

## CHAPTER 3 Program Services

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

**REFERENCES:  
505 KAR 1:110  
3-JTS-5C-01, 02; 5D-02  
3-JCRF-5A-12; 5C-01, 05  
1-JDTP-3D-01, 21  
1-JBC-5C-01—03**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Programs and Services**

**POLICY NUMBER: DJJ 300**

**TOTAL PAGES: 4**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

The Department of Juvenile Justice shall provide day treatment and residential programs for the rehabilitation of probated and committed youth. These programs shall be designed to offer differing levels of services and security as required to meet the needs of youth and protection of the public.

## **II. APPLICABILITY**

This policy shall apply to DJJ operated or contracted day treatment programs, group homes and youth development centers.

## **III. DEFINITION**

- A. "Day Treatment Center" means a community based treatment program for youth whose behavior precludes participation in a regular school setting and who have usually been referred by the court or school system. Day Treatment Centers emphasize treatment in individual, group, and family counseling sessions. There is a strong educational component to the service. Some Day Treatment Centers offer extended services during evening hours.
- B. "Group Home" means a non-secure residential program emphasizing family-style living in a homelike atmosphere. Group homes generally house 8-10 youth who are younger and/or less serious offenders than youth development centers: however, some group homes also function as "step down" programs for youth leaving youth development centers who may not be ready to return home but no longer require the more restrictive level of supervision provided by the youth development center. Program goals are similar to those for larger residential programs. Group homes generally use either local public schools or day treatment centers for the provision of educational services. Individual and

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group counseling, substance abuse treatment, and community service are all components of the program.

- C. "Youth Development Center" means a residential facility that provides monitoring of youths' activities 24-hours a day, 7 days a week. Youth placed in these programs are typically between the ages of 14 and 18 and have been adjudicated as public or youthful offenders. Youth who have been placed in Youth Development Centers often "step down" to a less restrictive placement such as a Group Home or Therapeutic Foster Care prior to returning home. This "step down" process eases the youth's transition back to his/her home while allowing the youth to continue working on treatment goals.
- D. "Aftercare" means a continuum of planned supervision, schedules, activities, and services coordinated for and/or provided to a youth who has been released from a DJJ level 2 or higher program and that is being integrated into a local community setting. The aftercare continuum is implemented by the planned and coordinated input of the Juvenile Services Worker, youth, parent(s) and/or guardian, and other community resources, including, but not limited to, school personnel, law enforcement personnel, members of the business community, peers, and counselors.
- E. "Transition" means a coordinated set of services and activities that facilitates a youth's seamless passage through the juvenile justice system and that ultimately results in the youth being re-integrated back into community experiences, that include areas such as education, employment, and choice of life-styles."

#### **IV. PROCEDURES**

- A. Each Youth Development Center, Group Home and Day Treatment Program shall at minimum provide or make arrangements for the provision of the following services:
  1. Daily transportation of youth to and from the program site (applicable only to Day Treatment);
  2. Reception and Orientation;
  3. Evaluation and classification;
  4. Educational, vocational and psychological assessment;

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5. Educational/vocational programs;
  6. Food service;
  7. Emergency medical and mental health services;
  8. Individual and group counseling activities;
  9. Drug and alcohol education;
  10. Social services;
  11. Appropriate recreation and leisure activities;
  12. Involvement in community groups consistent with security requirements;
  13. Consistent family contact;
  14. Employment counseling and placement;
  15. Aftercare, including reentry ; and,
  16. Transition.
- B. In addition, youth development centers and group homes shall provide or make arrangements for the provision of:
1. Library Services;
  2. Psychiatric and ongoing mental health services;
  3. Routine medical and dental care and health education, to include family planning and HIV and AIDS education;
  4. Drug and alcohol treatment; and
  5. Religious services and counseling.
- C. Staff shall utilize community resources as necessary, either through referral for service or by contractual agreement, to provide youth with services to meet their developmental needs. Provisions shall be made as necessary to assist youth and, when appropriate, their family in accessing services and community resources.
- D. The Superintendent or designee of each facility shall periodically assess the collective service needs of youth in the program to ensure the maximum

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delivery of services and to assist in program development and improvement.

**V. MONITORING MECHANISM**

The Superintendent and Facilities Regional Administrator or Regional Director shall monitor this activity. The Education/Quality Assurance Branch shall conduct at least annual monitoring audits.



**JUSTICE CABINET  
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POLICY AND PROCEDURES**

**REFERENCES:  
505 KAR 1:110  
3-JTS-5I-11  
3-JCRS-5A-10, 11  
1-JDTP-3D-13  
1-JBC-1E-06; 5I-06, 11  
KRS 605.090 (1)(a) & (4); 610.120  
(3); 635.515(4), (5), & (7); 635.070;  
635.090(3)(4)**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Communication and Correspondence**

**POLICY NUMBER: DJJ 300.1**

**TOTAL PAGES: 3**

**DATE ISSUED: July 15, 2005**

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**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

Written reports to representatives of Juvenile Court and parents or guardians shall be primarily a matter of information and public relations. They shall provide contact between the Department and the community and serve to keep the community apprised of the youth's progress in treatment as well as ongoing needs.

