

Classification and Placement Manual

Kentucky Department of Juvenile Justice

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I. MISSION STATEMENT AND DEFINITIONS

A. Mission Statement:

The Kentucky Department of Juvenile Justice (DJJ) provides a range of services to sentenced, committed, probated, and detained youth and their families, creating opportunities for those youth to develop into productive, responsible citizens while enhancing public safety.

B. Definitions:

1. “Adjudication” means a judicial determination (judgment) that a juvenile is responsible for a public offense or status offense that is charged in a petition or other charging document.
2. “Administrative Transfer Request (ATR)” means a request for consideration for any committed youth for whom a change or extension within the placement continuum is requested.
3. “Absent Without Leave (AWOL)” means a youth that leaves an approved placement without advanced approval from the supervising authority or is absent from an approved community setting for more than three (3) hours without notification.
4. “Child and Adolescent Service Intensity Instrument (CASII)” means a mental health assessment tool that determines the type of mental health treatment needed for a child or adolescent and level of placement.
5. “Classification” means a system for determining the least restrictive environment within which the youth’s treatment needs can safely be met, identifying special needs of a youth, and identifying the level of structure and supervision required by a youth.
6. “Classification placement” means the out-of-home placement of a committed youth as determined by Placement Services, Classification Branch which is initiated through a referral packet submitted by community staff or an ATR packet submitted by either community or facility staff.
7. “Commitment” means an order of the court which places a child under the custodial control or supervision of DJJ in compliance with KRS 635.060.
8. “Dispositional Matrix” means a structured decision making tool used for providing dispositional recommendations to District Court and sentencing information in conjunction with the Pre-Sentencing Investigation Report to Circuit Court.

9. "Group Home (GH)" means a residential program emphasizing family-style living in a homelike environment that generally houses eight (8) to ten (10) youth.
10. "Independent Living Program (ILP)" means those activities necessary to assist a committed youth to establish independent living arrangements. Reference KRS 600.020(35).
11. "Maximum Secure Facility" means a juvenile residential facility that is physically secure.
12. "Needs Assessment" means identifying dynamic or changeable risk factors, called criminogenic needs, that contribute to the youth's likelihood of reoffending which are to be utilized in case planning allowing for the targeting of treatment interventions for the youth and family or caregiver in order to reduce recidivism.
13. "Out-of-home placement" is defined by KRS 600.020(45).
14. "Physically Secure" is defined by KRS 600.020(50).
15. "Placement" means the assigned residence of a youth in the placement continuum that ranges from Level 0 through Level 4, with Level 0 being community placement under conditions of supervised placement, and Level 1 through 4 placements being determined by the Division of Placement Services, Classification Branch.
16. "Placement Matrix" means a structured decision making tool to identify initial placement options for public offenders, declared juvenile sexual offenders, and youthful offenders based on offense severity and risk to reoffend.
17. "Predisposition Investigation Report (PDI)" means a report based on an investigation concerning the nature of the specific act complained of, and any surrounding circumstance which suggests the future care and guidance which should be given to the youth. This investigation shall be provided to the court in a written format. Reference KRS 610.100.
18. "Presentencing Investigation Report (PSI)" means a report by which relevant information on the youth and family is collected to assist the Circuit Court in determining a sentencing recommendation for a youthful offender, following conviction. Reference KRS 640.010.
19. "Private Child Care (PCC)" means a privately owned and operated agency or company that provides residential services for the youth in accordance with contracts or agreements with the Department of Juvenile Justice.

20. "Probation" means a case in which the youth is placed on court-ordered supervision.
21. "Psychiatric Residential Treatment Facility (PRTF)" is defined in KRS 216B.450.
22. "Risk Assessment" means a standardized method of data collection that estimates the likelihood that continued delinquent behaviors will occur without intervention and guides intervention planning.
23. "Staff Secure" is defined by KRS 600.020(64).
24. "Supervised Placement" means the assigned residence of a committed youth in Level 0 community placement.
25. "Suspended / Probated Commitment" means if a youth is eligible for commitment and the court believes community services exist for the child to be successful that commitment may be probated.
26. "Therapeutic Foster Care (TFC)" means a classification placement providing twenty-four (24) hour care for a youth in the private home of an individual or family. The foster care agency provides therapeutic and treatment services to foster parents and youth. Such placement shall be arranged by DJJ through a properly licensed provider with a therapeutic foster care component.
27. "Treatment" means the provision of professional services and evidenced based practices to address behavioral, educational, psychological, and medical needs as determined by appropriate assessments.
28. "Treatment Team" means the professionals, youth, family members, and other supporters who work in conjunction to assist and support youth in achieving goals.

II. DISPOSITIONAL RECOMMENDATION

A. Initial Assessment and Recommendation

1. The Juvenile Service Worker (JSW) shall complete the risk assessment each time a youth is adjudicated on a public offense or convicted as a youthful offender (YO).
2. The JSW shall utilize the DJJ dispositional matrix to make a recommendation to the court. After reviewing the matrix, see II. B., C., D., and E. to determine the appropriate recommendation.
3. When multiple options are available on the matrix the least restrictive dispositional option shall be recommended after review of the factors in II. B., C., D., and E.

