

**CHAPTER 100****CLASSIFICATION ASSIGNMENT PROCESS FOR JUVENILES****Authority**

N.J.S.A. 52:17B-170e(5) to (9), (14), (18), (20) to (22); 52:17B-175(e); 52:17B-176; 52:17B-178; and 52:17B-186.

**Source and Effective Date**

R.2005 d.330, effective October 3, 2005.  
See: 37 N.J.R. 1168(a), 37 N.J.R. 3851(a).

**Chapter Expiration Date**

Chapter 100, Classification Assignment Process for Juveniles, expires on October 3, 2010.

**Chapter Historical Note**

Chapter 100, Classification Assignment Process for Juveniles, was adopted as new rule by R.2005 d.330, effective October 3, 2005. See: Source and Effective Date.

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**SUBCHAPTER 1. GENERAL PROVISIONS****13:100-1.1 Purpose**

The purpose of this chapter is to establish uniform procedures governing the assignment, reassignment and transfer of juveniles to and from Commission facilities.

**13:100-1.2 Scope**

This chapter shall apply to all juveniles committed to the custody of the Commission.

**13:100-1.3 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

“Commission” means the New Jersey Juvenile Justice Commission.

“Director of Operations” means the Commission staff member, by whatever name or title, charged with oversight and management responsibilities for the overall operation and supervision of the Commission’s secure and non-secure facilities.

“Executive Director” means the Executive Director of the New Jersey Juvenile Justice Commission.

“Facility” means any facility operated by or contracted with the New Jersey Juvenile Justice Commission which houses juveniles.

“Initial Classification Custody Document (ICCD)” means the instrument used to guide the selection of a custody level for all newly committed juveniles. The ICCD is a scale to assess the severity of a juvenile’s current and prior record, and the juvenile’s cooperation with past correctional interventions. The instrument is used as an aid in determining placement.

“Initial Classification Custody Document Score” means the numerical value derived from the Initial Classification Custody Document.

“Institutional Classification Committee (ICC)” means a group of Commission staff members that have been designated to make decisions related to the assignment or reassignment of juveniles to programs and activities within a Commission facility and to conduct initial reviews of juvenile requests for transfer to another such facility.

“Juvenile” means an individual who has been adjudicated delinquent and sentenced to a term of incarceration to be served under the custody of the New Jersey Juvenile Justice Commission, and who is residing in a Commission facility.

“Juvenile Classification Committee (JCC)” means a group of Commission staff members that have been designated to make decisions related to the assignment or reassignment of juveniles to Commission facilities.

“Non-secure facility” means a Commission or Commission-contracted community program that does not employ custody officers and whose security is provided by civilian staff.

“Reception and Assessment Facility (RAF)” means a secure facility to which newly admitted juveniles are assigned pending classification and placement within the Commission.

“Reclassification and Custody Document (RCCD)” means the instrument used to review each juvenile’s adjustment to the initial classification assignment, and to subsequent reclassification assignments, to determine whether movement to a new custody level is warranted.

“Reclassification Score” means the numeric value derived from an objective classification scoring instrument (the RCCD) to evaluate a juvenile’s adjustment subsequent to initial classification to determine custody level and assignment.

“Secure facility” means any New Jersey Juvenile Justice Commission facility which houses juveniles and employs custody personnel (N.J.S.A. 52:17B-174) to provide security.

“Superintendent” means the chief executive officer of any Commission facility, which houses juveniles.

## SUBCHAPTER 2. RECEPTION AND ASSIGNMENT PROCESS

### 13:100-2.1 Initial reception

(a) The Commission shall operate separate and distinct reception and assessment facilities (RAFs) for males and females. Except for educational and recreational activities, sight and sound separation shall be maintained between male and female juveniles.

(b) Upon admission to an RAF, a juvenile shall be assigned to a housing unit within the facility.

(c) The reception process shall be completed as soon as possible after a juvenile is admitted to an RAF, and in any event within three weeks from the date of admission.

(d) Each juvenile shall be provided with an orientation session as soon as possible, and in any event within one week of admission to an RAF unless compelling security or safety reasons dictate otherwise, or if to do so would adversely affect the orderly operations of the facility. Topics of orientation sessions shall include, but shall not be limited to:

1. Rights and privileges of juveniles;
2. Work opportunities;
3. Secure facility services;
4. Recreation and leisure time activities;
5. Grooming and hygiene;
6. Personal property;
7. Housekeeping;
8. Juvenile discipline; and
9. Time and sentences.

(e) During the initial reception process, a detailed social history and medical/dental examination, including a substance abuse evaluation, shall be completed for each juvenile, and assessments shall be made with respect to the juvenile’s psychological, educational and vocational needs. Every juvenile shall be evaluated and assessed by a child study team, and Individual Education Programs, as defined and required under provisions of the Individual with Disabilities Education Act (IDEA), 20 U.S.C. §§1400 et seq., and Section 504 Plans, as defined and provided for under the Rehabilitation Act of 1973, 29 U.S.C. §§701 et seq., shall be developed or revisited for juveniles identified as having disabilities as defined in those statutes. All results shall be recorded on the juvenile’s Comprehensive Information Assessment (CIA) form.

