

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-1E-01, 02, 04, 05, 06, 07, 08; 4C-46, 47, 48; 5H-04
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Individual Client Records		
POLICY NUMBER: DJJ 705		
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APPROVAL: Carey D. Cockerell		, COMMISSIONER

I. POLICY

Department staff shall maintain appropriate, accurate documentation regarding all aspects of each juvenile's case record. Resident case records management shall include, at minimum, the establishment, use and content of the juvenile's records, right to privacy, secure placement of records and a schedule for retention and destroying inactive records.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers and community based alternative to detention programs.

III. DEFINITION

Refer to Chapter 700.

IV. PROCEDURES

A. All juvenile records shall be maintained electronically. Staff shall be responsible for the establishment and maintenance of the juvenile's record within the Detention Booking System. Any records maintained outside of the booking system shall be scanned into the electronic records periodically, no later than the release or transfer of the juvenile. The Detention Booking System shall maintain the following records:

1. Court Documents, Authority to Accept/Release or Discharge;
2. Initial Intake Information;
3. Birth Record;
4. Social Security Card;
5. DSS-115, Report of Suspected Child Abuse or Neglect or Dependency;
6. Resident Personal Property Inventory;
7. Release of Information Forms;
8. Signed Statement of Understanding of Rights and Rules;
9. Grievances;
10. Assessment Data, including case history/social history, if available;

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11. Alternative to Secure Detention Program data, if applicable;
 12. Incident Reports;
 13. Staff Alert Forms;
 14. Behavior Contracts;
 15. Special Watch Forms;
 16. Resident Progress Notes;
 17. Release Summary;
 18. Resident Phone Log;
 19. Miscellaneous Correspondence, to include referrals to other agencies;
 20. Records of Previous Detainment(s); and,
 21. Other facility records, if applicable.
- B. Any juvenile case record maintained outside the Detention Booking System shall be maintained as follows:
1. All juvenile records shall be clearly marked “Confidential”.
 2. All juvenile records shall be kept in locked file cabinets which are marked “Confidential”. All file cabinets and offices containing juvenile records shall be locked at the end of each working day and when the office is left unattended. When staff remove juvenile records from the locked location it shall be documented on the sign-in/sign-out sheet.
 3. When juvenile records are in staff offices, they shall be either under the direct control of the assigned staff or placed out of sight of juvenile or public who may be in the office.
 4. Documentation in case records shall be legible; written in ink, typewritten, or computer processed; identified by heading and dated and signed by the individual making the entry. Delayed entries shall be clearly marked as such.
 5. Documents entered into case records shall be filed in chronological order, identified as to the source, verification and confidentiality of each entry.
 6. Care shall be taken to avoid errors on documentation to be entered into the case record. If errors are made, a line shall be drawn through the incorrect information and the staff making the change shall put their initials beside the change. No whiteout or other means shall be used to fully obscure the error.
 7. Staff shall not take juvenile case records off the premises except when subpoenaed or required in court cases.
- C. Access to records and files shall be restricted to:
1. The juvenile’s attorney;
 2. Judges, prosecutors, and law enforcement officers, with departmental approval, when essential for official business;
 3. Direct Care Staff, Counselors, Supervisors, Administrative Secretary, and Administrators in the Detention Facility;

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4. Detention Alternative Coordinator;
 5. Child Abuse Investigators or investigators from the Internal Investigation Branch.;
 6. Agency or contracted medical personnel;
 7. Individuals and agencies for the express purpose of conducting approved research, evaluative, or statistical studies as outlined in DJJPP Section 1 (Research Projects);
 8. Attorneys with the Justice Cabinet; and,
 9. Division of Program Services Quality Assurance Branch.
- D. The Victim Information and Notification Everyday (VINE) automated services uses the computer to send information about serious offenders to notify victims of their location. Information maintained in the computer shall be “password protected”; only designated staff shall have authority for access. The designated departmental staff shall be responsible for entering and ensuring the confidentiality and safekeeping of such information. Reference DJJ Chapter 3 (Youthful Offender) for more information on the VINE system.
- E. If another juvenile must be identified in a juvenile’s case record for any reason, the juvenile’s name shall be identified by first name and initial of the last name only.
- F. Others who wish access to records, including the juvenile or their families, shall make a written request as outlined in DJJPP Section 1 (Records Request). Contract agencies shall develop a procedure pertaining to their agency.
- G. In preparing for the release of a juvenile:
1. All records maintained in the living areas or supervisor’s office shall be scanned in the Detention Booking System juvenile’s record.
 2. Staff shall ensure facilities have access to the juvenile’s records when releasing a juvenile to a DJJ operated residential program.
 3. Juveniles released from a detention into a DJJ operated residential program shall have a copy of their Medical Record transferred to the receiving facility at the time of placement. The Medical Record shall be sealed in separate envelope from the detention facility records and shall be marked confidential.
 4. The Offender Information Administrator shall enter any custody status change of a youth offender in the VINE system. Reference DJJ Chapter 3 (Youthful Offenders).
- H. Schedule for Retention and Destroying Inactive Records: All records shall be managed according to the Record Retention and Disposal Manual of the State Archives and Record Commission, Public Records Division.

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V. MONITORING MECHANISM

Monitoring shall be the responsibility of the Superintendent or designee.