**Section 702.60 Release Procedures**

a) Introduction

1) The legal authority for release is the juvenile court judge or his designated representative.

2) Detention staff must be familiar with documentation required before a youth is permitted to leave the detention facility, whether for a temporary period or a final release.

b) Minimum Standards

1) Identification

Positive identification shall be made by a staff member before discharge, transfer or release of a youth. When a youth is discharged or released to the custody of another, a record shall be made of the date, time, and authority.

2) Physical Screening

Prior to final release or discharge, a notation shall be made in the record of any known injuries, wounds, bruises or health problems. .

3) Contraband

Youth being discharged, released or transferred shall be searched by a person of the same sex to eliminate taking property which does not belong to them or other contraband.

4) Personal Property

All personal property and funds, other than those legally confiscated, inventoried at the time of admission or added during the time of detention and not transferred to a third party or expended during detention shall be returned to the youth.

A) Items shall be carefully inventoried, or otherwise accounted for, with the releasing staff member and the youth signing the form.

B) A copy of the itemized and signed receipt shall be maintained by the detention facility as a permanent record.

C) Personal property of youth being transferred to another agency shall be inventoried and items to be transferred with the youth shall be documented and turned over to the transporting officer in the presence of the youth. The signature of the transporting officer shall be obtained. Only personal property allowed by the receiving facility shall be transferred with the youth. Items not transferred shall be disposed of by the transferring facility in accordance with its procedures, e.g. having a parent or guardian pick up items, mailing items to a person designated by youth.

5) Transfers to Illinois Department of Corrections

Pursuant to Sections 3-8-1, 3-10-1 and 5-4-1 of the Unified Code of Corrections (Ill. Rev. Stat. 1985, ch. 38, pars. 1003-8-1 and 1003-10-1 and Ill. Rev. Stat. 1986 Supp., ch. 38, par. 1005-4-1) and Section 5-10 of the Juvenile Court Act (Ill. Rev. Stat. 1987 Supp., ch. 37, par 705-10), when a youth is delivered to the custody of the Department, items which include the following information must accompany the youth:

A) *The mittimus or judgement order which must include the indictment or petition number, sentence or disposition, offense, judge's name, date of sentence, dates for time served and where applicable, whether the sentences are to be served concurrently or consecutively. In the case of a youth committed as a delinquent, a certified copy of the court order appointing the Juvenile Division legal custodianship.*

B) *Any statement by the court on the basis for imposing the sentence.*

C) *Any presentence reports.*

D) *The number of days, if any, which the committed person has been in custody and for which he is entitled to credit against the sentence.* Certification of jail credit time shall include any time served in the custody of the Illinois Department of Mental Health and Developmental Disabilities, time served while on probation or periodic imprisonment.

E) *A record of the committed person's time, his behavior and conduct while in custody of the county.* Any action on the part of the committed person, including but not limited to an escape attempt, participation in a riot, suicide attempt, which might affect security status, and a record of medical treatment, if any, should be included in the record.

F) *State's Attorney's statement of facts. If the statement is unavailable at the time of delivery, the statement shall be transmitted within ten days of receipt by the clerk of the court.*

G) *Any medical or mental health records or summaries.*

H) *Name of municipality where the arrest of the committed person and the commission of the offense occurred, if such municipality has a population of more than 25,000 persons.*

I) *All additional matters which the court directs the clerk to transmit.*

c) Recommendations

Use of a photograph is suggested to ensure positive identification of the youth leaving detention custody.

(Source: Amended at 12 Ill. Reg. 12340, effective October 1, 1988)