIONS

SUPERSEDES: SCDC POLICY OP-22.39 (March 22, 2023); (September 2, 2021); SCDC POLICY PS-10.09 - (June 7, 2016 NEW POLICY)

RELEVANT SCDC FORMS/SUPPLIES: 9-11, 19-11, 18-1, 18-11, 19-29A, 19-69, 25-2, 25-3, 25-6, 25-7, 25-12, 25-22, 25-66, 25-67, 25-69, 25-70, 25-71, 25-73, 25-74, 25-75, 25-76, 25-77, 25-78, 25-79, 25-80, 25-82, 25-83, 25-85, 25-86, 25-88, 25-89, 25-90, 25-91, 25-94, 25-96, 25-98, 25-99, 25-100, 25-101, 25-102, 25-104, 25-105, 25-106, 25-107, 25-109, 25-110, 25-111, 25-112, 25-113, 25-114, 25-115, 25-116, 25-118, 25-119, 25-120, 25-121, 25-123, 25-124, 25-125, 25-128, 25-129, 25-130, 25-131, 25-132, 25-133, 25-137, 25-138, 25-139, 25-140, 25-141, 25-142, 25-143, 25-144, 25-145, 25-146, 25-149, 25-150, 25-152, *25-156, 25-157, 25-158, 25-159.*

(NOTE: All SCDC approved forms starting with the number 25 pertain solely to the operations of the Division of Young Offender Parole and Reentry Services.)

ACA/CAC STANDARDS: *5-ACI-1D-04, 5-ACI-1D-05, 5-ACI-1D-13, 5-ACI-1E-05, 5-ACI-1F-08, 5-ACI-2C-11, 5-ACI-2E-12, 5-ACI-3D-01, 5-ACI-3D-02, 5-ACI-3D-04, 5-ACI-5B-09, 5-ACI-5B-10, 5-ACI-5B-11, 5-ACI-5B-12, 5-ACI-5B-13, 5-ACI-5B-14, 5-ACI-5B-15, 5-ACI-5B-17, 5-ACI-5B-18, 5-ACI-6A-37, 5-ACI-5E-01, 5-ACI-5E-02, 5-ACI-5E-04, 5-ACI-5E-15, 5-ACI-7A-02, 5-ACI-7B-01, 5-ACI-7D-11, 5-ACI-7D-14*

STATE/FEDERAL STATUTES: § 24-19-40; S.C. Code § 24-19-10 et seq.; § 24-13-40

PURPOSE: The purpose of the Division of Young Offender Parole and Reentry Services (YOPRS) is: 1) to reduce recidivism for the youthful offender population through a seamless system of services implemented at the time of incarceration and concluded upon completion of community supervision (parole); 2) to provide rehabilitative services for young offenders sentenced as juveniles and transferred to the custody of the South Carolina Department of Corrections (SCDC) upon reaching an appropriate age; and 3) to provide rehabilitative services for youthful offenders, as well as Adult Straight-timers, who are referred by the courts and accepted into the Shock Incarceration Program.

POLICY STATEMENT: The Division of Young Offender Parole and Reentry Services provides services utilizing evidence-based principles and practices that teach accountability, enhance skill development, and promote public safety. Services include: 1) Young Offender Institutional Services (YOIS); 2) Intensive Supervision Services (ISS); 3) Intensive Supervision Administrative Release Authority (ISARA); and 4) Shock Incarceration Program. The Division Director is responsible for overseeing and managing all services under the guidance of the Deputy Director of Operations.

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SECTION ONE: YOUNG OFFENDER PAROLE AND REENTRY SERVICES (YOPRS):

1. RESPONSIBILITIES:

1.1 The Division Director of YOPRS is responsible for overseeing and monitoring Youthful Offender Institutional Services (**YOIS**), Community Services (Intensive Supervision Services (ISS), Administration Services, and Administrative Release functions under the guidance of the Deputy Director of Operations.

1.2 The **Human Resources/Business Liaison** for the YOPRS Division is responsible for all of the administrative support for the Division Director of YOPRS and is responsible for all HR **and business** related functions for the Division.

1.3 The Manager of Administration **Services** is responsible for all administrative services for the Division to include restitution, interstate compact, classification, and submitting Intensive Supervision Administrative Release Authority (ISARA) documents and will report to the Division Director of YOPRS.

1.4 The Manager of Institutional Services is responsible for directly supervising YOIS Institutional Coordinators, Rehabilitation Correctional Counselors, and Case Managers; and will report to the Division Director of YOPRS.

1.5 The Manager of Community Services is responsible for overseeing and managing Intensive Supervision Services (ISS) and will report to the Division Director of YOPRS.

1.6 The **Manager of Administrative Hearings** is responsible for **all** administrative reviews **and citation hearings conducted by the Administrative Review Coordinators (ARCs)** for all youthful offenders; coordinates response to all NCIC hit notifications, extraditions, liaison to Law Enforcement entities **and is responsible for direct supervision of the division's Administrative Review Coordinator. The Manager of Administrative Hearings reports** to the Division Director of YOPRS.

2. YOPRS TRAINING:

2.1 All YOPRS division staff must attend YOPRS training twice a year. Other program specific training will be required and conducted as needed by the Manager of Administration **Services**, Manager of Institutional Services, Manager of Community Services, **Manager of Administrative Hearings**, or the Division Director of YOPRS or designee. **(5-ACI-5B-18)**

2.2 All employees are required to attend SCDC mandatory training yearly. In addition, SCDC may require other mandatory training throughout the year. Certain classes require pre-registration prior to attending training. (SCDC Form 17-9, "Training Academy Pre-Registration" and SCDC Form 17-5, "Other Agency Training Report"). SCDC Form 17-5 shall be utilized for all outside training credit.

SECTION TWO: ADMINISTRATION SERVICES:

3. STAFF RESPONSIBILITIES:

3.1 Release Coordinator is responsible for coordinating the releases of all youthful offenders from SCDC and reports to the Manager of Administration Services.

3.2 **Quality Assurance**/Restitution/Interstate Compact Coordinator is responsible for **ensuring quality and compliance for the division by conducting quarterly audits. The audit process will consist of random selections of youthful offenders and institutions. The audits will be conducted on the automated information, institution visits and field/community visits using SCDC Form 25-156, "Quality Assurance Rubric." The**

Quality Assurance Coordinator will meet with area managers and provide SCDC Form 25-157, "Quality Assurance Review" to document findings and provide a corrective action plan, restitution owed is documented and accurate according to sentencing sheets, serves as the point of contact for interstate compact transfers and reports to the Manager of Administration Services.

3.3 Administrative Assistant is responsible for *preparing release recommendations and paperwork to be presented at* the release board, *ensures* offenders are entered into NCIC prior to release, and reports to the Manager of Administration Services.

3.4 Upon being classified per SCDC Policy OP-21.04, "Inmate Classification Plan," Administration Services is responsible for determining if youthful offenders will be assigned to Intensive Supervision Services (ISS) based on sentencing structure, time left to serve, and blended sentences to include, but not limited to, the analysis of Eligibility Guidelines and Release Matrix.

4. CLASSIFICATION AND ASSIGNMENT OF YOUTHFUL OFFENDERS:

4.1 Intensive Supervision Services (ISS):

4.1.1 Eligibility Guidelines: A designee for the YOPRS Division will review the referral list to determine if *a* youthful offender will be assigned to ISS once he/she arrives at a YOA institution based on the following guidelines:

- Offender is not in the Shock Program
- Offender is not a juvenile offender
- Offender must be serving a *C*ategory 1, 2, or 3 offense
- Offender serving a blended straight sentence should be within ten (10) months of straight sentence max-out date
- Offender should have at least three (3) months left on supervision once released to parole.

4.2 Release Matrix:

4.2.1 First Time Offenders : Based on category of offense, the youthful offender will be required to serve below sentence while incarcerated at SCDC:

- Category I and II - 6 - 48 months minimum
- Category III - 9 - 48 months minimum
- Category IV - 18 - 48 months minimum
- Category V - 36 - 48 months minimum
- All Non-Conforming Offenders must serve 48 months mandatory.

4.3 Reception and Evaluation: Male and female youthful offenders will be received at an SCDC Reception and Evaluation (R&E) Center. The staff at the R&E Center will interview and conduct a medical examination, screen the offender for mental health problems, and give the offender an orientation about SCDC. (See SCDC Policy OP-21.04, "Inmate Classification Plan," for additional information.) Division of YOPRS staff will conduct an orientation with youthful offenders at R&E monthly.

4.4 Special Needs: When a youthful offender has a serious medical condition, physical disability, mental health diagnosis, or has been deemed difficult to place which requires Intermediate Care Unit Services, s/he will be assigned to an SCDC institution which provides services to treat those needs. The Division of YOPRS is still responsible for monitoring the offender's progress. SCDC Form 27-72, "Difficult Reentry Placement Referral Form," must be utilized to staff medical, mental health, and other issues with SCDC Medical and Behavioral Health Staff for assistance with placement. Referrals will be submitted within seventy-two (72) hours once a need has been identified while the offender is incarcerated. *(5-ACI-6A-37)*

4.5 YOIS Assignment: After assessment at R&E, the male and female youthful offenders will be assigned to the appropriate YOA institution based on medical/mental health needs, convictions, sentence, security, and program

considerations. All youthful offenders will be assigned by R&E assessment staff to an institution that offers YOIS or manages special needs. Assignments will be based on the Agency's classification criteria. (See SCDC Policy OP-21.04, "Inmate Classification Plan," for additional information.) **(5-ACI-2C-11)**

4.6 YOA Institutions:

4.6.1 Male YOIS youthful offenders are primarily housed at YOA specified institutions. Addictions Treatment: Male youthful offenders who require addictions treatment services will be assigned to Addictions Treatment Units (ATUs); **Specialized Services and Considerations:** Male youthful offenders requiring specialized services or considerations may be assigned to an institution that manages the special needs. **(5-ACI-5B-11)**

4.6.2 Female YOIS youthful offenders are primarily housed at Camille Griffin Graham Correctional Institution. Addictions Treatment: Female youthful offenders who require addictions treatment services will be assigned to Addictions Treatment Units (ATUs); **Specialized Services and Considerations:** Female youthful offenders requiring specialized services or considerations may be assigned to an institution that manages the special needs. **(5-ACI-5B-11)**

4.7 YOA Institutional Custody Assignment: Once the youthful offender is assigned to an appropriate YOA institution, Central Classification will be responsible for assigning the youthful offender to a custody level.

5. INTENSIVE SUPERVISION SERVICES (ISS):

5.1 Eligibility Guidelines: The YOPRS Release Coordinator will review the referral list to determine if **a** youthful offender will be assigned to ISS once he/she arrives at a YOA institution based on the following guidelines:

- Offender is not in the Shock Program;
- Offender is not a juvenile;
- Offender must be serving a Category 1, 2, or 3 offense;
- Offender serving a blended straight sentence should be within ten (10) months of straight sentence max-out date;
- Offender should have at least three (3) months left on supervision once released to parole.

5.2 Release Matrix:

5.2.1 Matrix Minimum Guidelines:

First-Time Offenders:

- **Category I and II - 6 - 48 months minimum;**
- **Category III - 9 - 48 months minimum;**
- **Category IV - 18 - 48 months minimum;**
- **Category V - 36 - 48 months minimum;**
- **All Non-Conforming - 48 months mandatory;**
- **Burglary II, Non-Violent, prior to April 21, 2016* - 36 - 48 months minimum;**
- **Burglary II, Non-Violent, after April 21, 2016* - 9 - 48 months minimum**

* = Date of offense.

Non-ISS Assigned Probation, Parole, and Pardon Services (PPPS) Revocators:

- **All Offense Categories - 6 months minimum.**

ISS Assigned Revocators*:

- **First-time Violators - 6 months minimum;**
- **Second-time Violators - 12 months minimum;**
- **Third-time Violators and Non-Conforming Violators - will be ineligible for additional community supervision and will remain incarcerated until sentence expiration (Max-out date).**

***NOTE: Aggravating factors will be considered to extend the minimum times for revocators, an additional three (3) months for first-time violators, and an additional six (6) months for second-time violators.**

Examples of Some Aggravating Factors:

- ***Possession of a firearm;**
- ***Extradition out of state;**
- ***Unauthorized contact with a victim;**
- ***Violent Crime(s) as defined by South Carolina Code of Laws Section 16-1-60.**

5.3 Guidelines for Youthful Offenders who also Have Straight Time Sentences: The Division of Classification and Inmate Records will review the paperwork on youthful offenders who also have straight time sentences to determine type of sentence(s) and corresponding procedures.