B. Recommendation for Non-DJJ Services

Factors which shall be considered when evaluating a recommendation for non-DJJ services include:

1. Services are available in the community to meet the youth's needs or no services are required; and
2. The ability of the parent, caregiver or other family members, including extended family, to provide adequate supervision of the youth and demonstrate a willingness to participate in the youth's treatment.

C. Recommendation for Probation

1. Factors which shall be considered when evaluating a recommendation for probation include:
 - a. Services are available in the community to meet the youth's needs or no services are required; and
 - b. The ability of the parent, caregiver, or other family members, including extended family, to provide adequate supervision of the youth, demonstrate a willingness to participate in youth's treatment, and one or more of the following are present:
 - i. Previous judicial discretion dispositions were unsuccessful;
 - ii. Previous treatment services were unsuccessful; or
 - iii. Youth requires case management and supervision.

2. Non-DJJ services which meet the youth's needs may be recommended in lieu of DJJ probation.

D. Recommendation of Suspended / Probated Commitment

1. Factors which shall be considered for recommendation for suspended/probated commitment include:
 - a. Youth shall meet the statutory requirements for commitment under KRS 635.060.
 - b. Services are available in the community to meet the youth's needs or no services are required; and
 - c. The ability of the parent, caregiver, or other family members, including extended family, to provide adequate supervision of the youth, demonstrate a willingness to participate in youth's treatment, and one or more of the following are present:
 - i. Previous judicial discretion dispositions were unsuccessful;
 - ii. Previous treatment services were unsuccessful; or
 - iii. Youth requires case management and supervision.

E. Recommendation of Commitment

1. Factors which shall be considered when evaluating a recommendation for commitment include:
 - a. Youth's treatment needs require a classification placement;
 - b. The inability of the parent, caregiver, or other family members, including extended family, to provide adequate supervision of the youth or an unwillingness to participate in the youth's treatment;
 - c. Previous judicial discretion or probation dispositions were unsuccessful with more recent events weighing more heavily; or
 - d. Previous treatment services were unsuccessful with more recent events weighing more heavily.
2. If the youth has been designated as a declared juvenile sexual offender (JSO) pursuant to KRS 635.505 and KRS 635.510, the recommendation shall be commitment.

F. If a Predisposition Investigation (PDI) is ordered by the court, the JSW shall complete the needs assessment as part of the PDI process.

G. The JSW shall submit the risk assessment and the PDI report, if applicable, to the court, prosecutor, and defense attorney, three (3) business days prior to disposition.

H. The JSW shall submit the risk assessment and the Pre-sentence Investigation (PSI) report to the court, prosecutor, and defense attorney five (5) business days prior to sentencing.

I. Placement Decision for Youth Committed or Sentenced to DJJ

1. The JSW and Juvenile Services District Supervisor (JSDS) shall utilize the initial placement matrix to determine the appropriateness for submission of the placement referral to Classification.
2. When multiple placement options are available in the initial placement matrix, the least restrictive placement option shall be utilized after review of the factors in II. G. 3.
3. The JSW in consultation with the JSDS shall use the following factors to determine if the youth may remain in the community on supervision or may be referred for a classification placement.
 - a. Factors which shall be considered for youth to remain in the community include:
 - i. Services to address treatment needs that are available in the community, including DJJ Community and Mental Health Services and non-DJJ agencies, have not been exhausted;
 - ii. The ability of the parent, caregiver or other family members, including extended family, to provide adequate supervision of the youth and demonstrate a willingness to participate in the youth's treatment;
 - iii. The level of the committing offense and risk level as outlined in the placement matrix; and
 - iv. Current commitment to the Cabinet for Health and Family Services (CHFS).
 - b. Factors which shall be considered for a youth to be referred for a classification placement include:
 - i. Services to address treatment needs are not available or have been exhausted in the community to meet the youth's needs;
 - ii. The inability of the parent, caregiver, or other family members, including extended family, to provide adequate supervision of the youth or an unwillingness to participate in the youth's treatment;

- iii. The level of the committing offense and risk level as outlined in the placement matrix;
 - iv. Previous DJJ probation or commitment;
 - v. Current commitment to CHFS and exhibiting unlawful behaviors in a CHFS placement;
 - vi. Documented absent without leave (AWOL) risk;
 - vii. Community safety is at issue because the youth's current or prior behavior indicates a significant risk of harm to self or others; or
 - viii. Previous placement disruptions.
- c. Overriding factors to consider for youth to remain in the community shall include:
- i. Age of youth under twelve (12) years old; and
 - ii. Disabilities such as deafness, blindness, chronic illness, mental illness, impairment, or physical disabilities.

J. Risk Reassessments

All youth shall be reassessed at case closure or upon adjudication for a new offense and shall be documented in the youth's individual client record (ICR).