## **II. APPLICABILITY**

This policy shall apply to DJJ operated or contracted group homes and youth development centers.

### LIMITED APPLICABILITY

*This policy shall apply to probated and committed youth in DJJ operated or contracted day treatment programs. Day treatment programs shall provide admission and notice of release letters, as well as a copy of the Individual Treatment Plan (ITP) upon request, to the probating or committing judge; copy of the Individual Education Plan (IEP), ITP, ITP reviews and notice of release letters to the Juvenile Service Worker and the parent/guardian. For youth residing in a group home or therapeutic foster home and attending a day treatment, all treatment correspondence from the day treatment program shall also be sent to that respective group home or therapeutic foster home. Correspondence shall be provided within the timelines set forth in this policy and shall be approved by signature of the Superintendent or designee.*

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### **III. DEFINITIONS**

Not Applicable

### **IV. PROCEDURES**

The Superintendent or designee shall ensure the following types of written correspondence:

#### **A. To the Committing Judge:**

1. Admission letters shall be mailed within fourteen (14) days after the youth's admission, including intra-system transfers, with a copy sent to the parents or legal guardian. These intake notification letters shall specify the date of admission, reason for admission, date of treatment planning conference and any other information deemed significant.
2. Upon request of the committing judge, a copy of the youth's ITP shall be mailed within 45 days of admission. Copies of sixty (60) day ITP Reviews may also be provided per request of the court.
3. Except in situations where jurisdiction will expire due to the age of the youth, written notification shall be provided within fourteen (14) days following placement of the youth and copied to the parents, community worker, youth's attorney, the DJJ program's school administrator, Juvenile Services Specialist, and Juvenile Services District Supervisor.
  - a. Placement notices shall specify the date of placement, whether the youth was released to a step-down placement or placed in the community, and the conditions of supervised placement if applicable.
  - b. The written treatment agreement developed in accordance with DJJPP 348 for youth in the Sexual Offender Treatment Program being released into community placement shall be sent to the judge simultaneously with the placement notification.
  - c. In situations where jurisdiction is expiring due to the age of the youth, notification of intent to place AND terminate commitment shall be provided to the committing court fourteen (14) days PRIOR to placement and copied to the parents, community worker, youth's attorney, the DJJ program's school administrator, Juvenile Services Specialist, and Juvenile Services District Supervisor.

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**B. To the Juvenile Service Worker:**

1. Copy of the IEP and/or Individual Plan of Instruction (IPI) shall be forwarded. The ITP, Treatment Team Summaries and 60 Day Reviews shall be electronically available to the Juvenile Service Worker in the electronic information system.
2. Written requests for Supervised Placement shall be sent at the first 60-day ITP review, if not already received by the program.
3. Written terms of a day release or furlough, as approved by the treatment team and Facilities Regional Administrator, shall be forwarded one (1) week prior to the day release or furlough.
4. Verbal notification to the Juvenile Service Worker of any placement change shall be provided by the facility Treatment Director or designee no later than the date of the change
5. Copies of correspondence with the committing judge as outlined in A.

**C. Other:**

1. Interstate Compact Referrals shall be processed as outlined in DJJ Policy 210.
2. Other referrals shall be the joint responsibility of the program staff and community services staff.
3. Parents shall be sent copies of the ITP, IEP/IPI and reviews.

**D.** All written correspondence shall be approved by signature of the Superintendent or designee to ensure the content is clearly expressed by the author.

**V. MONITORING MECHANISM**

The Superintendent shall have responsibility for monitoring compliance with this policy. Individual Client Records shall be audited on a scheduled basis in compliance with DJJPP 328.



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POLICY AND PROCEDURES**

**REFERENCES:**  
**505 KAR 1:110**  
**3-JTS-5A-01—04; 5B-07, 08**  
**3-JCRF-5A-01—09, 13; 5B-**  
**08; 5C-02**  
**1-JDTP-3B-10; 3C-01—06;**  
**3D-06, 10**  
**1-JBC-1E-04; 3C-02, 03; 4B-**  
**12; 5A-01—05, 07; 5H-16**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Reception and Orientation**

**POLICY NUMBER: DJJ 301**

**TOTAL PAGES: 5**

**DATE ISSUED: November 15, 2005**

**EFFECTIVE DATE:02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

Youth shall undergo thorough screening and assessment at admission and receive a thorough orientation to the program's procedures, rules, programs and services in language that he or she understands.

**II. APPLICABILITY**

This policy shall apply to DJJ operated or contracted day treatment programs, group homes and youth development centers.

**III. DEFINITION**

- A. "Step Down" means transition of a youth from a higher security facility to a less restrictive placement, or a graduated series of less restrictive placements, prior to placement into the community.
- B. "Step-Up" means the transfer of a youth from a less restrictive facility to a more restrictive facility due to safety and/or security concerns
- C. "Lateral Transfer" means the transfer of youth from facility to facility of same security level.

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D. “Administrative Transfer Request (ATR)” means a document that is sent to the Classification Branch Manager by a facility treatment team advising of and justifying the need for a youth to be transferred from the facility.

