

## 109 CMR: DEPARTMENT OF YOUTH SERVICES

### 109 CMR 7.00: THE GRANTING OF PASSES FOR YOUTH COMMITTED TO THE DEPARTMENT OF YOUTH SERVICES

#### Section

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#### 7.01: Purpose and Scope

109 CMR 7.00 establishes regulations governing the granting of passes for youth committed to the Department of Youth Services who are placed in secure programs.

- (1) Passes are to be utilized to support graduated re-entry to the community consistent with the youth's treatment plan, to allow the youth increasing levels of self-management and aid in the youth's successful transition to the community.
- (2) DYS shall have a policy that sets forth the eligibility criteria for passes and outlines the approval processes required for the granting of passes.
- (3) DYS may authorize passes when youth committed to the Department are eligible and approved for passes in accordance with the policy in 109 CMR 7.01(2).
- (4) The policy in 109 CMR 7.01(2) shall be approved by the Commissioner and reviewed annually by the Department in light of best practices.

#### 7.02: Applicability

109 CMR 7.00 is applicable to all youth committed to the Department of Youth Services who are in secure placements.

#### 7.03: Emergency Pass Procedures

- (1) An emergency pass may be granted for a youth committed to the Department of Youth Services by the Department in the event of medical emergency or death in the youth's immediate family.
- (2) All requests for emergency passes and available relevant documentation shall be reviewed by Regional Administration on an expedited basis and then submitted to the Commissioner or his or her designee for final approval prior to any release of the youth on a pass. An emergency pass must be approved by the Facility Administrator and the appropriate Regional Director or their designee. This approval may be made by telephone; it must be followed by a written request for approval and written confirmation.

#### 7.04: Behavior Expected of Youth on Pass

A youth granted a pass must agree to abide by the rules established for the pass. Any violation of 109 CMR 7.00, the policy referenced in 109 CMR 7.01(2), or the terms of a pass, may result in the immediate return of the youth to a secure placement.

Failure to return from an unsupervised pass at the time specified may be grounds for the issuance of a warrant of apprehension.

## REGULATORY AUTHORITY

109 CMR 7.00: M.G.L. c. 120, §§ 4, 6 and 6A.