Dispositional Matrix

| Offense Severity (Current Adjudicated Offense) | Statute | Risk Level | | |
|---|---|----------------------------------|----------------------------------|----------------------------------|
| | | Low Risk | Moderate Risk | High Risk |
| Felony A , B or C | KRS 635.060 | Non-DJJ Services | Probate to DJJ | Probate to DJJ |
| | | Probate to DJJ | Suspended/probated commitment | Suspended/probated commitment |
| | | Suspended/probated commitment | Commit to DJJ | Commit to DJJ |
| | | Commit to DJJ | | |
| Felony D with: 3 prior adjudications excluding violations or 4 prior adjudications of violations | KRS 635.060(4)(a)(1) | Non-DJJ Services | Non-DJJ Services | Probate to DJJ |
| | | Probate to DJJ | Probate to DJJ | Suspended/probated commitment |
| | | | Suspended/probated commitment | Commit to DJJ |
| Felony D (does not qualify for suspended commitment) | KRS 635.060(4)(a)(1) | Non-DJJ Services | Non-DJJ Services | Non-DJJ Services |
| | | | Probate to DJJ | Probate to DJJ |
| Misdemeanor A or B with: 3 prior adjudications excluding violations or 4 prior adjudications of violations | KRS 635.060(4)(a)(1) | Non-DJJ Services | Non-DJJ Services | Non-DJJ Services |
| | | Probate to DJJ | Probate to DJJ | Probate to DJJ |
| | | | Suspended/probated commitment | Suspended/probated commitment |
| | | | Commit to DJJ | Commit to DJJ |
| Misdemeanor A or B (does not qualify for suspended commitment) | KRS 635.060(4)(a)(1) | Non-DJJ Services | Non-DJJ Services | Non-DJJ Services |
| | | | Probate to DJJ | Probate to DJJ |
| Violation (Fineable Offenses) i.e. Alcohol Intoxication, Criminal Trespass 3 rd , Hitchhiking, Failure to Wear Safetybelt | KRS 600.020(67) | Non-DJJ Services | Non-DJJ Services | Non-DJJ Services |
| | | | | Probate to DJJ 30 days |
| Probation Violation with no suspended commitment | KRS 635.060(2)(b)(2) | Non-DJJ Services | Non-DJJ Services | Non-DJJ Services |
| Probation Violation with suspended commitment | KRS 635.060(2)(b)(2) KRS 635.060(5)(a),(b) | Continue Probation | Commit to DJJ | Commit to DJJ |
| | | Commit to DJJ | | |

Table 1. Dispositional Matrix

Dispositional Matrix Offenses Involving a Deadly Weapon, Sexual Offenses, and Youthful Offender

| Offense Severity | Statute | Risk Level | | |
|--|--|--|--|--|
| | | Low Risk | Moderate Risk | High Risk |
| Offense Involving Deadly Weapon Felony D Misdemeanor A or B | KRS 635.060(4)(a)(2) | Non-DJJ Services | Non-DJJ Services | Probate to DJJ |
| | | Probate to DJJ | Probate to DJJ Suspended/probated commitment Commit to DJJ | Suspended/probated commitment Commit to DJJ |
| | KRS 635.060(4)(a)(1) | Non-DJJ Services | Non-DJJ Services | Probate to DJJ |
| | | Probate to DJJ | Probate to DJJ Suspended/probated commitment Commit to DJJ | Suspended/probated commitment Commit to DJJ |
| Sexual Offenses-Declared* Felony Sexual Offense (Mandatory Declared JSO) Misdemeanor A or B (Recommendation of Declared JSO)* Sexual Offense-Non-Declared* (Recommendation of Non Declared due to age, IQ or psychosis) Felony A, B, C or Misdemeanor* | KRS 635.515 | Commit to DJJ | Commit to DJJ | Commit to DJJ |
| | KRS 635.505(2)(g) KRS 635.510(2)(a),(b) KRS 635.515(1) | Commit to DJJ | Commit to DJJ | Commit to DJJ |
| | KRS 635.505(2)(g) KRS 635.510(2)(a),(b) | Refer to Dispositional Matrix page 1 for corresponding recommendation based on Public Offender Offense Classification and Risk Level | | |
| Youthful Offender | KRS 640.030 | Risk and Criminogenic Needs to be submitted to the court in conjunction with the PSI. Sentencing to be determined by the court | | |

*For any youth adjudicated as a juvenile sexual offender, the JSO Risk Assessment shall be used in conjunction with the Risk and Criminogenic Needs Assessment as part of the dispositional recommendation

Table 2. Dispositional Matrix Offenses Involving a Deadly Weapon, Sexual Offenses, and Youthful Offenders

III. INTERSTATE COMPACT

Youth on probation or parole in another state and processed through Interstate Compact for supervision in Kentucky shall have a risk assessment and needs assessment administered by the JSW at the same time the interstate compact home evaluation is completed in accordance with DJJPP Chapter 6 policies (Initial Contact & Court Support for Public Offenders) and (Initial Contact & Court Support for Youthful Offenders). Upon Kentucky accepting supervision the youth shall be subject to DJJ's community phase system and any requirements imposed by the referring state. A youth shall not be released from supervision without approval from the referring state.

IV. PLACEMENT CONTINUUM AND TIMEFRAMES

A. The Level of Placement Continuum is as follows:

- Level 0 Home or other placement arranged by parent or caregiver on conditions of supervised placement, as defined by DJJPP Chapter 6, Definitions.
- Level 1 Therapeutic Foster Care (TFC), Independent Living Program (ILP).
- Level 2 Group Home (GH), Private Child Care Providers (PCC).
- Level 3 Staff Secure Youth Development Centers (YDC).
- Level 4 Maximum Secure YDC.
- No Level Psychiatric Residential Treatment Facility (PRTF), Psychiatric Hospital admissions facilitated by the Classification Branch.

