

CHAPTER 7. DETENTION SERVICES			
Number	Title	Effective Date	Pages
700	Detention Services Delivery System	02/03/06	2
701	Criteria for Admission	02/03/06	4
702	Intake, Reception and Orientation	02/03/06	3
703	Detention Risk Assessment	02/03/06	3
704	Alternatives to Secure Detention	02/03/06	3
704.1	Supervision of Youth in Alternative Detention Programs	02/03/06	2
704.2	Revocation of Youth in Alternative Detention Programs	02/03/06	2
705	Individual Client Records	02/03/06	4
705.1	Medical Records	02/03/06	2
705.2	Progress Notes	02/03/06	2
706	Grievance Procedure	02/03/06	4
707	Bed Capacities and Staffing of Regional Juvenile Detention Facilities	02/03/06	2
708	Classification of Youth for Housing and Program Assignment	02/03/06	2
709	Security and Control	02/03/06	2
710	Shift and Log Reports	02/03/06	2
711	Transportation of Youth	02/03/06	2
712	Escape/AWOL	02/03/06	6
713	Restraints	02/03/06	4
714	Searches	02/03/06	3
715	Critical Incident Reports	02/03/06	3
716	Behavior Management	02/03/06	2
717	Discipline and Special Behavior Management	02/03/06	4
718	Disciplinary Review	02/03/06	3
720	Programs and Services	02/03/06	2
720.1	Library Services	02/03/06	2
720.2	Recreation and Structured Activities	02/03/06	2
720.3	Religious Programs	02/03/06	2
720.4	Youth Work Details	02/03/06	2

CHAPTER 7. DETENTION SERVICES			
Number	Title	Effective Date	Pages
720.5	Social Services	02/03/06	2
720.6	Family and Community Contact	02/03/06	4
723	Health Services	02/03/06	8
724	Suicide Prevention and Intervention	02/03/06	4
725	Educational Programming and Instructional Services	02/03/06	2
725.1	Instructional Staffing	02/03/06	2
725.2	Education Records	02/03/06	2
726	Day Leaves	02/03/06	2
729	Release From Detention	02/03/06	2
730	Annual Inspections of Secure Juvenile Detention Facilities, Juvenile Holding Facilities	02/03/06	8
731	Complaint Investigations of Secure Juvenile Detention Facilities, Juvenile Holding Facilities	02/03/06	7

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-1A-20, 1A-25; 1B-03
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Detention Services Delivery System		
POLICY NUMBER: DJJ 700		
TOTAL PAGES: 2		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

The Department of Juvenile Justice shall implement and enforce the provisions of KRS Chapter 15A for operation of Juvenile Detention Facilities and Alternative Detention Programs. In order to effectively carry out this mission, DJJ shall operate:

- A. Regional secure juvenile detention centers which provide confinement of youth determined to be violent and/or chronic offenders in highly structured environments. These facilities shall provide programs with a wide range of services including, education, counseling, acute medical and mental health care, behavior management, observation and assessment, as well as continuous supervision; and
- B. A comprehensive array of temporary community based alternative programs to secure detention for those youth charged with less serious offenses. For those youth determined eligible, placement shall be in the least restrictive and most appropriate setting available which ensures the safety of the youth and the general public and that the youth shall remain crime free and appear as ordered in court.

II. APPLICABILITY

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

III. DEFINITION

Not Applicable

POLICY NUMBER DJJ 700	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

IV. PROCEDURES

- A. Detention facilities providing services on a regional basis shall charge all contract users an equal per diem rate. The per diem rate charged shall include costs associated with temporary custody, care, supervision, program services, building maintenance, administrative overhead, and construction.
- B. Alternative programs and services shall be developed in each region based upon the unique needs of that region. To the extent that available resources allow, the continuum of services available in each region shall include both home-based and residential options.
- C. The Detention Alternatives Coordinator shall develop and maintain an ongoing relationship with the judges, Court Designated Workers, public defenders, prosecutors, youth workers and private child care providers in the region.
- D. The Department shall provide, at least annually, to the court, the court designated worker program, public defenders, prosecutors, department workers, and other interested individuals a written program description guide listing all alternative programs available in each detention region. The Detention Alternatives Coordinator, in collaboration with DJJ Central Office personnel, shall be responsible for the development and dissemination of the Annual Detention Alternatives Program Guide.
- E. The Department of Juvenile Justice shall inspect, at least annually, each registered secure juvenile detention facility to assure its compliance with administrative regulations.
- F. The Department of Juvenile Justice shall classify and investigate complaints lodged against any facility under the jurisdiction of the Department.
- G. The Department shall require all detention programs and services to be reviewed for efficiency and effectiveness on an annual basis corresponding to the state fiscal year.

V. MONITORING MECHANISM

The Regional Facilities Administrator, the Division of Placement Services and the Division of Program Services shall be responsible for monitoring of this policy.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-1A-08, 5A-03, 06, 10, 11, 14, 15, 16
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Criteria for Admissions		
POLICY NUMBER: DJJ 701		
TOTAL PAGES: 4		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

The use of detention shall be limited to youth alleged to have committed a violation of law who are: involved in being a threat to the community or a threat to themselves; being held to ensure their presence at court hearings; carrying out court ordered sanctions; being held on a DJJ Commissioner's Warrant; committed to DJJ and awaiting placement; and/or being held until transferred to other jurisdictions.

A youth who becomes eighteen (18) years of age while in detention, and who is either committed to DJJ or has a pending case in court, may remain in detention until final disposition and transfer to a facility.

A youth age ten (10) and younger shall not be placed in secure detention unless charged with a Capital, Class A, or Class B felony and then only if there is no appropriate alternative to detention program available.

II. APPLICABILITY

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

III. DEFINITIONS

- A. "Alternative to Secure Detention" means any resource which provides a less restrictive environment than Secure Detention, e.g., emergency shelter care, court resource home, day reporting center or home detention.
- B. "Out-Of-State Runaway" means a youth who leaves the active custody of a parent or guardian without permission in one state and flees to another state or absconds by leaving the state of legal jurisdiction without written authority and flees to another state in an effort to avoid legal process or supervision.
- C. "Secure Juvenile Detention Facility" means any facility used for the secure detention of children other than a jail, police station, lock-up, intermittent holding facility, or any building which is a part of, or attached to, any facility

POLICY NUMBER DJJ 701	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 4
--	--------------------------------------	--	-------------------------------------

in which adult prisoners are confined or which shares staff with a facility in which adult prisoners are confined. Reference 15A.200(4).

- D. "Status Offender" means any youth adjudicated of committing acts, which if committed by an adult, would not be a crime.

IV. PROCEDURES

A. Documentation for Admission:

1. The agency or individual presenting a youth at a secure detention facility shall provide one of the following documents authorizing detention at the time of admission or the youth shall not be accepted for admission:
 - a. A bench warrant that indicates the reason for the issuance of the warrant;
 - b. A Commissioner's Warrant;
 - c. A court order;
 - d. A Pre-Adjudicative Detention Criteria Form (AOC JW-39);
 - e. A police citation for traffic violation for youth age 16 or older; or
 - f. An Interstate Compact agreement.
2. If the alleged violation is contempt of court or a probation or parole violation, the documentation shall include the underlying charge that resulted in the contempt, probation or parole violation. Lack of information relating to the underlying charge shall not be grounds to refuse admission; however, the agency or individual presenting the youth at a secure detention facility shall be instructed to forward such information to the detention facility within forty-eight (48) hours of admission for inclusion in the youth's file.

B. Admissions determinations shall be made according to the following guidelines:

1. Public Offenders (Predisposition)
 - a. Pursuant to KRS 610.265(1) accused public offenders picked up on a bench warrant may be accepted by Detention pending a court hearing. Youth so detained shall be brought before the juvenile court within forty-eight (48) hours of admission to review the necessity for continued detention.
 - b. Pursuant to KRS 610.265(2)(b)5 and 6, accused public offenders accompanied by a court order may be accepted by Detention and may be securely detained or admitted to a non-secure Alternative to Detention program for any length of time during the probable cause, adjudication, and disposition phases of the process, subject to limitations as determined by the court and reflected in the court order.

POLICY NUMBER DJJ 701	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 4
--	--------------------------------------	--	-------------------------------------

- c. In accordance with KRS 610.265(2)(b)1, youth alleged to have committed a Capitol Offense, a Class A or Class B felony shall not be eligible for placement into a non-secure Alternative to Detention program without court authorization.
 - d. Pursuant to KRS 635.100, a youth picked up on a Commissioner's Warrant may be accepted by Detention and securely detained for up to five (5) days, excluding weekends and holidays, pending a probable cause hearing. If probable cause is found, the youth may be held for an additional ten (10) days, excluding weekends and holidays, pending a revocation hearing, unless a continuance is requested by the juvenile or his attorney. A youth who has remained in custody during the revocation process shall be placed, to the extent possible, within ten (10) days, excluding weekends and holidays, following the decision to revoke.
2. Public Offender (Post-disposition):
- a. Pursuant to KRS 635.060 (4)-(5), post-dispositional public offenders may be accepted for admission and securely detained in accordance with a court order specifically requiring detention.
 - b. Pursuant to KRS 635.060 (3), a youth committed to the Department of Juvenile Justice pending placement, not specifically sentenced to detention, may be securely detained or placed in a non-secure alternative program for up to thirty-five (35) days after disposition.
3. Status Offenders
- a. Pursuant to KRS 630.070, status offenders shall not be placed in secure detention as a means or form of punishment except following a finding that the youth has violated a valid court order.
 - b. Non-Secure Detention – A youth accused of being in contempt of court on an underlying status offense may be detained in a non-secure alternative program. The youth may not be securely detained except as provided below.
 - c. Secure-Detention – A youth accused of contempt on an underlying status offense may be securely detained if so ordered by the court for a total of 72 hours exclusive of weekends and holidays while the court is having a report prepared in accordance with KRS 610.265(2)(b)4.c and KRS 630.080.
 - d. If the youth is found to be in contempt, the youth may be securely detained for the amount of time ordered by the court.
4. Federal Wards and Out-of-State Runaways:
Pursuant to KRS Chapter 615, federal wards and out-of-state- runaways

POLICY NUMBER DJJ 701	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 4
--	--------------------------------------	--	-------------------------------------

may be admitted to and securely detained in Detention up to 48 hours, excluding weekends and holidays, with a court order.

5. Each detention facility Superintendent shall adopt written plans which govern space arrangements and procedures to follow in the event of a group arrest that exceeds the maximum capacity of the facility. These plans shall be reviewed annually and updated if necessary.

V. MONITORING MECHANISM

The Facility Superintendent, Regional Facilities Administrator and the Divisions of Placement Services and Program Services shall monitor these activities.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-1B-08, 10, 19; 4C-21, 22, 23, 34, 39, 40; 5A-01, 02, 04, 05, 11, 14, 15, 16
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Intake, Reception and Orientation		
POLICY NUMBER: DJJ 702		
TOTAL PAGES: 3		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

Youth shall undergo screening and assessment at admission and receive a thorough orientation to the facility's procedures, rules, programs and services.

Youth with serious physical injuries shall be denied admission until seen by a medical professional and determined to be medically stable. A youth may be denied admission for drug and/or alcohol intoxication.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITIONS

Not Applicable

IV. PROCEDURES

A. INTAKE

1. Youth shall be informed of the steps of the reception and orientation process at the time of intake. The youth shall submit all personal property and be scanned with a handheld metal detector and searched for weapons and/or contraband in accordance with DJJPP 714. Each youth shall be photographed and fingerprinted. Any medications or prescriptions for medication brought with the youth shall be immediately turned over to the facility health authority for instructions regarding disposition. An Admissions Forms Packet shall be completed even if a youth has had a prior admission.
2. Each detention center shall develop Standard Operating Procedures, which shall be reviewed annually and updated as needed, for the control, secure storage and safeguarding of youth's personal property from the point of

POLICY NUMBER DJJ 702	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 3
--	--------------------------------------	--	-------------------------------------

admission to the point of discharge. These procedures shall include provisions for the thorough cleaning and, when necessary, disinfecting of youth's personal clothing before storage or before allowing the youth to keep and wear personal clothing.

B. RECEPTION

1. Hygiene Inspection

All youth, including intra-system transfers, shall be visually inspected upon admission for injuries, physical abnormalities, scars and body markings, ectoparasites, and general physical condition prior to being placed into the general population. The findings of this inspection shall be documented and forwarded to the Registered Nurse.

2. Ectoparasite Control

Youth entering a Regional Juvenile Detention Center may be treated with a delousing product at the time of admission in accordance with DJJPP 404.2.

3. Drug and Alcohol Screening

Drug and alcohol screens may be administered to any youth in accordance with DJJPP 408 and 408.1, with the approval of the Superintendent or designee.

4. Health Screening

All youth, including intra-system transfers, shall receive health screening by health-trained staff or by qualified health care personnel upon arrival at the facility, to include identification of injuries, intoxication, acute or chronic illness, and current medications. Program staff shall be informed both verbally and in writing of any special medical or mental health problems or of any physical problems that may require medical attention.

5. Mental Health Screening

Mental health screening shall be completed by staff trained in use of the screening instrument. When a youth is determined to have mental health needs as evidenced by the screening instrument, or by the demonstration of behaviors such as listed in DJJPP 724, the facility health authority shall make the determination of need and make contact as appropriate with the Community Mental Health Center or local contract mental health provider for a mental health assessment.

6. Risk Assessment Screening

All youth ordered detained in a state-operated detention facility, except those youth meeting conditions for mandatory secure detention pursuant to KRS 610.265(2)(b)1, shall be screened using the detention risk assessment instrument to

POLICY NUMBER DJJ 702	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 3
--	--------------------------------------	--	-------------------------------------

determine eligibility for the alternative detention program in accordance with DJJPP 703.

C. ORIENTATION

1. All youth being admitted into secure detention shall be oriented in their own language. Material shall either be written or interpreted to ensure understanding of the youth's rights and facility's rules and guidelines, including grievance procedures and how to access medical and mental health services.
2. Each youth shall be provided personal hygiene instruction upon admission. Each youth shall be provided a shower and hair care and shall receive issue of clean, laundered clothing, linens and personal hygiene items.
3. Youth shall be assigned to a housing unit in accordance with DJJPP 708.

V. MONITORING MECHANISM

The Facility Superintendent, Regional Facilities Administrator and the Division of Program Services shall monitor compliance with this policy.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-5A-07, 08, 09, 5H-03, 06, 07
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Detention Risk Assessment		
POLICY NUMBER: DJJ 703		
TOTAL PAGES: 3		
DATE ISSUED: July 15 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

The Department shall use a detention screening instrument to enhance decision making regarding the appropriate placement of youth in the continuum of detention programs/services pending disposition.

II. APPLICABILITY

This policy shall apply to all Detention Alternative Coordinators.

III. DEFINITIONS

- A. "Alternative to Secure Detention Program (ATD)" means any resource which provides a less restrictive environment than Secure Detention: e.g. emergency shelter care, court resource home, day reporting center, or home detention.
- B. "Detention Alternative Coordinator (DAC)" means a person employed by the Department of Juvenile Justice that is responsible for the development of alternatives to secure detention programs, screening of youth to determine who is appropriate for non-secure detention, and oversight of the youth placed in these programs.
- C. "Detention Risk Assessment Instrument" means the scoring instrument used by the Department of Juvenile Justice to determine whether a youth should be placed in secure, non-secure, or home detention care.
- D. "Secure Detention" means the temporary custody of the youth in an approved physically secure Regional Juvenile Detention Center.

IV. PROCEDURES

A. General

1. The Detention Alternative Coordinator shall assess all youth ordered

POLICY NUMBER	ISSUE DATE	EFFECTIVE DATE	PAGE NUMBER
DJJ 703	07/15/05	02/03/06	2 of 3

detained in a state operated Regional Juvenile Detention Facility with the exception of those youth meeting conditions for **mandatory secure detention** pursuant to KRS 610.265(2)(b)1.

2. Any youth in pre-adjudication status that the Detention Alternative Coordinator is considering asking for an alternative to secure detention shall be assessed using the detention risk assessment instrument.

B. Alternative to Secure Detention Programs

Youth who receive a score on the detention risk assessment instrument indicating eligibility for the alternative detention program shall be further evaluated through use of the risk/needs assessment instrument, and other information obtained deemed appropriate.

C. Administrative Override

1. The administrative override shall be utilized by the Detention Alternative Coordinator when relevant issues relating to a youth are not reflected in the results of the detention risk assessment instrument or the risk/needs assessment instrument. The Detention Alternative Coordinator shall determine when consideration of additional information requires that the youth be confined in a manner other than that indicated by the screening instruments. The Detention Alternative Coordinator shall consider all aggravating and mitigating circumstances at the time the screening tools are administered.
2. The Detention Alternative Coordinator shall exercise the administrative override by completing the administrative override section of the detention risk assessment instrument, stating the reason for the override and by signing and dating the override authorization.

D. Alternative placements shall be documented in the youth's Individual Client Record and in detention records and reports. Such documentation shall include:

1. Name of youth;
2. Beginning date/time of alternative placement;
3. Date/time alternative placement ended;
4. Reason the alternative placement ended;
5. Type of placement;
6. Where youth went upon release; and
7. Other pertinent information

E. Detention daily population reports shall identify youth placed in alternative programs including date entered and released.

F. Youth in secure detention or in an alternative to secure detention placement shall remain in the custody of DJJ until officially discharged per court order or DJJ action.

POLICY NUMBER DJJ 703	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 3
--	--------------------------------------	--	-------------------------------------

V. MONITORING MECHANISM

The Divisions of Placement Services and Program Services shall monitor compliance with this policy.



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-1A-09, 5A-07, 09**

CHAPTER: Detention Services

AUTHORITY: KRS 15A.065

SUBJECT: Alternatives to Secure Detention

POLICY NUMBER: DJJ 704

TOTAL PAGES: 3

DATE ISSUED: July 15, 2005

EFFECTIVE DATE: 02/03/06

APPROVAL: Bridget Skaggs Brown

, COMMISSIONER

I. POLICY

Alternatives to Secure Detention Programs shall be established for the purpose of providing a comprehensive continuum of community based programs, services and facilities for youth who require varying levels of custody and supervision on a temporary basis pending further legal action. Youth shall be placed in the least restrictive and most appropriate setting available to foster the safety of the youth, the safety of the general public and to ensure that the youth will appear as ordered in court.

II. APPLICABILITY

This policy shall apply to all Detention Alternative Coordinators.

III. DEFINITIONS

- A. "Alternative to Secure Detention means any resource which provides a less restrictive environment than Secure Detention, e.g., emergency shelter care, court resource home, day reporting center or home detention.
- B. "Court Resource Home" means 24 hour custodial care in a home setting.
- C. "Electronic Monitoring" means a supervision tool that provides electronic information about the youth's presence at, or absence from, his or her residence or other location.
- D. "Home Detention" means maintenance of youth in his or her own home with Department of Juvenile Justice or contracted community-based oversight, with or without electronic monitoring.
- E. "Legal Custodian" means a person who, by order of the court, is vested with the right to have physical custody of a youth, and who is responsible for the care of such youth.
- F. "Relative" means a parent, grandparent, great-grandparent, sibling, first

POLICY NUMBER DJJ 704	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 3
--	--------------------------------------	--	-------------------------------------

cousin, aunt, uncle, great-aunt, great-uncle, niece or nephew, whether related by the whole or half-blood, by affinity or adoption.

- G. "Secure Detention" means the temporary custody of the youth in an approved physically secure Regional Juvenile Detention Center.
- H. "Staff-Secure Shelter" means 24-hour custodial care for youth in a staff secure setting.