Type(s) of Sentence(s)	Procedures
Offender received at R&E as an initial gain with a YOA sentence and a concurrent straight sentence of two (2) years or more.	Entered into the automated Offender Management System as a straight time offender with a HOLD for YOA certificate. The YOA sentence will be entered on the CONVICT screen. The YOA sentence will be marked Paroled by R&E personnel.
Offender received at R&E as an initial gain with a YOA sentence and a concurrent straight sentence of less than two (2) years.	Entered into the automated Offender Management System as a YOA offender with a HOLD for YOA/ST review. The straight sentence will be entered on the CONVICT screen.
Offender is received at R&E as an initial gain with a YOA sentence and a consecutive straight sentence.	HOLD will be placed in the automated Offender Management System for YOA/ ST review. The offender will be entered in the automated Offender Management System as a YOA. The consecutive straight sentence will be entered on the CONVICT screen.
YOA goes to court on outstanding charges and receives a straight sentence.	Division of YOPRS will be notified by the Inmate Records Office staff when the staff generates the YOA/ST review HOLD. If the concurrent straight sentence exceeds the YOA four (4) or six (6) year date, the offender will be converted to a straight timer with a HOLD for YOA certificate. If the straight sentence does not exceed the YOA four (4) or six (6) year date, the offender will remain a YOA with a HOLD for YOA/ST review. The straight sentence will be entered on the CONVICT screen.
Straight timer goes to court on outstanding charges and receives a YOA sentence.	Division of YOPRS will be notified by the Inmate Records Office staff when the staff generates the YOA/ST review HOLD. If the straight sentence exceeds the YOA six (6) year date, the YOA sentence will be entered on the CONVICT screen and the offender will remain a straight timer. If the straight time sentence does not exceed the YOA six (6) year dates, the offender will remain a straight

	timer with a HOLD for YOA/ST review. The YOA sentence will be entered on the CONVICT screen.
Revocations	
Revocated YOA received at R&E with a two (2) year or more straight sentence.	Entered as a straight timer. A HOLD for YOA/ST review will be placed by R&E personnel.
Revocated YOA received at R&E with less than two (2) year straight sentence.	Entered as a YOA. A HOLD for a YOA/ST review will be entered by R&E personnel.
Revocated YOA received at R&E with a consecutive straight sentence.	Remains a YOA. The straight sentence will be entered on the CONVICT screen. A HOLD for YOA/ST review will be placed by R&E personnel.
YOA received at R&E with a straight sentence and no YOA parole revocation order.	Offender will be entered in the automated Offender Management System as a straight timer. The R&E personnel will be responsible for notifying the Division of YOPRS by placing a HOLD for YOA/ST Review with remarks noting specific information. The HOLD will also be sent to R&E Classification. Upon receipt of the SCDPPPS revocation order, the offender may be considered for Unconditional Release by the ISARA if the offender was previously on parole supervision with SCDPPPS for at least one year. Offenders approved for Unconditional Release will have their YOA sentence marked complete by Division of YOPRS staff. For Division of YOPRS revocations, Division staff will ensure paperwork is initiated. The straight sentence will be entered on the CONVICT screen. Upon receipt of the YOPRS revocation order, the offender will be reviewed by the ISARA for appropriate disposition. The CONVICT screen will be updated by R&E personnel to reflect ISARA's disposition.
Revocated YOA assigned to the YOIS with a detainer who goes to court and receives a concurrent straight sentence of two (2) years or more (not reduced by jail time or time served).	The offender will be converted to a straight timer. A HOLD will be placed for YOA/ST review. The straight sentence will be entered on the CONVICT screen.

*****All YOA/ST review HOLDS will remain in effect until review by Division of YOPRS personnel.**

*******All detainees should be processed using normal detainer guidelines. *****

6. CALCULATION OF ABSCONSION (DEAD) TIME:

6.1 Inmate Records staff will review the paperwork on youthful offenders who have had their parole revoked to determine if dead time needs to be added. The time is calculated from the date the warrant is issued until the date the offender is in secure custody. After calculating the amount of time that has lapsed between the two dates, this time is added to the offender's six (6) year max out date. Dead time is noted via the Transfer and Count Menu (TRANCT) in the OMS and may entail multiple entries based on warrants received and continuation on parole.

7. PROCEDURES TO REQUEST JAIL TIME CREDIT:

7.1 Youthful offenders are eligible for jail time credit when court-ordered (§24-13-40). If an offender has served jail time that has not already been processed for jail time credit by the Inmate Records Office, the Classification Case Manager/designee will complete SCDC Form 18-11, "Request for Jail Time," and forward the complete form to the appropriate point of contact in the Inmate Records Office. The Inmate Records Office will send the form to the appropriate county. Upon return of the form, the Inmate Records Office will provide the jail time credit information to the institution where the offender is assigned. For additional information see SCDC Policy OP-21.09, "Inmate Records Plan."

8. RELEASE RECOMMENDATIONS:

8.1 Upon a youthful offender being within seventy-five (75) days of projected conditional release date, the YOIS Institutional Coordinator or designee, Division of Victim Services, and Intensive Supervision Services staff (ISS) must submit release recommendations to Intensive Supervision Administrative Review Authority (ISARA) for review. Any pertinent information that is received by the Division of YOPRS that may affect an offender's release (detainers, new charges, consecutive sentence, etc.) is distributed to the appropriate correctional institution and ISS Region. Should there be changes in a youthful offender's conditional release status due to major disciplinaries, programming issues, behavior related issues, community placement, and community safety concerns, the correctional institutional staff, Intensive Supervision Services staff, YOIS staff, or the Division of Victim Services may submit a Youthful Offender Emergency Hold Recommendation (EHR), SCDC Form 25-66, "Youthful Offender Emergency Hold Recommendation." If approved, a new projected conditional release date will be calculated by the YOPRS Release Coordinator up to three (3) months maximum from the initially projected release date via SCDC Form 25-66, "Youthful Offender Emergency Hold Recommendation."

9. INTENSIVE SUPERVISION ADMINISTRATIVE RELEASE AUTHORITY (ISARA):

9.1 Pursuant to the South Carolina Youthful Offender Act, *the Division* has the legal authority to conditionally *release or deny the* release *of* any youthful offender from SCDC institutional custody. *The Division* has designated this authority to ISARA. ISARA is a panel *with three primary members and an alternate, comprised of employees* of different disciplines within *the South Carolina Department of Corrections who have been appointed by the Agency Director to serve. ISARA members at a minimum will meet monthly to approve/disapprove the conditional release of youthful offenders to community ISS and approve/disapprove the return to custody of offenders that have violated the conditions of their conditional release agreement as recommended by the Manager of Administrative Reviews, or the Administrative Review Coordinators for the division. ISARA members shall not be employees of institutions, be within a probationary or trial employment status, nor supervise youthful offenders in any capacity. ISARA members shall serve no longer than four (4) years.*

10. YOUTHFUL OFFENDER SENTENCING OBLIGATIONS:

10.1 A person who has been sentenced for the first time as a youthful offender per SC *Code of Laws et seq.* § 24-19-10 may be incarcerated in SCDC for up to four (4) years. An offender who has violated his/her parole must be released when the number of days incarcerated in SCDC institutional custody plus the number of days on YOA parole/community supervision and any applicable dead time equals the YOA six (6) year sentence max out date or the statutory maximum for the sentence imposed. At the YOA six (6) year sentence max out date or the statutory maximum for the sentence imposed, the offender will be released without any further obligation.

11. CONDITIONAL RELEASE PROCESS:

11.1 The purpose of ISARA is to review release recommendations for youthful offenders approaching conditional release. The release authority process consists of a threefold review by ISARA of the youthful offender's institutional behavior and progress: SCDC Form 25-67, "Youthful Offender Release Recommendation: Correctional Institution;" Community assessment and plan for offender's successful community reentry, SCDC Form 25-69, "Youthful Offender Release Recommendation: ISS Region;" and verification that victim/witness notification requirements have been completed, SCDC Form 25-71, "Youthful Offender Release Recommendation: Victim Services." *(5-ACI-5B-10)*

11.2 If a youthful offender is not approved for conditional release by ISARA, *a designee from the Division* will return *the* disapproval to the correctional institution, Division of Victim Services, and ISS Region. The *designee* will notify all entities of next projected conditional release date and provide reason(s) for ISARA's disapproval via SCDC Form 25-115, "SCDC ISARA Release Decision Form." Division staff will enter the new projected conditional release date in the ISS Web Application. The YOIS Rehabilitation Correctional Counselor will notify the offender of this disapproval, and the ISO will review the disapproval reason(s) with the offender during the next monthly visit to the correctional institution.

11.3 If an offender is approved for conditional release by the ISARA, SCDC Form 25-115, "ISARA Release Decision Form," will be used to document the decision. *A designee from the Division* will report the decision to the correctional institution, Division of Victim Services, and ISS Region. The Release Coordinator will enter the approved offender on the agency's mainframe maxrel screen.

- ISO will notify verbally and in writing by using SCDC Form 25-70, "Youthful Offender Conditional Release Certificate," the designated youthful offender of approved conditional release date. Each youthful offender will acknowledge receipt of this information by signing in the appropriate section of the "Youthful Offender Conditional Release Certificate." ISO must ensure that a signed copy of the youthful offender's release certificate and SCDC Form 25-90, "ISS: Parole Transportation Plan," is provided to designated personnel at each institution serving youthful offenders *at least* thirty (30) days prior to *a* youthful offender's conditional release.
- No youthful offender will be released without the offender's record being audited using SCDC Form 25-133, "YOA Release Audit Checklist."
- All youthful offenders' victims will be notified prior to their release by the Division of Victim Services.
- All agencies with detainers lodged will be notified of the release of the youthful offender using SCDC Form 25-102, "Detainer Pickup," and of release date changes using SCDC Form 25-101, "Detainer Cancellation."
- **EXCEPTIONS:** Non-conforming statutory violent offenders must serve forty-eight (48) months. All youthful offenders convicted of Burglary, 2nd non-violent with an offense date before April 21, 2016 will serve a minimum of thirty-six (36) months. Juveniles who were adjudicated by a Family Court Judge can only be released by the Juvenile Parole Board on or before their 21st or 22nd birthday, depending upon the offense date.

12. REVOCATION OF ISS YOUTHFUL OFFENDERS:

12.1 For all youthful offender Administrative Reviews in which the return to SCDC institutional custody is recommended, ISARA will receive a violation packet, to include, but is not limited to, SCDC Form 25-73, "Youthful Offender Arrest Warrant," SCDC Form 25-74, "Youthful Offender Revocation Order," SCDC Form 25-89, "Youthful Offender Violation Report," and SCDC Form 25-142, "Youthful Offender Violation Report Addendum," from the Administrative Review Coordinator (ARC), in accordance with policies and procedures of ISS. ISARA is responsible for reviewing the violation packet and approving/disapproving the recommendation to return the youthful offender to SCDC institutional custody. Additionally, the ARC will submit copies of SCDC Form 25-73, "Youthful Offender Arrest Warrant," SCDC Form 25-74, "Youthful Offender Revocation Order," SCDC Form 25-89, "Youthful Offender Violation Report," SCDC Form 25-142, "Youthful Offender Violation Report Addendum," and SCDC Form 25-152, "Summary of Administrative Hearing," to R&E.

12.2 *After review of the violation packet, ISARA will document the final decision on SCDC Form 25-114, "ISARA Parole Violation Decision Form."*

13. RELEASE OF YOUTHFUL OFFENDERS FROM SCDC INSTITUTIONAL CUSTODY:

13.1 Youthful offenders may be conditionally released to community supervision, pursuant to the South Carolina Youthful Offender Act and policies and procedures established by the Division of YOPRS. Refer to Section 9, "Intensive Supervision Administrative Release Authority" (ISARA)," for additional information.