(f) An admissions summary for each juvenile shall be developed from a compilation of the information identified in (e) above, and all other available relevant sources, including the Pre-disposition Report, police investigation files, automated case tracking systems, and records of prior involvement with law enforcement and correctional authorities. Information provided shall include, but not be limited to, the juvenile’s:

1. Current offense;
2. Length of sentence;
3. Prior court history, if any;
4. Family situation;
5. Psychiatric or psychological report summaries;
6. Medical condition; and
7. Academic and vocational assessment, including special education needs and disability services and accommodations.

(g) The needs of the juvenile shall be determined by reviewing the results of the assessments in (e) and (f) above. The issues to be considered when identifying a juvenile’s needs shall include, but need not be limited to, the juvenile’s:

1. Family situation;
2. Social, emotional and psychological profile;
3. Medical and dental condition;
4. Educational and vocational profile;
5. Peer relationships;
6. Substance abuse evaluation; and
7. Current and prior facility adjustment.

(h) At the end of the reception and assessment process, the juvenile shall appear before the JCC for assignment to an appropriate Commission facility.

### 13:100-2.2 Juvenile Classification Committees

(a) A separate Juvenile Classification Committee shall be established for male and for female juveniles, each of which shall be chaired by the Director of Operations or his or her designee. Additional members shall be appointed by the Executive Director, or his or her designee, and shall include representatives from:

1. Secure facilities;
2. Non-secure facilities; and
3. The Commission’s Office of Substance Abuse.

(b) In addition to the members in (a) above, the Executive Director or his or her designee shall appoint one or more representatives from the Commission’s Life Skills and Leadership Academy to the JCC for male juveniles.

(c) The JCC shall meet as needed, but in any event not less frequently than biweekly. Minutes shall be kept of all

meetings and shall be maintained on the Juvenile Information Management System (JIMS), or on such other computerized information management system as may be determined by the Executive Director.

### **13:100-2.3 Responsibilities of a Juvenile Classification Committee**

(a) Each Juvenile Classification Committee shall be responsible for determining the classification, initial assignment and transfer of juveniles to, between and from Commission facilities. Assignments and transfers contemplated herein include, but are not necessarily limited to those:

1. Between secure facilities, including an RAF;
2. Between a non-secure facility and a secure facility; and
3. From a secure facility to the Department of Corrections.

(b) The initial assignment of a juvenile shall be based on the information secured in accordance with N.J.A.C. 13:100-2.1(e) through (g), and on the juvenile's Initial Classification Custody Document Score.

(c) Subsequent reassignment and transfer of a juvenile through a Juvenile Classification Committee shall be based upon:

1. The factors set forth in N.J.A.C. 13:100-2.1(e) through (g);
2. The juvenile's Reclassification and Custody Document Score;
3. The ongoing assessments of the juvenile's needs and progress;
4. The safety and security of the juvenile, other juveniles, staff and the public; and
5. The need for secure and orderly operation of Commission facilities.

### **13:100-2.4 Juveniles ineligible for assignment to non-secure facilities**

(a) Assignment of a juvenile to a non-secure facility is prohibited when:

1. The commitment being reviewed involves a homicide, a sex offense or an offense involving fire-setting behavior;
2. There is currently pending against the juvenile in New Jersey, or in any jurisdiction, either a juvenile charge that in New Jersey would be classified as a first or second degree offense, or any non-municipal adult charge; or
3. The juvenile has a current sentence involving a term of incarceration to an adult State or county correctional facility.

### **13:100-2.5 Emergency transfer procedures**

(a) A request for an emergency transfer of a juvenile may be made by the Superintendent, and shall be directed to the Director of Operations or his or her designee, in such form and with such supporting documentation as the Director of Operations shall require.

(b) The Director of Operations or his or her designee shall immediately review a request and approve or reject the transfer of the juvenile in writing setting forth the reasons for approval or rejection. If approved, the requesting facility shall notify the receiving facility in order to make the arrangements necessary to effectuate the transfer.

(c) The Superintendent of the receiving facility shall schedule the transferred juvenile for review by the next meeting of the JCC.

### **13:100-2.6 Non-emergency transfers**

A staff recommendation for a non-emergency transfer of a juvenile shall be referred to the appropriate Institutional Classification Committee, which shall make a decision on the appropriateness of the recommendation at its next scheduled meeting.

### **13:100-2.7 Juvenile requests for transfer**

(a) A juvenile has the right to make a request for transfer to another Commission facility. All such requests shall be in writing and submitted to a social worker. The written request shall include the juvenile's name, current facility, the name of the facility the juvenile is seeking to transfer to, and the reason for the transfer request. The social worker shall forward the juvenile's written request to other personnel, as appropriate, and to the appropriate Institutional Classification Committee for further consideration.

(b) If the Institutional Classification Committee determines that the juvenile may satisfy the criteria for assignment to the requested facility, the request shall be referred to the appropriate JCC for further consideration.

(c) When considering a juvenile's request for transfer to another facility, the Institutional Classification Committee and the JCC shall consider the same factors as set forth in N.J.A.C. 13:100-2.3(c).

(d) Any determination by a classification committee to grant or to deny a juvenile's request for transfer shall promptly be communicated to the juvenile.

### **13:100-2.8 Juvenile classification files**

Juvenile classification files shall be maintained at each facility with respect to the juveniles housed therein, or at such other location as may be determined by the Executive Director. An electronic back-up file shall be maintained at the Commission's Office of Classification.