#### **IV. PROCEDURES**

- A. Admission criteria for day treatment and residential programs and facilities shall not discriminate on the basis of race, religion, national origin, gender, or disability.
- B. Admission criteria for day treatment programs shall be as set forth in DJJPP 200.1. Day treatment programs shall have written standard operating procedures that have been approved by the Regional Director or designee to be followed when accepting or not accepting referrals. Copy of the admission criteria and procedures shall be distributed to referring agencies and interested parties.
- C. Admission criteria for residential programs and facilities shall be as set forth in DJJPP 201.
- D. The referring agent shall provide the program superintendent or designee appropriate information on each youth at the time of referral for admission into the program. If a youth is admitted without adequate information, it shall be forthcoming within 24 hours unless approved otherwise by the Regional Director or designee. This information shall be documented for inclusion in the youth’s Individual Client Record and shall include, but not limited to:
  - 1. Identifying Data: name; address; date of birth; sex; race or ethnic origin;
  - 2. Name of referring agency or committing authority and date of information gathered;
  - 3. Reason for referral, legal status and legal aspects of the case including jurisdiction, length and conditions of placement;
  - 4. Probation, commitment or sentencing order;
  - 5. Legal history and prior placements;
  - 6. Social history;
  - 7. Religious background and interests;

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8. Recreational preferences and needs assessment;
  9. Education/school history, including vocational interests and experience;
  10. Psychological evaluation;
  11. Special medical, dental or mental health problems or needs; and
  12. Whom to notify in case of emergency.
- E. The Superintendent or designee shall insure transmittal of the referral information to medical, dietary, and other staff members as appropriate prior to, or in extenuating circumstances where admission of the youth occurs without adequate information, within 24 hours after the arrival of the youth at the program. At the time of admission, staff shall be informed of any special needs of the youth, to include physical or mental problems that may require medical attention in accordance with DJJPP 402. IV (E).
- F. 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.
- G. Standard operating procedures shall be developed at each program for the admission of youth, including intrasystem transfers, which include, but are not be limited to, the following:
1. Verifying by receipt of the commitment or sentencing order that the youth is legally eligible for admission into the program or facility;
  2. Sending facility or program has sent copies of all previous treatment work;
  3. Verifying that the sending program has provided at least seven (7) business days supply of prescribed medications for intra-system transfers or step-downs;
  4. Photographing and, if applicable, fingerprinting of the youth; conducting a complete search of the youth and possessions, to include metal detector scanning in programs having such equipment; and, where appropriate, completing the identifying data sections of the Kentucky Missing Person's Report and the DJJ Escape/AWOL Report.

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5. Disposition of personal property and assignment of property number, if necessary;
6. Assignment to a specific staff member for provision of case management and counseling duties;
7. Documenting receipt of both verbal and written explanation of rights, duties, and responsibilities including the right to file a grievance and civil rights complaint; and the location of the grievance forms;
8. Documenting receipt of both verbal and written explanation of the purpose of drug and alcohol screens, the consequences of positive test results, and the consequences of failure or refusal to cooperate by providing a specimen;
9. Documenting receipt of both verbal and written explanation of procedures concerning how outside investigative units may be contacted for the reporting of any act in which the health or welfare of a resident is perceived to have been harmed or threatened with harm by a facility staff person (Reference DJJPP 209 Youth Access to Outside Agencies);
10. Documenting receipt of both verbal and written notice of the option for “step-down” following substantial completion of the treatment program setting by achieving progress or graduation phase;
11. Youthful Offenders in Level V Facilities Only: Documenting receipt of both verbal and written notice that a Youthful Offender may be transferred to the Department of Corrections by the sentencing Circuit Court if the youth has been violent, escaped, or caused serious disruption to the program;
12. Provision of written orientation materials to the youth and family; and
13. In group homes and youth development centers:
  - a. Shower and hair care, if necessary;
  - b. Issue of personal hygiene articles;
  - c. Medical, dental and mental health screening;
  - d. Assignment to housing unit;
  - e. Recording of information to be used for mail and visiting lists; and

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- f. Assistance to youth in notifying families of admission and procedures for mail and visiting.
- H. Orientation may include informal classes; distribution of written materials about the facility's programs, rules and regulations; and discussion of program goals, services, rules governing conduct, program rules, and possible disciplinary actions. Orientation shall also be used to observe the youth's behavior and to identify special problems. Programs shall make provisions with local agencies to provide foreign language interpretation of orientation materials if English is not understood. In day treatment programs, within five (5) working days of admission, the same information shall be discussed with the parents or guardians. When a literacy problem exists, a staff member shall assist the youth or guardians in understanding the material. Completion of orientation shall be documented by a statement signed and dated by the youth and, in day treatment programs, by the guardians.
- I. The daily program during the orientation period shall include interviews, testing, and other admission-related activities, including distribution of information on programs and services. New youth shall be provided reading materials, be permitted to attend religious services, receive exercise on the same schedule as the general population, and perform work assignments with their assigned group.
- J. An Orientation Treatment Plan shall be written within one week of admission. The plan shall be in accordance with protocol approved by the Program Treatment Director and shall be signed by the youth and the assigned counselor.