13.2 The institution, community, and Victim Services are responsible for making recommendations to ISARA pertaining to the youthful offender's institutional behavior, program compliance, reentry plan, and victim input on SCDC Form 25-67, "Youthful Offender Release Recommendations: Correctional Institution," SCDC Form 25-69, "ISS Youthful Offender Release Recommendation: ISS Region," and SCDC Form 25-71, "Youthful Offender Release Recommendations: Victim Services."

13.3 Unconditional Release: At the YOA six (6) year sentence max out date or the statutory maximum for the sentence imposed, the offender will be released from SCDC institutional custody without any further obligation. *All unconditional YOA releases will be reviewed to determine if restitution has been satisfied. If restitution is still owed, then a civil judgment will be initiated by the last region of supervision.*

14. REVOCATION OF YOUTHFUL OFFENDERS SUPERVISED BY DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES (DPPPS):

14.1 Revocation Matrix: The following is to be used to determine a revocator's length of stay once returned to the custody of SCDC for violating the conditions of their conditional release.

14.1.1 Non-ISS Assigned (PPP) Revocators:

- All Offense Categories = 6 months minimum.

14.1.2 ISS Assigned Revocators*:

- First-time Violators = 6 - 9 months minimum;
- Second-time Violators = 12 -18 months minimum;
- Third time and Non-Conforming Violators = Max out date with no community supervision

***Note:** Aggravating factors will be considered to extend the minimum times for revocators an additional three (3) months *for* First-time Violators, and *an* additional six (6) months for Second-time Violators.

14.1.3 Examples of Some Aggravating Factors

- Possession of a firearm;
- Extradition out of state;
- Unauthorized contact with a victim;
- Violent Crimes *as* defined by South Carolina Code of Laws Section 16-1-60.

14.2 Youthful offenders will be reassigned to ISS for *those* youthful offenders whose conditional release has been revoked; or other appropriate disposition of the case, including unconditional release to a straight sentence, will be made by the Division *to* DPPPS.

15. RELEASE FROM SUPERVISION PROCESS:

15.1 When a youthful offender, eligible for release from YOA parole, is within forty-five (45) days of projected *parole end* date, the ISS Region submits SCDC Form 25-78, "Youthful Offender Case Closure Request." *The offender's restitution status will be reviewed to determine if restitution has been satisfied. If restitution is still owed and the offender is not at his/her max out date then the case closure will be returned to the region. If the offender is at his/her max out date then a civil judgment will need to be initiated by the region for any restitution remaining.*

- No youthful offender will be released without official notification and documentation from the Division of YOPRS.
- All youthful offenders' victims will be notified at the time of the *each* youthful offender's release from supervision by the Division of Victim Services.
- At the YOA statutory max out date, the youthful offender will be released from supervision without any further obligation

16. INTERSTATE COMPACT COORDINATOR RESPONSIBILITIES:

16.1 The South Carolina Department of Probation, Parole, and Pardon Services (DPPPS) will serve as liaison between the SCDC and the South Carolina Interstate Parole Compact Administrator concerning all compact matters regarding youthful offenders. When a youthful offender informs an Intensive Supervision Officer (ISO) that s/he would like to live out of state while on community supervision, the ISO is responsible to review and get the necessary information and forms that require signature completed to include "Interstate Commission for Adult Offender Supervision," "Interstate Compact Checklist," "Offender Application for Interstate Compact," and "Interstate Compact Supervisory History." The Division of YOPRS will then forward the forms to the South Carolina DPPPS for processing no earlier than four (4) months prior to release. Prior to the completion of the interstate compact application, ISOs will perform a residence assessment using SCDC Form 25-112, "Interstate Compact Offender Residence Assessment Form."

17. RESTITUTION COORDINATOR RESPONSIBILITIES:

17.1 All YOA sentences will be reviewed for restitution. Restitution Coordinator will verify all restitution and submit documentation to SCDC **Division of** Budget and Finance **using** SCDC Form 25-119, "Offender Restitution Payments: Routing Sheets." Restitution Coordinator will track restitution for the YOPRS Division. Upon the youthful offender satisfying restitution, the Restitution Coordinator will submit SCDC Form 25-131, "Settlement of Restitution Order," to the Division of Budget and Finance.

18. NATIONAL CRIME INFORMATION CENTER (NCIC):

18.1 For the purposes of ensuring that all local, state, and National Law Enforcement agencies are aware of the youthful offender supervision status from SCDC, all youthful offenders under community supervision must be placed in the NCIC data base prior to release.

18.2 In order to ensure accuracy of information entered in NCIC, a second party check is conducted using SCDC Form 25-128, "NCIC Entry Quality Check."

18.3 Upon the completion of community supervision or return to SCDC, youthful offenders are removed from NCIC.

18.4 South Carolina Law Enforcement Division (SLED) sends random NCIC records to Emergency Action Center (EAC) monthly for validation. YOPRS staff conduct validations on selected youthful offenders using SCDC Form 25-129, "NCIC Record Validation Report."

SECTION THREE: YOUNG OFFENDER INSTITUTIONAL SERVICES (YOIS):

19. STAFF RESPONSIBILITIES: The Division Director of YOPRS is responsible for overseeing and monitoring YOIS under the guidance of the Deputy Director of Operations.

19.1 Each YOIS Institutional Coordinator directly supervises the YOIS Rehabilitation Correctional Counselors and YOIS Case Managers and reports to the Manager of Institutional Services.

19.2 Rehabilitation Correctional Counselors (RCC) are responsible for ensuring programming needs of youthful offenders in accordance with the SC Code **of Laws**, Section 24-19-60, and report to YOIS Institutional Coordinator.

19.3 YOIS Case Managers are responsible for providing counseling services to all youthful offenders and report to YOIS Institutional Coordinator.

19.4 Wardens of institutions where YOIS personnel are housed are responsible for dual supervision of YOIS Institutional staff and **for** ensuring that all components of YOIS programming are implemented.

20. SERVICE AREAS:

20.1 Youthful offenders will transition through three service areas which include Orientation, Rehabilitation, and Reentry. The YOIS framework of individualized targeted interventions and cognitive restructuring is accomplished through services including, but is not limited to, an Assessment Process, Services Planning, Individual Counseling, Group Counseling, Community Meetings, Case Management, and Reentry Planning.

20.2 Orientation: Youthful offenders will participate in a YOA institutional orientation and undergo an assessment which will be performed by a YOIS Case Manager or designee within seven (7) days of arrival to YOA institution. Institutional orientation includes an introduction to YOIS philosophy and institutional services; participant expectations; recreation services overview; health and wellness requirements; education overview, if determined appropriate; pastoral services; and structured movement education and demonstration. The youthful offender will acknowledge completion of Orientation by signing SCDC Form 25-2, "YOIS/SHOCK Orientation Checklist." Orientation should occur within a period of time not to exceed fourteen (14) business days. The youthful offender will acknowledge expectation of the YOIS institutional services by signing SCDC Form 25-7, "Behavioral Expectation of Participation." YOIS institutional staff will identify whether the youthful offender, in preparation for reentry, is in need of a birth certificate, social security card or state ID, etc. If offender is in need of any of the above identifiers, YOIS staff must initiate the process upon arrival at the assigned institution within fourteen (14) days during the orientation/assessment period. The YOIS institutional staff will complete the following forms during orientation: SCDC Form 9-11, "Inmate Resident Release of Information Consent," and SCDC Form 25-75, "Youthful Offender Consent Form."

20.2.1 Assessment: All youthful offenders assigned to YOIS will be assessed using the Global Risk Assessment Device (GRAD). The GRAD identifies patterns of behavior, resource needs, and assets that impact the well-being of the youthful offender in different spheres of an offender's life. The GRAD addresses both risks (mental health issues, substance use, sociability concerns, career development) and assets (individual strengths, positive leisure time, family/mentor support, workforce readiness) proven relevant to the offender population. Completion of the assessment to determine service appropriateness will be the responsibility of the Rehabilitation Correctional Counselor (RCC). The completed GRAD will be utilized in the development of the institutional Individualized Rehabilitation Plan and community Case Management Plan and will serve as the basis for recommendations and referrals for services in both the institutional and community settings. *(5-ACI-IE-05)*

20.2.2 General Sessions Court Sentencing Sheet: Upon admission to the YOA institution, the YOIS Case Manager or designee will review the general sessions court sentencing sheet. The sentence sheet must be reviewed to determine if there are any special conditions specified on the order that need to be satisfied while *the* youthful offender is incarcerated.

20.2.3 Individual Rehabilitation Plan: During Orientation and upon completion of the assessment, the youthful offender's RCC or designee and the youthful offender must develop an SCDC Form 25-3, "Individualized Rehabilitation Plan," with the assistance of the youthful offender. SCDC Form 25-3 must be completed within ten (10) business days of the offender's assignment to the RCC or designee's caseload. Individual Rehabilitation Plans are maintained in the YOIS offender file, and should be present at all Offender Focus sessions (administrative, rehabilitative, and reentry phases), and should be reviewed every thirty (30) days with an update of rehabilitation goals, as needed. Individual Rehabilitation Plan must be updated when an offender transitions from the rehabilitation phase to the reentry phase.

20.3 Rehabilitation: Youthful offenders will transition into the rehabilitation phase upon completion of Orientation. Upon entering rehabilitation phase, the assigned RCC will be required to work with the youthful offender on addressing the identified goals utilizing SCDC Form 25-3, "Individualized Rehabilitation Plan."

20.4 Education: Education is mandatory for all youthful offenders ages twenty-one (21) years and under without verified GED or diploma. Offenders over the age of twenty-one (21) who do not have a high school diploma or GED will be assigned to a course of study to prepare for the GED or diploma. A minimum of three (3) hours per day of structured classroom activities is required. High school graduates may be assigned as teachers' aides or enrolled in vocational training where available. Successful completion of the educational component requires that an offender reach his/her potential by acquiring a GED or diploma, and satisfactorily progressing in

vocational training as deemed appropriate for the offender. Those offenders who cannot reach these educational milestones, as determined by the institutional educational staff, must demonstrate academic progress as well as meet all behavioral and performance requirements. Failure to comply with educational guidelines will result in disciplinary actions. Offenders who are awaiting verification of a high school diploma or GED will be required to attend school until a confirmation is received by the Agency. **(5-ACI-7B-01)**

20.5 Groups: All youthful offenders assigned to YOIS will be required to complete a series of core groups in accordance with YOIS policies and procedures. Additional specialized groups will be offered based upon institutional staffing and an offender's individualized needs. Youthful offenders are required to attend a minimum of three groups weekly, with employment and/or education counting as one group daily. The range of groups included will be conducted in accordance with institutional and YOIS policies and procedures. Rehabilitation services' core and specialized groups include, but are not limited to:

- Criminal Thinking;
- Impact of Crime;
- Violence Prevention;
- Substance Abuse Awareness;
- Interpersonal Skills (Decision Making & Conflict Resolution);
- Anger Management;
- Parenting;
- Self-Esteem;
- Positive Relationships.

20.6 Individual Counseling: All youthful offenders participating in YOIS will be required to complete an individual counseling session monthly. The individual counseling sessions allow for more in-depth discussion of **each** offender's rehabilitation goals or any offender concerns. Individual counseling sessions should be documented in the ISS web database within seventy-two (72) hours of the completion of sessions.

20.7 Family Focus: All youthful offenders participating in YOIS will be afforded a family focus, as outlined on his/her Individualized Rehabilitation Plan, to include, but not **be** limited to:

- Special Visit**(s)**, through Warden/designee approval;
- Participation in Family Reunion sessions; and
- Monitored conference call**(s)**.

20.8 Reentry: Youthful offenders are transitioned to reentry between sixty (60) and ninety (90) days prior to the offender's projected conditional release. Within this area, the youthful offender participates with transition planning and reentry services. Reentry services may include, but are not limited to:

- Life Skills (Budgeting, Financial Planning, etc.);
- Career Skills (Interviewing Skills, Resume Writing, Dress for Success);
- Vocational Rehabilitation Services, appointments, etc.;
- Outreach groups and seminars (i.e., AA, NA);
- Family Reunification;
- Victim Impact;
- Supervision Expectations;
- Transitioning Planning (Successful Reentry).