IV. PROCEDURES

- A. The Detention Alternatives Coordinator (DAC) shall be responsible for the supervision and coordination of the Alternative Programs to Secure Detention operated by DJJ.
- B. All youth shall be provided, in writing, information that specifies the rights, responsibilities, behavior expectations, rules, and consequences for rule violations within the Alternative Detention Program. The information shall clearly explain the grievance procedure for youth to follow in the alternative program. Each youth shall sign a form verifying that they have received a copy of the information and understand its contents.
- C. The following continuum, listed from least to most restrictive, shall be developed in each catchment area to the extent feasible:
 - 1. Home Detention
 - 2. Court Resource Homes
 - 3. Staff-Secure Shelters
- D. Electronic Monitoring
 - 1. The Detention Alternative Coordinator shall be trained in, and have responsibility for procurement, accountability and maintenance related to, the use of electronic monitoring equipment.
 - 2. In the event of lost or stolen equipment the DAC shall up line an incident report.
- E. Parent/Legal Custodian Rights Responsibilities
 - 1. The youth and the parent, legal custodian, or adult relative responsible for the youth shall sign a statement agreeing to the terms and conditions of such program before the youth shall be permitted home detention.
 - 2. The youth and parent shall be informed that the removal, purposeful damage, destruction or "loss" of electronic monitoring equipment by the youth may result in charges of Criminal Mischief II and/or Theft By Unlawful Taking and that restitution might be ordered.
 - 3. The parent or legal custodian of a youth placed in a court resource home or staff-secure shelter shall be permitted visitation with the youth at either the residence or an established alternate site unless the court prohibits such contact, the youth refuses such visitation, or it is determined by the

POLICY NUMBER DJJ 704	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 3
--	--------------------------------------	--	-------------------------------------

Detention Alternative Coordinator that such visitation is not in the best interest of the youth.

V. MONITORING MECHANISM

Monitoring of this policy shall be provided by the Division of Placement Services and the Division of Program Services.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Supervision of Youth in Alternative to Secure Detention Programs</p>		
<p>POLICY NUMBER: DJJ 704.1</p>		
<p>TOTAL PAGES: 2</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

Youth who are placed from a secure Regional Juvenile Detention Center into the Alternative to Secure Detention Program shall remain under supervision of the Detention Alternative Coordinator until the court discharges custody, the youth completes a sentence, or the youth is returned to secure detention.

II. APPLICABILITY

This policy shall apply to all Detention Alternative Coordinators.

III. DEFINITION

Not Applicable

IV. PROCEDURES

A. Standard Operating Procedures shall be developed, approved by the Director of the Division of Placement Services, and implemented to detail supervision and documentation procedures. These Standard Operating Procedures shall include, but not be limited to:

1. At minimum, weekly monitoring of youth placed in an out of home alternative to secure detention as well as youth placed on home detention. Contracted community-based tracker services may be used in meeting these contact requirements.
2. Documentation of all monitoring contacts in the youth's Individual Client Record (ICR) in compliance with DJJPP 705 and 705.2.
3. Preparation of a final report at the time the youth exits the program detailing the youth's placements and progress in the program. This report shall be placed in the youth's ICR.

B. The Detention Alternative Coordinator shall prepare a monthly report listing all youth participating in the alternative detention program and pertinent data

POLICY NUMBER DJJ 704.1	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

regarding their status. The report shall be provided to the Director of the Division of Placement Services or designee by the 5th day of the following month.

V. MONITORING MECHANISM

Monitoring shall be the responsibility of the Division of Placement Services.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-5A-13
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Revocation of Youth in Alternative to Secure Detention Programs		
POLICY NUMBER: DJJ 704.2		
TOTAL PAGES: 2		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

A youth participating in the Alternative to Secure Detention Program shall comply with the written terms and conditions agreed to as a condition of participation. Failure to comply with written terms and conditions may result in a step up to a more restrictive alternative program or secure detention.

II. APPLICABILITY

This policy shall apply to all Detention Alternative Coordinators.

III. DEFINITIONS

- A. "Minor Violations" include leaving a scheduled place early, returning late from scheduled leave, or violating curfew from 1 to 15 minutes.
- B. "Major Violations" include the following:
 - 1. A new public charge;
 - 2. Destruction of or failure to maintain issued equipment;
 - 3. Violation of a court order;
 - 4. Failure to appear at a court hearing; or
 - 5. Being absent without leave. (Reference DJJPP 712).

IV. PROCEDURES

- A. The Office of the Commissioner shall, through the Director of the Placement Services Division, establish Standard Operating Procedures to provide for graduated sanctions based on the evaluation of the youth's compliance with the terms of the alternative to secure detention placement. These procedures shall include, but not be limited to:
 - 1. A code of sanctions for minor violations through means such as stepping up the required contacts, further house restrictions, written reprimand placed in the Individual Client Record (ICR), etc.

POLICY NUMBER DJJ 704.2	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

2. Procedures for staff response to a youth in alternative to secure detention placement who is absent without leave, to include but not be limited to:
 - a. Requesting a bench warrant from the court;
 - b. Contacting appropriate law enforcement;
 - c. Filing appropriate charges against the youth; and
 - d. Completing an incident report.
 3. Requirement for the immediate return to secure custody of a youth who has committed a major violation unless the youth is a status offender in predisposition status, a youth under age eleven (11), or there are other exceptional circumstances.
 4. Procedures for stepping a youth up to a more restrictive program, including return to secure detention. Youth AWOL from an Alternative to Secure Detention Program who turn themselves into the Regional Juvenile Detention Center shall be held in secure detention. A return to secure detention may result in the youth remaining in secure detention until the next scheduled court appearance.
 5. Allowance for a youth returned to secure detention to be considered for placement in another custody option if there are special circumstances that would support this decision. Such circumstances shall be documented in writing and placed in the youth's file.
 6. Procedures for the filing of charges, to include but not be limited to:
 - a. Purposeful damage, destruction or loss of any electronic monitoring equipment.
 - b. Being absent without leave from an alternative to secure detention placement or program.
 7. Documentation of all sanctions, actions, and/or charges in the youth's Individual Client Record (ICR) in compliance with DJJPP 705 and 705.2.
- B. If a youth is returned to the secure detention facility due to a violation of the conditions of alternative placement and believes the return is unjustified, a grievance may be filed in accordance with DJJPP 706.

V. MONITORING MECHANISM

The Detention Alternative Coordinator and the Divisions of Placement Services and Program Services shall monitor compliance with this policy.

	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		
TOTAL PAGES: 4		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

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

Not Applicable

IV. PROCEDURES

- A. The Youth Worker Supervisor or designee shall be responsible for the establishment and maintenance of the Individual Client Record.
- B. Each youth's case record shall be maintained according to the following outline. Information in each section shall be filed in chronological order except where otherwise noted. Any information that clearly does not fit in one of the following categories shall be filed under miscellaneous:

1. Section I:

- a. Court Documents, Authority to Accept/Release or Discharge
- b. Initial Intake Information
- c. Birth Record
- d. Social Security Card
- e. DSS-115, Report of Suspected Child Abuse or Neglect or Dependency

POLICY NUMBER DJJ 705	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 4
--	--------------------------------------	--	-------------------------------------

- f. Resident Personal Property Inventory
- g. Release of Information Forms
- h. Signed Statement of Understanding of Rights and Rules
- i. Grievances
- 2. Section II**
 - a. Assessment Data, including case history/social history, if available
 - b. Alternative to Secure Detention Program data, if applicable
- 3. Section III**
 - a. Incident Reports
 - b. Staff Alert Forms
 - c. Behavior Contracts
 - d. Special Watch Forms
- 4. Section IV**
 - a. Resident Progress Notes
 - b. Release Summary
- 5. Section V.**
 - a. Resident Phone Log
 - b. Miscellaneous Correspondence, to include referrals to other agencies
 - c. Other facility records, if applicable
- 6. Section VI:**
 - Records of Previous Detainment(s)
- C. All youth records shall be clearly marked "Confidential".
- D. All youth records shall be kept in locked file cabinets which are marked "Confidential". All file cabinets and offices containing youth records shall be locked at the end of each working day and when the office is left unattended. When staff remove youth records from the file room it shall be documented on the sign-in/sign-out sheet.
- E. When youth records are in staff offices, they shall be either under the direct control of the assigned staff or placed out of sight of youth or public who may be in the office.
- F. Staff shall not take Individual Client Records off the premises except when subpoenaed or required in court cases.
- G. Access to records and files shall be restricted to:
 - 1. The youth's attorney;
 - 2. Judges, prosecutors and law enforcement officers when essential for official business;

POLICY NUMBER DJJ 705	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 4
--	--------------------------------------	--	-------------------------------------

3. Direct Care Staff , Counselors, Supervisors, Administrative Secretary, and Administrators in the Detention Facility;
 4. Detention Alternative Coordinator;
 5. Child Abuse Investigators;
 6. Agency or contracted medical personnel; and
 7. Individuals and agencies for the express purpose of conducting research, evaluative or statistical studies—if the proper consent has been obtained per DJJPP 127 and approval granted by the Facility Superintendent.
- H. Maintenance of Computerized Information: Some information such as intake/release information may be placed on the computer. The VINE automated victim notification 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 Detention staff shall be responsible for entering, making back-up disks and ensuring the confidentiality and safekeeping of such information.
- I. 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.
- J. 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.
- K. Documents entered into case records shall be filed in chronological order within the appropriate section and identified as to the source, verification and confidentiality of each entry.
- L. All entries made in the youth’s case record shall be legible; dated; identified by heading; and signed by the staff making the entry.
- M. If another youth must be identified in a youth’s case record for any reason other than on the Special Notice Form used for classification purposes, that youth shall be identified by first name and initial of the last name only.
- N. Care shall be taken to limit access of all records to those who have a right or a need to know specific information.

POLICY NUMBER DJJ 705	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 4
--	--------------------------------------	--	-------------------------------------

O. Others who wish access to records, including the youth or their families, shall make a written request as outlined in DJJPP 132.1. Contract agencies shall develop a procedure pertaining to their agency.

P. In preparing for the release of a youth:

1. All records maintained in the living areas or supervisor's office shall be placed in the youth's Individual Client Record. Unless the youth is being released for placement into a DJJ operated program, all information in Sections I-V shall be moved to Section VI, Previous Records of Detainment.
2. Youth released for placement into a DJJ operated residential program shall have their original Individual Client Record and Medical Record transferred to the receiving facility at the time of placement or at the latest within 24 hours of placement. A sealed copy of the record may be retained by the detention facility.

Q. Schedule for Retiring 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.

V. MONITORING MECHANISM

Monitoring shall be the responsibility of the Facility Superintendent or designee.



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-46-48
NCCHC Y-H-01, Y-H-02, Y-H-04,
Y-H-05, Y-H-06**

CHAPTER: Detention Services

AUTHORITY: KRS 15A.065

SUBJECT: Medical Records

POLICY NUMBER: DJJ 705.1

TOTAL PAGES: 2

DATE ISSUED: July 15, 2005

EFFECTIVE DATE: 02/03/06

APPROVAL: Bridget Skaggs Brown

, COMMISSIONER

I. POLICY

Each Regional Juvenile Detention Center shall maintain a Medical Record for each youth and shall maintain the confidentiality of Medical Records. Medical Records shall be maintained and controlled by the Nurse.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

- A. Each Residential Juvenile Detention Center shall maintain a health record for each youth in accordance with DJJPP 402.1. The Medical Record shall be maintained separately from the youth's Individual Client Record while at the facility. It shall be maintained in the Nurse's Office, marked as confidential, and locked unless in use. Transfer of Medical Records and information to agencies outside DJJ shall require written authorization by the youth, and parent or guardian.
- B. Mental health notes shall be maintained with the Medical Record. A copy of the note shall be made and placed in the Individual Client Record with appropriate blocking out of medical information.
- C. Access to Medical Records shall be available only to the facility nurse; facility qualified health professional; facility qualified mental health professional; facility Superintendent; Medical Director; Nursing Administrator; Chief of Mental Health Services; Federal Monitors; designated staff of the Division of

POLICY NUMBER DJJ 705.1	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

Program Services; and ACA standards compliance auditors.

- D. If a youth is transferred from a Regional Juvenile Detention Center to another DJJ facility, a Transfer Summary including documentation of at least three (3) working days supply of any required medication(s) shall accompany the youth to the receiving facility. The youth's original Medical Record shall be transferred with the youth, if possible. If the simultaneous transfer is not possible, the facility charge nurse or designee shall contact the receiving facility's charge nurse immediately to notify the receiving facility of any special medical problems or prescription information. If this situation occurs, the sending facility shall transfer the Medical Record within 24 hours along with the youth's Individual Client Record. Medical Records shall be transferred in a sealed envelope.
- E. If the transfer is to a non-state operated facility, that facility shall receive a copy of health data if requested and only after appropriate Release of Medical Information authorization has been received.
- F. Upon release of a youth from a Regional Juvenile Detention Center, the facility charge nurse shall audit the Medical Record for completion of documentation and signatures. Any incomplete documentation shall be completed if possible and a late entry shall be included and identified when applicable.
- G. Original Medical Records shall be maintained at the facility and disposed of according to the Record Retention and Disposal Schedule of 1976 or any revisions thereafter. Retained Medical Records shall be identified as confidential.
- H. If a youth returns to a DJJ facility, the Medical Record shall be re-activated.

V. MONITORING MECHANISM

Monitoring shall be accomplished by the facility Superintendent or designee, the facility Nurse, and the Medical Director or designee.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Progress Notes		
POLICY NUMBER: DJJ 705.2		
TOTAL PAGES: 2		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

Recordings shall be entered into each youth's case record on a consistent basis by the Counselors, Youth Workers, Youth Worker Supervisors and other personnel as appropriate to document routine information, emergency situations, and unusual incidents.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

- A. "DAP" means "data, assessment and plan" and is a method of recording a juvenile's history and corrective treatment.
- B. "SOAP" means "subjective, objective, assessment and plan" and is a method of recording a juvenile's history and corrective treatment.

IV. PROCEDURES

A. Daily Life Progress Notes

1. The purpose of Progress Notes is to provide a running record of significant events during the youth's placement in secure detention or alternative programs.
2. Recording shall be made on the date of service using the Progress Note form. Recordings shall be in narrative style: DAP or SOAP format may be used but shall not be required. Progress Notes shall be filed in the youth's Individual Client Record within seven (7) calendar days of the end of the reporting week.

POLICY NUMBER DJJ 705.2	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

3. The primary recorders shall be the Youth Counselor and Youth Worker staff.

B. Medical Progress Notes

1. The purpose of Medical Progress Notes is to provide a running record of health services provided.
 2. Recordings shall be made on the date of service using the Progress Note Form. Either the Problem Oriented or SOAP format shall be used. Problem Oriented documentation shall be based on the nursing process.
 3. Medical Progress Notes shall include at least one (1) entry for each thirty (30) day period.
 4. Medical Progress Notes shall be filed into the youth's Medical Record in chronological order on the date of service.
 5. The primary recorders shall be the charge nurse and facility qualified health/mental health professionals.
- C.** Progress notations shall be legibly written in ink, typewritten, or computer processed. They shall include a heading for each entry, be dated and signed and include the title of the recorder.
- D.** Care shall be taken to avoid errors in recording. 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 white-out or other means shall be used to fully obscure the error.
- E.** Progress notations shall be in chronological order. Delayed entries shall be clearly marked as such.
- F.** Extraneous comments shall be avoided. If another youth must be identified in a youth's Progress Notes for any reason, that youth shall be identified by the first name and last initial only.

V. MONITORING MECHANISM

Monitoring shall be the responsibility of the Facility Superintendent or designee.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-3D-08
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Grievance Procedure		
POLICY NUMBER: DJJ 706		
TOTAL PAGES: 4		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

Youth confined to Regional Juvenile Detention Center (RJDC) or placed in an Alternative to Secure Detention (ATD) program shall be provided an internal grievance mechanism for complaints arising from institutional matters.

II. APPLICABILITY

This policy shall apply to all state operated and contracted Regional Juvenile Detention Centers and ATD programs.

III. DEFINITIONS

- A. "Grievance" means a circumstance or action considered to be unjust and grounds for complaint.
- B. "Working Days" means Monday-Friday, exclusive of weekends and holidays.

IV. PROCEDURES

- A. Youth shall be shown the location of the grievance forms and shall be provided an explanation of the procedures upon intake. All grievances shall be handled expeditiously, and without threat of reprisal against the individual grievant.
- B. A youth may file a grievance if he believes that there has been a violation of:
 - 1. Federal or Kentucky civil rights provisions;
 - 2. Federal or Kentucky civil or criminal law;
 - 3. Departmental policy/procedure; program standard operating procedure; or
 - 4. To resolve a condition within the RJDC or ATD program that creates unsafe or unsanitary living conditions.

POLICY NUMBER DJJ 706	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 4
--	--------------------------------------	--	-------------------------------------

- C. Non-Grievable issues include court decisions, policies from agencies outside the detention facility, disciplinary hearing decisions, probation decisions, and legislative action affecting the operations of the RJDC or ATD program.
- D. A youth may file a grievance only for himself, although a resident may assist another resident in filing a grievance.
- E. Only one grievance may be filed at any one time on a single incident or issue of concern. A youth may withdraw a current or previously filed grievance at any time.
- F. An inappropriately filed grievance, or one that concerns a non-grievable issue, shall be returned to the youth with an appropriate explanation.
- G. Formal Grievance Process
 - 1. Step One
 - a. If unable to resolve the issue informally, within forty-eight (48) hours of the issue occurring the youth shall write up the grievance on the Resident Grievance Form, being as specific as possible.
 - b. At the point of writing up the grievance, the youth may use the help of a DJJ staff member, including their Juvenile Service Worker if applicable. Another youth may assist the youth in filing a grievance. If neither the youth nor staff believes they are able to adequately express the grievance in written form, the youth shall be allowed to present the grievance verbally, a summary of which shall be entered into documentation by the Designated Grievance Officer.
 - c. The written grievance shall be presented to the Designated Grievance Officer within two (2) working days of the occurrence of the issue that is being grieved. A formal hearing shall be held within three (3) working days of receiving the grievance.
 - d. If the grievance involves an ATD program, the Detention Alternative Coordinator (DAC) shall be the Designated Hearing Officer. If the grievance involves the DAC, the DAC Branch Manager shall be the Designated Grievance Officer.
 - e. Those present at the hearing may include the Designated Grievance Officer who shall conduct the hearing; the youth filing the grievance; the staff assistant, if any; and witnesses related to the issue as approved by the Designated Grievance Officer.

POLICY NUMBER DJJ 706	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 4
--	--------------------------------------	--	-------------------------------------

f. The Designated Grievance Officer shall within three (3) working days of the conclusion of the hearing present a written response to the youth. A record, including all information regarding the grievance, shall be kept on file in the office of the Designated Grievance Officer for a period of three (3) years.

2. Step Two

- a. If dissatisfied with the resolution presented by the Designated Grievance Officer, the youth may within two (2) working days forward the grievance to the Superintendent or designee or, for grievances involving an ATD program, to the DAC Branch Manager. If the DAC Branch Manager serves as the Designated Hearing Officer, the Placement Services Division Director shall handle any appeal. The youth shall present all information provided in Step 1.
- b. Within three (3) working days of receiving the grievance, the Superintendent/DAC Branch Manager or designee shall meet with the Designated Grievance Officer, the youth, and the staff assistant, if any.
- c. The Superintendent/DAC Branch Manager or designee shall receive all information deemed necessary to resolve the issue. The Superintendent/DAC Branch Manager or designee shall have up to five (5) working days to present a written final response to the youth.
- d. A copy of the final resolution, along with the grievance and all information, shall be forwarded to the Ombudsman at the same time the final resolution is given to the youth.

3. Compliance With Time Frames:

- a. If the youth does not meet time frames, the grievance shall be automatically dropped.
- b. If the staff does not meet time frames, the grievance shall be automatically won by the youth.
- c. Due to unavailability of an essential party the time frames may be extended with the written agreement of the youth and the Designated Grievance Officer and the approval of the Superintendent/DAC Branch Manager.
- d. In the absence of the Designated Grievance Officer, Superintendent, or DAC Branch Manager, the person covering their duties shall be responsible for the handling of grievances.

POLICY NUMBER DJJ 706	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 4
--	--------------------------------------	--	-------------------------------------

- e. If the Designated Grievance Officer, Superintendent or DAC Branch Manager is directly involved in the grievance, that person's supervisor shall handle the grievance.

