§ 508. Juvenile offender and adolescent offender facilities. 1. The office of children and family services shall maintain secure facilities for the care and confinement of juvenile offenders and adolescent offenders committed for a sentence pursuant to the sentencing provisions of the penal law. Such facilities shall provide appropriate services to juvenile offenders and adolescent offenders including but not limited to residential care, educational and vocational training, physical and mental health services, and employment counseling.

2. Juvenile offenders and adolescent offenders shall be confined in such facilities until the age of twenty-one in accordance with their sentences, and shall not be released, discharged or permitted home visits except pursuant to the provisions of this section.

3. The office of children and family services shall report in writing to the sentencing court and district attorney, not less than once every six months during the period of confinement, on the status, adjustment, programs and progress of the offender.

The office of children and family services may transfer an offender not less than eighteen years of age to the department of corrections and community supervision if the commissioner of the office certifies to the commissioner of corrections and community supervision that there is no substantial likelihood that the youth will benefit from the programs offered by office facilities.

4. The office of children and family services may apply to the sentencing court for permission to transfer a youth not less than sixteen nor more than eighteen years of age to the department of corrections and community supervision. Such application shall be made upon notice to the youth, who shall be entitled to be heard upon the application and to be represented by counsel. The court shall grant the application if it is satisfied that there is no substantial likelihood that the youth will benefit from the programs offered by the office facilities.

5. The office of children and family services may transfer an offender

not less than eighteen nor more than twenty-one years of age to the department of corrections and community supervision if the commissioner of the office certifies to the commissioner of corrections and community supervision that there is no substantial likelihood that the youth will benefit from the programs offered by office facilities.

6. At age twenty-one, all juvenile offenders shall be transferred to the custody of the department of corrections and community supervision for confinement pursuant to the correction law.

7. While in the custody of the office of children and family services, an offender shall be subject to the rules and regulations of the office, except that his or her parole, temporary release and discharge shall be governed by the laws applicable to incarcerated individuals of state correctional facilities and his or her transfer to state hospitals in the office of mental health shall be governed by section five hundred nine of this title; provided, however, that an otherwise eligible offender may receive the six-month limited credit time allowance for successful participation in one or more programs developed by the office of children and family services that are comparable to the programs set forth in section eight hundred three-b of the correction law, taking into consideration the age of offenders. The commissioner of the office of children and family services shall, however, establish and operate temporary release programs at office of children and family services facilities for eligible juvenile offenders and adolescent offenders and contract with the department of corrections and community supervision for the provision of parole supervision services for temporary releasees. The rules and regulations for these programs shall not be inconsistent with the laws for temporary release applicable to incarcerated individuals of state correctional facilities. For the purposes of temporary release programs for juvenile offenders and adolescent offenders only, when referred to or defined in article twenty-six of the correction law, "institution" shall mean any facility designated by the commissioner of the office of children and family services, "department" shall mean the office of children and family services, "incarcerated individual" shall mean a juvenile offender or adolescent offender residing in an office of children and family

services facility, and "commissioner" shall mean the commissioner of the office of children and family services. Time spent in office of children and family services facilities and in juvenile detention facilities shall be credited towards the sentence imposed in the same manner and to the same extent applicable to incarcerated individuals of state correctional facilities.

8. Whenever a juvenile offender, adolescent offender or a juvenile offender or adolescent offender adjudicated a youthful offender shall be delivered to the director of an office of children and family services facility pursuant to a commitment to the office of children and family services, the officer so delivering such person shall deliver to such facility director a certified copy of the sentence received by such officer from the clerk of the court by which such person shall have been sentenced, a copy of the report of the probation officer's investigation and report, any other pre-sentence memoranda filed with the court, a copy of the person's fingerprint records, a detailed summary of available medical records, psychiatric records and reports relating to assaults, or other violent acts, attempts at suicide or escape by the person while in the custody of a local detention facility.

9. Notwithstanding any provision of law, including section five hundred one-c of this article, the office of children and family services shall make records pertaining to a person convicted of a sex offense as defined in subdivision (p) of section 10.03 of the mental hygiene law available upon request to the commissioner of mental health or the commissioner of the office for people with developmental disabilities, as appropriate; a case review panel; and the attorney general; in accordance with the provisions of article ten of the mental hygiene law.