21. CASE MANAGEMENT (OFFENDER FOCUS):

21.1 YOIS Case Management Teams (CMTs), referred to as Offender Focus, are utilized to monitor and address the offender's needs, behavior, progress/lack of progress, sanctions, privileges, and referrals. Each CMT must consist of personnel, relevant to the offender's case, from multiple disciplines, to include YOIS Institutional Coordinator, YOIS RCC, Mental Health, Education, Programming, Intensive Supervision Services (ISS), Medical, and Classification. All CMTs should be scheduled to accommodate work, school, and counseling

schedules. CMT sessions should be scheduled at times when staff is available and conducted pursuant to YOIS policies and procedures. Results from all CMT sessions should be documented on the corresponding SCDC Form 18-1, "Committee Docket," and within the scheduled offender's record on the Staff Memoranda, as outlined in YOIS policies and procedures.

21.2 Administrative: The administrative session is utilized to analyze the youthful offender's assessment and Individualized Rehabilitation Plan to ensure appropriate placement in group and individual YOIS services. The administrative session meets a minimum of twice per month and should **begin** within ten (10) business days of the offender's assignment to the YOA institution.

21.3 Rehabilitative: The rehabilitative session is utilized to monitor the youthful offender's progress and/or lack of progress with the Individualized Rehabilitation Plan, and to modify services based upon the youthful offender's identified needs and assets. The rehabilitative session will be initiated fourteen (14) days upon completion of the administrative session to determine how the offender is acclimating within the institution. The offender's participation and adjustment will be reviewed to determine if rehabilitative sessions for the youthful offender will be conducted no less than monthly, bimonthly, or quarterly. The rehabilitative session may meet more than scheduled if needed. At a minimum, two (2) corrections professionals from multiple disciplines, to include YOIS Institutional Coordinator, YOIS RCC, Mental Health, Education, Programming, Intensive Supervision Services (ISS), Medical, and Classification, and YOIS staff directly correlated to the offender's case (specifically Mental Health, Education, unit security staff, and Intensive Supervision Officers) **will participate**.

21.4 Reentry: Reentry session, referred to as Reentry Offender Focus (ROF), is utilized to assess the youthful offender's progress in YOIS, and to properly coordinate services during offender's transition to the reentry services and release. The ROF Team should meet a minimum of monthly and should occur between sixty (60) and ninety (90) days before the youthful offender's conditional release. Each ROF must consist of personnel, relevant to the offender's case, from multiple disciplines, to include YOIS Institutional Coordinator, YOIS RCC, Mental Health, Education, Programming, Intensive Supervision Services (ISS), Medical, and Classification. It is required that the ISO and QMHP be present for staffing when there is an active mental health case. A youthful offender in Disciplinary Detention (DD) or Youthful Offender Security Detention (YOSD) will be automatically ineligible for transition to reentry services, unless special circumstances exist, and the offender's case is staffed with the Manager of Institutional Services or designee.

22. PRIVILEGES AND RESTRICTIONS:

22.1 The Warden/designee may determine what constitutes as special privileges and determine restrictions for youthful offenders within their designated institution. Wardens/designees will ensure YOPRS Division is notified of such restrictions.

22.2 Canteen: Youthful offenders' canteen privileges will be restricted due to any disciplinary infractions. Necessary hygiene items will be provided to indigent youthful offenders in accordance with SCDC Policy ADM-16.08, "Commissary Operations." (5-ACI-2E-12)

22.3 Correspondence: Youthful offenders will be allowed to send and receive correspondence pursuant to SCDC Policy PS-10.08, "Inmate Correspondence Privileges." Legal correspondence will be governed by SCDC Policy GA-01.03, "Inmate Access to the Courts."

22.4 Personal Telephone Calls:

22.4.1 Orientation: Each youthful offender will be allowed a minimum of one (1) five (5) minute call to his/her family during the period of Orientation. Additional calls will be allowed during Orientation if authorized by the YOIS Institutional Coordinator/Warden/designee.

22.4.2 Rehabilitation & Reentry: Each youthful offender will be allowed unlimited telephone usage whenever possible after s/he completes daily requirements. The duration of phone calls may be limited by

the Warden/designee to ensure that all offenders who have met the required standard are afforded the opportunity to make such calls. **(5-ACI-7D-11)**

22.5 Emergency/Legal Phone Calls: Youthful offenders, in all service areas, may make verified emergency and legal calls with the approval of the Warden/designee. For purposes of these procedures, "legal counsel" may consist of the offender's attorney of record and/or paralegal(s). Offender requests for attorney calls require 24-hours advance notice to allow for staff verification. Youthful offenders will use SCDC Form 19-11, "Request to Staff Member," or the Kiosk for this purpose. (See SCDC Policy GA-01.03, "Inmate Access to the Courts," for additional guidance on when offenders may be allowed to call their legal counsel.) Attorney calls will be dialed by a staff member. Once verified, the call will not be monitored. Any deviation of this procedure will be documented in the offender's record. **(5-ACI-3D-02)**

22.6 Visitation:

22.6.1 Youthful offenders who are in rehabilitation and reentry services may be eligible for visitation privileges. The Warden/designee will determine the schedule for visiting privileges. Youthful offenders are allowed visitation privileges as outlined in SCDC Policy OP-22.09, "Inmate Visitation." All visitors and visitation must meet the requirements of SCDC Policy OP-22.09, "Inmate Visitation." **(5-ACI-7D-14)**

22.6.2 Special visits are conducted at the discretion of the Warden/designee for the purpose of Family Focus, transitional housing interviews, State Agency visitors, or other circumstances deemed appropriate by visitation. Special visits should be arranged through the YOIS Institutional Coordinator/designee through written requests and approved by the Warden/designee.

22.7 Television: Youthful offenders are allowed to view television unless the offender is participating in required programming. Television privileges can be restricted and/or revoked at the discretion of the Warden/designee.

23. RULES VIOLATIONS/DISCIPLINARY INFRACTIONS:

23.1 Each youthful offender will be given a thorough orientation regarding the rules and regulations that govern YOIS. The offender is required to sign SCDC Form 25-2, "YOIS/SHOCK Orientation Checklist," to show that s/he has received this orientation. Rules violations will be documented on SCDC Form 19-29A, "Incident Report." The completed SCDC Form 19-29A will be forwarded to the Associate Warden/designee in the form of email, kiosk, and/or interagency mail. The YOIS Captain/Institutional Major/designee will review incident reports and grade each rules violation for referral in accordance with Section 4., "Major/Responsible Authority Review," in SCDC Policy OP-22.14, "Inmate Disciplinary System." Informal and/or Administrative Resolutions forwarded by the YOIS Captain/Institutional Major/designee will be heard by the Accountability Board. If the rules violation is graded as a Major, it will be referred to the Disciplinary Hearing Officer (DHO). If a rules violation is referred to the DHO, the Warden/designee will ensure completion of SCDC Form 19-69, "Disciplinary Report and Hearing Record." The institutional staff will then enter the Major violation into the disciplinary screen and ensure that the hearing is scheduled.

23.2 Progressive Consequences: The purpose of progressive consequences is to provide a learning experience that allows the youthful offender to be accountable for his/her behavior and performance within YOIS, and to require the offender to consider alternate forms of behavior under similar situations. All consequences must be properly documented in the offender's file and on the Offender Management System's Disciplinary screen, pursuant to YOIS policies and procedures.

23.3 Informal Resolution: All rules' violations should be handled at the lowest possible level by the YOIS Captain/Institutional Major/designee. Refer to Section 5, "Informal Resolution," in SCDC Policy OP-22.14, "Inmate Disciplinary System." All actions from an informal resolution will be documented in the YOIS informal discipline logbook, and SCDC Form 19-106, "Inmate Disciplinary System Informal/Administrative Resolution," must be completed.

23.4 For shock participants, all imposed consequences will be documented on SCDC Form 25-6, "YOIS/SHOCK Accountability Board Report." This report should be distributed to all YOIS staff for review and must be placed in *the affected* offender's record.

23.5 Violations Heard by the Accountability Board: The Accountability Board addresses conduct violations through an Administrative Hearing process. Refer to Section 6, "Administrative Resolution," in SCDC Policy OP-22.14, "Inmate Disciplinary System." The Accountability Board must include a minimum of three individuals from different disciplines within the institution, to include YOIS/SHOCK personnel. The Accountability Board may be chaired by the Associate Warden, Major, Captain, Building/Field Lieutenant, Sergeant, or designee. Only one uniformed security staff sits on the Accountability Board at any time. The Accountability Board will, at a minimum, meet weekly. Offenses forwarded to the Accountability Board will be at the YOIS Captain/Institutional Major's or designee discretion and should, at a minimum, have been addressed on one occasion at an informal resolution level by the YOIS Captain/Institutional Major or designee. The Accountability Board may impose no more than any two (2) of the following consequences at a time as a means of resolving the incident administratively:

- Counseling;
- Written Essay;
- Special Referrals (Mental Health, Medical, Behavior Modification group);
- Restriction of Privileges (Canteen, Visitation, or Telephone), not to exceed fourteen (14) days;
- Extra Duty or chores, up to twenty (20) hours;
- Restitution;
- Recreation Restriction, not to exceed five (5) days;
- Cell or Cube Restriction, not to exceed ten (10) days;
- Disciplinary Detention (DD) in institutional Restrictive Housing Unit (RHU), not to exceed seven (7) days.

(NOTE: If the Accountability Board recommends that the offender be assigned to RHU or SDW, the recommendation must receive final approval from Manager of Institutional Services or Division Director of YOPRS/designee.)

23.6 Accountability Board Procedures: (Note: All Accountability Board meetings will be recorded and maintained according to current Agency guidelines for disciplinary hearings and YOIS policies and procedures.)

23.6.1 The youthful offender will be notified to report to the Accountability Board. Notification will be given to the youthful offender within 24 hours of scheduled appearance.

23.6.2 An SCDC Form 18-1, "Committee Docket," and SCDC Form 25-6, "YOIS/SHOCK Accountability Board Report," will be prepared for each Accountability Board meeting. Each offender will be required to sign the docket.

23.6.3 Each youthful offender will appear before and participate in the Accountability Board. The *alleged* rules violation, to include the incident report, will be read to the youthful offender.

23.6.4 The youthful offender will be given the opportunity to respond to the charge(s), to include an account of his/her actions and a statement accepting/not accepting accountability for his/her actions.

23.6.5 The Accountability Board will provide immediate individualized counseling, if deemed appropriate, and/or refer offender to assigned counselor.

23.6.6 The Accountability Board will impose appropriate progressive consequences, when deemed necessary, to address the youthful offender's exhibited behavior.

23.6.7 SCDC Form 25-6, "YOIS/SHOCK Accountability Board Report," identifying imposed consequences, must be reviewed and approved by the Warden/Associate Warden of Programs or stated

designee prior to further processing.

23.6.8 Youthful offender's placement in RHU can only be approved by the Manager of Institutional Services, **Warden and/or** Division Director of YOPRS.

23.6.9 The offender has the right to refuse the Accountability Board and request that the incident be referred to a disciplinary hearing; however, the DHO has the authority to levy additional consequences if the offender is found guilty of the incident. (NOTE: Should the offender decline informal or Administrative Resolution, the offender will sign and date SCDC Form 25-6, and it will be forwarded to the Hearing Officer by the YOIS institutional Major/designee.)

23.6.10 The offender waives any appeal rights including grievance rights under the SCDC Inmate Grievance System and those pursuant to *Al-Shabazz v. State* if s/he accepts the Accountability Board consequences.

23.6.11 If it is determined that the youthful offender needs additional services, the YOIS institutional Staff will complete SCDC Form 25-137, "Youthful Offender Accountability Board Referral."