4. Record, Review, Confidentiality

- a. The Superintendent or designee and the DAC shall maintain a monthly log of grievances filed under this procedure as to relevant dates, the person filing, topics and dispositions. A summary shall be included in the Quarterly and Annual Reports submitted by the Superintendent to the Residential Facilities Administrator and by the DAC to the DAC Branch Manager.
- b. All written grievances shall be considered confidential.

V. MONITORING MECHANISM

Monitoring shall be accomplished by the Facility Superintendent, the Regional Facilities Administrator, the DAC Branch Manager and the Ombudsman.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-2B-06, 3A-07, 3A-08
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Bed Capacities and Staffing of Juvenile Detention Centers		
POLICY NUMBER: DJJ 707		
TOTAL PAGES: 2		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

The number of youth placed at any DJJ Regional Juvenile Detention Center shall not exceed the facility's recommended maximum bed capacity without authorization from the Commissioner.

Adequate staff shall be maintained in each detention center to insure the provision of necessary security, programs and services.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

"Recommended maximum bed capacity" means the original design capacity plus or minus capacity changes resulting from building additions, reductions, or revisions as well as a staff complement approved by the Commissioner.

IV. PROCEDURES

A. Facility Capacities

1. The Department for Juvenile Justice shall establish and maintain recommended maximum bed capacities at each of its Juvenile Detention Centers.

POLICY NUMBER DJJ 707	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

2. The Commissioner may waive the capacity maximums if it is determined that a waiver does not seriously affect the security, supervision of juveniles, programs, or the safe, healthful, or efficient operation of the facility.

B. Required Staffing Levels

There shall be adequate staff at each DJJ Regional Juvenile Detention Center to provide reasonable security to all youth, ensure their well being and to meet their individual and/or group needs. The Superintendent of the facility shall ensure there are sufficient staff, both male and female. At no time shall any resident or group of residents be given control or authority over other residents.

V. MONITORING MECHANISM

The Superintendent, Residential Facilities Administrator, Division of Program Services and the Deputy Commissioner for Operations shall have responsibility for monitoring compliance with this policy.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Classification of Youth for Housing and Program Assignment		
POLICY NUMBER: DJJ 708		
TOTAL PAGES: 2		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

Youth shall be divided into housing units in accordance with a classification plan.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

“Classification” means a process to determine the risks, needs and requirements of youth for whom confinement has been ordered and for assigning them to housing units and programs accordingly.

IV. PROCEDURES

- A. Each Secure Regional Detention Center shall develop Standard Operating Procedures for the classification of youth for assignment to housing units and programs.
- B. The classification plan shall be used to divide youth so as to reduce known risk factors, (i.e. suicide, assaultive and disruptive behavior) and meet identified developmental as well as individual needs with available resources.
- C. The classification plan shall allow provisions for youth placed in multiple occupancy sleeping rooms who demonstrate problems or incompatibility to be placed back into single occupancy sleeping rooms.
- D. At no time shall male and female residents occupy the same sleeping room.

POLICY NUMBER DJJ 708	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

V. MONITORING MECHANISM

The Facility Superintendent and Regional Facilities Administrator shall have responsibility for monitoring compliance with this policy. The Division of Program Services shall conduct, at minimum, annual program audits.



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-3A-01, 3A-02, 3A-03,
3A-04**

CHAPTER: Detention Services

AUTHORITY: KRS 15A.065

SUBJECT: Security and Control

POLICY NUMBER: DJJ 709

TOTAL PAGES: 2

DATE ISSUED: July 15, 2005

EFFECTIVE DATE: 02/03/06

APPROVAL: Bridget Skaggs Brown

, COMMISSIONER

I. POLICY

A manual containing all procedures for facility security and control, with detailed instruction regarding implementation, shall be available to all staff, reviewed annually and updated as necessary.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

- A. Each Detention Center Superintendent shall insure the Security and Control Manual is updated and accessible to center staff.
- B. The Master Control Center shall, at minimum:
 1. Provide 24-hour monitoring of the facility's security, safety and communication systems. This station shall be staffed 24 hours a day, 7 days a week, without exception. Persons assigned to this post shall never leave, or even step outside the entrance door, without proper relief.
 2. Control access to the building and movement within the building. All resident movement shall be regulated. Youth shall never be left unattended in any area inside or outside of the facility. Radios shall be used to communicate the whereabouts of staff and residents.
 3. Maintain a daily report on juvenile population movement and shall be responsible for notifying appropriate staff of increases and decreases in the population on a shift-by-shift basis.
- C. Youth Workers shall be positioned in or immediately adjacent to youth living areas to permit workers to hear and respond promptly to programming needs and emergency situations.

POLICY NUMBER DJJ 709	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

D. The facility perimeter shall be secured by building design. Staff shall ensure that youth remain within the secure perimeter and that access by the general public is denied without proper authorization.

V. MONITORING MECHANISM

The Superintendent and Regional Facilities Administrator shall monitor compliance with this policy. The Division of Program Services shall conduct, at minimum, annual program audits.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-3A-09</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Shift and Log Reports</p>		
<p>POLICY NUMBER: DJJ 710</p>		
<p>TOTAL PAGES: 2</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

Staff in Juvenile Detention Centers shall maintain a permanent log and prepare shift reports that record routine and emergency situations.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

- A. Program daily logs and shift reports shall be recordings kept by staff providing supervision of youth, and other program staff as necessary, for the purpose of communicating daily activities and events, behaviors of youth, shift changes, and situations warranting staff attention. Examples of entries include critical incidents, behavioral observations, discipline and sanctions, medical notes, recreation and youth movement (i.e., any substantial movement by an individual or group on site or any movement by an individual or group off site.)
- B. Log and shift reporting procedures shall be established in accordance with current DJJ policy by the Superintendent.
- C. Program daily logs and shift reports shall be made available to appropriate personnel. Logs are subject to the following standards:
 - 1. Logs shall be clearly marked "Confidential".

POLICY NUMBER DJJ 710	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

2. Logs shall be either under the direct control of the assigned staff or secured out of sight of youth or public.
 3. Staff shall not take logs off the premises without direct authorization of the Superintendent.
 4. Entries on the log shall be legible and written in ink, typewritten, or computer processed. Each entry shall be written in narrative style and include the time of entry. The first entry on the page by each staff member shall include the date, the signature and his/her title with subsequent entries on that page requiring his/her initials only.
 5. Care shall be taken to avoid errors in recording. 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 white-out or other means shall be used to fully obscure the error.
 6. Entries shall be in chronological order. Delayed entries shall be clearly marked as such.
 7. Extraneous comments and statements of opinion shall be avoided.
- D. Supervisors shall ensure logs are up-to-date and prepare shift reports.
- E. Staff shall read all log entries since they were last on duty.
- F. Medical personnel shall prepare medical notes on the log or on the shift report form, as well as verbally brief each oncoming shift (this can be done by tape recording) on a daily basis. Nurses shall give oral and written shift reports to on-coming nurses.
- G. Detention Centers shall record the occurrence of group counseling session on the log. Information regarding groups sessions shall be reported on the log if that information would impact the security or orderly operation of the facility and shall be reported through the administrative chain of command.

V. MONITORING MECHANISM

The Superintendent shall make random review of logs weekly. The superintendent is ultimately responsible for the accuracy and timely reporting in the log. The Division of Program Services shall conduct, at minimum, annual program audits.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-3A-15
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Transportation of Youth		
POLICY NUMBER: DJJ 711		
TOTAL PAGES: 2		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

In accordance with KRS 605.080, following a court proceeding and pursuant to the order of the court, the sheriff, jailer or designee or other contracted agency shall provide transportation of youth between the courts and detention. The Department is responsible for transporting or making arrangements for transportation of committed youth from detention to a DJJ placement, between DJJ treatment programs and facilities, and home upon discharge. All travel arrangements for youth that are under the supervision of the Department shall be commensurate with the security level required to ensure both youth and public safety.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

- A. "Dangerous Instrument" – see KRS 500.080(3).
- B. "Deadly Weapon" – see KRS 500.080(4).

IV. PROCEDURES

- A. Detention center staff shall be responsible for providing, securing or assisting in the transportation of youth who are residing in the detention center and require medical, dental, mental health or other specialized services beyond the capability of the facility.
- B. The Superintendent or designee shall be responsible to see that all pertinent paperwork and information is available to the service provider or receiving facility before the trip is completed.

POLICY NUMBER DJJ 711	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

- C. Youth being transported from detention centers to a youth development center shall be transported in mechanical restraints, unless the Director of the Division of Placement Services approves an exception. Youth being transported **to** an Alternative to Secure Detention placement shall not require the use of mechanical restraints.
- D. Standard restraints, such as metal handcuffs, waist chains and leg irons, shall be used as authorized by the Superintendent, Transportation Branch Manager, or designees to transport youth who demonstrate high risk factors at or about the time of the transport or have a history of violence, AWOL incidents, or other related crimes.
- E. Mechanical restraints shall be used in accordance with DJJPP 713.
- F. Every effort shall be made to use vehicles with security screens when transporting youth. Personal vehicles shall not be used in the transporting of youth by facility staff except as authorized by the Superintendent.
- G. DJJ staff transporting youth shall observe the same gender requirements of KRS 605.080.
- H. Staff transporting youth shall not carry or use a firearm, deadly weapon or dangerous instrument.
- I. Juvenile Service Staff shall be responsible for providing, securing or assisting in the transportation of committed youth released from detention to community placement. Except when the parent or guardian provides the transportation, the Department shall be responsible for the cost incurred.

V. MONITORING MECHANISM

Monitoring of transportation shall be done by the Superintendent or designee, the Facilities Regional Administrator and the Division of Placement Services.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-3B-13
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Escape/AWOL		
POLICY NUMBER: DJJ 712		
TOTAL PAGES: 6		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

When a youth is missing from his assigned area or placement, immediate appropriate procedures shall be followed to locate and return the youth.

II. APPLICABILITY

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

III. DEFINITIONS

- A. "AWOL" occurs when a youth is absent without permission from an Alternative Detention Program.
- B. "Dangerous Instrument" – see KRS 500.080(3).
- C. "Deadly Weapon" – see KRS 500.080(4).
- D. "Escape" occurs when a youth is absent without permission from a secure juvenile detention facility. Escape is defined in KRS 520.010, 520.020, 520.030, and 520.040.

IV. PROCEDURES

A. General

1. Staff shall at all times be alert to the possibility that any youth might escape or be AWOL. Staff shall take appropriate and well defined measures to prevent, when possible, a resident from AWOL/Escaping. In all instances, staff shall ensure that preventive measures are consistent with sound security techniques and do not jeopardize the safety and

POLICY NUMBER DJJ 712	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 6
--	--------------------------------------	--	-------------------------------------

security of the youth who is at risk of leaving, other youth, staff, or the surrounding community, citizens or their property. All preventive measures shall ensure that youth's civil rights are not violated or compromised.

2. Staff responding to an Escape/AWOL situation shall not:
 - a. Go onto or enter private property without the express permission of the owner or legal occupier except for the sole purpose of obtaining such permission;
 - b. Carry or use a firearm, knife, or other weapon or dangerous instrument;
 - c. Use unnecessary force. Any use of restraint necessary in the course of return to custody shall be applied in accordance with DJJPP 713;
 - d. Engage in any activity that creates a hazardous or physically offensive condition;
 - e. Violate any law or ordinance; or
 - f. Use or allow other youth to look for, take into custody or return a missing youth.
3. Each DJJ Regional Juvenile Detention Center shall establish Standard Operating Procedures for responding to an Escape/AWOL situation. These procedures shall include coordination with local and state law enforcement agencies. These procedures shall be reviewed annually and updated as necessary. All staff shall undergo training in their respective programs regarding their Escape/AWOL procedures.

B. ESCAPE FROM SECURE DETENION

1. Any staff who becomes aware of a missing youth may declare said status to other staff present and shall act to insure immediate notification of the Superintendent as to the current situation and what actions have been taken to that point. A designated staff member shall immediately place a call from the facility to the 911 emergency operator (or directly to law enforcement in areas not having 911 service), followed by calls to the Kentucky State Police, and the law enforcement unit in the home locale of the escapee(s).
2. After accounting for all other youth and ensuring their safety, the Superintendent may select available staff to conduct a search in the immediate vicinity of the facility or grounds from which the youth became missing.

POLICY NUMBER DJJ 712	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 6
---------------------------------	-------------------------------	-----------------------------------	------------------------------

3. In instances where the missing youth is suspected to possess a deadly weapon or dangerous instrument, staff shall not proceed or do anything that may escalate the situation.
4. Law enforcement assumes primary responsibility in the search and apprehension of the youth(s). Facility staff shall provide full cooperation to law enforcement. The Superintendent or designee shall meet with law enforcement officials upon their arrival and fully brief them of the situation. Photograph of the missing youth(s) shall be provided to law enforcement.
5. The Superintendent shall institute a formal record keeping process **other than the program log** to accurately document the events of the incident. This record shall be entered into the youth's Individual Client Record as an attachment to the Critical Incident Report when completed. The Progress Note Form may be utilized for this purpose. Particular attention shall be given to recording who was notified, when they were notified, and what actions were taken by the program site staff and others involved with the situation.
6. The Superintendent or designee shall immediately notify the Residential Facilities Administrator of all incidents of missing residents who shall upline the information to the Office of the Commissioner or designee as soon as possible. Uplining all escapes **requires actual contact** with an upline representative. In other words, if the Residential Facilities Administrator is called and/or paged by a Superintendent and a response is not prompt, the next person in line (Regional Director) is to be called and/or paged. This process is to be continuous until a designated upline person is actually talked with and the situation conveyed. Written escape reports faxed to the Regional Facilities Administrator and Central Office shall occur as soon as possible, but shall not substitute for the upline telephone call **and actual contact made with the upline representative.**
7. The Office of the Commissioner shall notify the DJJ Office of Communications. The Office of Communications shall conduct or coordinate response to all media contacts and inquiries.
8. Within 2 hours of the escape the youth's family or surrogates, the Court Designated Worker and appropriate DJJ Juvenile Services personnel shall be notified. When notifying the youth's family, it shall be made clear that their assistance is requested in notifying the appropriate law enforcement agencies and DJJ agencies if the youth's location becomes known to them.

POLICY NUMBER DJJ 712	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 6
---------------------------------	-------------------------------	-----------------------------------	------------------------------

9. Notice shall be provided to the court within two hours of the incident; or, within two hours of the start of the court's next business day if the incident occurred after hours, on a weekend or holiday.
10. The DJJ Escape Report form shall be completed and faxed to the Regional and Central Offices within 2 hours of an escape from secure detention.
11. Report of the incident shall be fully documented on the Incident Report Form in compliance with DJJPP 715.
12. If the youth has an active order of commitment to DJJ, the assigned Juvenile Service Worker, with local or State Police assistance, shall visit the youth's home of record within 24 hours of the next business day in an effort to apprehend and return the youth to custody.
13. The Superintendent or designee shall file escape charges with the local prosecutor as soon as possible.
14. The Court Designated Worker, appropriate DJJ Juvenile Service personnel, and the family shall be notified once the youth is returned to the program site or taken into custody by law enforcement.

C. ESCAPE DURING COMMUNITY VISIT/HOSPITALIZATION

If a youth becomes missing while on a community visit (i.e. medical visits, work release activities, etc.) or while hospitalized away from the secure detention facility for in-patient medical or psychiatric care the following procedures shall apply:

1. After ensuring the safety and security of other residents who might be present, staff shall immediately place a call to the 911 emergency operator (or directly to law enforcement in areas not having 911 service). Law enforcement assumes primary responsibility in the search and apprehension of the youth(s).
2. After notifying law enforcement, staff shall act to insure immediate notification of the Superintendent as to the current situation and what actions have been taken to that point.
3. A designated staff member at the facility shall place calls to the Kentucky State Police, and the law enforcement unit in the home locale of the escapee(s).
4. All procedures outlined in Sections B (#3-13) of this policy shall be followed.

POLICY NUMBER DJJ 712	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 5 of 6
---------------------------------	-------------------------------	-----------------------------------	------------------------------

D. INVESTIGATION OF ESCAPE FROM SECURE DETENTION

1. The Superintendent or designee shall up-line the information to the Office of the Commissioner or designee as soon as practical about the escape or attempted escape.
2. The Commissioner and the Quality Assurance Branch Manager shall be notified as soon as practical about the incident and ensure all investigative reports from the Superintendent or Regional Facilities Administrator are forwarded to the Quality Assurance Branch. Notice shall also be provided to the DJJ Construction Superintendent if immediate attention is required for correction of contributing major physical plant issues.
3. The Quality Assurance Branch Manager shall assign a Quality Assurance staff person to begin an investigation the next working day after the incident is reported. A report shall be prepared by the Quality Assurance investigator and submitted through the Quality Assurance Branch Manager to the Office of the Commissioner. Time frame for submission of the investigation report is fourteen (14) working days from the date of receipt of report of incident.
4. Copies of the report shall be forwarded to the Facility Superintendent, the Residential Facilities Administrator and the Regional Director by the Office of the Commissioner.
5. An action plan of correction/prevention shall be submitted by the Superintendent of the facility from which the escape occurred within fifteen (15) days following the receipt of the Quality Assurance investigation. This plan shall be submitted through the Residential Facilities Administrator for up-lining to the Office of the Commissioner. These action plans **require** implementation dates and documented completions of outlined action steps.
6. After approval, copy of the plan shall be forwarded to the Quality Assurance Branch Manager by the Office of the Commissioner or designee. Follow-up to determine if the plans of correction have been implemented shall be conducted by the Quality Assurance Branch during regularly scheduled program audits unless otherwise specified by the Office of the Commissioner.

E. AWOL FROM ALTERNATIVE DETENTION PROGRAM

1. The Detention Alternative Coordinator or designee who becomes aware of a youth missing from his assigned Alternative Detention Placement shall

POLICY NUMBER DJJ 712	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 6 of 6
--	--------------------------------------	--	-------------------------------------

immediately place a call to local law enforcement followed by calls to the Kentucky State Police, and the law enforcement unit in the home locale of the escapee. Law enforcement assumes primary responsibility in the search and apprehension of the youth.

2. Within 2 hours of the escape the youth's family or surrogates, the Court Designated Worker and appropriate DJJ Juvenile Services personnel shall be notified. When notifying the youth's family, it shall be made clear that their assistance is requested in notifying the appropriate law enforcement agencies and DJJ agencies if the youth's location becomes known to them.
 3. The Detention Alternative Coordinator shall act to insure immediate notification of the Superintendent as to the current situation and what actions have been taken to that point.
 4. Report of the incident shall be fully documented on the Incident Report Form in compliance with DJJPP 715.
 5. Upon apprehension, the youth shall be returned to the Regional Juvenile Detention Center.
 6. The Court Designated Worker, appropriate DJJ Juvenile Service personnel, and the family shall be notified once the youth is returned to the program site or taken into custody by law enforcement.
- F. Investigations of AWOLs from alternative to detention may be initiated in accordance with the protocol for investigation of escape from secure detention at the discretion of the Office of the Commissioner.
- G. The Facility Superintendent shall include in their quarterly and annual reports a summary of all incidents of escape/AWOL which occurred during that report time period. Reference DJJPP 101.

V. MONITORING MECHANISM

The Facility Superintendent, Regional Facilities Administrator and the Division of Program Services shall monitor compliance with this policy.

Records maintained on critical incidents shall be reviewed by the Division of Program Services. An annual report and statistical analysis of Escapes occurring in DJJ Regional Juvenile Detention Centers and Alternatives to Secure Detention Programs shall be prepared by the Division of Program Services by the end of the first quarter of the calendar year following the close of the reporting year.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-3A-16, 3A-17, 3A-18, 3A-26, 3A-27, 3A-28, 3A-30
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Restraints		
POLICY NUMBER: DJJ 713		
TOTAL PAGES: 4		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

DJJ staff shall be permitted to use approved methods of defense-oriented physical and mechanical restraints on youth that become aggressive toward self, staff or peers. Use of mechanical restraints shall be permitted to prevent the possibility of serious injury to youth, staff and other youth, or to protect the property of the facility.