#### **IV. MONITORING MECHANISM**

This activity shall be monitored by the Superintendent, Treatment Director, Regional Psychologist and the Education/Quality Assurance Branch.



**JUSTICE CABINET  
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POLICY AND PROCEDURES**

**REFERENCES:  
505 KAR 1:110  
3-JTS-4B-09—11; 5A-01, 05  
3-JCRF-2C-03; 3D-06; 4B-07  
1-JBC-4B-07—09; 5A-06, 07**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Youth's Personal Property and Dress Code**

**POLICY NUMBER: DJJ 301.1**

**TOTAL PAGES: 4**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

Youth in out-of-home placements shall be provided with adequate clothing needed to be properly attired. Clothing shall be kept clean, in good repair and fitted to the individual youth. Youth shall adhere to specific written guidelines regarding dress and appearance while placed in DJJ programs. Youth's personal property shall be controlled and safeguarded.

**II. APPLICABILITY**

This policy shall apply to group homes and youth development centers.

**LIMITED APPLICABILITY:**

*Day treatment programs may establish a youth dress code in accordance with the guidelines set forth in this policy. Request from DJJ operated day treatment programs for reimbursement for the theft, loss, or damage to the extent of rendering the item(s) useless, of a youth's personal property shall be processed in accordance with this policy.*

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

A. The Juvenile Service Worker shall advise the youth's family of the personal items needed/permitted and provide assistance as necessary to send them to the placement in a timely manner. In cases where adequate clothing cannot be secured, needed items shall be provided by the Department.

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- B. The Standard Operating Procedures Manual for each program shall specify what personal property may remain in a youth's possession. (Reference DJJPP 422 on Contraband.) The value of the property to be retained, security level of the facility, the classification of the youth therein and the increased privileges structured within the phase system shall be taken into consideration.
- C. At intake, the staff shall take inventory of the personal belongings and articles of personal clothing the youth brings into the facility. The youth and staff shall sign this inventory. Items that are inappropriate for possession and clothes that are deemed inappropriate to wear shall be stored or returned to the youth's family.
- D. The programs shall provide 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.
- E. Personal property retained at the program shall be itemized in a written list that is kept in a permanent file; the youth shall sign and receive a copy listing the property. This listing shall be updated as necessary. Stored articles shall be returned upon release.
- F. Clothing required to meet program guidelines in DJJ operated programs shall be provided by the Department.
- G. Programs shall allow for clean socks and underwear daily and at least three sets of clean clothing per week and more often as necessary, depending on the activities and weather conditions. Provisions shall be made for the issue of special and, when appropriate, protective clothing and equipment to youth assigned to food service, vocational and work experience programs.
- H. The program shall document the inventory of the youth's state-issue clothing. When the youth's inventory changes, the changes shall be reflected on the Inventory Form and initialed by staff and youth. At discharge, an inventory shall be conducted. Underwear, bathing suits, and tennis shoes shall not be reissued.
- I. Every article of a youth's personal and state-issue clothing shall be marked by clearly but discretely writing the youth's initials on clothing labels.
- J. Each DJJ program's Standard Operating Procedures Manual shall provide a youth dress code. This dress code shall be contained in the youth orientation

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handbook. It shall be given to and explained to each youth upon admission. The security level of the facility, the classification of the youth therein and the increased privileges structured within the phase system shall be taken into consideration in the establishment of the youth dress code. At minimum, this dress code shall address the following:

1. Personal hygiene, to include daily bathing/showers, hair care, and oral hygiene.
  2. Consistent with the requirements of the program, youth may wear personal clothing, uniforms or a combination thereof.
  3. Clothing shall be proper in size and shall reflect a neat and well-groomed appearance. Clothing that is identified with gangs, that displays profanity, or sexual lewdness, or conveys a message contrary to the treatment goals of the youth and program shall be prohibited.
  4. Approved jewelry, including medical alert bracelets or necklaces to indicate medical conditions and religious medallions.
  5. Youth may be subject to discipline for failure to abide by the established dress code.
- K. Staff shall be responsible for teaching youth how to take proper care of their clothing. Youth's responsibilities in clothing care shall include the following: storing clothing articles neatly in appropriate places; turning in soiled clothes to be cleaned or, in the use of brogans or leather shoes, cleaning and polishing them themselves; notifying staff immediately when a clothing article is in need of repair; notifying staff when a clothing article is outgrown, worn out, damaged beyond repair or lost; and keeping track of their clothes.
- L. Request for reimbursement for the theft or loss of a youth's personal property shall be submitted through supervisory channels to the Fiscal Branch on a DJJ-24 Purchase Order Form, along with copy of the incident report. In the case of loss by theft of property valued over \$300, copy of the police report shall also be attached. The cost of replacement or repair shall be limited to the following:
1. Clothing
    - a. Blouse or Shirt \$25.00
    - b. Skirt or Trousers \$30.00
    - c. Sweater \$25.00
    - d. T-shirt \$10.00

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- e. Dress \$40.00
- f. Coat or jacket \$75.00
- g. Other items of clothing will be evaluated on a per item basis.
- 2. Jewelry \$75.00
- 3. Electronic Appliances and/or Accessories \$100.00
- 4. Other items shall be evaluated on a per item basis.