23.7 Major Violations Heard by the DHO: The DHO and recorder will notify the offender and schedule the disciplinary hearing pursuant to SCDC Policy OP-22.14, "Inmate Disciplinary System." The DHO will hear the case and make a finding of guilty or not guilty. If the offender is found guilty, the DHO will administer appropriate consequences within the YOIS guidelines. For consequence timeframes imposed by the DHO, see Section 17., "Penalties Imposed by the Hearing Officer," in SCDC Policy OP-22.14, "Inmate Disciplinary System." A youthful offender referred to the DHO for violation(s) previously addressed through Informal Resolutions and/or by the Accountability Board will receive consequences as though it is the first (1st) offense.

23.7.1 Youthful offenders in Security Detention (SD) **Pre-Hearing Detention (PHD)** status will be reviewed in accordance to SCDC Policy OP-22.38, "Restrictive Housing Unit (RHU)," until heard by the DHO.

23.7.2 If the DHO hears the case and assigns the offender to Disciplinary Detention (DD), then the Warden **or** designee is responsible for reviews prior to further processing. If the DHO assigns an offender to DD, the DHO/designee will notify the YOIS Institutional Coordinator/designee, who will coordinate movement with Classification and Institution Operations.

23.8 Youthful Offender Placement in Disciplinary Detention (DD)/Security Detention (SD): Youthful offenders placed in Security Detention or Disciplinary Detention shall be managed and reviewed in accordance with SCDC Policy OP-22.38, "Restrictive Housing Unit," Section 2., "Placement in Disciplinary Detention," and Section 3., "Placement in Security Detention." ICC boards reviewing the youthful offender shall consist of the Warden/Associate Warden, youthful offender staff designee, Classification Caseworker, uniformed staff designee, and Qualified Mental Health Professional, if the offender has a mental health designation. Youthful offenders in Short Term Detention and Disciplinary Detention status may be reviewed for placement in Security Detention.

23.8.1 Transition from Disciplinary Detention (DD)/Security Detention (SD):

- **Security Detention:** If offender is assigned to Security Detention and it is determined that return to YOIS general population is appropriate, the youthful offender will **return to** YOIS general population. If determined that return to YOIS general population is not appropriate, the offender will be staffed with **the** Manager of Institutional Services, ICC, and Warden/designee for appropriate security/custody placement and transitioned to the appropriate institution through administrative reassignment.
- **Disciplinary Detention:** If determined that return to YOIS general population is appropriate, the youthful offender will be transitioned to YOIS general population. If determined that return to YOIS

general population is inappropriate, the youthful offender's case will be staffed with **the** Manager of Institutional Services and Warden/designee for assignment.

- **Youthful Offender Females in SD or DD:** If determined that return to YOIS general population is appropriate, the youthful offender will be transitioned to YOIS general population. If determined that return to YOIS general population is inappropriate, the youthful offender's case must be staffed with **the** Manager of Institutional Services and Warden/designee for assignment to Security Detention (SD) status.

NOTE: If the inmate is confined in an RHU, and there are protective concerns for the inmate, see SCDC Policy OP-22.23, "Statewide Protective Custody," for additional information.

23.9 Entering Disciplinary Information into the Automated System: All charges/imposed consequences will be entered into the Offender Management System's Disciplinary screen. The Accountability Board will be responsible for determining the resulting consequences and for providing the results to the designee for entry into the CRT. The Recorder or designee will be responsible for entering all disciplinary infractions, to include charges and findings, into the Disciplinary Screen.

24. ADMINISTRATIVE REASSIGNMENT:

24.1 A youthful offender can be reassigned administratively within YOIS to meet Agency or facility needs, (e.g., transfers, special service assignments, custody and security, etc.), or when it is determined by the Manager of Institutional Services/designee that it is in the best interest of the youthful offender (i.e., new medical condition, psychological problem(s), administrative segregation, gang related, protective concerns, separation and caution, etc.) to be moved to another institution. All administrative reassignments of youthful offenders must be reviewed and approved by the Manager of Institutional Services/designee and the Division Director of YOPRS/designee.

25. CONFIDENTIALITY OF RECORDS:

25.1 All information in a youthful offender's Case Management Records is confidential and will be treated as such. Information will not be released to anyone outside of SCDC unless the youthful offender gives prior consent in writing on a SCDC Form 9-11, "Inmate/Resident Release of Information Consent," and SCDC Form 25-75, "Youthful Offender Consent Form." **(5-ACI-1E-05)**

26. SPECIALIZED POPULATIONS:

26.1 Seventeen (17) year olds: Mandatory Separation:

Per Prison Rape Elimination Act (PREA) Standard 115.14 all seventeen (17) year old offenders, regardless of sentence designation;

(a) Shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate (18 years or older) through use of a shared dayroom or other common space, shower area, or sleeping quarters;

(b) In areas outside of housing units, agencies shall either:

(1) maintain sight and sound separation between youthful inmates and adult inmates, or

(2) provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact.

(c) Agencies shall make best efforts to avoid placing youthful inmates in isolation to comply with this provision. Absent exigent circumstances, agencies shall not deny youthful inmates daily large-muscle exercise and any legally required special education services to comply with this provision. Youthful inmates shall also have access to other programs and work opportunities to the extent possible. Upon their eighteenth (18th)

birthday, offenders will be transitioned to general population to be housed with offenders that meet appropriate Classification requirements.

26.1.1 DJJ Juvenile Offenders: *All seventeen (17) year old DJJ juvenile offenders housed within SCDC must sleep and complete recreation separately from Adult Straight-timers and from youthful offenders that are eighteen (18) years of age and above. Upon their eighteenth (18th) birthday, these offenders will be transitioned to a population comprised solely of DJJ juvenile offenders, to remain separated from youthful offenders and straight-time offenders of all ages.*

26.1.2 Institutional Activities: All seventeen (17) year old Adult Straight-timers and youthful offenders may attend school, religious services, visitation, group services, etc., with older inmates/offenders only when there is "sight and sound supervision" by an authorized SCDC employee. **(5-ACI-5B-17)**

26.1.3 Educational Services: All seventeen (17) year old Adult Straight-timers, **DJJ juvenile offenders**, and youthful offenders must attend educational services until their high school diploma or GED can be obtained or verified.

26.2 South Carolina Department of Juvenile Justice (SCDJJ): YOIS will provide rehabilitative services and case management for young offenders sentenced as juveniles and transferred to the custody of the Department of Corrections upon reaching an appropriate age **pursuant to SC Code of Laws, and Sections 63-19-1440, 63-19-1650.**

Juveniles adjudicated in Family Court prior to their seventeenth (17th) or eighteenth (18th) birthday, depending upon offense date, and initially detained at SCDJJ can be transferred to SCDC and assigned to the Division of YOPRS for programming and housing, pursuant to the SC Code of Laws, Title 63, Chapter 3.

A juvenile committed to the Department of Juvenile Justice following an adjudication for a violent offense contained in Section 16-1-60 or for the offense of assault and battery of a high and aggravated nature, who has not been paroled or released from the custody of the South Carolina Department of Juvenile Justice by his or her eighteenth (18th) birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. If not sooner released by the releasing entity, the juvenile must be released by age twenty-two (22) according to the provisions of the juvenile's commitment; however, notwithstanding the above provision, any juvenile committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.

A juvenile who has not been paroled or otherwise released from the custody of the South Carolina Department of Juvenile Justice by the juvenile's nineteenth (19th) birthday, who is convicted on a non-violent offense, on his or her birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. If not sooner released by the releasing entity, the juvenile must be released by age twenty-two (22) according to the provisions of the juvenile's commitment; however, notwithstanding the above provision, any juvenile committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.

The Department of Juvenile Justice, when authorized by an order of a circuit judge, must, after notice to the Department of Corrections, temporarily transfer to the custody of the Youthful Offender Division a child who has been committed to the custody of the department who is more than seventeen (17) years of age and whose presence in the custody of the Department of Juvenile Justice appears to be seriously detrimental to the welfare of others in custody. The Director of the Department of Corrections shall receive these children and shall properly care for them. Each child transferred to the Youthful Offender Division is subject to all the rules and discipline of the division. Children transferred to the Youthful Offender Division pursuant to this section are under the authority of the division but are subject to release by the Board of Juvenile Parole.

The Youthful Offender Division at least quarterly shall recommend to the parole board possible release of

each child transferred to the department or the child's return to institutions of the Department of Juvenile Justice, utilizing SCDC Form 25-159, "Recommendation to South Carolina Board of Juvenile Parole."

Family Court Juveniles who receive rehabilitative services through YOIS, however, are subject to release by the Board of Juvenile Parole and will not be assigned to ISS. The YOPRS Division, YOIS, is required to submit a progress report on Family Court YOA juveniles utilizing SCDC Form 25-159, "Recommendation to South Carolina Board of Juvenile Parole," as needed and/or requested. The YOPRS Division will advise assigned institutions of the requirement for these reports as the Juvenile Parole Board requests them. The Manager of Institutional Services/designee is responsible for completing and submitting these quarterly reports.

26.2.1 Housing: Juvenile offenders will be housed at a specific location and can only be housed with other juvenile offenders. The Division Director of YOPRS must be notified and provide approval prior to a juvenile being transferred to another institution. Juveniles will have recreation separately from youthful offenders and adult straight-timers. At no time will they transition to general population, as long as they are classified as Juvenile Offenders.

26.2.2 Educational Services: All Juvenile Offenders must attend educational services until their high school diploma or GED is obtained or can be verified.

26.3 Mental Health:

26.3.1 Youthful offenders who are managed by YOIS and classified as mentally ill will receive mental health services, pursuant to SCDC Policy **BH**-19.04, "Mental Health Services - General Provisions." All offenders classified as mentally ill must sign a release of information giving YOIS permission to access all Protected Health Information (PHI).

26.3.2 Primary case management and mental health services for youthful offenders classified as MI-3 or MI-4 will be provided by the Clinical Correctional Counselor (CCC) or qualified YOIS personnel.

26.3.3 Primary case management and mental health services for youthful offenders classified as MI-1 or MI-2 will be provided by a CCC. The CCC will provide the Manager of Institutional Services or authorized YOIS personnel with a monthly report outlining the offender's progress with treatment goals and objectives, medication compliance, and any additional information required or requested by the Division of YOPRS.

26.3.4 In order to maintain the continuity of care, a CCC or qualified mental health professional will coordinate with YOIS personnel to provide assistance in obtaining appropriate mental health care services for youthful offenders transitioning to community supervision under Intensive Supervision Services.

26.3.5 The Program Manager or designee will send prescription requests to Mental Health Program Coordinator thirty (30) days prior to the youthful offender's release date utilizing SCDC Form M-168, "Max-out Medication Form."

26.4 SHOCK Incarceration: See SCDC Policy **OP**-10.12, "SHOCK Incarceration," for additional information.

26.5 Youthful Sex Offenders: See SCDC Policy PS-10.11, "Sex Offender Treatment Program (SOTP)," for additional information.

27. SELECTION AND TRAINING OF YOIS UNIFORMED STAFF MEMBERS:

27.1 Uniformed personnel assigned to any YOIS unit and/or specialized unit shall be selected carefully and evaluated by supervisory personnel YOPRS Division Director and Institutional Associate Warden. Selected uniformed personnel must exhibit effective communication skills, patience, and the desire to work with youthful offenders. Specialized training will be taught to newly assigned staff of a YOIS unit and/or specialized unit concerning rules governing its operations, conflict resolution, and needs/problems associated with youthful

offenders. If possible, this training will be made available prior to unit assignment. The orientation and training must be appropriately documented through the SCDC Training Academy. **(5-ACI-5B-18)**

27.2 Removal from YOIS Unit: If any uniformed personnel assigned to a YOIS unit receives formal employee corrective action, it is at the discretion of the Manager of Institutional Services and Warden/Associate Warden to consider the uniformed personnel's removal from the YOIS unit. Reinstatement into the YOIS unit requires approval from the Warden/Associate Warden and Manager of Institutional Services.

SECTION FOUR: INTENSIVE SUPERVISION SERVICES (ISS):

28. RESPONSIBILITIES:

28.1 Intensive Supervision Services (ISS) works with youthful offenders prior to release in preparation for reentry. Upon release ISS is responsible for reentry and public safety while under community supervision.