B. Commitment and Out-of-Home Timeframes

1. Out-of-home placement shall relate to the amount of time that a youth may be placed out-of-home pursuant to KRS 15A.0652. These placements shall include only those out-of-home placements ordered by the court through the Department and shall not include any placement facilitated by the parent or caregiver.
2. Class A or B Misdemeanor (excluding declared JSO's or offenses involving a deadly weapon)
 - a. A maximum of four (4) months of out-of-home placement pursuant to KRS 15A.0652.
 - b. An extension of the length of out-of-home placement pursuant to KRS 15A.0652 may be considered as referenced in VII. Administrative Transfer Request (ATR).
 - c. Maximum commitment timeframe shall not exceed twelve (12) months pursuant to KRS 635.060.
 - d. Unless the ATR Committee has authorized the extension of placement, the youth shall be released at the end of the statutory timeframe for out-of-home placement.
3. Class D Felony (excluding declared JSO's or offense involving a deadly weapon)
 - a. A maximum of eight (8) months of out-of-home placement pursuant to KRS 15A.0652.

- b. An extension of the length of out-of-home placement pursuant to KRS 15A.0652 may be considered as referenced in VII. Administrative Transfer Request (ATR).
- c. Maximum commitment timeframe shall not exceed eighteen (18) months pursuant to KRS 635.060.
- d. Unless the ATR Committee has authorized the extension of placement, the youth shall be released at the end of the statutory timeframe for out-of-home placement.

V. INITIAL PLACEMENTS

A. Community Process for a Classification Placement Request

1. For committed or sentenced youth who are determined by the JSW and JSDS to need a classification placement, the JSW shall compile the classification placement packet to include the following if applicable and available:
 - a. Written justification;
 - b. Petitions related to current commitment;
 - c. Commitment Orders or Sentencing Order;
 - d. All Relevant Assessment Information (Risk assessment, Needs assessment Psychological Reports, Psychosexual Assessment, or any other available assessments);
 - e. Social History information recorded in the electronic record;
 - f. PDI or PSI report;
 - g. Medical, School, or Detention Reports;
 - h. Suspended Commitment Probation Violation Reports;
 - i. Educational Records;
 - j. Discharge Summaries from other programs; and
 - k. Incident Reports.
2. Referrals for a classification placement shall be approved by the JSDS or designee. The JSW shall submit the classification placement packet electronically to the Classification Branch within seven (7) business days after commitment unless an extension is approved through the JSDS to the Classification Branch Manager.

B. Classification Process to Determine a Classification Placement

1. After the classification placement packet is received electronically by Classification, the documents shall be reviewed for accuracy, completeness, consistent scoring on the risk assessment, adherence to the dispositional matrix, and statutory requirements for commitment. Classification may reject the referral or request additional information to be submitted. Rejection of a referral may occur because the youth does not meet the criteria for a classification placement,

the referral is incomplete, or any other reasons as determined by the Classification Branch staff. The final decision as to whether a youth is placed in a classification placement is the responsibility of the Classification Branch Manager or designee.

2. If the Classification Branch Manager or designee determines the youth does not meet criteria for a classification placement the Juvenile Services Specialist (JSS), JSW, and JSDS shall be notified of the reasons for rejection. A request for an override may be made through the Division Director of Community and Mental Health Services to the Division Director of Placement Services, in Section VI.
3. Placement decisions shall be made with consideration of the least restrictive available placement, consistent with the initial placement matrix, which placement is closest to the youth's place of residence, and in conjunction with the following:
 - a. Risk assessment factors;
 - b. Criminogenic need factors identified in the needs assessment;
 - c. Any noted responsivity issues that may impact the youth and parent or caregiver response to treatment interventions; and
 - d. Community safety.
4. If a classification placement is warranted, the process outlined in Section V. C. shall be followed.
5. The Classification Branch shall administer the Child and Adolescent Service Intensity Instrument (CASII) for all public offender youth that meet any of the following criteria:
 - a. Current diagnosis on Axis I and II other than Attention Deficit Disorder with Hyperactivity (ADHD); and
 - b. Previous involvement in the Kentucky Interagency Mobilization for Progress in Adolescent and Child Treatment (KY IMPACT) program at any time during youth's lifetime; or
 - c. Three (3) or more acute psychiatric hospitalizations during the youth's lifetime;
 - d. Placement in a PRTF during youth's lifetime;
 - e. Current or past documentation or evidence indicating suicidal or homicidal ideations, severe depression, hallucinations, or rages (intense anger);

- f. Current or past use of psychotropic medications;
 - g. Two (2) or more placements made by the Department of Community Based Services (DCBS) with any other listed above; or
 - h. Special education placements with any other listed above.
6. A YO shall not have an initial placement in a program with a security level lower than a Level 3 YDC.
7. The Classification Branch Manager or designee shall consider placement levels when determining a classification placement in accordance with the criteria outlined in Section V. C. and D.