Reimbursement shall be made for replacement or repair of property in secured storage. Approval of reimbursement for property that the youth had in his own possession, i.e. his locker, room, etc., shall be based upon the facts of each situation as documented on the incident report.

- M. Clothing and personal belongings of youth on AWOL or escape status shall be stored and retained by the program for thirty (30) days following the AWOL or escape incident. If space is not available, the property may be sent to the Juvenile Service Worker after the thirty (30) day period. Any postage or shipping and handling charges incurred shall be the responsibility of the facility.
- N. Youth shall be permitted to use personal belongings to decorate their living and sleeping quarters in accordance with the privileges of the phase system, subject to limitations necessary to maintain order and security.

## **V. MONITORING MECHANISM**

Youth Workers shall be responsible for enforcing the dress code and personal hygiene requirements of youth. The Superintendent, the Facilities Regional Administrators or Regional Directors and the Education/Quality Assurance Branch shall monitor this policy.



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

**REFERENCES:**  
**505 KAR 1:110**  
**3-JTS-3E-01; 5B-04, 05; 5C-07;**  
**5I-01, 07—11, 13, 14, 17**  
**3-JCRF-5A-10; 5B-01—05, 07;**  
**5H-01—03, 06**  
**1-JDTP-3D-07—09, 11—13**  
**1-JBC-1E-06; 5B-04—06; 5C-08,**  
**11, 14, 15; 5I-02—04, 07—11,**  
**13, 14**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Individualized Treatment /Aftercare Planning**

**POLICY NUMBER: DJJ 302**

**TOTAL PAGES: 4**

**DATE ISSUED: November 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

An Individualized Treatment Plan shall be developed for each youth. Youth shall have input into planning, problem solving and decision making related to their participation in the program and shall be allowed to initiate a review of their progress and program status.

**II. APPLICABILITY**

This policy shall apply to all day treatment programs, group homes and youth development centers.

**III. DEFINITION**

A. "Individual Treatment Plan" or "ITP" means a social and behavioral intervention plan, including educational, vocational, and reentry, that is developed for each youth being served by a DJJ operated or contracted program.

B. "Administrative Transfer Request" OR "ATR" means a document that is sent to the Classification Branch Manager by a facility treatment team advising of and justifying the need for a youth to be transferred from the facility.

**IV. PROCEDURES**

A. Within 21 calendar days after admission, the assigned Treatment Team shall meet formally to review for possible modification of the Individualized Treatment Plan (ITP) developed by the Juvenile Services Worker. The youth

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and their family shall be invited to attend this meeting. The Juvenile Service Worker shall participate in this conference.

B. The scheduled conference shall be coordinated by the Superintendent/designee.

C. Areas to consider for the development of the ITP, as applicable to the youth, shall include the following:

1. Youth's behavioral/social needs,[?] including propensity toward violence.
2. Medical/dental/physiological needs;
3. Mental health needs, to include but not be limited to, the youth's emotional functioning, identification and review of previous episodes of suicidal or self-harming behaviors, and issues related to the monitoring of positive or negative effects of psychiatric medications;
4. Academic and vocational assessment;
5. (Individual Plan of Instruction (IPI) and/or Individual Education Plan (IEP)
6. Family/environmental needs;
7. Religious needs;
8. Legal needs;
9. Reentry needs, including referral to the Intensive Aftercare Program, if appropriate, and any related requirement for step-down to either a group home and/or a day treatment program as part of the transition back to the community;
10. Assessment of addictive substance(s) use;
11. Propensity towards violence;
12. Sexual offender needs (Reference DJJPP 348);
13. Measurable criteria of expected behavior and accomplishments; and
14. Time schedule for achievement.

D. Each youth's ITP shall reflect the capabilities of the youth to work within the

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scope of the treatment/work/school program. The content shall include problem statements, short-term goals, long term goals, and delineate areas of responsibility of the youth and staff. Aftercare plans, including coordination of services for youth referred to the Intensive Aftercare Program, shall be identified and initiated at this time. The criteria for release shall be explained to the youth, including criteria that may be used to advance the release of the youth.

- E. The ITP shall be finalized in writing, signed by the chairperson of the treatment team and the youth and placed in the youth's file within 45 days of admission. In addition, for youth in Day Treatment and Group Homes the Medicaid Rehabilitation Services Plan of Care shall be developed and reviewed as required. The Juvenile Services Worker shall be present in the first ITP meeting and provide input to the planning process. The Juvenile Services Worker shall also be present at the last residential ITP meeting, which shall be held 45 to 60 days prior to release to aftercare supervision.
- F. An ITP for a youth transferred from a Level II or Level III facility to the Level IV facility shall be revised by the Level II or III Treatment Team to include goals specific to the reason for the transfer (i.e. AWOL, security, assaultive behavior, etc.) The Level IV facility shall continue to work on all ITP goals with special emphasis on the goals necessitating the transfer. Once those goals are complete, the Level IV facility may initiate Administrative Transfer Review (ATR) for return to the sending facility.
- G. Following the date of the ITP/Aftercare Planning Conference the ITP shall be formally reviewed and documented every 60 days by the entire treatment team. Youth may request interim review of their progress and program status through their assigned counselor or the Treatment Director. Changes in the plan require a meeting of the treatment team members; therefore, the team may be convened at any time. Changes in the plan shall be discussed with the youth, dated and documented with signatures of the youth and the team chairperson
- H. The In-House Reclassification Form shall be completed as needed. A copy of the Reclassification Form shall be forwarded to the Classification Branch.
- I. On completion of program, or when the youth is first legally eligible for community placement or step-down consideration, the treatment team shall set a tentative placement date. Once a tentative placement date is set, it shall be observed unless sound reasons to the contrary are evidenced. Any decision

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for advance placement or deferral shall be recorded in the youth's case record and, upon request of the youth, provided in writing to the youth.