The use of fixed restraints is prohibited. The use of chemical agents is prohibited. The use of chemical restraints is prohibited.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITIONS

- A. "Chemical Agent" means an active substance, such as tear gas, used to deter activities that might cause personal injury or property damage.
- B. "Chemical Restraint" means the use of pharmaceuticals to deter activities that might cause personal injury or property damage.
- C. "Fixed Restraint" means the restraining of a youth to a bed with mechanical devices such as fleece-lined leather, canvas or soft rubber restraints. This is commonly referred to as "4- or 5-point restraints".
- D. "Mechanical Restraints" means fleece-lined leather, canvas or soft rubber restraints, handcuffs, chains or anklets, or any other devices approved or authorized by the Office of the Commissioner or designee used to safely and securely limit the movement of a youth's body.

IV. PROCEDURES

- A. Level I Use of Force: Physical Restraint

POLICY NUMBER DJJ 713	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 4
---------------------------------	-------------------------------	-----------------------------------	------------------------------

1. In the management of aggressive youth, only those skills that are non-punitive in nature and are approved by the DJJ shall be used. DJJ shall be responsible for delivering training to program staff on an ongoing basis.
2. Facility staff as designated by the Superintendent who are required to use physical restraint shall hold current DJJ certification in approved methods of restraint before being allowed to restrain a youth without assistance of another certified staff.
3. Physical restraint shall not be used as punishment and shall be applied with the least amount of force possible.
4. The incident report documenting the use of physical management shall be completed within the timeframes specified in DJJPP 715 and filed in the youth's Individual Client Record. The specific physical restraint technique(s) used shall be noted in the incident report.
5. If an injury occurs in the course of a restraint, prompt medical attention to all injured parties shall be required. Injuries shall be fully documented on the Incident Report and/or First Report of Injury (WC1A-1) Form. The Superintendent shall conduct a thorough review of all incidents involving injury during restraint to determine if such incidents may be avoided in the future.

B. Level II Use of Force: Mechanical Restraints

1. Mechanical restraint equipment is intended to be used **only** as a control measure and **only** when all other actions appropriate to the situation have been ruled out. It shall not be intended for, and shall be prohibited for use as, a means of discipline and punishment.
2. Use of mechanical restraints shall be restricted to:
 - a. Gaining control of out-of-control youths as a prevention against serious self-injury, injury to others, or property damage.
 - b. As a precaution against escape or assault during transport.
3. If paragraph one and two of this subsection authorize the use of mechanical restraints, handcuffs on the wrist, a restraining belt, or leg shackles that meet the requirement of Section III.D of this policy may be applied. Minimum force shall be used in their application to reduce the possibility of injury to the youth and to the staff. Cuffs and leg shackles shall be double locked. The use of any other type of mechanical restraint equipment shall require the prior approval of the Office of the Commissioner.

POLICY NUMBER DJJ 713	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 4
--	--------------------------------------	--	-------------------------------------

4. If the issue necessitating the use of restraints is of a medical or psychiatric nature (i.e. therapeutic restraint to prevent self-mutilation or self abuse or to confine the youth's bodily movements) medical and mental health staff shall be notified and involved in decisions regarding intervention. The therapeutic restraint shall be accomplished by the use of fleece-lined leather, canvas or soft leather cuffs or anklets.
5. Youth Worker, Youth Worker Supervisor and other facility staff as designated by the Superintendent who are required to use mechanical restraints shall hold current DJJ certification in the use of mechanical restraints before being allowed to apply the restraints on a youth without assistance of another certified staff.
6. The availability, control, and use of mechanical restraints shall be the responsibility of the Superintendent or designee.
7. The Assistant Superintendent or the Superintendent may grant authorization for the use of mechanical restraints for the purpose of regaining control. However, in an emergency situation the Youth Worker Supervisor may grant approval pending notification of the Facility Superintendent. Staff applying the restraints shall justify that action in a detailed incident report.
8. Mechanical Restraint Inventory Documentation
 - a. Mechanical restraints shall be maintained in a secure location that is accessible only by supervisory staff and documentation maintained providing accountability for their whereabouts and use.
 - b. An inventory of restraint equipment shall be maintained which notes:
 - 1) Number and type of handcuff, leg shackles, restraining belts;
 - 2) Location of handcuffs, leg shackles, restraining belts.
 - c. The Superintendent or designee shall review the mechanical restraint inventory records monthly, ascertain that equipment listed is secured in the locations noted and that the restraint equipment is in proper working condition.
 - d. A mechanical restraint incident log is to be maintained which notes:
 - 1) Name of the staff authorizing the use of the restraint;
 - 2) Number and type(s) of restraint equipment issued;
 - 3) Date and time restraint equipment issued;
 - 4) Name of the staff applying restraint;

POLICY NUMBER DJJ 713	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 4
--	--------------------------------------	--	-------------------------------------

- 5) Date and time restraint equipment was returned.
- e. The Superintendent or designee shall review the mechanical restraint incident log and corresponding reports monthly.
- f. Reusable restraint equipment shall not be used on another person until it is properly cleaned and disinfected. Commercial products shall be available for disinfecting.

V. MONITORING MECHANISM

The Superintendent, Regional Facilities Administrator and the Ombudsman shall monitor compliance with this policy.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-3A-19, 20, 21</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Searches</p>		
<p>POLICY NUMBER: DJJ 714</p>		
<p>TOTAL PAGES: 3</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

The Department shall ensure the safety of the youth and the environment within a program by utilizing searches of youth and the facility.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITIONS

- A. "Cavity Search" means a manual or instrument inspection of a person's anal, vaginal or other body cavity by trained medical personnel.
- B. "Frisk" means a pat-down search which includes the removal and inspection of shoes, jackets, sweaters, gloves and hats and inspection of the contents of all pockets.
- C. "Reasonable Suspicion" means a less stringent standard than probable cause requiring the authority acting to be able to point to specific and articulable facts that, taken together with rational inferences from those facts, reasonably warrant a belief that an individual may be in possession of contraband.
- D. "Strip Search" means a search of an individual's naked body for weapons and contraband.

IV. PROCEDURES

- A. In DJJ Regional Juvenile Detention Centers the facility and grounds, youth in accordance with the provisions of this policy, their rooms and personal belongings may be searched at any time. Searches shall be done in a methodical and organized manner and with respect to the personal belongings of the youth and staff. When possible, two staff shall conduct the search.

POLICY NUMBER DJJ 714	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 3
---------------------------------	-------------------------------	-----------------------------------	------------------------------

- B. All youth being admitted shall be screened with a metal detector. In addition, a metal detector may be used when a youth returns from an out of the building status, and spontaneously throughout the day.
- C. There are three types of personal searches authorized by the Department – Frisk Search, Strip Search and Cavity Searches. The Superintendent shall ensure that only staff that have been trained in the authorized search techniques perform searches.
1. **Cavity Searches** may only be conducted by medical personnel. In accordance with DJJPP 408.1, if this type search needs to be performed, it shall be done by qualified, outside providers and not by DJJ medical personnel. Cavity Search may be conducted on a youth who is under reasonable suspicion of having drugs or weapons. Cavity Search of a youth shall be approved in advance by the Superintendent.
 2. **Strip Searches** shall be utilized prior to admission into the general population of the detention facility when there is reasonable suspicion that the youth is in possession of contraband or at any time there is a reasonable suspicion that a youth possesses contraband. Strip Searches shall be conducted in a private area by two same sex staff and shall be performed with consideration for the youth’s dignity and feelings. When a strip search is performed, clothing and shoes worn by the youth shall also be searched. Strip Search of a youth shall be approved in advance by the Superintendent, or by the Assistant Superintendent in the absence of the Superintendent.
 3. **Frisk Searches** shall be utilized during admission, upon return from temporary release, whenever a youth is suspected or rumored to have contraband, and spontaneously throughout the day. The Shift Supervisor shall approve Frisk Searches.
- D. All searches shall be documented in the facility log.
- E. An incident report shall be filed in compliance with DJJPP 715 in all instances of cavity and strip search and in all instances of frisk search where contraband is located. Documentation shall include but not be limited to:
1. The full name of the youth;
 3. Detailed and specific information regarding reasonable suspicion;
 4. Date/time, of the Superintendent’s approval for conduct of the search;
 5. Date, time, and place of the search including the year and a.m./p.m.;

POLICY NUMBER DJJ 714	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 3
--	--------------------------------------	--	-------------------------------------

6. The names, current positions, and signature of the staff conducting the search; and
 7. Results of the search.
- F. Copy of incident reports documenting cavity and strip search shall be forwarded to the Regional Facilities Administrator by the next working day following occurrence.
- G. Search of Visitors:
1. Visitors shall be required to be scanned with a metal detector.
 2. If reasonable suspicion exists that a visitor is in possession of weapons or contraband, the person may be asked to submit to a frisk search, or be denied entry.
 3. Search of visitors, denied access, or referral to law enforcement shall be documented in accordance with facility Standard Operating Procedures.

V. MONITORING MECHANISM

The Superintendent and Regional Facilities Administrator shall monitor compliance with this policy. The Division of Program Services shall conduct, at minimum, annual program audits.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-3A-18, 3A-27</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Critical Incident Reports</p>		
<p>POLICY NUMBER: DJJ 715</p>		
<p>TOTAL PAGES: 3</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

DJJ Regional Juvenile Detention Centers shall have a system for reporting incidents. Prompt reporting shall take place according to established procedures. The primary staff who is directly involved during or at an incident shall write an Incident Report. Supporting documentation may be submitted by witnessing staff.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

“Critical Incident” means:

- A. Resident behaviors which compromise the health, safety or security of youth, staff or the program, including:
 - 1. AWOL/Escape;
 - 2. Assault by youth on youth;
 - 3. Assault by youth on staff;
 - 4. Sexual Assault;
 - 5. Major Property destruction, i.e. over \$300
 - 6. Possession of Contraband;
 - 7. Death of a youth;
 - 8. Major injury, i.e. requiring medical treatment beyond standard first aid;
 - 9. Suicide Attempt;
 - 10. Use of Physical or Mechanical Restraint (exclusive of transporting);
 - 11. Other, including Medication Error.

POLICY NUMBER DJJ 715	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 3
--	--------------------------------------	--	-------------------------------------

- B. Events or occurrences which compromise the health, safety or security of youth, staff, visitors or the facility such as injury to a visitor, fire, bomb threat, natural disaster, power failure, etc.

IV. PROCEDURES

- A. Any employee witnessing or discovering an incident shall immediately intervene to prevent further escalation if possible and/or lessen potential severity.
- B. The Superintendent shall be advised of all critical incidents immediately, or as soon as reasonably possible, upon observation or discovery.
- C. An investigation shall be conducted and documented whenever a sexual assault is alleged, threatened, or occurs.
- D. An incident report shall be written to provide detailed and specific information regarding the violation/behavior; events leading up to the incident; the manner in which the incident was dealt with and any consequences issued as a result; staff witnesses; physical evidence; use of force; the full name of the youth; date, time, and place of incident including the year and a.m./p.m. for the time; and the reporting staff's name, signature and current position. If another youth must be identified in the incident report, that youth shall be identified by initials only.
- E. The primary staff who is directly involved during or at an incident shall write the Incident Report. Supporting documentation may be submitted by witnessing staff. The Superintendent or designee may require a brief narrative of the incident to also be entered into the Progress Notes, or in the Department's Information Management System, for major rule violations, use of physical or mechanical restraints in response to major rule violations, use of isolation, or major injury/illness.
- F. The incident report and any supporting documentation shall be completed and submitted to the employee's supervisor(s) prior to the end of the reporting employee's shift on the date of the incident. The supervisor shall be responsible for review of the report to ensure thoroughness and accuracy and submittal to the Superintendent within twenty-four (24) hours of the incident.
- G. The Superintendent or designee shall do a preliminary investigation and take immediate steps necessary to protect the safety and welfare of the youth and staff.

POLICY NUMBER DJJ 715	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 3
---------------------------------	-------------------------------	-----------------------------------	------------------------------

- H. A debriefing shall be conducted after each such incident. The debriefing process includes coordination and feedback about the incident with the designated staff of the facility as soon as possible after the incident. A debriefing includes, but is not limited to:
 - a. a review of staff and juvenile actions during the incident;
 - b. a review of the incident's impact on staff and juveniles;
 - c. a review of corrective actions taken and still needed, and
 - d. plans for improvement to avoid another incident.
- I. Youth shall be given the opportunity to discuss the incident and sign off on the incident report. The copy of the incident report shall be filed in the youth's Individual Client Record.
- J. The Superintendent or designee shall immediately up-line notice of all incidents that present an eminent threat to the safety or security of the program. Up-lining requires actual contact with an up-line representative. Written reports faxed to Regional staff and Frankfort do not substitute for the up-line telephone call and actual contact made with the up-line representative. All incidents involving AWOL, death or serious injury to staff or youth shall be communicated through the chain of command to the Office of the Commissioner.
- K. In accordance with protocol approved by the Office of the Commissioner, the Superintendent shall forward copies of incident reports, including all supporting documentation, to the Regional Manager or Regional Facilities Administrator and the Ombudsman.
- L. If appropriate, filing of public offenses shall be done after consultation with the Regional Manager or Regional Facilities Administrator.

V. MONITORING MECHANISM

The Superintendent and the Residential Facilities Administrator and the Ombudsman, as appropriate, shall have responsibility for monitoring compliance with this policy. The Division of Program Services shall conduct, at minimum, annual program audits.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-3C-01
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Behavior Management		
POLICY NUMBER: DJJ 716		
TOTAL PAGES: 2		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

Programming shall provide a mechanism for rewarding youth who behave in a responsible way. Rewards shall correspond to the degree of effort put forth.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

- A. Youth who demonstrate compliance with program rules and guidelines shall earn appropriate and available privileges.
- B. Potential privileges include but shall not be not limited to:
 - 1. Extra recreation time;
 - 2. Special events participation;
 - 3. Later bedtime;
 - 4. Extra movie;
 - 5. Additional television time;
 - 6. Additional group recreation;
 - 7. Additional telephone time;
 - 8. Additional computer time;
 - 9. Special visits with siblings and significant others; and
 - 10. Special snacks.

POLICY NUMBER DJJ 716	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

V. MONITORING MECHANISM

The Facility Superintendent or designee shall monitor compliance with this policy. The Division of Program Services shall conduct, at minimum, annual program audits.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-3C-02, 03, 04, 05, 06, 07, 08, 09, 11; 3E-01, 02, 03, 04, 05
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Discipline and Special Behavior Management		
POLICY NUMBER: DJJ 717		
TOTAL PAGES: 4		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

Discipline shall be administered in a way to create a learning experience for the youth and shall never be of a nature or administered in a way that will degrade or humiliate. Alternatives shall be provided for out-of-control youth who require special behavior management. Special behavior management programs shall be individualized. Corporal punishment; the use of instruments of restraint such as handcuffs and leg irons; personal abuse; personal injury; personal property damage; harassment; and the denial of food, including snacks, shall be prohibited as disciplinary consequences.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITIONS

- A. "Facility Lockdown" means all youth in the Detention Center are placed on Room Restriction.
- B. "Isolation" means a special alternative for residents who require separation from the general population because of physical disruption. This may occur in an intake holding cell or in an isolation cell separate and apart from the housing units.
- C. "Major Rule Violation" means a rule infraction involving a grievous loss and requiring imposition of due process procedures. Major Rule Violations include (1) violations that may result in disciplinary detention or isolation; (2) violations for which punishment may tend to increase a Youthful Offender's sentence or that may result in a forfeiture, such as loss of good-time; and (3) violations that may be referred for criminal prosecution. Major Rule Violations shall include Escape (Reference DJJPP 712), AWOL (Reference DJJPP 712), physical or sexual assault or threat of physical or sexual assault,

POLICY NUMBER DJJ 717	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 4
---------------------------------	-------------------------------	-----------------------------------	------------------------------

major property destruction, possession of contraband, and chronic program disruption.

- D. "Minor Rule Violation" means a violation of the facility's rules of conduct that does not require due process and can be resolved without the imposition of serious consequences. Minor infractions do not violate any state or federal statutes and may be resolved informally by reporting staff.
- E. "Room Restriction" means a special alternative for youth who require removal from the regular program because of excessive program disruption, physical disruption or infractions.
- F. "Time Out" means the temporary removal of a youth in order for the youth to be given a chance to regain control of his/her behavior.
- G. "Unit Lockdown" means all youth on a living unit are placed on Room Restriction.

IV. PROCEDURES

- A. Each Regional Juvenile Detention Center shall develop a written set of disciplinary regulations governing youth major and minor rule violations that provide consequences commensurate with the seriousness of the misbehavior. These regulations shall be approved by the Regional Facilities Administrator, reviewed annually and updated as needed. Youth shall be informed upon admission of facility rules and possible consequences. The rules and possible consequences shall be included in the Resident Handbook for staff and youth to review. Youth shall be required to sign a Statement of Understanding Form.
- B. The Facility Superintendent shall be responsible to insure that all personnel who work with youth receive sufficient training so that they are thoroughly familiar with the rules of conduct, the rationale for the rules, and the consequences available.
- C. The denial of meals and snacks shall **not** be used as a consequence. Restraints or isolation shall **not** be used as a consequence; however, it may be necessary to impose additional consequences to a youth for the behavior requiring isolation or restraint.
- D. The following are examples of acceptable disciplinary interventions or consequences:
 - 1. Verbally redirecting the youth toward a more positive alternative behavior and reinforcing the youth for following those directions.

POLICY NUMBER DJJ 717	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 4
--	--------------------------------------	--	-------------------------------------

2. Informal Reprimand: A verbal warning may be used in response to minor rule infractions without further disciplinary action. The warning shall communicate what the offense was and the expectation, with the understanding that, if repeated, specific disciplinary action may be initiated.
3. Forfeit of Privilege or Privilege Suspension: The curtailment of activity as result of a minor rule infraction for misuse or mistreatment of these privileges, or as a disciplinary action in response to a major rule infraction.
4. Activity Suspension: Staff may exclude a youth from participation in an activity or activities for a period of time depending upon circumstances.
5. Time Out —“Cooling Off Time”
Reserved for minor misbehavior or a “cooling off” for a specified period of time not to exceed one hour. Prior to going to the room the reason shall be explained to the youth and opportunity provided for the youth to explain the behavior. Staff shall make contact with the youth at least every 15 minutes, depending on the youth’s emotional state. These contacts shall be documented.
6. Room Restriction:
A special alternative for youth who require removal from the regular program because of excessive program disruption, physical disruption or infractions. Prior to going to the room the reason shall be explained to the youth and opportunity provided for the youth to explain the behavior. Staff shall make contact with the youth at least every 15 minutes, depending on the youth’s emotional state. These contacts shall be documented. A Unit Room Observation Sheet shall be posted on the youth’s door. Room restriction shall not exceed twenty-four (24) hours.
7. Unit Lockdown:
For the safety and orderly maintenance of the facility, all youth on a specific living unit may be placed on Room Restriction status.
8. Facility Lockdown:
For the safety and orderly maintenance of the facility, youth in all living units in the detention center may be placed on Room Restriction Status.
9. Isolation:
 - a. A special alternative for youth who require separation from the general population for up to five days.
 - b. Isolation may be utilized as consequence for Major Rule Violations in order to:
 - i. Stop physical assault upon staff or peers;
 - ii. Keep a youth from harm who is in danger of inflicting harm to himself or others by decreasing exposure to dangerous items and providing observation. A suicidal youth shall not be

POLICY NUMBER DJJ 717	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 4
--	--------------------------------------	--	-------------------------------------

placed into Isolation unless he is a high risk to the general population or must have constant supervision during sleeping hours via surveillance camera.

