



**STATE OF FLORIDA
DEPARTMENT OF JUVENILE JUSTICE**

INTEROFFICE MEMORANDUM

DATE: March 10, 2010 PCI-10-001

TO: Chief Probation Officers
Regional Directors for Probation Services and Residential Services

FROM: Rex Uberman, Assistant Secretary Probation & Community Intervention
Darryl Olson, Assistant Secretary Residential Facilities

SUBJECT: Factors in Recommending Sanctions for Violation of Conditional Release

One of the factors a Juvenile Probation Officer or Contracted Case Manager have to consider when a youth violates the terms of their conditional release intervention plan is should I return the youth to a residential commitment program. If, after supervisory consultation, the decision is made to pursue return to commitment then a subsequent decision needs to be made as to which restrictiveness level should this youth be recommended. This decision on whether to recommend the same level, or a lower or higher level needs to be based upon the seriousness of the current violation, and the youth's current risk and needs profile. There is **no mandate** that if a youth completed the residential program, for example, at the moderate level, he or she would have to be recommended for a high restrictiveness level program if a violation was perpetrated, and return to commitment was identified as the appropriate response. The statute in 985.441(3)FS authorizes the department to transfer youth from a higher or lower restrictiveness level, including from post commitment nonresidential conditional release. All levels of commitment should be considered. While the process will be different for violations of Post-Commitment Probation the underlying policy on which restrictiveness level to recommend is substantially the same. All parties in this decision making process, including Juvenile Probation Officers, Contracted Case Managers, Unit Supervisors and Commitment Management staff need to follow this policy when creating recommendations for restrictiveness levels.

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Charlie Crist, Governor

Frank Peterman, Jr., Secretary

The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.