



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

**REFERENCES:
505 KAR 1:140
3-JDF-5G-13, 14, 15**

CHAPTER: Detention Services

AUTHORITY: KRS 15A.065

SUBJECT: Family and Community Contact

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, COMMISSIONER

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
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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
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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.