- iii. Decrease exposure to the general population and increase observation of youth who have escaped or who were apprehended in the process of escaping; or
 - iv. Prevent youth who cause riotous, highly disruptive or assaultive behavior from continually inciting the group.
 - c. Isolation may be utilized if requested by the youth and staff concur that the placement is in the best interest of the youth at that time.
 - d. Youth placed on Isolation shall be afforded living conditions and privileges approximating those available to the general population unless clear and substantial evidence justifies an exception.
 - e. Staff shall make visual checks with the youth at least every 15 minutes, depending on the youth's emotional state. These checks shall be documented on the Unit Room Observation Sheet.
 - f. Release from Isolation may occur based upon the youth's behavior and state of mind. An Administrative Review shall be conducted by the Youth Worker Supervisor or Youth Counselor at 4 hours and reassessed at each shift change, or at least every eight (8) hours, thereafter to continually reassess the youth's readiness for release. When a youth is confined to room for more than 24 hours, authorization shall be obtained from the Facility Superintendent.
 - g. Special instances may occur where highly assaultive youth may require confinement for more than five (5) days. This shall require authorization by the Residential Facilities Administrator.
 - h. Youth on Isolation shall be visited at least once a day by personnel from clinical, administrative, social work, religious or medical units. All interactions with the youth during placement on Isolation shall be documented in the Isolation Log.
10. Formal Charges: The Superintendent may refer youth committing acts of a criminal nature for prosecution.
- E. Forfeit of privilege or privilege suspension, activity suspension, group restriction and isolation shall be documented for inclusion in the youth's Individual Client Record.

V. MONITORING MECHANISM

The Superintendent and Residential Facilities Administrator shall be responsible for monitoring these activities. The Division of Program Services shall conduct, at minimum, annual program audits.



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-3C-10, 3C-12, 3C-13**

CHAPTER: Detention Services

AUTHORITY: KRS 15A.065

SUBJECT: Disciplinary Review

POLICY NUMBER: DJJ 718

TOTAL PAGES: 3

DATE ISSUED: July 15, 2005

EFFECTIVE DATE: 02/03/06

APPROVAL: Bridget Skaggs Brown

, COMMISSIONER

I. POLICY

Due process rights shall be protected when there exists evidence or allegations that a youth has committed a Major Rule Violation.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITIONS

- A. "Disciplinary Review" means a non-judicial administrative procedure to determine if grounds exist to substantiate activity or privilege restriction or Room Confinement.
- B. "Disciplinary Review Committee" means staff empowered to conduct a Disciplinary Review.
- C. "Major Rule Violation" means a rule infraction involving a grievous loss and requiring imposition of due process procedures. Major Rule Violations include (1) violations that may result in disciplinary detention or isolation; (2) violations for which punishment may tend to increase a Youthful Offender's sentence or that may result in a forfeiture, such as loss of good-time; and (3) violations that may be referred for criminal prosecution. Major Rule Violations shall include Escape (Reference DJJPP 712), AWOL (Reference DJJPP 712), physical or sexual assault or threat of physical or sexual assault, major property destruction, possession of contraband, and chronic program disruption.

IV. PROCEDURES

- A. A youth charged with a Major Rule Violation shall have the right to Disciplinary Review.
- B. The youth shall be given copy of the Incident/Disciplinary Report within 24 hours of the infraction. The youth may indicate on the Incident/Disciplinary

POLICY NUMBER DJJ 718	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 3
---------------------------------	-------------------------------	-----------------------------------	------------------------------

Report whether he chooses to request Disciplinary Review or to waive his right to this process. The youth shall receive written notice of the review date and time at least 24 hours in advance of the review.

- C. Should the youth choose not to request Disciplinary Review, the sanctions imposed shall be upheld with no further action.
- D. The person conducting the Disciplinary Review shall be an impartial staff, i.e. the Assistant Superintendent or designee.
- E. The Disciplinary Review may be held within 24 hours of the infraction with the youth's consent but shall be held no later than seven (7) days, excluding weekends and holidays, of the alleged violation. Should the review be prevented by exceptional circumstances, unavoidable delays, or reasonable postponement, reason for all delays shall be documented.
- F. Youth shall have the right to be present at their review unless they waive that right in writing or through their behavior. The youth may be excluded during testimony given in confidence. The reason for any absence or exclusion of the youth shall be documented.
- G. Youth shall have the opportunity to make statements, present documentation, and call witnesses in defense of the allegations made against them, except when doing so may jeopardize the life and safety of persons or the security and order of the facility. The reason for any such denial shall be documented.
- H. Youth shall be able to have an **on-duty** staff member represent them at the Disciplinary Review.
- I. The Disciplinary Review Committee may take any of the following actions based upon the evidence:
 - 1. Find that the youth did not commit the offense in which case the Committee shall order that the Incident/Disciplinary Report be removed from the youth's Individual Client Record.
 - 2. Find that the youth did commit the offense in which case the Committee can uphold the initial sanction(s) placed upon the youth or order sanctions which fall into the scope of the facility policies on rule infractions and penalties.
- J. The Superintendent or designee shall review and approve by signature all Disciplinary Review Committee Record Forms to assure conformity with policy and regulations. The original of the Incident/Disciplinary Report and the Disciplinary Review Committee Record Form shall be placed in the youth's Individual Client Record and copy given to the youth. If personal safety or security is jeopardized by certain references on the Disciplinary Review Committee Record Form, they may be deleted from the youth's copy but the fact that omissions have been made shall be noted on the copy.
- K. Youth shall have the right to appeal the decision of the Disciplinary Review to the Superintendent. The youth shall be informed of his right to have fifteen (15) days to appeal the decision of the Disciplinary Review Committee.

POLICY NUMBER DJJ 718	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 3
--	--------------------------------------	--	-------------------------------------

- L. Procedures for Appeal of Disciplinary Review Committee Decision:
1. Youth shall have up to fifteen (15) days after receipt of the decision to submit an appeal.
 2. The Superintendent shall affirm or reverse the decision of the Disciplinary Review Committee within thirty (30) days after receipt of the appeal by completing the Administrative Appeal Form. The youth shall be promptly notified in writing of the results by receipt of copy of the Administrative Appeal Form.
 3. If, upon appeal, the Superintendent reverses the Disciplinary Review Committee's decision and finds that the youth is not responsible for any or all of the alleged rule infraction(s), consequences shall be ordered lifted or adjusted accordingly. The Incident/Disciplinary Report shall be removed from the youth's file if the Superintendent finds that the youth is not responsible for the alleged rule violation(s).
- M. If it is determined that an offense petition shall be filed, the Disciplinary Review process shall be suspended until the criminal prosecution is complete.

V. MONITORING MECHANISM

The Superintendent or designee shall be responsible to monitor these activities. The Division of Program Services shall conduct, at minimum, annual program audits.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-5B-01, 5B-02</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Programs and Services</p>		
<p>POLICY NUMBER: DJJ 720</p>		
<p>TOTAL PAGES: 2</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

The Regional Juvenile Detention Centers shall provide a range of structured programs and services which provide the opportunity for each youth admitted to develop in accordance with their individual needs and strengths or attributes. These programs and services shall be provided in the least restrictive environment possible while maintaining the necessary protection to the individual youth, agency personnel and the community at large.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

A. Program and service components shall, at minimum, address the following areas:

1. Program orientation;
2. Initial custody screening and classification;
3. Observation and assessment to identify strengths, assets and developmental needs which youth can build upon;
4. Suicide risk screening;
5. Substance Abuse screening, education, and counseling;
6. Medical, dental and general health education;
7. Mental health;
8. Nutrition;
9. Shelter, to include adequate program space, equipment and supplies, sanitation, and basic housekeeping;
10. Clothing and personal hygiene;

POLICY NUMBER	ISSUE DATE	EFFECTIVE DATE	PAGE NUMBER
DJJ 720	07/15/05	02/03/06	2 of 2

11. Social services and counseling (individual, group & family; life and social skills; decision making skills; anger management; money management; etc.);
 12. Gender specific programming;
 13. Academic education;
 14. Library services;
 15. Recreation and leisure time activities;
 16. Religious services and counseling;
 17. Behavior management and control, to include rules, discipline and grievance;
 18. Security and control, to include adequate staffing, ongoing staff training and professional development, supervision of youth; and staff interaction with youth;
 19. Emergency plans (fire, tornado, riot, bomb threat, etc.);
 20. Youth rights and privileges, to include access to attorneys, courts, legal material and news media;
 21. Communication: mail, telephone and visitation;
 22. Community involvement; volunteer and student internship services; and
 23. Release preparation.
- B. The Superintendent or designee shall conduct an annual collective needs survey. Examples for the conduct of such survey may include but not be limited to: polling staff, interviewing counselors and medical staff, gathering input from parents of the youth, DJJ personnel, community-based programs/agencies, judges, law enforcement, school systems, and others as deemed appropriate. Detention, as part of the juvenile justice system, shall also seek input from local, state, and national resources. The Superintendent, in collaboration with Central Office, shall use the information from the survey to assist in program development and improvement.

V. MONITORING MECHANISM

The Superintendent shall have responsibility for monitoring compliance with this policy. The Division of Program Services shall conduct, at minimum, annual program audits.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-5D-01, 02, 03</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Library Services</p>		
<p>POLICY NUMBER: DJJ 720.1</p>		
<p>TOTAL PAGES: 2</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

Library services shall be provided and made available to youth in DJJ Regional Detention Centers.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

- A. DJJ shall have responsibility for the acquisition of furnishings and materials for the establishment and ongoing maintenance of on-site library services. Available space with appropriate lighting shall be set up to contain bookshelves and tables and chairs.
- B. The On-Site School Administrator, or designee, shall have primary responsibility for the oversight and coordination of on-site library services, to include having available a qualified person to coordinate and supervise library services, coordinate matters such as selection and acquisition of new materials, and ensure services are provided on a regular schedule. Local libraries or bookmobile services may be accessed as appropriate.
- C. The library shall provide all residents access to a varied collection of general and specialized reference materials and various levels of educational and recreational books, magazines, etc. Reading materials shall reflect racial and ethnic interests and shall be age-appropriate for various levels. The following guidelines shall assist in defining the principals, purposes and criteria used in the selection and maintenance of library materials:

POLICY NUMBER DJJ 720.1	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

1. Materials shall support and be consistent with the goals and objectives of the Regional Juvenile Detention Center;
 2. Materials shall meet high standards of quality in content and presentation;
 3. Materials shall foster respect for all people;
 4. Materials concerned with racial, religious, sexual or ethnic differences shall be free from stereotypes, caricature, and other characteristics likely to misrepresent, offend or defame particular segments of the population.
- D. The library collection shall remain current and youth shall have designated times to choose books to read. Library hours shall be coordinated with the program activities schedule.
- E. Reading materials shall be kept in leisure-time areas (i.e. dayrooms) to encourage and provide juveniles the opportunity to read. These materials shall augment, but not supplant, library services.
- F. Surveys of the youth population shall be conducted at least annually by the Superintendent or designee to determine the needs and selection of books, materials and programs.
- G. An annual review of the library program shall be conducted by the Superintendent or designee to determine what modifications may be desired to improve the program.

V. MONITORING MECHANISM

The On-Site School Administrator in collaboration with the Superintendent monitor this activity. The Division of Program Services shall conduct, at minimum, annual program audits.



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-5E-01, 02, 03, 04**

CHAPTER: Detention Services	AUTHORITY: KRS 15A.065
SUBJECT: Recreation and Structured Activities	
POLICY NUMBER: DJJ 720.2	
TOTAL PAGES: 2	
DATE ISSUED: July 15, 2005	EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown	, COMMISSIONER

I. POLICY

Each Juvenile Detention Center shall provide recreation and structured leisure time activities in its general programming schedules. At least two hours of recreation, one hour of which shall be active recreation, shall be provided per day. Special arrangements to provide recreation shall be made if a youth is to be separated from the group. Under circumstances involving a critical behavior management incident, a youth may be denied recreational activity on a day to day basis. The youth's recreational privileges shall be restored upon resolution of the incident.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

"Critical Behavior Management Incident" means "Major Rule Violation" as defined in DJJPP 717(II)(C).

IV. PROCEDURES

- A. Each Facility Superintendent shall ensure that the youths are offered a varied comprehensive recreation and leisure time program.
- B. Recreation shall be organized, structured, and supervised by a staff member.
- C. The facility shall provide youth a well-designed and comprehensive recreation program that utilizes both indoor and outdoor activities which emphasize participation versus competitiveness. Included shall be a scheduled time for a minimum of one (1) hour of large muscle exercise and one (1) hour of planned leisure time during school days with an additional hour of energetic physical exercise on weekends and holidays.
- D. Recreation shall occur outside of school hours. Weekly recreation schedules shall be posted where youth can see the plan. Staff shall ensure that the

POLICY NUMBER DJJ 720.2	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

recreation schedule is followed unless approval is given by a supervisor to alter the schedule.

- E. Youth who are restricted by medical personnel shall not be able to participate in any activity until a medical release is written. If a youth is unable to participate in the planned recreational activity, another activity shall be arranged for that youth.
- F. Leisure time shall consist of constructive activities such as arts and crafts, drawing, writing, reading, listening to music, individual sports activities, table games, etc. This time is for pleasure and relaxation. A portion of this time may be unstructured, but shall be supervised by staff.
- G. A variety of fixed and movable equipment for indoor and outdoor recreation shall be provided. Equipment such as basketballs, pool sticks, horseshoes, table games, etc. are to be inventoried and secured after each use for safety concerns. Free weights shall be prohibited.
- H. Recreational activities shall be co-educational whenever possible. Youth shall be actively encouraged to take part in activities; however no youth shall be forced to participate.
- I. Safety of the youth is the primary concern in recreation. Proper dress and behavior is expected at all times. Staff supervising the activity shall monitor and eliminate safety hazards. Staff may participate in sports, games or other activities with youth with approval of the Youth Worker Supervisor as long as participation does not interfere with maintaining the desired safety and security via supervising, guiding, coaching and teaching.
- J. Special efforts shall be made to provide daily physical exercise for those youth in special management. If a youth is placed in confinement during a scheduled recreation time, an alternative recreation activity shall be offered, and documented, that shall provide the required one (1) hour large muscle activity. The alternative recreation activity may be conducted in the confinement area.

V. MONITORING MECHANISM

The Superintendent or designee shall be responsible to monitor these activities. The Division of Program Services shall conduct, at minimum, annual program audits.



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-5F-01, 02, 03**

CHAPTER: Detention Services

AUTHORITY: KRS 15A.065

SUBJECT: Religious Programs

POLICY NUMBER: DJJ 720.3

TOTAL PAGES: 2

DATE ISSUED: July 15, 2005

EFFECTIVE DATE: 02/03/06

APPROVAL: Bridget Skaggs Brown

, COMMISSIONER

I. POLICY

Each Juvenile Detention Center shall designate space and time frames for the youth to participate in religious activities. Participation in religious services shall be voluntary. There shall be no reprisal against any youth for his choice as to participation in religious services. Every reasonable effort shall be made to facilitate free participation in religious practices. Such participation shall be limited only by threat to safety, security or operational functioning of the institution.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

- A. Each Detention facility shall have a Religious Services Coordinator who is qualified to perform the tasks necessary to coordinate the facility's religious programs. This position may be full-time or part-time and may be filled by volunteer(s). If volunteer(s) are utilized, all provisions of DJJPP 112 shall be met. The Religious Services Coordinator shall develop and maintain close relationships with religious resources in the community.
- B. Clergy, pastors or ministers who are ordained may conduct one-to-one visitation or counseling with agreement of the youth. Such visitation shall be open to all religious faiths, with the exception of faiths that encourages

POLICY NUMBER DJJ 720.3	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

violent acts, as determined by the superintendent or designee. All participation in religious services and activities shall be voluntary on the part of youth.

- C. If a youth desires that a representative from his own church, denomination or religious faith provide counseling, such person may be contacted through the Superintendent or designee. All requests shall be honored within reason.
- D. Religious dietary restrictions shall be honored to the extent possible (Reference DJJPP 426).

V. MONITORING MECHANISM

The Superintendent or designee shall be responsible to monitor these activities. The Division of Program Services shall conduct, at minimum, annual program audits.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-1B-21; 5C-05, 06</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Youth Work Details</p>		
<p>POLICY NUMBER: DJJ 720.4</p>		
<p>TOTAL PAGES: 2</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

Work detail shall be considered a part of normal daily living activities and shall help youth learn that such routines are necessary as part of everyday life. Youth shall have the right to not participate in uncompensated work assignments unless the work is related to housekeeping or maintenance of facility or its grounds or personal hygienic needs.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

“Work Detail” means daily work and chore assignments related to housekeeping, maintenance of the facility or its grounds, or personal hygiene needs.

IV. PROCEDURES

- A. Standard Operating Procedures shall be developed at each facility to address youth work details. Funds required for the operation of the Work Detail Program shall be approved by the Regional Facilities Administrator and shall be paid from the program’s annual operating budget.
- B. Work details shall not conflict with school attendance.
- C. Youth shall not be permitted to perform any work prohibited by state and federal child labor laws. The Kentucky Child Labor Law poster regarding minor youth 14, but not yet 18, years of age shall be posted in a conspicuous place at the facility.

POLICY NUMBER DJJ 720.4	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

- D. There shall be medical documentation for every youth who participates in work detail which shows that the youth is physically capable of doing the required work.
- E. Employees of the Department of Juvenile Justice shall be prohibited from entering into a work agreement with any youth under the care and custody of the Department. Reference DJJPP 104.

V. MONITORING MECHANISM

This activity shall be monitored by the Superintendent. The Division of Program Services shall conduct, at minimum, annual program audits.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-5A-12, 5B-01 thru 07
CHAPTER: Detention Services	AUTHORITY: KRS 15A.065	
SUBJECT: Social Services		
POLICY NUMBER: DJJ 720.5		
TOTAL PAGES: 2		
DATE ISSUED: July 15 2005	EFFECTIVE DATE: 02/03/06	
APPROVAL: Bridget Skaggs Brown	, COMMISSIONER	

I. POLICY

Each DJJ Juvenile Detention Center shall provide a social services program that makes available a range of resources to meet the needs of youth.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

- A. The Social Service Program shall be administered and supervised by a person qualified and trained in the social or behavioral sciences.
- B. The goal of the social services program shall be to identify and build upon each individual youth's unique positive attributes and strengths in addition to identifying needs, risks and problems.
- C. The objectives of the Social Service Program shall be provision of social services during the youth's placement in detention.
- D. Each youth shall be assigned a Youth Counselor at intake. The Youth Counselor shall work under the supervision of the Facility Superintendent or qualified designee in coordinating the social service component of the program. The Youth Counselor:
 - 1. Shall provide or coordinate the provision of group, individual and family counseling as appropriate;
 - 2. Shall provide and arrange for mental health counseling and crisis intervention services in accordance with identified needs;
 - 3. Shall prepare summary reports for courts;
 - 4. Shall prepare resident release summaries if required;
 - 5. May make referrals to other social service and treatment programs;

POLICY NUMBER DJJ 720.5	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

- 6. May coordinate or assist in the coordination of volunteer services and projects; and
- 7. Shall assist in the development and provision of recreational and special event programs/activities.
- E. The Youth Counselor shall assess the youth's ability to appropriately demonstrate acceptable behavior and verbally communicate and convey feelings as well as the youth's basic developmental needs. The Youth Counselor shall share relevant information with facility staff relating to the strengths and needs of the youth.
- F. Youth Counselors shall be available to counsel with youth as requested by a youth or other Detention staff.
- G. The Youth Counselor may work with the youth and family to ensure that appropriate community services are acquired to meet the specific needs of each youth.
- H. The Youth Counselor shall document all social service activities, counseling services and referrals in the youth's record.