C. Criterion for Level 1-4 Placements (Reference Table 3. and 4.)

Dependent upon placement level and based upon the offense severity and the risk level as outlined in the placement matrix, youth may be placed when the following factors are present.

1. Factors to consider for Level 1 TFC and ILP with more recent events weighing more heavily
- a. Youth's ability to function appropriately in public school;
 - b. Services available at the community level are not adequate to address youth's identified treatment needs;
 - c. Parent, caregiver, or other family members, including extended family, lack the ability to provide adequate supervision of the youth, even though services are available in the community;
 - d. Community safety is not an issue because the youth's current or prior behavior does not indicate a significant risk of harm to self or others; and
 - e. Age-appropriateness of youth, which is as follows: appropriate for youth aged twelve (12) and younger; possible for youth aged thirteen (13) through seventeen (17); and not appropriate for youth aged eighteen (18) and over. Exceptions to this may occur based on the availability of specialized programming.
2. Factors to Consider for Level 2 GH or PCC
- a. Youth's need for supervision indicates twenty-four (24) hours a day, seven (7) days a week supervision. (Referring to the difference between TFC and GH or Residential PCC setting);

- b. Services available at the community level are not adequate to address youth's identified treatment needs;
 - c. Community safety is not an issue because the youth's current or prior behavior does not indicate a significant risk of harm to self or others;
 - d. Age-appropriateness of youth, which is as follows: appropriate for youth aged twelve (12) and younger; possible for youth aged thirteen (13) through seventeen (17); and not appropriate for youth aged eighteen (18) and over. Exceptions to this may occur based on the availability of specialized programming; and
 - e. Youth is considered to be an AWOL risk from home on multiple occasions or for significant lengths of time with more recent events weighing more heavily.
3. Factors to consider for Level 3 YDC
- a. Community safety is at issue because the youth's current or prior behavior indicates a significant risk of harm to self or others;
 - b. Type of weapon and extent of potential for harm;
 - c. Serious physical injury to victim. Reference KRS 500.080(15);
 - d. Previous placement disruptions resulting in removal from placement with more recent events weighing more heavily;
 - e. Adjudication indicates a pattern of behavior warranting a higher level of care such as multiple offenses, severe acting out behaviors, or violence;
 - f. Age-appropriateness of the youth, which is typically not for youth aged twelve (12) and under. Exceptions to this may occur based on the availability of specialized programming;
 - g. Youth is considered to be an AWOL risk due to previous AWOLs from TFC, GH, or PCC with more recent events weighing more heavily; and
 - h. Community services are not available to address the extent of the youth's treatment needs.
4. Factors to consider for Level 4
- a. One of the following factors (a.i.-a.iv.):
 - i. Offense involved intentional death of victim;

- ii. Previous AWOL from secure facility (detention, law enforcement custody, or Level 3 YDC);
 - iii. Youth is committed for an offense where he or she was personally responsible for a significant level of violent behavior; or
 - iv. Documented aggression towards staff, which is considered persons providing residential supervision; and
- b. One of the following factors shall also be present (b.i.-b.ii.):
- i. Youth currently does not exhibit pro-social behaviors and therefore could not maintain appropriate behavior in a small group setting;
 - ii. Youth requires heightened security, supervision and multiple physical plant limitations to reduce opportunity for AWOL; or
 - iii. Age-appropriateness of youth age fourteen (14) or older.

D. Criterion for Referral for Placement in a PRTF or Psychiatric Hospital may include:

- 1. Documented mental health treatment including previous psychiatric placements or medical services;
- 2. Hospitalization in an acute psychiatric setting within the past thirty (30) days;
- 3. Multiple failed placements through KY IMPACT, DCBS, or DJJ;
- 4. Previous psychological or psychiatric evaluation; and
- 5. Current CASII administered.

Initial Placement Matrix (Excluding Declared Juvenile Sexual Offenders)

| Committing Offense | Risk Level | | |
|--|---|---|---|
| | Low | Moderate | High |
| Misdemeanor A or B | Level 0 | Level 0 | Level 2 |
| | Level 1 | Level 1 | Level 3 |
| | | Level 2 | |
| Total out-of-home placement to not exceed 4 months | | | |
| Misdemeanor A or B involving a Deadly Weapon | Level 0 | Level 2 | Level 2 |
| | Level 1 | Level 3 | Level 3 |
| | Level 2 | | |
| Felony D | Level 0 | Level 2 | Level 2 |
| | Level 1 | Level 3 | Level 3 |
| | Level 2 | | |
| Total out-of-home placement to not exceed 8 months | | | |
| Felony D involving a deadly weapon | Level 0 | Level 2 | Level 2 |
| | Level 1 | Level 3 | Level 3 |
| | Level 2 | | Level 4 |
| Felony C | Level 0 | | |
| | Level 1 | Level 2 | Level 3 |
| | Level 2 | Level 3 | Level 4 |
| Felony A or B | Level 2 | Level 3 | Level 3 |
| | Level 3 | Level 4 | Level 4 |
| Committed on a suspended commitment (Probation Violation) | Refer to the highest underlying adjudicated offense | Refer to the highest underlying adjudicated offense | Refer to the highest underlying adjudicated offense |
| YO Any Offense | Level 3 | Level 3 | Level 3 |
| | | Level 4 | Level 4 |

Level 0 Home or other placement arranged by parent or caregiver on conditions of supervision, as defined by DJJPP 600.