28.2 Training: All newly assigned staff who work directly with ISS must complete Intensive Supervision Officer training. Other program specific training will be conducted as needed and directed by the Manager of Community Services or the Division Director of YOPRS.

28.3 Regional Reentry Coordinators (RCC) are responsible for the oversight of the region they supervise, **to include** the direct supervision of Intensive Supervision Officers II (ISO II) and **submitting** reports to the Manager of Community Services.

28.4 Intensive Supervision Officers II (ISO II) are responsible for the direct supervision of ISOs and **submitting** reports to the Regional Reentry Coordinator of the region **in which** they are assigned.

28.5 Intensive Supervision Officers (ISOs) assigned to ISS are responsible for:

- Making appropriate and timely computer entries (additions, changes, and deletions as they pertain to ISS, and other related areas);
- Developing a consistent schedule to meet with the youthful offender at the offender's assigned YOA institution and coordinate with SCDC institutional staff to develop a comprehensive reentry plan prior to the youthful offender's conditional release;
- Developing an appropriate residential plan for the youthful offender prior to conditional release; **(NOTE: Community supervision consisting of home/community visits, work verification, etc., and such may require nontraditional work hours.)**
- Serving as case manager and arranging services for youthful offenders under ISS within the community;
- Developing and maintaining an updated Case Management Plan (CMP);
- Utilizing graduated responses to deter non-compliance, as well as incentives to promote positive behavior;
- Establishing and coordinating **ing** services/resources with community stakeholders. **(NOTE: ISOs will communicate with service providers **from** which youthful offenders are receiving services.)**;
- Monitoring and supervising **to** ensure compliance of the youthful offender's release guidelines; **and**
- Drug testing throughout supervision.

29. OFFENDER SUPERVISION:

29.1 Supervision While in SCDC Institutional Custody: Each youthful offender incarcerated at SCDC and assigned to ISS will be assigned an ISO, who will see the offender at least once per month upon admission to a YOA institution. During the incarceration period, the ISO's primary responsibility will be to assess and plan for the youthful offender's successful reentry into the community to include residential planning, risk/asset assessment, and case management development.

29.1.1 The youthful offender's ISO and the youthful offender will determine an approved residential address prior to youthful offender's projected conditional release date. The approved residential address will be documented on SCDC Form 25-88, "Potential Residence Questionnaire." SCDC Form 25-86,

"Offender Residence Assessment: Sex Offender" must subsequently be completed on all youthful offenders convicted of CSC with a minor (1st and 2nd offense), assault with intent to commit CSC with a minor, kidnapping of a person under the age of eighteen (18), or trafficking in persons under the age of eighteen (18). SCDC Form 25-88, "Potential Residence Questionnaire," and SCDC Form 25-123, "Potential Offender Residential Placement," will be utilized if the ISO is unable to meet with the offender in the institution.

29.1.2 During incarceration, the ISO is responsible for administering SCDC Form 25-111, "Initial Interview Questions," SCDC Form 25-75, "Youthful Offender Consent Form," SCDC Form 25-150, "Revocation Matrix Guidelines," SCDC Form 25-70, "Youthful Offender Conditional Release Certificate," SCDC Form 25-149, "Youthful Offender Conditional Release Waiver of Extradition," and the Global Risk Assessment Device (GRAD) to the youthful offender. Refer to Section 3, Paragraph 20.2.1, "Assessment."

29.1.3 Case Management Plan (CMP) Development: After the completion of all assessments, the assigned youthful offender's ISO and the youthful offender together will develop a "Case Management Plan" (CMP), SCDC Form 25-79. The CMP will be reviewed and revised quarterly upon release, and as needed. The CMP will reflect the youthful offender's goals and risks/assets identified by the GRAD.

29.1.4 Intensive Supervision Officers/YOIS Institutional Staff: ISOs and YOIS Institutional Staff will work closely together and maintain open communication.

They will routinely discuss the needs and progress of youthful offenders while incarcerated. When appropriate, ISOs will staff offender needs and make referrals for institutional services utilizing SCDC Form 25-139, "Youthful Offender Institution Referral Form."

29.1.5 Youthful offenders may be conditionally released to community supervision, pursuant to South Carolina YOA and policies and procedures outlined in Section 2, Paragraph 9, "Intensive Supervision Administrative Release Authority." The ISO is responsible for making recommendations to ISARA pertaining to the ISO's assessment and plan for the youthful offender's successful community reentry.

29.2 Community Case Supervision: ISOs provide community parole supervision for youthful offenders granted conditional release from SCDC institutional custody. A youthful offender released on ISS in the community is required to maintain constant and direct contact with his/her assigned ISO, as defined by Paragraph **29.3**, "Levels of Supervision." The ISO is responsible for ensuring that the youthful offender is participating in structured and productive daily activities. The ISO will coordinate services for the youthful offender and monitor his/her progress by maintaining regular contact with service providers (no less than monthly). The duration and focus of contacts will be determined by the CMP. New developments, concerns, or problems, as well as progress/lack of progress, offender statements, and other relevant data, will be documented in the ISS Web Application.

29.3 Levels of Supervision: A youthful offender's level of supervision upon conditional release from SCDC institutional custody is outlined in the ISS Standard Operating Procedures. At any time, a youthful offender's supervision level may be reduced or intensified as a result of his/her progress or lack of progress with supervision conditions.

29.3.1.1 Intensive Level of Supervision: Youthful offenders on an intensive level of supervision in the community will receive a minimum of one (1) weekly in person contact from the ISO. Frequency and details of required contacts are outlined in the ISS Standard Operating Procedures.

29.3.1.2 Moderate Level of Supervision: Youthful offenders on a moderate level of supervision in the community will receive a minimum of two (2) in person contacts per month from the ISO. Frequency and details of required contacts are outlined in the ISS Standard Operating Procedures.

29.3.1.3 Transitional Level of Supervision: Youthful offenders on a transitional level of supervision in the community will receive a minimum of one (1) in person and (1) phone contact per month from the ISO. Frequency and details of required contacts are outlined in the ISS Standard Operating Procedures.

29.4 Supervision While in Placement: A youthful offender conditionally released from SCDC institutional custody to a secure placement for ISS community supervision, to include detention center or inpatient treatment facility, requires the ISO to verify the youthful offender's location monthly. If released on a detainer or to a secured placement from SCDC, the ISO is required to verify location on his/her release date and make monthly contact thereafter.

29.5 Transitional Housing: ISO will assist offenders with obtaining residential placement upon reentry when needed. In certain circumstances, contractual transitional housing may be used. *When that occurs, documentation will be made on* SCDC Form 25-141, "Youthful Offender Transitional Housing Standards and Agreement."

30. GLOBAL RISK ASSESSMENT DEVICE (GRAD):

30.1 All youthful offenders *who are* receiving ISS will be assessed using the GRAD within ninety (90) days of ISS assignment. Completion and documentation of the GRAD will be the responsibility of the assigned YOIS or ISS personnel. Refer to Section 3, Paragraph 20.3 Assessment.

31. CASE MANAGEMENT PLAN (CMP) REVIEW: The ISO is responsible for conducting and documenting CMP reviews on SCDC Form 25-79, "Case Management Plan," with youthful offenders quarterly and updating as needed. During reviews, a youthful offender demonstrating compliance with supervision and progression in his/her case management objectives may be considered for reduction in supervision level pursuant to ISS policies and procedures.

32. DRUG TESTING: Youthful offenders must be randomly drug tested *while* on ISS, in accordance with ISS policies and procedures. The appropriate documentation of results will be reported on SCDC Form 8-17, "Inmate Drug Testing," SCDC Form 25-80, "Drug Testing Refusal," or SCDC Form 25-82, "Drug Testing Voluntary Admission." Offenders who test positive, refuse drug testing, and/or provide a voluntary admission to drug use while on community supervision will be subject to appropriate interventions pursuant to Paragraph 36, "Youthful Offender Interventions." ISOs will ensure that results are properly and promptly documented and communicated to the appropriate personnel, to include drug tests received from appropriate referral agencies. All *non*-SCDC drug tests will be submitted on SCDC Form 25-121, "Outside Agency Drug Screen."

33. ISO INTERSTATE COMPACT RESPONSIBILITIES:

33.1 Upon *a* youthful offender requesting transfer of supervision under interstate compact to another state, the ISO will complete Interstate Commission for Adult Supervision Application; Interstate Commission for Adult Supervision Eligibility Worksheet; Supervision History; and SCDC Form 25-112, "Interstate Compact Offender Residence Assessment (ORA)"; if approved, the ISO will complete interstate compact packet (see Section 16) and submit to *the* Interstate Compact Coordinator. Once the Interstate *Compact* Coordinator receives approval, ISO will review Conditional Release Certificate, Parole Transportation Plan and Interstate Compact reporting instructions with *the* offender, *using* SCDC Form 25-113, "Interstate Compact Reporting Instructions."

34. TRAVEL AUTHORIZATION FOR TEMPORARY OUT-OF-STATE TRAVEL:

34.1 The Division may approve temporary travel for purposes other than relocation to youthful offenders on community supervision who request to travel to another state for less than thirty (30) days. Youthful offenders requesting authorization for temporary out-of-state travel shall be determined by ISS staff on a case-by-case basis, considering the circumstances of the case and the reason for travel. Travel permits shall be issued at the informed discretion of the ISO and RRC/designee pursuant to ISS policies and procedures, and should be considered as an incentive for youthful offenders in compliance with their conditions of supervision and CMP. Upon RRC approval, the ISO is responsible for:

- Completing SCDC Form 25-85, "Offender Out-of-State Travel Permit and Agreement to Return," citing the time frame, location(s) to which the offender is traveling, and any reporting instructions.
- Notifying the designated youthful offender verbally and in writing by using SCDC Form 25-85 for approved Out-of-State Travel Instructions. Each youthful offender will acknowledge receipt of this information by signing in the appropriate section of the "Offender Out-of-State Travel Permit and Agreement to Return." ISO will ensure that one (1) signed SCDC Form 25-85 is provided to the designated youthful offender, and one (1) signed SCDC Form 25-85 is uploaded to the ISS Web Application.
- **Commuting Offenders:** The ISO may, at his/her discretion and RRC/designee approval, authorize temporary travel to offenders who are employed in another state and commute regularly for work purposes. Before approving the travel, the ISO must verify the employment in the receiving state and subsequently **confirm it** every thirty (30) days prior to the re-issuing of SCDC 25-85.
- A "Youthful Offender Arrest Warrant," SCDC Form 25-73, will be issued on any youthful offender who fails to comply with conditions outlined on SCDC Form 25-85.

35. ISO RESTITUTION RESPONSIBILITIES:

35.1 Prior to the youthful offender's conditional release to community supervision, the ISO shall review all sentences to determine whether the youthful offender has been ordered to pay restitution. The ISO will discuss restitution payments with the youthful offender, and **the** youthful offender will acknowledge restitution on SCDC Form 25-130, "Youthful Offender Restitution Acknowledgement Form." Upon parole, youthful offenders will submit payments utilizing SCDC Form 25-119, "Offender Restitution Payments Routing Sheet." Youthful offenders will not be released from ISS in circumstances where restitution is owed, unless a Civil Judgment has been obtained using SCDC Form 25-65, "Civil Judgment." Consideration and submission of SCDC Form 25-63, "Waiver of Notice, Right to Attorney, and Hearing," SCDC Form 25-64, "Notice of Motion and Motion," and SCDC Form 25-87, "Offender Financial Assessment Form," must be completed to initiate the request for Civil Judgment.

36. YOUTHFUL OFFENDER INTERVENTIONS:

36.1 An ISO will utilize progressive supervision practices to hold the youthful offender accountable for conditions of release. Any youthful offender not abiding to the conditions established in his/her "Youthful Offender Conditional Release Certificate," SCDC Form 25-70, is in violation of his/her ISS conditional release. All violations and violation responses must be properly documented in the ISS Web Application.