V. MONITORING MECHANISM

This activity shall be monitored by the Superintendent. The Division of Program Services shall conduct, at minimum, annual program audits.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-5G-13, 14, 15</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Family and Community Contact</p>		
<p>POLICY NUMBER: DJJ 720.6</p>		
<p>TOTAL PAGES: 4</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

Youth shall have the right to receive visits, subject only to the limitations necessary to maintain the order and security of the detention center. Youth shall have the right to send mail, except commercial enterprises ventures, and shall be provided postage for two letters per week, excluding legal correspondence. Youth shall be provided access to the telephone within the limits of the orderly operation of the facility, in order to maintain community and family ties. Contact with attorneys shall be facilitated through placing or receiving calls.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

A. General

The facility administration shall encourage youth to maintain ties with families through regular visits, including opportunity for physical contact, and informal communication. Families, to include relatives and other significant adults, shall be encouraged to understand, cooperate with and be actively involved in their youth's activities.

B. Visitation

1. Procedures regarding visitation shall be included in each facility's Standard Operating Procedures Manual and the Resident Handbook and made available to staff and youth. Facilities shall develop Standard Operating Procedures that detail visitation hours, location, acceptable activities during visits, how special visits outside normal hours are approved, and

POLICY NUMBER DJJ 720.6	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 4
--	--------------------------------------	--	-------------------------------------

documentation of visits. Additionally, procedures shall include visitor sign-in and sign-out, identification of all visitors, and distribution of facility rules and regulations. Programs may retain identification as visitors sign in and shall develop security procedures consistent with this policy.

2. Visitors shall be required to be scanned with a metal detector. If probable cause exists that a visitor is in possession of weapons or contraband, the person may be asked to submit to a pat-down or frisk search, or be denied entry.
3. While visitation shall be encouraged, any visitor may be excluded from contact with youth and the program if it is established that the visitor was involved in the youth's offense; presents a threat to the youth; refuses to follow facility rules or procedures including search; appears intoxicated or under the influence of drugs; or has been disruptive in the past. Programs shall develop security and documentation procedures for exclusion of visitors. Visitation may also be denied by the Superintendent if the youth is in room confinement or if behavior presents a threat to others.
4. Any group wishing to visit the program or a specific youth shall be required to have the advance approval of the Superintendent.

C. Mail

Procedures governing correspondence of youth shall be included in each program's Standard Operating Procedures Manual and Resident Handbook and made available to staff and youth. These procedures shall be reviewed annually and updated as needed and shall include, at minimum, the following:

1. A Mail Log shall be maintained as documentation of receipt and delivery of first class mail and packages.
2. Except as provided by Section I. of this policy and paragraph 3. of this subsection, if the youth bears the mailing cost, there shall be no limit on the volume of mail a youth may send or receive, except for substantial reason. A substantial reason restriction shall be based upon safety and security, shall be approved by the Superintendent, and shall be recorded in the youth's case record.
3. Resident mail with gang writing on the outside or sent from incarcerated individuals at other facilities or correctional institutions may be delivered, returned, or placed in the youth's secured possessions at the discretion of the Superintendent, in accordance with 505 KAR 2:160.
4. A youth's mail, both incoming and outgoing, shall not be read by staff except for substantial reason. A substantial reason restriction shall be

POLICY NUMBER DJJ 720.6	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 OF 4
--	--------------------------------------	--	-------------------------------------

based upon safety and security; shall be approved by the Superintendent; and shall be recorded in the youth's case record. If mail is to be read by staff, the youth shall be informed in advance and be present when the mail is opened. No youth shall be forced to read his mail aloud.

5. Youth may send and receive sealed first class letters to and from court, counsel and officials of the Department of Juvenile Justice or Justice Cabinet. Staff, in the presence of the juvenile, may be allowed to inspect outgoing privileged mail for contraband before it is sealed. Mail to juvenile from this specific class of persons and organizations may be opened only to inspect for contraband and only in the presence of the juvenile, unless waived in writing, or in circumstances which may indicate contamination. All other incoming mail and packages shall be opened in the presence of staff to guard against contraband. Cash, checks or money orders removed from incoming mail shall be secured and returned to the youth upon discharge. These items may also be returned to the sender with the approval of the Superintendent or designee, notification to the youth, and appropriate documentation in the youth's case record.
6. Definition as to which publications shall be allowed in the facility; restrictions to access shall be directly related to the maintenance of facility order and security.
7. Mail shall not be held more than 24 hours and packages not more than 48 hours. In emergency situations in which the normal facility procedures, policy, or activity is disrupted by riot, escape, fire, natural disaster, employee action, or other serious incident, mail shall be delivered according to schedule when normal procedures and activities are restored. All first class letters and packages received for youth who have been transferred or released shall be forwarded to the address designated by the resident.

D. Telephone

1. Procedures governing telephone use of youth shall be included in each program's Standard Operating Procedures Manual and Resident Handbook and made available to staff and youth. These procedures shall be reviewed annually and updated as needed.
2. Juvenile shall have access to reasonably priced telephone services and shall be assured that all contracts involving telephone services comply with all applicable state and federal regulations. All rates and charges shall be commensurate with those charged to the general public for like

POLICY NUMBER DJJ 720.6	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 4
--	--------------------------------------	--	-------------------------------------

services, and any deviations from ordinary consumer rates reflects actual costs associated with the provision of services within the correctional setting. Contracts for juvenile telephone services shall provide the broadest range of calling options determined by the agency to be consistent with the requirements of sound correctional management.

3. Public telephones with volume control shall be made available to juveniles with hearing impairments. This may be a pay phone.
4. Juvenile with hearing and/or speech disabilities, shall be afforded access to a Telecommunications Device for the Deaf (TDD), or comparable equipment.
5. A Telephone Log shall be maintained for each youth for inclusion in the Individual Client Record as documentation of telephone calls made and received.

E. Notification of Death or Critical Illness of Immediate Family Member

All juveniles shall be informed in a timely manner of the verifiable death or critical illness of an immediate family member. In case of the critical illness of an immediate family member, the juvenile shall be allowed, whenever statutes and circumstances allow, to go to the bedside under escort or alone.

V. MONITORING MECHANISM

This activity shall be monitored by the Superintendent. The Division of Program Services shall conduct, at minimum, annual program audits.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-4C-01 through 20, 24, 25, 26, 28thru 33, 36, 37, 41, 42, 45</p>
<p>CHAPTER: Detention Services</p>	<p>AUTHORITY: 15A.065</p>	
<p>SUBJECT: Health Services</p>		
<p>POLICY NUMBER: DJJ 723</p>		
<p>TOTAL PAGES: 8</p>		
<p>DATE ISSUED: July 15, 2005</p>	<p>EFFECTIVE DATE: 02/03/06</p>	
<p>APPROVAL: Bridget Skaggs Brown</p>	<p>, COMMISSIONER</p>	

I. POLICY

Each Juvenile Detention Center shall provide medical, dental and mental health screening, assessment and services. Comprehensive medical, dental and mental health services shall be provided when the health of a youth may otherwise be adversely affected. Emergency services by qualified personnel shall be provided to protect the health and well being of the youth.

II. APPLICIBILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

Not Applicable

IV. PROCEDURES

A. GENERAL

1. Each Juvenile Detention Facility shall have an appropriately credentialed designated primary care physician, psychologist, dentist, and registered nurse either by direct employ or by contract for services; 24 hour access to a fully licensed community hospital; and emergency and specialty care available on an as needed basis. In accordance with DJJPP 401.1, the Medical Director shall approve and maintain job descriptions of any employee providing health services in DJJ detention facilities, ensuring that appropriate licensure, certifications and registration requirements are met.
2. Each Juvenile Detention Center shall follow written health care policies and procedures approved by the Medical Director, reviewed annually and

POLICY NUMBER DJJ 723	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 8
--	--------------------------------------	--	-------------------------------------

updated as needed. Adequate staff, space, equipment, supplies, materials, and publications shall be provided for the performance of health care delivery. All Youth Worker staff in Regional Juvenile Detention Centers shall complete Standard First Aid and CPR training; medication administration; the signs and symptoms of acute medical and psychiatric illness; suicide prevention; bloodborne pathogens including HIV-related issues; universal precautions; Hepatitis B; and exposure control. All non-licensed personnel administering medications shall successfully complete the 37.5 hour Kentucky Board of Nursing approved Health Services Protocol class.

3. Each Juvenile Detention Center shall maintain working relationships with community health agencies in order to assist youth in meeting their health needs. Each program shall enter into written agreements with outside providers and facilities in order to meet required levels of health care. The names and addresses of all emergency personnel, including dentist, doctors, mental health providers and EMS personnel, shall be posted conspicuously in each program.
4. Each Juvenile Detention Center shall promote delivery of medical, dental and mental health services when the health of a youth may otherwise be adversely affected as determined by the responsible medical personnel. Treatment by health-trained staff or nursing personnel shall be performed pursuant to direct orders. Prior to any medical examination, medical treatment or medical procedure, the facility physician or nurse shall explain to the youth in detail the nature of the examination, treatment, or procedure, including risks and side effects and alternatives to the procedure. The youth shall also be made aware of the risk of not having the examination or procedure. Any refusal of medical examination, medical treatment or medical procedure shall be documented.
5. The superintendent shall ensure adequate health care of the youth in the program. Matters of medical and dental judgement shall be sole authority of the responsible physician and dentist, respectively; the final medical judgement shall rest with the attending physician. Security regulations applicable to facility personnel also apply to health personnel.
6. In accordance with DJJPP 404, monthly and annual statistical report shall be completed by the Registered Nurse and a copy forwarded to the Superintendent and Medical Director or designee; DJJ facility administrative and health staff shall meet quarterly to discuss health services.

POLICY NUMBER DJJ 723	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 8
--	--------------------------------------	--	-------------------------------------

B. ECTOPARASITE CONTROL

1. Youth entering a Regional Juvenile Detention Center may be treated with a delousing product at the time of admission, at the discretion of the registered nurse and/or physician. If de-lousing is done, a physician's order shall designate the product to be used. Package instructions shall be followed.
2. A youth shall be exempt from this treatment if any of the following conditions are present:
 - a. Documented allergy to previous delousing treatment or ragweed;
 - b. Skin rash over a significant portion of the body;
 - c. Open lesions (a small open lesion may be covered with an occlusive/waterproof bandage.); or
 - d. Pregnancy (a urine test shall be given prior to treatment).
3. A careful inspection of the youth's hair and body for lice shall be done for any youth not treated due to any of the previously stated conditions.
4. If environmental treatment is needed, all clothing and linen shall be carefully removed and laundered in hot, soapy water and dried in the dryer. Upholstered furniture and rugs may be sprayed with a product designed for that use.

C. HEALTH SCREENING

1. Each youth, including intrasystem transfers, shall receive health screening by health-trained staff or by qualified health care personnel upon arrival at the Regional Juvenile Detention Center, including identification of injuries, intoxication, acute or chronic illness, and current medications. The screening shall be conducted in accordance with DJJPP 404.1, documented on a form approved by the DJJ Medical Director and shall be reviewed and signed by the facility health authority.
2. Mental health screening shall be completed using a screening instrument approved by the DJJ Director of Mental Health Services by staff trained in use of the screening instrument. The screening form shall be reviewed and signed by the facility physician.

POLICY NUMBER DJJ 723	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 8
--	--------------------------------------	--	-------------------------------------

D. HEALTH APPRAISAL

Each youth shall undergo a physical by the seventh (7th) day after admission, excluding weekends and holidays, unless there is documentation that the youth had an examination within 90 days prior to admission. The physical shall be conducted and documented according to protocol approved by the Medical Director.

1. Immunizations shall be updated as necessary, in compliance with KRS 214.034, 214.036, and 158.035. A pregnancy test shall be completed on all females of childbearing age before any immunization is given
2. All youth shall be screened for gonorrhea, chlamydia and syphilis (RPR), previous high-risk behaviors, and current symptoms of Sexually Transmitted Diseases (STD). The medical personnel conducting the health appraisal shall inquire as to previous high-risk behaviors and current symptoms of STD. The youth shall be offered further medical testing for STD, to include but not be limited to gonorrhea, chlamydia and syphilis. STD information shall be kept confidential in compliance with KRS 214.420 and KRS 214.990 (6).
3. Females shall have a complete gynecological examination unless the physician determines it is not necessary.
4. Youth may receive HIV testing upon request following pre-test counseling (if risk factors are identified during the counseling).
5. Nurse or designee shall weigh each youth at least monthly.
6. The nurse or designee shall perform vision and hearing screening on each youth as needed.

E. ORAL SCREENING AND CARE

1. A dental screening for each youth shall occur upon admission. The facility charge nurse or designee shall arrange a dental examination by a dentist licensed in Kentucky within 7 days of admission, if indicated.
2. The dentist or facility charge nurse or designee shall provide oral hygiene instruction and dental health education within 14 days of admission.
3. Emergency dental services shall be available to correct dental problems which cannot be delayed until the youth is released from the program.

POLICY NUMBER DJJ 723	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 5 of 8
--	--------------------------------------	--	-------------------------------------

4. The nurse or designee shall schedule each youth for an annual dental checkup as applicable based upon length of placement.

F. ORTHESES, PROSTHESES, AND OTHER AIDS TO IMPAIRMENTS

If the assessment process identifies a youth in need of orthoses or prostheses where the health of the youth would otherwise be adversely effected as determined by the responsible physician or dentist, the facility charge nurse shall contact the Medical Director. Upon approval of the Medical Director, the facility nurse shall arrange with the facility physician or dentist to have the youth fitted with an appropriate device or make a referral to an appropriate provider.

G. SICK CALL

1. Youth shall have an unimpeded method of communicating their medical, dental and mental health complaints.
2. The facility charge nurse or designed health-trained staff shall conduct sick call at a minimum of five days each week, Monday through Friday, for non-emergency illnesses or injury. When a nurse conducts sick call, vital signs are to be taken and recorded in the Medical Record.
3. The nurse, or health trained staff under the direction and review of the nurse, shall document each request and subsequent action taken. A physician shall be available once each week to respond to youth complaints.

H. ACCESS TO DIAGNOSTIC SERVICES

1. Each Juvenile Detention Center shall have access to laboratory and diagnostic services to support the level of care provided to youth. The DJJ Medical Director shall approve all providers in advance unless there is an emergency. If there is an emergency, the facility charge nurse shall approve the health-care provider.
2. The nurse shall coordinate the delivery of laboratory and diagnostic services from approved providers in accordance with DJJPP 404.5. Records of all tests or diagnoses shall be maintained in the youth's health record.

POLICY NUMBER DJJ 723	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 6 of 8
--	--------------------------------------	--	-------------------------------------

I. YOUTH WITH SPECIAL MEDICAL CONDITIONS

1. The facility physician shall develop an individualized medical treatment plan that the nurse, staff, and the youth shall follow while at the facility for any youth diagnosed with a chronic illness (i.e. diabetes, seizure disorders, pregnancy, chemical dependency, serious communicable disease, physical disabilities/challenges, developmental disabilities, serious mental health needs, terminal illness, asthma; or any other medical disorder that the facility qualified health professional determines to be of a chronic or convalescent nature).
2. The medical treatment plan shall be available to facility staff and the youth and shall include instructions about diet, exercise, adaptation to the correctional environment, medication, the type and frequency of diagnostic testing and follow-up frequency. The plan shall include responsibilities of nurses and other designated staff. The medical treatment plan shall include all known drug allergies.
3. The medical treatment plan shall be maintained by the facility charge nurse. The original plan shall be placed in the youth's Medical Record.

J. PERINATAL CARE

Females remaining in the facility after pregnancy has been determined shall receive regular pre-natal and post-natal care. This includes routine medical examinations, advice on appropriate activity levels, safety precautions, nutrition, guidance and counseling as ordered and directed by qualified health care professionals.

K. PSYCHIATRIC SERVICES

When a youth is determined to have mental health needs as evidenced by the screening instrument, or by the demonstration of behaviors such as listed in DJJPP 724, the facility health authority or designee shall contact the Community Mental Health Center or local contract mental health provider for a mental health assessment.

L. FIRST AID

First aid kits shall be available at approved locations throughout the facility. In accordance with DJJPP 404.7, the contents and locations of first aid kits used in the facility shall be approved and inspected monthly by the nurse. Record of each inspection shall be maintained by the nurse.

POLICY NUMBER DJJ 723	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 7 of 8
--	--------------------------------------	--	-------------------------------------

M. EMERGENCY SERVICES

1. Each Regional Juvenile Detention Center shall provide access to emergency medical, dental and mental health care 24-hours a day. Arrangements to provide emergency care shall be made in advance with area health care providers. A contract or memorandum of agreement shall exist between the facility and one or more local hospitals and/or emergency centers providing medical or dental care which cannot be provided at the facility.
2. In accordance with DJJPP 404.6 each facility shall prepare a plan to provide emergency medical, dental and mental health care by outlining the necessary actions to be taken by staff. All staff shall receive training in the recognition of potential emergency situations and subsequent action required.
3. The nurse shall prepare, update, and post emergency care telephone numbers and procedures for obtaining emergency medical, dental and mental health care. Facilities shall have procedures to ensure that staff are trained to respond to health-related situations promptly.
4. Victims of sexual assault shall be referred to a community facility such as an emergency room for evaluation, treatment, and collection of evidence in accordance with DJJPP 412.

N. HOSPITAL CARE

1. Each Regional Juvenile Detention Center shall provide access to in-patient hospital care of youth for medical or psychiatric illnesses in accordance with DJJPP 404.8. The facility nurse and superintendent shall ensure that there is a written agreement with at least one local licensed hospital to provide for the in-patient hospital care of youth. The superintendent shall ensure that all staff are aware of these agreements and how to access them if necessary.
2. Around-the-clock supervision shall be provided to youth during their stay at the hospital.
3. Non-emergency hospital care or outpatient surgery shall be approved by the DJJ Medical Director and the Regional Director.

POLICY NUMBER DJJ 723	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 8 of 8
--	--------------------------------------	--	-------------------------------------

O. NOTIFICATION IN EMERGENCIES

In case of serious illness, surgery, injury, attempted suicide or death, the Superintendent or designee shall immediately notify the next of kin, legal guardian or agent of the court of jurisdiction identified in the youth's Individual Client Record. The Facilities Regional Administrator shall also be immediately notified who shall immediately upline report of the situation through the Regional Director to the Deputy Commissioner and Commissioner.

P. INFECTION CONTROL AND MEDICAL ISOLATION

1. The facility Registered Nurse or designee shall follow DJJPP 416.1 regarding infection control and medical isolation.
2. Each Regional Juvenile Detention Center shall develop procedures and practices regarding environmental health and safety, infection control, infectious waste handling and discarding, and universal precautions to prevent contact with blood or other potentially infectious materials in accordance with DJJPP 414.
3. Employee screening for serious infectious disease shall be conducted in accordance with DJJPP 416.1.
4. Staff shall receive training on bloodborne pathogens and HIV/AIDS infection in accordance with DJJPP 416. Exposure Control Plans shall be developed and implemented at each facility in accordance with DJJPP 415.

Q. PHARMACEUTICAL SERVICES

Each Regional Juvenile Detention Facility shall provide pharmaceutical services in accordance with DJJPP 407.

V. MONITORING MECHANISM

Monitoring shall be accomplished by the Registered Nurse, the Superintendent, the Regional Facilities Administrator, the Medical Director or designee, the Director of Mental Health or designee and the Division of Program Services.



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-4C-21, 22, 35, 39
1-SJD-4C-28, 32**

CHAPTER: Detention Services

AUTHORITY: KRS 15A.065

SUBJECT: Suicide Prevention and Intervention

POLICY NUMBER: DJJ 724

TOTAL PAGES: 4

DATE ISSUED: July 15, 2005

EFFECTIVE DATE: 02/03/06

APPROVAL: Bridget Skaggs Brown

, COMMISSIONER

I. POLICY

Youth shall be screened upon admission and continually monitored thereafter in order to assess the risk for self-harm or suicide and maintain physical safety.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITIONS

“One-to-One Supervision” means when youth are required to stay within very close proximity to staff to ensure constant supervision and immediate intervention if needed for safety reasons.