Level 1 Therapeutic Foster Care ("TFC"), Independent Living Program (ILP)

Level 2 Group Home ("GH"), Private Child Care Providers ("PCC")

Level 3 Staff Secure Youth Development Centers ("YDC")

Level 4 Maximum Secure Youth Development Center

No Level Psychiatric Residential Treatment Facility ("PRTF") and Psychiatric Hospital admissions facilitated by the Classification Branch.

Table 3. Initial Placement Matrix (Excluding Declared Juvenile Sexual Offenders)

Initial Placement Matrix for Declared Juvenile Sexual Offenders

| Declared JSO and DJJ Risk Assessment | JSO Assessment Low/Low-Moderate Risk | JSO Assessment Moderate/Moderate-High Risk | JSO Assessment High Risk |
|---|---|---|---------------------------------|
| Declared/Low Risk | Level 0 Level 1 | Level 0 Level 1 Level 2 Level 3 | Level 2 Level 3 |
| Declared/Moderate Risk | Level 0 Level 1 | Level 0 Level 1 Level 2 Level 3 | Level 2 Level 3 Level 4 |
| Declared/High Risk | Level 0 Level 1 Level 2 | Level 1 Level 2 Level 3 | Level 3 Level 4 |
| Sex Offender YO Any Risk Level | Level 3 | Level 3 Level 4 | Level 3 Level 4 |

Table 4. Initial Placement Matrix for Declared Juvenile Sexual Offenders

VI. OVERRIDES OF INITIAL CLASSIFICATION PLACEMENT DECISIONS

- A. Factors that may override an initial placement level outside of matrix options, either higher or lower include:
1. Behavior in detention;
 2. Serious physical injury;
 3. Type of weapon and extent of potential for harm;
 4. Services available to meet youth's needs in less restrictive placement;
 5. Higher level of services are required to meet treatment needs;
 6. Youth is considered to be an AWOL risk due previous AWOL or threats of AWOL with more recent events weighing more heavily;
 7. Community safety is at issue because the youth's current or prior behavior indicates a significant risk to harm to self or others;
 8. Disabilities such as deafness, blindness, chronic illness, mental illness, impairment, or physical disabilities; or
 9. Age or physical stature of youth.
- B. If the JSW or JSDS believes the placement level decision as determined by the Classification Branch Manager or designee is inappropriate, too high or too low, an override request may be submitted. The request shall be written in electronic format and sent through the chain of command to the Division Director of Community and Mental Health Services or designee. The decision of the Division Director of Community and Mental Health Services or designee shall be forwarded to the Classification Branch Manager.
- C. If the Classification Branch Manager does not agree with the Division Director of Community and Mental Health Services decision, then it shall be forwarded to the Division Director of Placement Services in an attempt to reach an agreement.
- D. If an agreement is not reached, the decision shall be forwarded to the Deputy Commissioner of Operations and the Deputy Commissioner of Community and Mental Health Services in an attempt to reach an agreement.
- E. If the Deputy Commissioners cannot reach agreement, the decision shall be forwarded to the Commissioner. The decision of the Commissioner shall be considered final and not subject to reconsideration.

- F. All requests for override shall include supporting documentation and information.
- G. Classification Branch staff shall enter the final decision into the Information Management System.

VII. ADMINISTRATIVE TRANSFER REQUEST (ATR)

- A. An ATR shall be submitted for any committed youth for whom a change or extension within the placement continuum is requested. An ATR may be requested in the following situations:
1. DJJ facility request for an up, down, or lateral move within the placement continuum;
 2. JSW's request for an up, down, or lateral move within the placement continuum for youth in PCC, hospital, PRTF or TFC;
 3. JSW request for a youth committed on a misdemeanor offense and has completed four (4) months of treatment in an out-of-home placement, TFC, PCC, and psychiatric hospital, but requires continued treatment in an out-of-home placement;
 4. JSW request for a youth committed on Class D felony offense and has completed eight (8) months of treatment in an out-of-home placement, TFC, PCC, and psychiatric hospital, but requires continued treatment in an out-of-home placement;
 5. DJJ facility request for a youth committed on a misdemeanor offense and has completed four (4) months of treatment in an out-of-home placement, but requires continued treatment in an out-of-home placement;
 6. DJJ facility request for a youth committed on Class D felony offense and has completed eight (8) months of treatment in an out-of-home placement, but requires continued treatment in an out-of-home placement; or
 7. JSW request for administratively revoked youth.
- B. The ATR packet shall be submitted by the facility counselor, treatment director, or superintendent for youth currently in a DJJ operated facility or by the JSW for youth currently in TFC, hospital, or PCC and youth that have been administratively revoked. It shall be submitted through the chain of command for verification of information included and approval by the appropriate Division Director or designee.
- C. If the Treatment Team anticipates that a timeframe extension of the out-of-home placement shall be needed, an ATR shall be requested twenty-one (21) days prior to the projected release date.
- D. The JSW shall ensure the completion of the ATR Notification for youth in TFC, hospital setting, or PCC requiring a change or extension in placement or administratively revoked youth being referred for a classification placement. The

residential counselor shall have the ATR Notification completed for youth in DJJ operated placements requiring a change or extension in placement.