36.2 Graduated Responses: The purpose of the graduated response process is designed to hold the youthful offender accountable for his/her behavior and elicit alternative positive behaviors. For technical violations requiring a graduated response, the appropriate documentation, SCDC Form 25-83, "Graduated Response Agreement," and youthful offender notification must be uploaded in the ISS Web Application. The ISO has the authority to impose **one graduated response to address negative behavior. A subsequent violation for the same behavior or non-compliance of graduated response should be addressed via SCDC Form 25-158, "Youthful Offender Citation Order."** Recommended sanctions **include**, but **are** not limited to:

- Verbal or Written Reprimand
- Community Service
 - SCDC Form 25-98, "Community Service Worksite Agreement"
 - SCDC Form 25-91, "Community Service Offender Agreement and Worksite Referral"
 - SCDC Form 25-138, "Youthful Offender Community Service Hours Log Sheet"
- Drug Testing
- Electronic Monitoring
 - SCDC Form 25-110, "GPS Participant Form"
- House Arrest
- Community Agency Referral
 - SCDC Form 25-94, "The Step-Up Program Referral"
 - SCDC Form 25-124, "Provider Referral Form"

- SCDC Form 25-118, "Offender Referral List" Treatment/Residential Placement
- SCDC Form 25-116, "Life Recovery Referral"
- Modification of Driving or Curfew Privileges;
 - SCDC Form 25-99, "Curfew Notice Form"
- Arrest Warrant
 - SCDC Form 25-73, "Youthful Offender Arrest Warrant"
- Other Modification of Supervision Conditions
 - SCDC Form 25-120, "Offender Weekly Activity Report"

36.3 Incentives: ISS practices and principles rely heavily on teaching accountability and promoting prosocial changes in thoughts and behavior that previously may have contributed to criminal behavior. Youthful offenders who maintain compliance with supervision conditions and/or complete case management objectives may be eligible for incentives. The ISO may determine what constitutes as an incentive, including, but not limited to: reduction in supervision level, verbal or written recognition of achievement, donated goods or gift cards, and other modifications to supervision conditions. ISO must staff **a** request for any incentive with monetary value and obtain approval from RRC. The ISO will ensure that the utilization of any incentive(s) will be properly and promptly documented in the ISS Web Application, and RRC will document on SCDC Form 25-109, "Financial Resource Tracking Form."

36.3.1 Any donations received by the Division of YOPRS need to be documented on SCDC Form 19-170, "Outside Entity Donation Form."

36.4. Citations: Pursuant to the South Carolina Youthful Offender Act and the Division of YOPRS, an ISO has the authority in circumstances of violations of the Youthful Offender Conditional Release Certificate, SCDC Form 25-70, to recommend that SCDC Form 25-158, "Youthful Offender Citation," be issued. The ISO must staff all requests for a Youthful Offender Citation with his/her RRC or designee.

36.5 Warrants: Pursuant to the South Carolina Youthful Offender Act and the Division of YOPRS, an ISO has the authority, in circumstances of major violations of the youthful offender's "Conditional Release Certificate," SCDC Form 25-70, to recommend **that** SCDC Form 25-73, "Youthful Offender Arrest Warrant," be issued. The ISO must staff all requests for a "Youthful Offender Arrest Warrant" with his/her RRC or designee.

36.5.1 Warrant Submission: The RRC or designee must submit all warrants to the NCIC Coordinator or designee for review and approval. The NCIC Coordinator or designee will submit warrants to SCDC Emergency Action Center (EAC) for placement into National Crime Information Center (NCIC). Upon confirmation receipt from EAC of placing warrant into NCIC, the NCIC Coordinator or designee will submit all SCDC Form 25-73, "Youthful Offender Arrest Warrant," who are in the status of "Absconson/Wanted" Warrants and SCDC Form 25-161, "Offender Fact Sheet," to the Office of Inspector General."

36.6 Administrative Review: An Administrative Review is conducted in circumstances where a youthful offender has been arrested on a YOA warrant. The Administrative Review entails a neutral division member to serve as the Administrative Review Coordinator (ARC) and requires the attendance of the youthful offender and the assigned ISO or Regional Representative. The youthful offender is served SCDC Form 25-143, "Notice of Hearing and Certificate of Service," a minimum of twenty-four (24) hours prior to the Administrative Review. The youthful offender is served SCDC Form 25-132, "Waiver of Rights to In-Person Appearance and Consent to Video/Audio Conferencing," when it is determined the Administrative Review will be conducted virtually via web-based application. All administrative reviews shall be recorded for documentation and confirmation of review. The ARC is responsible for reviewing the violations orally with the youthful offender and providing the opportunity for the youthful offender to respond. The ARC may impose additional modifications to supervision, to correct the behavior and return the youthful offender to community supervision, utilizing SCDC Form 25-77, "Jail Release Continued Supervision Order," or recommend the youthful offender's return to SCDC institutional custody, **utilizing** SCDC Form 25-74, "Youthful Offender Revocation Order." ISARA is responsible for reviewing and approving any youthful offender's case where a return to SCDC institutional custody is the

recommended outcome of the review. Refer to Section 2, paragraph 9, "Intensive Supervision Administrative Release Authority." Additionally, violations below are cause for automatic review by ISARA for return to SCDC:

- Violent crimes as defined by South Carolina Code of Laws Section 16-1-60
- Unauthorized contact with victims
- Absconding from ISS supervision
- Weapon charges - possession or purchase of any firearms; or use of a dangerous weapon in the commission of a crime
- Habitual violations of supervision (multiple SCDC warrants)
- Extradited out of state
- Threat of harm to ISOs or YOPRS Divisional staff
- Assault on law enforcement officials.

36.6.1 Citation Hearing: *A Citation Hearing is conducted in circumstances where a youthful offender has been served a citation for violations of his/her "Conditional Release Certificate", SCDC Form 25-70. The Citation Hearing entails a neutral division member to serve as the Administrative Review Coordinator (ARC) and requires the attendance of the youthful offender and the assigned ISO or Regional Representative. The youthful offender is served SCDC Form 25-158, "Youthful Offender Citation Order," a minimum of seventy-two (72) hours prior to the citation hearing. The youthful offender is served SCDC Form 25-132, "Waiver of Rights to In-Person Appearance and Consent to Video/Audio Conferencing", when it is determined the Citation Hearing will be conducted virtually via web-based application. All Citation Hearings shall be recorded for documentation and confirmation of hearing. The ARC is responsible for reviewing the violations orally with the youthful offender and providing the opportunity for the youthful offender to respond. The ARC may impose additional modifications to the youthful offender's supervision to correct the behavior by utilizing SCDC Form 25-158, "Youthful Offender Citation Order". The sanctions of the Citation Order must be equal to or less restrictive than the sanctions available of an Administrative Review for Revocation with the exception of Revocation/Return to Custody. Revocation of a youthful offender from Community Supervision can only be ordered through an Administrative Review with the service of SCDC Form 25-73, "Youthful Offender Arrest Warrant".*

36.7 Voluntary Maxout of Sentence: A youthful offender may request to maxout the remainder of their YOA sentence upon revocation from ISS parole supervision. SCDC Form 25-140, "Youthful Offender Maxout Request," must be reviewed with the youthful offender by YOIS staff and the ISO. All parties will acknowledge agreement by signature on SCDC Form 25-140, "Youthful Offender Maxout Request." The request will be submitted to ISARA for review and final approval. Upon approval, the youthful offender will remain in youthful offender population and receive YOIS services until their statutory maxout date.

37. RELEASE OF YOUTHFUL OFFENDERS FROM SUPERVISION:

37.1 Pursuant to the South Carolina YOA, all youthful offenders in compliance with supervision may be considered for release from ISS after completing one (1) year of community supervision. **EXCEPTION:** Youthful offenders at their YOA sentence max out date, or the statutory maximum for the sentence imposed, must be released from supervision *when eligible*.

37.2 Case Closure Request: Youthful offenders may be recommended for release from supervision after the case has been staffed by the ISO and RRC, ninety (90) days prior to the youthful offender's projected release from supervision date. In accordance with ISS policies and procedures, a "Youthful Offender Case Closure Request," SCDC Form 25-78, will be completed by the ISO for any youthful offender recommended for release from supervision. Refer to Section 2, Paragraph 9, "Intensive Supervision Administrative Release Authority." ISO will provide the youthful offender a copy of SCDC Form 25-96, "Certificate of Completion."

38. DOCUMENTATION:

38.1 All ISS contacts will be properly and promptly documented in the ISS Web Application according to the ISS policies and procedures.

39. CONFIDENTIALITY OF RECORDS AND RELEASE OF INFORMATION:

39.1 Release of the information contained in the ISS Web Application is confidential unless the youthful offender gives prior consent in writing on SCDC Form 25-75, "Youthful Offender Consent Form." Release of Information and SCDC Form 9-11, "Inmate Resident Release of Information Consent," will be obtained prior to any contact with other agencies or relatives of youthful offenders. ISOs will provide criminal justice agencies requesting information on a youthful offender who is suspected of involvement in a crime, *only* with information that the ISO has observed, not information personally shared by the youthful offender. *(5-ACI-1E-05), (5-ACI-1F-08)*

40. EXTRADITIONS:

40.1 The Administrative Review Coordinator (ARC) will submit the youthful offender's SCDC Form 25-70, "SCDC Youthful Offender Conditional Release Certificate," and SCDC Form 25-149, "Youthful Offender Conditional Release Waiver of Extradition," to the detaining agency when a youthful offender is detained in another jurisdiction (federal or another state custody). In the event the youthful offender's SCDC Form 25-70, "SCDC Youthful Offender Conditional Release Certificate," and SCDC Form 25-149, "Youthful Offender Conditional Release Waiver of Extradition," is not accepted by receiving agency as a pre-signed waiver, the ARC will request a waiver for extradition from the detaining agency. Once waiver is received, the extradition process will begin.

40.2 Upon receipt of Waiver of Extradition, or acceptance of Conditional Release Certificate, the ARC/YOPRS designee is to compile the Extradition packet. The packet will include the following:

- a. "Extradition Checklist," SCDC Form 25-105;
- b. "Extradition Cover Page," SCDC Form 25-106;
- c. "Extradition Pick-up Memorandum," SCDC Form 25-107;
- d. "Youthful Offender Conditional Release Waiver of Extradition," SCDC Form 25-149;
- e. Youthful Offender ID and picture;
- f. Youthful Offender NCIC rap sheet;
- g. Waiver of Extradition;
- h. YOPRS Arrest Warrant;
- i. "Youthful Offender Conditional Release Certificate," SCDC Form 25-70;
- j. Contact information/Location of Extradition; and
- k. NCIC Hit Information.

40.3 The ARC/YOPRS designee will submit SCDC Form 25-107, "Extradition Pickup Memorandum," to the Division Director of YOPRS and the Deputy Director of Operations for approval to begin the extradition process. Upon approval of Form 25-107 the extradition request, signed memorandum will be submitted to the Division of *Classification and Inmate Records*, Central Classification ICC/OJ/IAD/email routing.

40.4 Extradition requests must be submitted through Division of *Classification and Inmate Records*, Central Classification ICC/OJ/IAD email routing. The Division of *Classification and Inmate Records*, *Central Classification* ICC/OJ/IAD, will process the approved Extradition Request per SCDC Policy OP-21.04, "Inmate Classification Plan," Section 27.

41. GOVERNOR'S WARRANTS:

41.1 A Governor's Warrant will be initiated when the detaining agency housing the youthful offender refuses to accept SCDC Form 25-70, "SCDC Youthful Offender Conditional Release Certificate," and SCDC Form 25-149, "Youthful Offender Conditional Release Waiver of Extradition," as a pre-signed waiver, and the youthful offender refuses to sign his/her Waiver of Extradition to return to the custody of the South Carolina Department of Corrections. Administrative Review Coordinator (ARC) must request the approval to pursue a South Carolina Governor's Warrant from the YOPRS Division Director. ARC will request a Governor's Warrant packet from South Carolina Law Enforcement Division (SLED). ARC will then submit the Governor's Warrant to the Solicitor, Magistrate, and General Sessions Judge in the sentencing county of the original youthful offender

sentence. Upon approval from above entities, the Governor's Warrant will be submitted to the South Carolina Law Enforcement Division (SLED) for approval, after which SLED forwards to the South Carolina Governor's office for the Governor's approval via signature.