IV. PROCEDURES

- A. Youth shall be screened upon admission for signs and symptoms of psychosis and suicide risk factors in accordance with protocol approved by the DJJ Medical Director. The screening form shall be reviewed and signed by the Registered Nurse. Reference DJJPP 404.1, 405.1, and 702.
- B. More extensive mental health screening shall be completed within 48 hours using a screening instrument approved by the DJJ Director of Mental Health by staff trained in use of the screening instrument.
- C. Based on this screening it shall be determined if the youth may join the general population, be referred for immediate evaluation by a mental health professional or be referred for immediate medical evaluation. The initial screening is not a diagnostic evaluation but strictly a determinant of the youth’s ability to remain safe in the facility.
- D. The Youth Worker Supervisor shall be the first informed if a youth is noted to have any risk factors, has expressed any intent to harm himself or has actually

POLICY NUMBER DJJ 724	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 4
---------------------------------	-------------------------------	-----------------------------------	------------------------------

made an attempt at self-harm. The Superintendent and facility nurse may be informed by the Youth Worker Supervisor or designee.

- E. The youth shall be kept safe until an evaluation by a mental health professional can be conducted.** One of the following levels of precaution shall be assigned:

1. HIGH-LEVEL OBSERVATION

In most circumstances this level shall pertain to youth who have actually **recently attempted suicide or who are deemed at high risk of self-harm**. Arrangements shall be made to have a Qualified Mental Health Professional (QMHP) evaluate the youth (Reference KRS 600.020(47)). The youth shall be assigned one-to-one supervision and placed in an area designated as safe. For youth who cannot be managed in the general population, the room may be locked and the youth watched through the room's video camera. Interactive contact shall be made at intervals of no more than 15 minutes. Staff shall remain ready to intervene rapidly in the event of an emergency. The youth shall be searched for possession of any potentially harmful objects such as glass, pins, pencils, pens, and matches. Plastic bags shall be removed. In cases where a youth has used his own clothing to make a suicide attempt, DJJ approved suicide prevention garments may be substituted. No youth shall be stripped unless specifically directed by a mental health provider. A same sex staff member shall visually supervise toileting and bathing. The need for transfer to an acute psychiatric setting may be considered.

2. MODERATE-LEVEL OBSERVATION

This level shall pertain to youth that are considered at **moderate risk for suicide**. Searches as described under High-Level Observation shall be conducted. The youth shall be observed at least every 15 minutes while awake and asleep. Toileting and bathing may or may not be visually supervised depending on the youth's status; if visually supervised it shall be performed by a same sex staff member; if visually unsupervised, staff shall be standing close by with the door slightly ajar. The youth may have bedding; however, if the youth verbalizes intent to harm himself bedding shall be removed and a QMHP consulted.

- F. Suicide precautions may be discontinued or lowered based on consultation with the QMHP. The Superintendent may be informed.
- G. In the event of staffing shortages or facility emergencies, youth on suicide precaution shall take priority. The Superintendent shall be notified immediately of the need for additional staffing. Youth whose behavior

POLICY NUMBER DJJ 724	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 4
--	--------------------------------------	--	-------------------------------------

presents serious danger to self or others and requires constant protective supervision beyond the capabilities of the program, shall be immediately referred for inpatient psychiatric care or other protective care.

H. Emergency transfers to mental health facilities shall be approved and supervised by the QMHP in collaboration with the Superintendent or designee and reported to the court the next working day.

I. DOCUMENTATION

1. The High Risk Form shall be completed by detention staff to alert direct care staff if a youth is high risk or needs special watch.
2. The Special Watch Form shall be completed by detention staff to document regular checks on youth placed on suicide precaution. Information recorded shall include:
 - a. Checks of the youth conducted; including notation of bruises or other trauma markings. High-Level Observation requires the direct and continuous supervision of staff; however, documentation on the Observation Log shall be made at intervals of no more than 15 minutes.
 - b. Checks during Moderate-Level Observation shall be conducted at intervals of no more than 15 minutes and shall involve personal contact with the youth.
 - c. Behavioral observation and problems with youth shall be noted in the observation log and the supervisor shall be notified of any existing problems. The observations shall include comments regarding the youth's attitude and outlook. Significant data shall immediately be relayed by the supervisor to the facility physician or QMHP. Documentation shall be completed every shift.
 - d. Visits conducted by the physician, the facility nurse or medically trained staff, the counselor and/or any other staff visiting the youth each 24 hours that the youth is on Special Watch and a summary of the results of each visit. All interactions with the youth shall be documented.
3. Documentation of the placement on suicide precaution shall be made into the youth's progress notes on the date of the incident by the attending Youth Worker staff in accordance with DJJPP 705.2.
4. Suicide and suicide attempts shall be documented on an Incident Report in accordance with DJJPP 715. Any action taken on behalf of the youth while awaiting contact with the mental health professional shall be

POLICY NUMBER DJJ 724	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 4
--	--------------------------------------	--	-------------------------------------

documented by staff on the form as well.

- J. The mental status of any youth may vary greatly from day to day and sometimes hour to hour; therefore, it is imperative that staff have good observational skills and knowledge of what to look for. If any staff member has a reason to feel that a youth who is already on a precaution level should be moved to a higher level of precaution, they shall be able to do this pending consultation with the health trained staff, counselor or Superintendent. If the Superintendent feels unsure about this decision, the QMPH shall be contacted for consultation.
- K. If suicidal behavior is a chronic issue then the youth's behavior management plan may reflect changes in the levels of precaution to be most therapeutic to that youth.
- L. Admission to appropriate health care facilities in lieu of detention shall be sought for all youth suspected of having a severe mental illness or a developmental disability. All sources of assistance shall be identified in advance of need, and referrals to outpatient community mental health services shall be made in all such cases upon notification of the juvenile court with jurisdiction.

V. MONITORING MECHANISM

The facility Superintendent and medical staff shall provide on-going monitoring of this activity. The Director of Mental Health or designee and the Division of Program Services shall also monitor this activity.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-5C-01, 01-1, 02, 03, 04, 04-2, 04-3, 04-6, 04-7, 04-8, 04-9, 07</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Educational Programming & Assessment</p>		
<p>POLICY NUMBER: DJJ 725</p>		
<p>TOTAL PAGES: 2</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

The Department of Juvenile Justice shall provide educational services, consistent with the needs of the population and operating in compliance with Federal and state laws and regulations, to youth in regional juvenile detention centers through written agreement with local school districts or private or public providers.

II. APPLICABILITY

This policy shall apply to all DJJ regional juvenile detention centers.

III. DEFINITIONS

Not Applicable

IV. PROCEDURES

- A. The DJJ Education Branch staff shall be responsible for reviewing the contents of the written agreements with regional juvenile detention staff.
- B. Educational services shall be made available to each youth upon admission, except if there is substantial evidence to justify otherwise.
- C. Educational services, necessary specialized equipment and appropriate educational materials shall be provided at no cost to the youth.
- D. Educational services shall be individualized to meet the assessment, educational, and developmental instruction needs of each youth, constructed on an open entry—open exit basis, and scheduled so that educational services do not compete with other facility programming.
- E. Business, industry, and community resources shall be used to the extent feasible in developing academic and vocational education programs and to supplement the facility’s programs for selected youth.

POLICY NUMBER DJJ 725	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

- F. Educational assessments, which may include vocational assessments, shall be completed within fourteen (14) calendar days of the youth's admission if previous results are not available.
- G. Available social history information and the results of medical and mental health screening conducted by DJJ staff shall be shared with the school administrator or designee to the extent possible by law.
- H. The behavior management program developed in compliance with DJJPP 716 shall include incentives for educational participation and formal recognition of educational accomplishments.
- I. The disciplinary code developed in compliance with DJJPP 717 shall include disciplinary measures for inappropriate behaviors occurring within the education environment.
- J. Youth who demonstrate behavior so disruptive that they must be removed from the classroom shall be under the supervision of DJJ staff until readmitted to the classroom.

V. MONITORING MECHANISM

The DJJ Education Branch Manager or designee, the DJJ Quality Assurance Branch, the Regional Facilities Administrator, the superintendent of the regional juvenile detention center, and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually to ensure the effectiveness of the education program against stated objectives.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 505 KAR 1:080, 707 KAR 1:140 and 707 KAR 1:230 3-JDF-5C-04-5</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Instructional Staffing</p>		
<p>POLICY NUMBER: DJJ 725.1</p>		
<p>TOTAL PAGES: 2</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

The Department of Juvenile Justice shall insure that education staffing for regional juvenile detention centers is in compliance with Federal and state laws and regulations through written agreement with local school districts or private or public providers.

II. APPLICABILITY

This policy shall apply to all DJJ regional juvenile detention centers.

III. DEFINITIONS

Not Applicable

IV. PROCEDURES

- A. DJJ Education Branch staff shall be responsible for reviewing the contents of the written agreements with DJJ regional juvenile detention center staff.
- B. The superintendent of the regional juvenile detention center shall meet annually with the school administrator for the purpose of determining education staffing needs for the next year.
- C. The superintendent of the regional juvenile detention center shall participate in the local school district interview process for the hiring of any education staff for the regional juvenile detention center.
- D. The superintendent of a regional juvenile detention center or designee shall provide program orientation to all new education personnel prior to working with the youth. The orientation shall include DJJ policies and procedures regarding personal conduct, supervision of youth, special incident reporting and other relevant laws and regulations that apply.

POLICY NUMBER DJJ 725.1	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

V. MONITORING MECHANISM

The DJJ Education Branch Manager or designee, the DJJ Quality Assurance Branch, the Regional Facilities Administrator, the superintendent of the regional juvenile detention center, and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-1E-01, 5C-04-1</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Education Records</p>		
<p>POLICY NUMBER: DJJ 725.2</p>		
<p>TOTAL PAGES: 2</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

Federal and state laws and regulations shall govern the confidentiality, maintenance, handling and access of education records.

II. APPLICABILITY

This policy shall apply to all DJJ regional juvenile detention centers.

III. DEFINITIONS

Not Applicable

IV. PROCEDURES

- A. DJJ staff may assist education staff in obtaining records when feasible.
- B. The Individual Client Record (ICR) may include academic information.
- C. No person, including education personnel, authorized to obtain records pursuant to KRS Chapter 600 to 645 shall obtain or attempt to obtain records to which she or she is not entitled or for purposes for which she or she is not permitted.
- D. No person, including education personnel, not authorized to obtain records pursuant to KRS Chapter 600 to 645 shall obtain or attempt to obtain records that are made confidential pursuant to KRS Chapter 600 to 645 except upon proper motion to a court of competent jurisdiction.
- E. No person shall destroy or attempt to destroy any record that is required to be kept unless the destruction is permitted by state law and is authorized by the court upon proper motion and good cause for the destruction being shown.
- F. Release of the youth's Individual Client Record (ICR), including behavior management, medical, dental, mental, or psychological reports is prohibited unless presented as evidence in court pursuant to an authorization or otherwise in accordance with law. No person, including school personnel, shall disclose

POLICY NUMBER DJJ 725.2	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

any report or information contained therein except as permitted by specific order of the court authorization or law.

- G. Reports from any evaluations or reevaluations to determine if a youth has a suspected disability become part of the youth due process record and shall be released to the next agency providing education services.

V. MONITORING MECHANISM

The DJJ Education Branch Manager or designee, the Quality Assurance Branch, the Regional Facilities Administrator, the superintendent of the regional juvenile detention center, and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually.



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:140
3-JDF-5H-07**

CHAPTER: Detention Services

AUTHORITY: KRS 15A.065

SUBJECT: Day Leaves

POLICY NUMBER: DJJ 726

TOTAL PAGES: 2

DATE ISSUED: July 15, 2005

EFFECTIVE DATE: 02/03/06

APPROVAL: Bridget Skaggs Brown

, COMMISSIONER

I. POLICY

Provision shall exist to escort youth into the community for necessary medical, dental care, or mental health care; to visit seriously ill family members or attend funerals; and to participate in educational, work release or community service projects per order of the court.

II. APPLICABILITY

This policy shall apply to all state-operated detention centers.

III. DEFINITION

- A. "Escorted Day Leave" means the authorized absence of a youth from the detention facility into the community for a period of less than 24-hours under direct escort and supervision of the detention center staff.
- B. "Unescorted Day Leave" means the authorized absence from the detention center into the community for a period of less than 24-hours without escort or supervision, or under escort and supervision of anyone **other than** the detention center staff.

IV. PROCEDURES

- A. Each Juvenile Detention Center shall have operational procedures which govern staff escorted and unescorted day leaves.
 - 1. Program procedures shall address written rules of conduct and a system of supervision.

POLICY NUMBER DJJ 726	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
---------------------------------	-------------------------------	-----------------------------------	------------------------------

2. Program procedures shall allow for youth's participation in community service, employment or school release programs in accordance with orders of the court.
 - B. Escorted day leaves for the purpose of obtaining necessary medical, dental or mental health care shall be authorized by the Superintendent and shall not require an order of the court.
 - C. Escorted day leaves for any reason other than for obtaining needed medical, dental or mental health care shall require written order of the court **prior** to authorization by the Superintendent.
 - D. Transport during escorted day leave shall be conducted in accordance with departmental policy. Any exception shall be authorized by the Superintendent.
 - E. Unescorted day leave for any purpose shall occur only upon written order of the court.
 - F. The Superintendent shall contact the court to obtain any needed clarification in regards to an order, or to share concerns about the implementation of an order, **prior** to authorizing court-ordered day leave. Documentation of such contact shall be maintained in the youth's case record.

V. MONITORING MECHANISM

The Facility Superintendent shall be responsible for monitoring this activity.

	<p style="text-align: center;">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JDF-5A-16, 5H-01, 02</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Release from Detention</p>		
<p>POLICY NUMBER: DJJ 729</p>		
<p>TOTAL PAGES: 2</p>		
<p>DATE ISSUED: July 15, 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

Youth shall be released from detention under proper legal conditions using procedures that ensure the security of the facility and the welfare of the resident.

II. APPLICABILITY

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

III. DEFINITION

Not Applicable

IV. PROCEDURES

A. Each Juvenile Detention Center shall develop Standard Operating Procedures governing the release of youth. These Standard Operating Procedures shall be made available to staff.

B. Youth released on medication shall be provided a minimum of **three days medication**.

C. Release from Alternative to Secure Detention Programs:

Upon receipt of a court order authorizing the release of a youth from an Alternative Detention Program, it shall be the responsibility of the Detention Alternatives Coordinator or designee to prepare a Summary Release Report. The youth shall not be required to be physically returned to the detention center to be processed for release.

D. Release From Secure Detention

Upon receipt of a court order authorizing the release of a youth from secure detention, the Youth Counselor or designee shall insure that all release procedures are completed and a Summary Release Report is prepared.

POLICY NUMBER DJJ 729	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 2
--	--------------------------------------	--	-------------------------------------

E. Youth released for placement into a DJJ operated residential program shall have their original Individual Client Record and Medical Record transferred to the receiving facility at the time of placement or at the latest within 24 hours of placement. If the simultaneous transfer is not possible, the facility charge nurse or designee shall contact the receiving facility's charge nurse immediately to notify the receiving facility of any special medical problems or prescription information. A minimum of **three days medication** shall be forwarded with the youth to the receiving facility.

V. MONITORING MECHANISM

The Superintendent or designee shall be responsible to monitor these activities. The Division of Program Services shall conduct, at minimum, annual program audits.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140</p>
<p>CHAPTER: Detention Services</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Annual Inspections of Secure Juvenile Detention Facilities and Juvenile Holding Facilities</p>		
<p>POLICY NUMBER: DJJ 730</p>		
<p>TOTAL PAGES: 8</p>		
<p>DATE ISSUED: July 15 2005</p>		<p>EFFECTIVE DATE: 02/03/06</p>
<p>APPROVAL: Bridget Skaggs Brown</p>		<p>, COMMISSIONER</p>

I. POLICY

Secure juvenile detention facilities shall be inspected for compliance with Kentucky Administrative Regulations and the Juvenile Justice and Delinquency Prevention Act.

II. APPLICABILITY

This policy applies to all employees of the Department of Juvenile Justice who administer and enforce the provisions of KRS Chapter 15A.

III. DEFINITIONS

As used in this document the following definitions shall apply:

- A. “Administrator” means the person in charge of administering the operation of the secure juvenile detention facility or holding facility.
- B. “Corrective Action Plan” means a written response from the administrator stating the plan to correct all noncompliance items noted in the Department of Juvenile Justice inspection report.
- C. “Department” means the Department of Juvenile Justice.
- D. “Department Order” means an enforceable order issued by the Department of Juvenile Justice directing a facility to comply with regulations.
- E. “Detention Specialist” means a Department employee who serves as a juvenile detention consultant or inspector who administers and enforces the provisions of KRS Chapter 15A.
- F. “JJDP Act” means the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended (42 U.S.C. 5601).

POLICY NUMBER DJJ 730	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 8
--	--------------------------------------	--	-------------------------------------

- G. “Juvenile Holding Facility” means physically secure setting which is an entirely separate facility or portion or wing of a building containing an adult jail, which provides total separation between juvenile and adult facility spatial areas and which is staffed by sufficient certified staff to provide twenty-four (24) hour per day supervision.
- H. “Juvenile Justice Specialist” means the Department employee designated as responsible for administering federal grant funds received by the Department under the JJDP Act. The Juvenile Justice specialist is also responsible for monitoring detention facilities for compliance with the provisions of the JJDP Act.
- I. “Quality Assurance Branch Manager” means the Department of Juvenile Justice Administrator who manages the departmental quality assurance activities.
- J. “Secure Juvenile Detention Facility” means any facility used for the secure detention of children other than a jail, police station, lock-up, intermittent holding facility, or any building which is a part of, or attached to, any facility in which adult prisoners are confined or which shares staff with a facility in which adult prisoners are confined. Reference KRS 15A.200(4).
- K. “Waiver” means a decision made by the Quality Assurance Branch Manager not to require a facility to submit a corrective plan of action for an issue of noncompliance. Waivers shall be granted when it is determined that the totality of conditions do not present an imminent threat to the life and safety of occupants. Waivers may also be granted when it is apparent that a corrective plan of action is impossible and if the condition does not pose imminent threat.

IV. PROCEDURES

A. ANNUAL INSPECTIONS

1. The Detention Specialist shall conduct two annual inspections, one announced and one unannounced, of each secure juvenile detention facility, juvenile holding facility, or other facility as designated by the Department of Juvenile Justice.
2. The Detention Specialist shall develop a standard inspection form, which shall serve as the basis for all inspections. The Detention Specialist shall include state juvenile detention standards and JJDP Act facility monitoring requirements as a part of the standard inspection form. The inspection form shall be reviewed and updated by the Detention Specialist on an annual basis and shall be approved by the Quality

POLICY NUMBER DJJ 730	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 8
--	--------------------------------------	--	-------------------------------------

Assurance Branch Manager and the Juvenile Justice Specialist prior to its usage. Supplemental inspection forms may be prepared and utilized if the Detention Specialist determines that additional information is necessary. Such forms shall also be approved prior to usage by the Quality Assurance Branch Manager. All forms used by the Detention Specialist shall include the date of adoption or amendment, and the date the form was approved by the Quality Assurance Branch Manager.

3. The Detention Specialist shall maintain a separate file for each facility inspected, which shall include all reports, correspondence and other documentation relating to that facility.

B. Annual Inspection Process and JJDP Act File Review

1. The Detention Specialist shall contact the administrator prior to the annual inspection to arrange a suitable date.
2. The Detention Specialist shall mail or fax a letter confirming the agreed upon date to the administrator. The Detention Specialist shall also include with the confirmation letter a blank copy of all inspection forms that may be used during the annual inspection. The Detention Specialist shall place a copy of all correspondence relating to each facility in that facility's file.
3. The Detention Specialist shall mail or fax a copy of the letter confirming the date of the visit to the Quality Assurance Branch Manager and the Juvenile Justice Specialist.
4. The Juvenile Justice Specialist may, at least forty-eight (48) hours prior to the scheduled inspection, provide the Detention Specialist with a written list of possible JJDP Act violations to investigate as part of the inspection. If the Detention Specialist receives such a list, the Detention Specialist shall examine the files for the admissions noted and shall document any additional detail requested by the Juvenile Justice Specialist in writing. If possible, the Detention Specialist shall provide the list of files to be examined to the administrator of the facility at least twenty-four (24) hours prior to the inspection so the files can be pulled in advance. The Juvenile Justice Specialist shall provide the Detention Specialist with an updated monitoring manual for use in reviewing the files for JJDP Act compliance.
5. The Detention Specialist shall tour and inspect all areas of the facility where juveniles are detained and all areas of the facility providing

POLICY NUMBER DJJ 730	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 8
--	--------------------------------------	--	-------------------------------------

services to detained juveniles such as the kitchen, laundry and medical facilities.