- J. In cases where a youth may need to be stepped-down to a less restrictive program, it shall be reflected in the youth's ITP. This movement shall occur after a youth has attained a minimum of the third phase except in special circumstances; e.g., medical problems, family illness, or the determination of the team or superintendent that less restrictive placement is appropriate. Approval for movement for special circumstances shall be made by the Regional Directors and coordinated through the Classification Branch Manager.
- K. Copies of all the treatment work shall be kept by the program and copies sent with the youth's file.
- L. The ITP shall be accessible to the Juvenile Service Worker through the electronic information system. Copies of the ITP shall be forwarded to the parents, the youth, and the youth's record. Reference DJJPP 300.1.

## **V. MONITORING MECHANISM**

### **A. In Youth Development Centers:**

- 1. The Treatment Director or Counselor Supervisor shall be responsible for monitoring compliance with this policy.
- 2. The Regional Psychologist shall audit compliance on at least a semi-annual basis.
- 3. Monitoring shall also be conducted by the Education/Quality Assurance Branch during regularly scheduled reviews.

### **B. In Group Homes and Day Treatment Centers:**

- 1. The Superintendent shall be responsible for monitoring compliance with this policy.
- 2. Monitoring shall also be conducted by the Education/Quality Assurance Branch during regularly scheduled reviews.

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES:</b>  <b>505 KAR 1:110</b>  <b>3-JTS-5C-07</b>  <b>3-JCRF-5B-04</b>  <b>1-JDTP-3D-12</b>  <b>1-JBC-5C-08, 15</b></p>
<p><b>CHAPTER: Program Services</b></p>		<p><b>AUTHORITY: KRS 15A.065</b></p>
<p><b>SUBJECT: Treatment Team Composition, Functioning and Responsibility</b></p>		
<p><b>POLICY NUMBER: DJJ 303</b></p>		
<p><b>TOTAL PAGES: 3</b></p>		
<p><b>DATE ISSUED: July 15, 2005</b></p>		<p><b>EFFECTIVE DATE: 02/03/06</b></p>
<p><b>APPROVAL: Bridget Skaggs Brown</b></p>		<p><b>, COMMISSIONER</b></p>

**I. POLICY**

Each DJJ program shall appoint a Treatment Team to plan and implement each youth's Individual Treatment Plan.

**II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers.

**III. DEFINITIONS**

- A. "Doctoral Psychologist" means a psychologist who has at least a Doctoral degree and is licensed or eligible for licensure.
- B. "Facility Based Psychologist" means a psychologist who has at least a Masters Degree and certification or licensure by the State of Kentucky.
- C. "Individual Treatment Plan" or "ITP" means a social and behavioral intervention plan, including the plan for educational instruction, that is developed for each youth being served by a treatment facility or program.
- D. "Mental Health Provider" means any person listed in categories A, B, E, and F.
- E. "Psychiatrist" means a physician with a Medical License who has completed an accredited residency in General Psychiatry or an accredited residency or fellowship in Child Psychiatry. Board Certification is preferable but not required.
- F. "Qualified Mental Health Professional" means as defined in KRS 600.020.

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#### **IV. PROCEDURES**

- A. Each youth shall have a designated treatment team and assigned counselor.
- B. Treatment Teams shall meet on a weekly basis. Superintendents shall insure that teams have a set day and time for weekly meetings
- C. Youth Development Center teams shall be chaired by the Psychologist or Qualified Mental Health Professional. In the absence of the facility psychologist or QMHP, a designee shall chair the treatment team. Group Homes and Day Treatment teams shall be chaired by the superintendent or designated Juvenile Counselor.
- D. Youth Development Center treatment team members shall include the Juvenile Services Worker, psychologist or QMHP; psychiatrist, when available; Juvenile Counselor; youth worker staff; teacher; and nurse. These members shall also make up Group Home and Day Treatment teams as appropriate. The treatment team may also include: Superintendent; family; additional direct care child care, Vocational Coordinator and educational staff; appropriate professional counseling and mental health staff; medical staff; collateral contacts; and any others that have been designated on the ITP as responsible for treatment tasks and objectives.
- E. Youth shall be encouraged to meet with his or her treatment team. In all incidents in which the youth may lose phase or time in the program due to an alleged behavior, the youth shall participate with the treatment team, either in writing or by being present, to offer his or her version of the incident. Likewise, the youth shall participate in major treatment decisions, i.e., phase movement, ITP's, and placement planning.
- F. The treatment team shall be responsible for making all treatment decisions regarding a youth i.e. phase movement, transfers, ITP's, and placement planning.
- G. All designated treatment team staff are required to attend these meetings. If a staff person is unable to attend, they shall have approval from the supervisor or Superintendent. Staff persons who are unable to attend shall be required to submit any necessary written documentation to the appropriate supervisor in order that each involved staff person will have input into the discussion and resulting decisions.
- H. Mental Health Providers shall help develop and conduct ongoing review of the Mental Health portion of the Individualized Treatment Plan.