- E. Once reviewed and approved by the Division Director of the requesting DJJ operated facility or Division Director of Community and Mental Health Services, the packet shall be submitted to the Classification Branch.
- F. If facility and community staff do not agree on the submission of an ATR, a request for reconsideration of the decision made to proceed or not proceed may be submitted in writing electronically to the Classification Branch.
 - 1. All requests for reconsideration shall include supporting documentation.
 - 2. The Classification Branch Manager or designee shall submit the request to the respective Facility Regional Administrator (FRA) and Community Regional Manager or designee
 - 3. The Regional Manager shall discuss the request for reconsideration and forward their decision to the Classification Branch Manager, who shall inform all parties of the decision
 - 4. If the FRA and Regional Manager do not agree then the request shall be forwarded to the respective Regional Division Director and Division Director of Community and Mental Health Services or designee for final decision.
- G. All youth shall be provided due process consisting of notice of intent to transfer to another classification placement and an opportunity for the youth to respond either verbally or in writing at the time of notice. If the referring placement believes the ATR notification to youth may create a safety, security, or flight risk or if the ATR is an emergency request, the notification to the youth and opportunity for response shall be given as soon as practical in a setting to maintain safety, security, and control of the youth.
- H. Criteria supporting justification for extension of out-of-home placement timeframes include:
 - 1. Safety concerns for the community or youth exist based on current behavior.
 - 2. The pending outcome of a DCBS investigation on the proposed placement residence, when no other community residence is viable.
 - 3. The pending outcome of an Interstate Compact referral for a proposed home evaluation and/or courtesy supervision, when no other community residence is available.

4. Further an out-of-home placement is necessary for completion of treatment.
 5. Youth requests extension due to being fearful to return to the community based on historical threats of violence or retaliation from community acquaintances.
 6. Youth requests extension of timeframe for educational purposes or independent living arrangements not to exceed thirty (30) days.
 7. Following a revocation of supervised placement as a result of the issuance of the decision letter from the Director of Community and Mental Health Services for detention or classification placement.
- I. The ATR packet shall consist of:
1. A written justification for the ATR;
 2. If applicable, the supervised placement revocation request, hearing officer's finding of facts, and the decision letter from the Director of Community and Mental Health Services.
 3. An ATR notification to the youth if available prior to the submission of the ATR packet;
 4. Supporting documentation, if applicable, includes:
 - a. Incident reports;
 - b. New commitment order and petitions;
 - c. Psychosexual reassessments; and
 - d. Letters, information, requests from youth or other interested parties.
 - e. For an ATR downward to a Level 1-2, supporting documentation shall also include:
 - i. Documentation supporting the need for continued services in a classification placement;
 - ii. Documentation of an unapproved home evaluation completed by the JSW, date of referral to DCBS, and status of referral. If the JSW does not believe a DCBS referral is warranted, the JSW shall obtain the approval of the Regional Manager for a step down to occur;
 - iii. Documentation of an approved home evaluation reflecting continued needs of transitional or reunification services prior to youth returning to the family home. Approval for the ATR to proceed shall be granted by the Juvenile Services Regional Manager; or

- iv. Documentation that youth is fearful to return to the community based on historical threats of violence or retaliation from community acquaintances.
 - f. For an ATR downward from a Level 4 to a Level 2 or 3, supporting documentation shall also include documentation supporting the need for continued services in a classification placement.
 - g. All ATR's submitted by DJJ facility staff shall include written acknowledgement from the JSW.
 - h. Written justification for extension of out-of home placement timeframe, where applicable.
- J. If the notification to the youth was not included in the ATR packet, the Classification Branch shall notify the receiving facility that notification and due process for the youth needs to occur.
- K. If the ATR notification to the youth was not completed by the referring placement due to safety, security or flight risk, the receiving facility shall provide the notification to the youth providing the reasons for the transfer and provide the youth an opportunity to respond to the ATR Committee for reconsideration to ensure due process.
- L. The treatment team may withdraw an ATR packet at any time.
- M. Upon receipt of the ATR packet, the Classification Branch Manager shall determine the appropriate course of action in processing the ATR.
- 1. The Classification Branch Manager or designee shall review and take action relating to a request for:
 - a. A lateral or lower level of placement; and
 - b. A classification placement for revoked youth.
 - 2. An ATR of a YO to any placement lower than Level 3 shall be processed as follows, with the Commissioner having final approval authority:
 - a. The ATR shall be submitted by the youth counselor, treatment director, or superintendent for youth currently in a DJJ operated facility through the chain of command for verification of information and approval by the appropriate Division Director or designee;
 - b. Once reviewed and approved by the Division Director the packet shall be submitted to the Classification Branch;

