

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 950 Department or Agency Alabama Department of Youth Services
Rule No. 950-3-1
Rule Committed Youth Release Policy

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer [Signature]
Date 5-12-23

REC'D & FILED (DATE FILED) (STAMP)

MAY 12 2023

LEGISLATIVE SVC AGENCY

APA-2

(Alabama Department of Youth Services)
(Institutions)

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Department of Youth Services

RULE NO. & TITLE:

950-3-1 Committed Youth Release Policy

INTENDED ACTION:

The Department of Youth Services Proposes to amend Rule 950-3-1 of the Administrative Code.

SUBSTANCE OF PROPOSED ACTION:

The Department proposes to amend Rule 950-3-1 to add language to conform to Code of Ala. 44-1-36, (1975) as amended.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Comments may be submitted in writing to Alabama Department of Youth Services Legal Division, P.O. Box #66, Mt. Meigs, AL 36057 or orally at the Alabama Department of Youth Services Board Room on Thursday, July 6, 2023 at 11:00 a.m., at 1000 Industrial School Rd., Montgomery, AL 36117.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

July 6, 2023

CONTACT PERSON AT AGENCY:

T. Dudley Perry, Jr. (334)215-3803



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

CHAPTER 950-3-1 COMMITTED YOUTH RELEASE POLICY

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950-3-1-.01 Statement of Policy.

(1) It is the policy of the Department that committed youth (other than at short term facilities) shall be reviewed by a ~~reviewa~~ review committee or team prior to release from any DYS facility. Only upon concurrence with release recommendations by the committee or team will youth be released. This chapter applies to youth in DYS operated facilities. A contract facility program director, or designee, may facilitate a release review for committed youth in contract facilities.

(2) Committed youths' release shall be facilitated by the Administrator of Institutional Services and designated staff representing various areas of residential life. The committee shall review youths' progress toward release.

(3) The committee meets at regularly scheduled times, for example on the second and fourth Thursday of each month at Mt. Meigs Campus, on second and fourth Wednesday at Vacca.

(4) Proposed releases shall be submitted with written justification to the committee at least ten (10) days prior to proposed release date.

Author: Department of Youth Services

Statutory Authority: Title 44, Code of Ala. 1975, Section 44-1-24 (6); Title 44, Code of Ala. 1975, Section 44-1-36 (d).

History: Amended: Filed November 6, 2018; effective December 12, 2018.

950-3-1-.02 Procedure For Release.

date. -No youth shall be released unless notice is received by the Court at least ten (10) days in advance.

(6) Upon appearing before the committee and receiving approval to proceed with release, the youth's release documentation is submitted for processing to the Deputy Director of Institutional Services prior to the date of release.

(7) After notice to the committing court, the subject youth is immediately released into the aftercare of the committing court. The committing court may determine terms and conditions of aftercare. When a committed youth has fulfilled his period of commitment, he or she shall be discharged from the department's custody, and any recommitment to the department must be based on a new offense and a new hearing.

(8) When the director determines that a particular youth has gained optimal rehabilitation from the programs of the department, such youth may be discharged without aftercare. The youth will not be received again by the department under the original commitment order.

Author: Department of Youth Services

Statutory Authority: Title 44, Code of Ala. 1975, Sections 44-1-2(1); 44-1-24 (6); 44-1-36 (d); 44-1-36(f); and 12-15-1(2).

History: **Amended:** Filed November 6, 2018; effective December 12, 2018.

950-3-1-.03 Statutory Authority. Title 44, Code of Ala. 1975, Section 44-1-24 (6); Title 44, Code of Ala. 1975, Section 44-1-36 (d).

Author: Department of Youth Services

Statutory Authority:

History:

950-3-1-.04 Effective Date. The revised Committed Youth Release Policy and Procedure is effective immediately.

Author: Department of Youth Services

Statutory Authority:

History: Amended: Filed November 6, 2018; effective December 12, 2018.