42. OTHER JURISDICTION:

42.1 Other jurisdiction cases will be transferred to the Administrative Review Coordinator for continued supervision from a regional ISS staff upon receiving verification of new conviction by receipt of a sentencing sheet and the offender has an SCDC Form 25-73, "Youthful Offender Arrest Warrant." Offenders supervised under "Other Jurisdiction" will be extended to YOA Expiration of Sentence Date upon transference to other jurisdiction supervision. The Administrative Review Coordinator will monitor youthful offender's location by contacting other jurisdiction according to SCDC Policy OP-21.04, "Inmate Classification Plan," Section 29, "Other Jurisdiction Inmates." The ARC will submit an SCDC Form 25-100, "Detainer Acknowledgement Form," and SCDC Form 25-125, "Request to Place Detainer," to other jurisdiction where the offender is detained within seven (7) business days of receiving the case.

42.2 To recall a Detainer placed on the youthful offender due to YOA Expiration of Sentence under other jurisdiction, the Administrative Review Coordinator will complete SCDC Form 25-78, "Youthful Offender Case Closure Request." The Administrative Review Coordinator will submit SCDC Form 25-104, "Detainer Recall," SCDC Form 25-70, "Youthful Offender Release Certificate," and SCDC Form 25-76, "Jail Release Termination of Supervision Order," to the detaining agency one (1) week prior to the offender's YOA Expiration of Sentence Date.

43. YOA5B EVALUATION:

43.1 South Carolina Code of Laws Section 24-19-50, Section (2), the Powers of the Court upon Conviction of Youthful Offenders. Release the youthful offender to the custody of the division before sentencing for an observation and evaluation period of not more than sixty (60) days. The observation must be conducted by the Reception and Evaluation Center. The findings and recommendations for sentencing must be returned with the youthful offender to the court for sentencing.

43.2 The ARC/YOPRS designee's primary purpose of the YOA5B Evaluation is to assist the Court in determining an appropriate sentence for a youthful offender by providing a comprehensive overview of a youthful offender's individualized needs/assets profile, social history, and conduct. The YOA5B Evaluation consists of a presentence report, SCDC Form 25-22, "YOA5B Assessment," which is composed by the ARC/YOPRS designee, and a supplemental psychological evaluation, completed and constructed by the Division of Behavioral Mental Health & Substance Abuse Services (BMHSAS). Based upon the entirety of information received, a recommendation is made to the Court regarding the youthful offender sentencing and suitability for the YOA sentence on SCDC Form 25-146, "YOA5B Presentence Report."

43.3 The ARC/YOPRS designee will conduct a minimum of three (3) interviews with the YOA5B youthful offender. During the initial interview, the ARC/YOPRS designee will obtain the youthful offender signature on SCDC Form 25-75, "Youthful Offender Consent Form," and complete SCDC Form 25-22, "YOA5B Assessment." The Global Risk Assessment Device (GRAD) will be completed during the second interview. The ARC/YOPRS designee has a responsibility to interview other persons who can provide pertinent information about the youthful offender and the offense. The ARC/YOPRS designee will assess information from interviewing and reviewing documents on the youthful offender. The ARC/YOPRS designee will notify the offender of the outcome of the evaluation and recommendation of sentencing on the final visit.

43.4 Upon approval, the ARC/YOPRS designee will compile the YOA5B Evaluation in its entirety and mail original copies of the presentence report SCDC Form 25-146, "YOA5B Presentence Report," which will include SCDC Form 25-145, "Clerk of Court Cover Letter," SCDC Form 25-144, "Presentence Investigation Report," and psychological evaluation to the designated Clerk of Court Office. Copies for the same should be provided to the presiding Judge, county solicitor, and the youthful offender's attorney.

43.5 Upon completion confirmation, it is the responsibility of the ARC/YOPRS designee to email R&E personnel, YOIS Program Manager, and YOPRS Release Coordinator at the Young Offender Parole & Reentry **Services** Division notifying them of the completion of the YOA5B Evaluation. It is the responsibility of the YOPRS Release Coordinator to contact the originating county and arrange for transportation back to the Detention Center in preparation for the youthful offender's final sentencing.

44. PERSONAL APPEARANCE AND GROOMING STANDARDS

All YOPRS staff (Community Services, Institutional Services, and Administration) are expected to adhere to established hygiene requirements which ensure that employees are presenting themselves appropriately and that the Division is being properly and professionally represented.

An **e**xception may be granted for personal grooming for an employee if medical/ religious reasons warrant. The Division Director may require that the medical condition be substantiated by a physician.

The following hygiene requirements are applicable to all employees:

- Maintain personal cleanliness by bathing regularly.
- Oral hygiene (brushing of teeth) required.
- Use deodorant/antiperspirant to minimize body odors.
- Clothing must be clean, pressed, without stains, good condition and fit appropriately.
- Neat and groomed hair to include braids, dreadlocks, hair extensions, sideburns, mustaches, and beards (no extreme artificial colors).
- Commonly accepted body piercings are allowable, but acceptance is at the discretion of an employee's supervisor.
- Tattoos that are perceived as offensive, hostile or that diminish the effectiveness of the employee's professionalism must be covered and not visible.

44.1 Personal Employee Dress:

The following guidelines will apply to the personal appearance /dress of all YOPRS Divisional Staff:

- The (YOPRS) staff assigned to the institution will adhere to the institution policy designated for non-uniform institution staff.
- The community staff, which consists of the Intensive Supervision Officers I, II, and the Regional Reentry Coordinators, when in the community, will adhere to the guidelines listed below.

For the purposes of this policy, business and business casual attire is defined as a minimum of a conservative collared shirt, agency polo shirt and jacket, blouse, slacks, or pants and non- athletic shoes.

Business and **b**usiness casual attire is appropriate for staff. Supervisors can make exceptions on a case-by-case basis depending on work area and activity.

The following items are not permitted to be worn by employees:

- Sweat and jogging pants
- Sleeveless shirts
- Pants that expose the midriff or underwear

- Leggings (unless worn with a top, sweater or dress at knee length)
- Shorts/~~s~~hort pants (all pants must be below the calf and no more than 4 inches above the ankle)
- Low-cut tops
- Halter tops
- Spaghetti strap tops
- Tops that expose the midriff or underwear
- Any form of clothing that is mesh, sheer, see-through, torn, or otherwise revealing
- Any form of clothing that is generally offensive, controversial, disruptive, or otherwise distracting
- Any form of clothing that is overtly commercial, contains political, personal, or offensive messages
- Flip-flops (rubber sole, plastic strap).

The Agency Director, Deputy Director of Operations, or Division Director can designate the dress code for special occasions.

44.1.2 When attending meetings outside of SCDC, standard business dress is expected. When attending meetings at SCDC, working in the field, the office, or in the institutions, business casual dress is mandated (e.g., khaki slacks, polo shirts, button down shirts, etc.). All Staff (Community Services, Institutional Services, and Administration) working in the Division of Young Offender Parole and Re-Entry Services are always to present themselves in a professional manner, to include daily dress.

SECTION FIVE: DEFINITIONS:

Accountability Board refers to a three-member Administrative Hearing panel of corrections professionals that is responsible for reviewing all minor incident reports received during the week and determining appropriate consequences for the incidents as specified in this policy and YOIS procedures.

Case Management Plan (CMP) refers to an individualized service plan for the youthful offender that is part of and consistent with the offender's community supervision conditions.

Civil Judgment is an order signed by a General Sessions Court Judge and recorded with the Clerk of Court in favor of the victim and against the offender for the balance of the unpaid restitution pursuant to the S.C. Code *of Laws* 17-25-323. The offender is legally obligated to pay the restitution balance through the Clerk of Court. The Civil Judgment will remain in force for a period of ten (10) years or until the restitution balance is paid in full.

Conditional Release refers to releasing a committed youthful offender from SCDC institutional custody to ISS community parole supervision, under conditions which outline the restrictions and requirements of his/her release. Breach of any condition may revoke the youthful offender's release order.

Extradition refers to the process of returning a youthful offender to the South Carolina Department of Corrections who is detained in another jurisdiction (federal or another state custody) on a fugitive from justice warrant.

Family Court YOA Juveniles refers to juveniles who were adjudicated in Family Court prior to their 17th birthday and initially detained in the South Carolina Department of Juvenile Justice (SCDJJ). Family Court YOA juveniles are sentenced to be incarcerated until the age of twenty-one (21) or until sooner released by the SC

Board of Juvenile Parole. Family Court YOA juveniles are transferred to the Department *of Corrections*, based upon age and offense guidelines established by SCDJJ.

Global Risk Assessment Device (GRAD) refers to the assessment tool of choice for the Division of YOPRS. The GRAD addresses specific risk (mental health issues, substance abuse, sociability concerns, career development) and assets (individual strengths, positive leisure time, family/mentor support, workforce readiness). The information gathered from the GRAD is utilized to drive case planning activities insofar as it provides the evidence needed to make recommendations and referrals for services in both the institution and community.

Governor's Warrant will be used whenever a youthful offender refuses to return to South Carolina under the normal extradition process.

Individualized Rehabilitation Plan refers to an outline of individualized services for the youthful offender *while he/she is* in SCDC institutional custody.

Intensive Supervision Administrative Release Authority (ISARA) refers to a panel of corrections professionals which considers and approves/disapproves the release of youthful offenders to Intensive Supervision in the community and unconditional release from supervision. The ISARA also considers and approves/disapproves a youthful offender's case in which a return to SCDC institutional custody is the outcome of the Administrative Review.

Offender Focus refers to YOIS CMTs that are utilized to monitor and address the youthful offender's needs, behavior, progress/lack of progress, sanctions, privileges, and referrals. Each offender focus may consist of personnel, relevant to the offender's case, from multiple disciplines, to include YOIS Institutional Coordinator, YOIS Rehabilitation Correctional Counselor, Mental Health, Education, Programming, Intensive Supervision Services (ISS), Medical, Classification, and Prison Industries.

Rehabilitation Correctional Counselor (RCC) refers globally to Division of YOPRS staff responsible for providing therapeutic counseling services to the youthful offender population in SCDC institutional custody. The Lead RCC refers to the individual at the institutional level who is designated to supervise other RCCs assigned to that institution and *to* coordinate offender focus sessions.

Restitution refers to compensation ordered by sentencing Judge to be paid to *a* victim by *the* youthful offender.

South Carolina Youthful Offender Act (YOA) refers to Chapter 19, Section 24, of the South Carolina Code of Laws, as amended. **Special Needs Offenders** refers to youthful offenders with medical, mental health, and/or other special considerations who require more specialized services. Youthful Offenders *with* special needs will be assigned to an appropriate institution based on their needs while in SCDC institutional custody. The Division of YOPRS is still responsible for monitoring the youthful offender's institutional progress, recommending his/her release to ISS community supervision, developing a comprehensive reentry plan, and arranging appropriate services upon conditional release. *(5-ACI-5B-11)*

Travel Permit/Pass refers to written permission granted to offenders authorizing travel from one state to another.

Unconditional Release refers to discharging a youthful offender from his/her YOA sentence, on or before the youthful offender's YOA statutory max out date. A youthful offender may be unconditionally released from supervision at the expiration of one year from the date of his/her conditional release.

Youthful Inmate means any person under the age of eighteen (18) who is under adult court supervision and incarcerated or detained in a prison or jail.

Youthful Offender refers to an offender who is at least *seventeen (17)* but less than *twenty-five (25)* years of age at the time of conviction *who has* no previous YOA convictions, and who is sentenced under the South Carolina

Youthful Offender Act, as defined in Chapter 19, Section 24, of the South Carolina Code of Laws, as amended, for a crime that is a misdemeanor, a Class E or F felony, or a felony which provides for a maximum term of imprisonment of **fifteen (15)** years or less, with, under very limited circumstances, two exceptions: violent second degree burglary and criminal sexual conduct with a minor in the third degree.

Youthful Offender Security Detention (YOSD) refers to the placement of a youthful offender in security detention for an initial period of thirty (30) days. At the end of the thirty (30) day period, the CMT reviews the offender to determine if his/her performance and behavior allow his/her return to YOIS activities.

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.