

DIVISION OF YOUTH CORRECTIONS
SPECIAL FUNCTION OFFICERS

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Blake D. Chard

AN ACT RELATING TO HUMAN SERVICES; PROVIDING FOR THE UTILIZATION OF SPECIAL FUNCTION OFFICERS BY THE DIVISION OF YOUTH CORRECTIONS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

62A-7-104, as last amended by Chapters 200 and 365, Laws of Utah 1997

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **62A-7-104** is amended to read:

62A-7-104. Division responsibilities.

(1) The division is responsible for all youth offenders committed to it by juvenile courts for secure confinement or supervision and treatment in the community.

(2) The division shall establish and maintain all detention and secure facilities and set minimum standards for those facilities.

(3) (a) The division shall, in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, promulgate written statewide rules as guidelines for admission to secure detention and home detention.

(b) The division shall implement those rules as guidelines and provide training regarding the implementation of those guidelines to law enforcement agencies, division employees, juvenile court employees, and to other affected agencies and individuals upon their request.

(4) The division shall establish and administer a continuum of community, secure, and nonsecure programs for all youth offenders committed to the division.

(5) The division shall establish and administer Juvenile Receiving Centers and other programs to provide temporary custody, care, and control for nonadjudicated youth placed with the division.

(6) The division shall place youth offenders committed to it in the most appropriate

program for supervision and treatment.

(7) The division shall establish and maintain all secure residential facilities.

(8) In any order committing a youth offender to the division, the juvenile court shall specify whether the youth offender is being committed for secure confinement or placement in a community-based program. The division shall place the youth offender in the most appropriate program within the category specified by the court.

(9) The division shall employ staff necessary to:

(a) supervise and control youth offenders in secure facilities or in the community;

(b) supervise and coordinate treatment of youth offenders committed to the division for placement in community-based programs; and

(c) control and supervise nonadjudicated youth placed with the division for temporary services in receiving centers and other programs established by the division.

(10) The division shall establish observation and assessment programs necessary to serve youth offenders committed by the juvenile court for short-term observation under Subsection 78-3a-118(2)(e). Whenever possible, those programs shall be conducted in settings separate and distinct from secure facilities for youth offenders.

(11) Youth in the custody or temporary custody of the division are controlled or detained in a manner consistent with public safety and rules promulgated by the division. In the event of an unauthorized leave from a secure facility, detention center, community-based program, receiving center, home, or any other designated placement, division employees have the authority and duty to locate and apprehend the youth, or to initiate action with local law enforcement agencies for assistance.

(12) The director of the division shall appoint regional directors within the various juvenile court districts. Regional directors shall administer community-based programs, secure facilities, other division programs, and shall have experience in corrections, behavioral sciences, law, criminology, or related fields, and in administration.

(13) The division shall establish and operate work programs designed to place youth offenders in public or private service work projects for the purpose of rehabilitation, education, and

restitution to victims.

(14) The division may establish and operate work programs for youth offenders committed to the division by the juvenile court. The work program shall:

(a) provide labor to help in the operation, repair, and maintenance of public facilities, parks, highways, and other programs designated by the division;

(b) provide educational and prevocational programs in cooperation with the State Board of Education for youth offenders placed in the program; and

(c) provide counseling to youth offenders.

(15) The division shall establish minimum standards for the operation of all private residential and nonresidential rehabilitation facilities which provide services to juveniles who have committed a delinquent act, in this state or in any other state.

(16) In accordance with policies established by the board, the division shall provide regular training for staff of secure facilities, detention staff, case management staff, and staff of the community-based programs.

(17) The division is authorized to employ special function officers, as defined in Section 77-1a-4, to locate and apprehend absconders from division custody, transport minors taken into custody pursuant to division policy, investigate cases, and carry out other duties as assigned by the division. Special function officers may be employed through contract with the Department of Public Safety, any P.O.S.T. certified law enforcement agency, or directly hired by the division.