- c. Classification Branch Manager or designee shall review and present the ATR to the Deputy Commissioner of Program Operations and Deputy Commissioner of Community and Mental Health Services for approval and submission to the Office of the Commissioner; and
 - d. If approved by the Commissioner the Classification Branch shall determine placement location and arrange transportation.
3. The ATR committee shall review the following:
- a. A request for a higher level of placement;
 - b. A request for an extension of time in a classification placement for youth committed on a misdemeanor or Class D felony, excluding declared JSO's or offenses involving a deadly weapon, who have exhausted their out-of-home placement timeframes;
 - c. A request for a classification placement for administratively revoked youth committed on a misdemeanor or Class D felony, excluding declared JSO's or offenses involving a deadly weapon to review prior months of treatment on original commitment, who have exhausted their out-of-home placement timeframes; or
 - d. A request for youth to return home directly from a maximum secure facility unless otherwise ordered by the court or the commitment has expired. The ATR Committee shall consider the following factors for step-down requests from maximum secure facility to home:
 - i. The youth has attained at least Developmental Level.
 - ii. The youth has exhibited significant improvement in the areas of behavior, academic, vocational skills, and treatment work as identified and monitored by the youth's treatment team.
 - iii. When a PO has completed a Level 4 program, the youth shall be returned home unless the ATR Committee finds specific factors that require continued a classification placement.
 - e. All extensions of out-of-home placement timeframes approved by the Commissioner shall be reviewed at a maximum of every thirty (30) days to ensure that a classification placement is still warranted.
4. The ATR Committee shall consist of:
- a. Deputy Commissioner of Operations (Chairperson);

- b. Division Director of Community and Mental Health Services;
 - c. Chief of Mental Health Services;
 - d. Director of Medical Services;
 - e. Director of Placement Services;
 - f. Classification Branch Manager; and
 - g. Division Directors from Residential Services.
 - h. Each ATR Committee member may be represented by a designee.
5. Representatives of PCC agencies may also provide information or be represented at the committee meeting as necessary.
- N. The JSW, JSDS, youth counselor, Transportation Branch Manager, or Superintendent may attend as necessary or required.
- O. The ATR Committee shall meet weekly, as determined by the Deputy Commissioner of Operations, and shall review all submitted ATRs.
- P. The ATR Committee shall have four (4) members participating in person or by teleconference; however, representatives from the Division of Community and Mental Health Services, Division of Placement Services, and the Chief of Mental Health Services or designee shall participate in all committee meetings.
- Q. The Classification Branch staff shall present the information regarding the ATR to the ATR Committee.
- R. The Classification Branch staff shall maintain documentation of all ATR Committee meetings including participants, cases being presented, any requests for further information from the requesting DJJ operated facility, JSW, or JSDS, responses from previous requests, and recommendations for each case presented.
- S. The ATR Committee's decision regarding level of placement shall be made by consensus. If the ATR Committee's decision differs from the treatment team's original request, it shall be returned in writing with explanation and signed by all committee members present.
- T. The requesting DJJ operated facility, JSW, or JSDS shall respond to questions from the ATR Committee either by teleconference or e-mail in order to clarify issues related to the request and services needed for each youth.
- U. The decision of the ATR Committee may be:

1. Approval;
 2. Deferral of the request for additional information. The request for additional information shall be specific and in writing; or
 3. Denial.
 4. All decisions of the ATR Committee shall be acknowledged in writing by each Committee member.
- V. The recommendations or decisions of the ATR Committee shall be provided to the requesting DJJ operated facility, JSW, and JSDS via e-mail by the Classification Branch within two (2) business days.
- W. The Classification Branch Manager or designee shall determine the placement location for the youth.
- X. The Classification Branch shall be the custodian for all the records related to ATR's.

VIII. EMERGENCY ADMINISTRATIVE TRANSFER REQUEST (E-ATR)

- A. A request for an Emergency ATR (E-ATR) for an immediate change in a classification placement of any committed PO or sentenced YO currently in a classification placement shall be submitted through the chain of command to:
 - 1. The Division Director of Community and Mental Health Services or designee for youth who are placed in a hospital, PCC, or TFC setting; or
 - 2. The respective Regional Division Director or designee for youth placed in a DJJ operated program.
- B. Once approved, the appropriate Division Director or designee shall forward the approved E-ATR to the Classification Branch and complete notification by e-mail.
- C. Classification Branch staff shall review the E-ATR for accuracy and criteria for emergency. If criteria are met for a request for lateral level placement, the Classification Branch Manager or designee shall review the request and take action relating to placement. If criteria are met for a request for a higher level of placement, Classification Branch staff shall present the E-ATR to the Deputy Commissioner of Operations or designee.
 - 1. The major criterion for an E-ATR shall be that the youth cannot be safely maintained in the current placement.
 - 2. Other criteria for an E-ATR may include:
 - a. AWOL attempt in a GH setting;
 - b. Documented assaultive behavior towards residents or staff after appropriate disciplinary actions are utilized;
 - c. Medical or psychiatric conditions arise for which treatment in current setting is not available;
 - d. De-Certification by Medicaid in a hospital placement;
 - e. Youth AWOL from placement and picked up on a Commissioners Warrant with time expiring (KRS 635.100(1) and (4)); or
 - f. An extension of the out-of-home placement timeframe has become necessary based on information meeting the criteria in Section VII. F. which was not present prior to twenty-one (21) days of the youths anticipated release.
- D. A decision shall be sent electronically to all relevant parties and arrangements for transportation made if necessary.