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- I. Treatment Team meetings shall be documented by the chairperson or designee. If a designee prepares such documentation, it shall be reviewed and approved later by signature of the Facility Psychologist, or the Regional Psychologist in the absence of the Facility Psychologist. The Treatment Team Summary Form shall be filed in the youth's Individual Client Record within seven (7) calendar days of the Treatment Team meeting date.

## **V. MONITORING MECHANISM**

### **A. In Youth Development Centers:**

1. The Treatment Director or Counselor Supervisor shall be responsible for monitoring compliance with this policy.
2. The Regional Psychologist shall audit compliance on at least a semi-annual basis.
3. Monitoring shall also be conducted by the Education/Quality Assurance Branch during regularly scheduled reviews.

### **B. In Group Homes and Day Treatment Centers:**

1. The Superintendent shall be responsible for monitoring compliance with this policy.
2. Monitoring shall also be conducted by the Education/Quality Assurance Branch during regularly scheduled reviews.

**DATE OF MEETING:** \_\_\_\_\_

The following individuals participated in the treatment planning process for the date listed.

\_\_\_\_\_  
Youth Date

\_\_\_\_\_  
Counselor Date

\_\_\_\_\_  
Psychologist/Treatment Coordinator Date

\_\_\_\_\_  
Vocational Coordinator Date

\_\_\_\_\_  
Educator Date

\_\_\_\_\_  
Community Worker Date

\_\_\_\_\_  
Name Title/Relationship Date

\_\_\_\_\_  
Superintendent/Program Director Review Date



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

**REFERENCES:  
505 KAR 1:110  
3-JTS-5I-03  
3-JCRF-5H-03  
1-JBC-5C-16; 5I-13**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Phase System**

**POLICY NUMBER: DJJ 306**

**TOTAL PAGES: 4**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

Each DJJ program shall use a phase system. Phase systems shall be designed to provide graduated access to less restrictive environments and seamless transition in services and supervision for each youth. The phase system alone shall not be a criterion for discharge from a DJJ program.

## **II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers.

## **III. DEFINITION**

1. "Phase System" means an objective mechanism by which a youth's progress toward completion of Individual Treatment Plan (ITP) goals can be measured.
2. "Step-down" means transition of a youth from a higher security facility to a less restrictive placement, or a graduated series of less restrictive placements, prior to release back into the community.
3. "Step-up" means transition of a youth from a less restrictive facility to a more restrictive facility due to safety and/or security concerns.

## **IV. PROCEDURES**

A. Phase criteria shall include at least the following:

1. Orientation Phase – Each youth shall be assigned to this phase upon entering a DJJ program. This phase shall be characterized by an emphasis on the youth becoming aware of the program's expectations, services offered, the youth's rights, the phase system, and the initial treatment planning. The youth shall also familiarize himself with the staff.

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2. Learning Phase – This phase shall involve services designed to help the youth begin to work on goals identified in the ITP. The youth shall process how and why certain behaviors are inappropriate and begin to learn new behaviors. The youth shall also focus on learning social skills and problem solving skills.
  3. Progress Phase – Movement into this phase shall be based on observable, consistent improvement in the youth’s behavior. The youth may be given more responsibility and be expected to be a role model for others. The youth shall focus on practicing skills and behaviors being learned and work on preventing future risky behaviors. Near the end of this phase a youth may be considered for movement to a “less restrictive” environment.
  4. Graduation Phase - Youth being released into supervised placement in the community shall have met behavioral expectations consistently for a period of time and have worked through most of the treatment goals on the ITP and constructed a plan to prevent future risky behaviors. The purpose of this phase shall be to focus on finalizing aftercare plans and release conditions for the youth prior to transition into community placement.
- B. Youth being stepped-up shall be placed at the beginning of the Orientation Phase at the receiving facility.
1. Administrative Transfer Reviews (ATRs) requesting a step-up to a more restrictive and/or secure facility shall indicate the desired goal(s) for completion to return to the sending facility or plan for alternative discharge goal.
  2. Youth shall maintain progress in all areas of the Phase System as defined in the Orientation Handbook and complete the Learning Phase as outlined in the revised ITP. At this point in the youth’s treatment, as is deemed appropriate, the Treatment Team may request a step-down to a less restrictive placement by initiating an ATR. Youth who have been identified with a goal of stabilization after a critical incident shall complete the transfer goal on the revised ITP prior to eligibility for step-down.
  3. When stepped back down to a Youth Development Center, the youth shall be placed on the Learning Phase at the receiving facility and the Treatment Team shall develop a progressive plan to expedite movement to the phase previously attained at the step-up facility.