6. The Detention Specialist shall complete the standard inspection form by marking all items as to compliance (C), noncompliance (NC), or not applicable (NA). The basis for the response shall be verified and marked according to the source of verification; a written document (W), sight confirmation (S), or verbal confirmation (V).
7. The Detention Specialist shall provide a written explanation in the comment section of the form when an item is marked as being in noncompliance (NC) or not applicable (NA).
8. The Detention Specialist shall obtain or prepare a floor plan of the facility that accurately illustrates all major components of the facility. If the facility is part of an adult jail, the location of the juvenile component shall be clearly identified. The floor plan shall include the approximate square footage of each separate area where juveniles may be securely detained. The floor plan shall be submitted with the inspection report.
9. The Detention Specialist shall also prepare and submit the following as attachments to the inspection form:
 - a. An organizational chart for the juvenile facility, and a narrative description of the staffing pattern used by the facility. The organizational chart shall include all direct service support staff such as teachers and counselors as well.
 - b. A description of the approximate foot-candles of light in each area where juveniles may be securely detained.
 - c. A description of the facility's rated bed capacity and the number of juveniles housed on the day of the visit.
10. The Detention Specialist shall submit the Inspection Report, including attachments and any JJDP Act file monitoring report to the Quality Assurance Branch Manager, the Director of Detention Programs, and the Juvenile Justice Specialist within ten (10) working days of the facility visit.
11. If the Detention Specialist discovers an area of noncompliance that constitutes a significant health or safety risk for juveniles or facility staff, the Detention Specialist shall immediately notify the facility administrator of the problem, and shall notify the Quality Assurance Branch Manager of the existence of the noncompliance as soon as possible but no later than twenty-four (24) hours after the inspection. The Detention Specialist shall note the date and time the issue was

POLICY NUMBER DJJ 730	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 5 of 8
--	--------------------------------------	--	-------------------------------------

discussed with the facility administrator in the inspection report. The Quality Assurance Branch Manager shall contact the facility administrator within twenty-four (24) hours of receiving the report from the Detention Specialist to determine how the problem was or will be addressed. A written summary of the discussion shall be placed in the facility file. The Quality Assurance Branch Manager shall prepare a letter to the facility administrator detailing the health or safety risk and summarizing the action taken by the facility administrator, the Detention Specialist and the Quality Assurance Branch Manager. If the facility administrator does not appropriately address the situation, the Quality Assurance Branch Manager shall contact the General Counsel of the Department.

12. The Quality Assurance Branch Manager or designee shall maintain a master list of all facilities detailing the relevant timeframes for each facility, including the date of the annual inspection, the date the inspection report was received, and the date and nature of any subsequent communication with the facility administrator. Upon receipt of the inspection report, the Quality Assurance Branch Manager shall review the report. If the report is incomplete or does not include all required attachments, the Quality Assurance Branch Manager shall return the report to the Detention Specialist, who shall complete and resubmit the report within five (5) working days. A copy of the completed report and attachments shall be forwarded by the Quality Assurance Branch Manager to the facility administrator.
 - a. If any areas of noncompliance are reported that indicate a need for corrective action, the Quality Assurance Branch Manager shall prepare a letter to the facility administrator and, if the facility is operated by a county, the County Judge Executive. The letter shall be mailed via registered or certified mail within ten (10) working days of receipt of a complete inspection report and attachments by the Quality Assurance Branch Manager and shall:
 - i. Describe the areas of noncompliance in sufficient detail for the facility administrator to understand the problem and develop a corrective plan of action;
 - ii. Require the facility administrator to develop a corrective plan of action that specifically addresses each area of noncompliance;
 - iii. Indicate the date by which the corrective plan of action is due; and
 - iv. Inform the facility administrator that the Detention Specialist is available to answer questions or to provide technical assistance to

POLICY NUMBER DJJ 730	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 6 of 8
--	--------------------------------------	--	-------------------------------------

the facility administrator in the development of a corrective plan of action and how assistance may be obtained.

- b. If the report does not include any area of noncompliance that require corrective action, the Quality Assurance Branch Manager shall prepare a certificate of compliance to be signed by the Commissioner of the Department of Juvenile Justice. The Quality Assurance Branch Manager shall forward the certificate to the facility after it has been signed by the Commissioner.
- c. The Director of Program Services and the Detention Specialist shall be copied on any correspondence relating to the inspection from the Quality Assurance Branch Manager to the facility administrator and County Judge Executive.

13. The Quality Assurance Branch Manager shall notify the facility administrator by registered mail if a corrective plan of action is not submitted by the due date established in the letter requiring such plan, and no extension has been granted, or if the corrective plan of action submitted does not adequately address the issues raised in the letter requiring such corrective plan of action. This notice shall include statement that the facility has failed to meet the deadline for submission of a corrective plan of action, and that if the facility administrator does not respond within seven (7) working days by either submitting the corrective plan of action or a request for an extension detailing the reasons for the request and length of time requested, the Quality Assurance Branch Manager shall notify the General Counsel of the Department, who shall begin the process to close the facility until an acceptable corrective plan of action is submitted.

C. Extensions

A facility administrator may request an extension for the submission of a corrective plan of action. The Quality Assurance Branch Manager may grant an extension for the submission of a corrective plan of action for a specified period of time not to exceed thirty (30) days if the facility administrator can demonstrate action has been initiated, but cannot be completed within previously established time frames. All requests for extension of time and all allowances of additional time shall be in writing.

D. Waivers of Noncompliance Issues

A waiver may be granted by the Quality Assurance Branch Manager upon

POLICY NUMBER DJJ 730	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 7 of 8
---------------------------------	-------------------------------	-----------------------------------	------------------------------

the submittal of a formal written request with supporting documentation and justification if the Manager determines that waiver of the requirement does not endanger the health or safety of the personnel working or juveniles being held in the facility.

E. Failure to Comply

If an administrator or County Judge Executive fails to cooperate with the Detention Specialist in providing a corrective plan of action within timeframes specified or fails to cooperate with the Detention Specialist in the inspection process, the Detention Specialist shall notify the Quality Assurance Branch Manager in writing, describing the actions taken by the Detention Specialist in response to the lack of cooperation and the response received from the administrator or County Judge Executive. If the Quality Assurance Branch Manager cannot resolve the situation, the Manager shall contact the General Counsel for the Department shall take appropriate legal action to address the situation.

F. Second Inspection

1. Every facility shall receive a second, unannounced inspection. Every facility required to submit a corrective plan of action shall receive a second, unannounced inspection after the deadline established for submission of the corrective plan of action and all extension granted have passed. The purpose of the inspection shall be to determine if the facility has maintained compliance or has taken the action indicated in the corrective plan of action, and to determine if technical assistance is needed for the facility to achieve full compliance.
2. The Detention Specialist shall complete a written report describing the findings during the second inspection and making additional recommendations and observations as necessary. The report shall be submitted to the Quality Assurance Branch Manager within ten (10) working days of the second visit.
3. The Quality Assurance Branch Manager shall review the report and shall discuss the report with the Detention Specialist. The results of the report shall be communicated by the Quality Assurance Branch Manager to the administrator in writing, along with any additional recommendations or requirements that must be fulfilled before the facility can be found in substantial compliance with established standards. If additional action is required, a timeline for action shall be included in the letter. Failure of the administrator to meet established deadlines or to cooperate with the

POLICY NUMBER DJJ 730	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 8 of 8
--	--------------------------------------	--	-------------------------------------

Department shall be addressed as provided in the “Failure to Comply” portion of this document.

4. If the facility was found to be in noncompliance on the first inspection but is found to be in compliance after the second inspection, the Quality Assurance Branch Manager shall prepare a certificate of compliance for the signature of the Commissioner of the Department of Juvenile Justice, which shall be forwarded to the facility once signed by the Commissioner.
- G. The Quality Assurance Branch Manager and/or the General Counsel shall forward any recommendations for enforcement of corrective action plans to the appropriate governing entity.
- H. The Quality Assurance Branch Manager and the Department of Corrections’ Division of Local Facilities shall share all inspection reports and corrective action plans regarding Juvenile Holding Facilities.
1. The Department of Corrections shall inspect the shared physical plant features including fire alarm system, laundry services, food services and the physical plant of the juvenile housing area.
 2. The Department of Juvenile Justice shall also inspect the juvenile area of the facility concentrating its review on programs and staff. Any physical plant concerns observed shall be addressed in its inspection report.
 3. If significant physical plant deficiencies are observed by either department, immediate communication shall be initiated so appropriate action can be taken.

V. MONITORING MECHANISM

This activity shall be monitored by the Director of Program Services.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140</p>
<p>CHAPTER: Detention Services</p>	<p>AUTHORITY: KRS 15A.065</p>	
<p>SUBJECT: Complaint Investigations of Secure Juvenile Detention Centers and Juvenile Holding Facilities</p>		
<p>POLICY NUMBER: DJJ 731</p>		
<p>TOTAL PAGES: 7</p>		
<p>DATE ISSUED: July 15, 2005</p>	<p>EFFECTIVE DATE:02/03/06</p>	
<p>APPROVAL: Bridget Skaggs Brown</p>	<p>, COMMISSIONER</p>	

I. POLICY

The Department of Juvenile Justice shall classify and investigate complaints lodged against detention facilities under the jurisdiction of the Department of Juvenile Justice as well as those entities which operate juvenile facilities governed by the provisions of KRS Chapter 15A.

II. APPLICABILITY

This policy is applicable to all employees of the Department of Juvenile Justice who administer and enforce the provisions of KRS Chapter 15A.

III. DEFINITIONS

As used in this document the following definitions shall apply:

- A. “Administrator” means the person in charge of administering the operation of the secure juvenile detention or holding facility.
- B. “Corrective Plan of Action” means a written response from the administrator stating the facility’s plan to correct all noncompliance items noted on the inspection report.
- C. “Department Order” means an enforceable order issued by the Department of Juvenile Justice directing a facility to comply with standards.
- D. “Detention Complaint” means a formal charge or accusation by a youth or others directed at a detention facility, its staff or operation. A complaint may be classified in one or more of the following categories:

POLICY NUMBER DJJ 731	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 2 of 7
--	--------------------------------------	--	-------------------------------------

1. Detention Standard Violation – A complaint that if found to be legitimate would reveal a violation of detention standards.
2. Grievance Complaint – A complaint that is not a violation of Detention Standards or law and could be corrected by using the facility’s grievance procedure.
3. Abuse Complaint—A complaint that alleges physical, sexual, emotional abuse or neglect (also called Special Incidents) in which the health or welfare of a youth is harmed or threatened with harm by a facility staff person. It includes, but is not limited to incidents when a facility staff person:
 - a. Uses inappropriate or excessive force that could result in an injury;
 - b. Engages in any sexual activity to include contacts or interactions which uses or allows, permits or encourages the use of a youth for the sexual gratification of the perpetrator or another person;
 - c. Uses inappropriate consequences such as excessive exercise, harsh physical work, or other physical consequences outside of accepted practices of DJJ;
 - d. Does not provide appropriate supervision, medical care, food, clothing, shelter or education;
 - e. Allows or encourages a youth to engage in illegal activity such as use of drugs or alcohol or gambling;
 - f. Uses humiliating, demeaning, profane or racially charged language and/or gestures directed at a youth;
 - g. Exhibits a pattern of harassing conduct directed at a youth;
 - h. Uses or attempts to use a youth for the staff’s personal gain;
 - i. Accepts a bribe from a youth or indicates that a bribe would be accepted;
 - j. Enters any unlawful transaction with a youth as set forth in KRS 530.064, 530.065 and 530.070;
 - k. Enters a business relationship with a youth;
 - l. Uses verbal threats of harm directed at a youth;

POLICY NUMBER DJJ 731	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 3 of 7
--	--------------------------------------	--	-------------------------------------

- m. Extends unearned privileges to a youth in return for something done for staff;
 - n. Uses inappropriate or excessive force which results in an injury.
- E. “Detention Specialist” means a Department employee who serves as a juvenile detention consultant or inspector who administers and enforces the provisions of KRS Chapter 15A.
- F. “Jail” means county jails and correctional or detention facilities, including correctional facilities defined in KRS 600.020 operated by and under the supervision of any political subdivision.
- G. “Juvenile Holding Facility” means a physically secure setting which is an entirely separate facility or portion or wing of a building containing an adult jail, which provides total separation between juvenile and adult facility spatial areas and which is staffed by sufficient certified staff to provide twenty-four (24) hour per day supervision.
- H. “Secure Juvenile Detention Facility” means any facility used for the secure detention of youth other than a jail, police station, lock-up, intermittent holding facility, or any building which is a part of or attached to any facility in which adult prisoners are confined or which shares staff with a facility in which adult prisoners are confined. Reference KRS 15A.200(4).
- I. Quality Assurance Branch Manager” means the Department of Juvenile Justice Administrator who manages the departmental quality assurance activities.

IV. PROCEDURES

- A. Complaints received by the Department of Juvenile Justice shall be forwarded to the Detention Specialist within the Quality Assurance Branch.
- B. The Detention Specialist shall upon notification of a complaint investigate the complaint as follows:
1. The Detention Specialist shall, upon receipt of a complaint that is a combination of one or more complaint classifications, investigate the complaint by the procedure required for the most serious allegation.
 2. The Detention Specialist shall maintain a record of all complaints received and their outcomes.

POLICY NUMBER DJJ 731	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 4 of 7
--	--------------------------------------	--	-------------------------------------

3. The Detention Specialist shall investigate the complaint for violations of applicable laws, standards, and policies. The investigation may be conducted by telephone or by visiting the juvenile detention or juvenile holding facility and interviewing the youth(s), if available, the administrator and other appropriate staff. The Detention Specialist may investigate the complaint by telephone only if the complaint can be thoroughly investigated and all pertinent information obtained.
 4. The Detention Specialist shall review facility records to obtain written documentation available that pertains to the complaint.
 5. Within ten (10) working days of completion of the investigation, the Detention Specialist shall submit a written report including any documentation to the Quality Assurance Branch Manager.
- C. Grievance complaints shall be processed by one or more of the following methods:
1. The Detention Specialist may upon receipt of a grievance complaint, return the complaint to the youth along with a written recommendation to seek relief through the juvenile facility's local grievance procedure.
 2. The Detention Specialist may investigate the complaint by telephone or by visiting the facility and discussing the complaint with the jailer, facility administrator and/or youth.
- D. Abuse Complaint (Special Incident)
1. The Detention Specialist shall notify the Quality Assurance Branch Manager in the event a complaint is received that alleges occurrence of abuse.
 2. Abuse complaints at DJJ operated facilities shall be forwarded by the Detention Specialist to the Justice Cabinet Internal Investigations Unit (IIU) for investigation.
 3. The Quality Assurance Branch Manager shall direct the Detention Specialist to conduct investigation of abuse complaints in non-DJJ operated secure detention facilities or juvenile holding facilities.
 4. The Quality Assurance Branch Manager, upon receipt of a founded abuse investigation shall:
 - a. Consult with the General Counsel;

POLICY NUMBER DJJ 731	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 5 of 7
--	--------------------------------------	--	-------------------------------------

- b. Refer the complaint to the Kentucky State Police for investigation if the report suggests there is a potential violation of law;
 - c. Request a report on the results of their investigation; and
 - d. Include the Kentucky State Police report in the Quality Assurance Branch complaint file.
- E. Complaints which appear to be violations of law shall be processed as follows:
 1. The Detention Specialist shall notify the Quality Assurance Branch Manager in the event a complaint is received that could be classified as a violation of law.
 2. The Quality Assurance Branch Manager, upon receipt of a complaint which could be considered a violation of law shall:
 - a. Consult with the General Counsel;
 - b. Refer the complaint to the Kentucky State Police for investigation if the complaint is determined to be a violation of law;
 - c. Request a report on the results of their investigation; and
 - d. Include the Kentucky State Police report in the division of Quality Assurance complaint file.
- F. Completed investigations by the Detention Specialist shall be put in written form and forwarded to the Quality Assurance Branch Manager for disposition, with a copy forwarded to the Director of Program Services. Final Investigative Reports shall contain the following information:
 1. Date, time complaint(s) is received;
 2. Name of person initiating the complaint(s);
 3. Nature of complaint(s);
 4. Narrative explanation of the investigative process:
 - a. Listing of each complaint;
 - b. How each complaint was investigated (facility visit, interviews, record review, etc.).
 5. Related KRS;

POLICY NUMBER DJJ 731	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 6 of 7
--	--------------------------------------	--	-------------------------------------

6. Conclusion: if complaint was substantiated and why or if complaint was not substantiated;
 7. Recommended course of action on each substantiated complaint;
 8. Supporting documentation:
 - a. Interviews;
 - b. Facility inspection observations, including pictures if appropriate;
 - c. Facility Policies/Procedures;
 - d. Other relevant information as deemed appropriate;
 9. Date investigation completed;
 10. Name of person completing investigative report.
- G. Upon receipt of the Final Complaint Investigative Report the Quality Assurance Branch Manager shall take the following actions:
1. Review report and if necessary discuss it with the Director of Program Services to clarify any matters.
 2. Prepare draft of letter to facility administrator summarizing results of the complaint investigation. Such letter shall include: areas of compliance and non-compliance with related Kentucky Administrative Regulations; request for submission of a "Corrective Action Plan" addressing areas of non-compliance within thirty (30) calendar days detailing how matters will be resolved and by what date.
 3. Submit letter to the General Counsel for review, suggestions and/or approval as written.
 4. Mail final letter via registered or certified mail to the facility administrator.
 5. The Quality Assurance Branch Manager shall share all investigative reports and corrective action plans regarding Juvenile Holding facilities with the Department of Corrections.
- H. Upon receipt of the Corrective Action Plan from the facility administrator, the Quality Assurance Branch Manager shall:
1. Review the plan to insure it complies with the Corrective Action Plan request.

POLICY NUMBER DJJ 731	ISSUE DATE 07/15/05	EFFECTIVE DATE 02/03/06	PAGE NUMBER 7 of 7
--	--------------------------------------	--	-------------------------------------

2. If the Corrective Action Plan meets desired outcome, a letter shall be prepared confirming such and mailed. A copy shall be attached to the original complaint and kept on file for future reference. A copy shall also be forwarded to the Director of Program Services.
 3. If the submitted Corrective Action Plan does not meet the desired outcome, the following action shall take place:
 - a. The matter shall be reviewed with the General Counsel who shall prepare an appropriate second request citing what action shall occur if the Corrective Action Plan is not revised to meet the desired outcome by a specified date. The Quality Assurance Branch Manager shall maintain copy of the request.
 - b. Such letter by the General Counsel shall be issued by registered or certified mail to the facility administrator and the County Attorney with a copy to the Director of Program Services and the Office of the Commissioner.
 - c. The General Counsel and the Quality Assurance Branch Manager, if needed, shall coordinate further action. Copy of letters, legal action, and other related materials shall be kept with the original complaint file.
 4. If a Corrective Action Plan is not received, the Quality Assurance Branch Manager shall follow action in H-3.
- I. Communication regarding status of each complaint shall be maintained between the Office of the Commissioner, the Director of Program Services, the Quality Assurance Branch Manager, the Detention Specialist, as needed the General Counsel and the Department of Corrections until the complaint is fully resolved.
 - J. The individual initiating the complaint shall be notified in writing of the investigations findings by the Quality Assurance Branch Manager.

V. MONITORING MECHANISM

This activity shall be monitored by the Director of Program Services, the Quality Assurance Branch Manager and the Office of Commissioner or designee.