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C. Youth being “stepped down” to a group home shall move from the Progress Phase at the Youth Development Center into the Transition Phase and then the Demonstration Phase at the step down program.

1. Transition Phase

Youth shall be placed on Transition Phase upon admission to the step-down program. While on the transition phase the youth shall be expected to become familiar with the program environment and begin accessing the services designed to help the youth work on goals identified in the ITP. The youth shall be expected to continue practicing skills and behaviors learned and work on preventing future risky behaviors.

2. Demonstration Phase

Youth in step-down placement shall have met behavioral expectations consistently for a period of time, worked through most of the treatment goals on the ITP and constructed a plan to prevent future risky behaviors. The purpose of this phase shall be to focus on finalizing aftercare plans and release conditions for the youth prior to transition into community placement.

D. Approaches to movement through a phase system may vary depending on the type of youth served. Programs shall develop criteria for attaining phase levels and losing phase levels. Each phase shall be defined clearly in respect to behavioral expectations and treatment expectations. There shall be a time frame for remaining in a particular phase that is based upon completion of goals of that phase. It shall be included in the resident handbook.

E. If a “point system” is used, written procedures shall be developed specifying what positive behaviors are desired from the youth. Written guidelines shall be developed for earning the points as well as deducting the points. These guidelines shall be included in the resident handbook.

F. Written procedures regarding any rewards and restrictions unique to the facility or program shall be developed and be included in the resident handbook.

G. Special social incentives, i.e. giving a youth extra time on a favorite project, an outing or special activity, or additional community contacts shall be approved by the treatment team and be consistent with the phase expectations.

H. Imposing special restrictions, i.e. increasing limits, withdrawing privileges, requiring reasonable restitution for damages, reassigning living or sleeping

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arrangements shall be approved by the treatment team and be consistent with phase expectations.

- I. Phase systems in DJJ programs and DJJ community offices shall be mutually compatible in design.
- J. DJJ programs shall have their phase system approved by the respective Facilities Regional Administrator or Regional Director.

#### **V. MONITORING MECHANISM**

This procedure will be monitored by the Superintendent, the Regional Psychologist, and the Facilities Regional Administrator or Regional Director.



**JUSTICE CABINET  
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POLICY AND PROCEDURES**

**REFERENCES:  
505 KAR 1:110**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Counseling Services**

**POLICY NUMBER: 307**

**TOTAL PAGES: 6**

**DATE ISSUED: November 15, 2005**

**EFFECTIVE DATE:02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

Counseling services shall be provided to each youth in accordance with the Individualized Treatment Plan for the purpose of promoting interpersonal development and social adjustment.

## **II. APPLICABILITY**

This policy shall apply to DJJ operated day treatment programs, group homes and youth development centers.

## **III. DEFINITIONS**

- A. "Behavior Contract" means a technique in which an agreement is made between the youth and the staff. The agreement specifies the reinforcement contingent on reaching the goal.
- B. "Behavior Modification" means a technique used to modify problematic behaviors through reinforcing positive behaviors and ignoring or punishing negative behaviors. An individualized plan is often constructed after establishing baselines and goals. It requires the staff to be consistent in implementing, monitoring, and revising the plan.
- C. "Cognitive-Behavioral Counseling" means a technique emphasizing the role of thinking and/or behavior in a person's psychological functioning and well being. Cognitive-behavioral approaches utilize an integration of concepts and counseling strategies from both cognitive therapy and behavioral therapy. Behavioral therapy utilizes many principles and techniques to change individual behaviors including but not limited to: assertiveness training, skill training, self-control, token economies and behavior rehearsal. Cognitive therapy utilizes many principles and techniques to change individual thought processes including but not limited to reattribution, self-talk, cognitive restructuring, confronting and disputing irrational thoughts. With the help of staff, youths recognize their problematic behavior and thought patterns and learn alternative ways to cope and to prevent relapse.

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- D. “Group Counseling” means a method of counseling provided by qualified personnel to a designated treatment group in Department of Juvenile Justice programs.
- E. “Individual Counseling” means a method of one-to-one counseling provided by qualified personnel to youth in Department of Juvenile Justice programs.
- F. “Psycho-Education” means a technique through which youth learn about appropriate functioning in society through a curriculum that addresses a variety of issues by means of lectures, films, work, and recreational activities. Possible topics include but are not limited to human sexuality, aggression replacement, drug and alcohol education, independent living skills, parenting, conflict resolution, problem solving, social skills and communication skills.
- G. “Qualified Mental Health Professional” means the qualified mental health professional, as defined in KRS 600.020 who oversees mental health treatment.
- H. “Relapse Prevention Planning” means a technique in which a plan is prepared to address risk factors and to prevent a youth from returning to previous harmful behaviors.
- I. “Risk Factors” mean factors unique to the youth and his environment that may create risk for future re-offending.
- J. “Social Learning Program Culture” means a technique which emphasizes a treatment environment in which staff act as positive role models by their behavior and feedback to youth. Staff provide encouragement to youth; youth provide encouragement and feed back to peers. Youths learn how their behavior impacts others.
- K. “Social Modeling” means a technique to help youth practice new ways of relating to others by interacting with the staff. It gives the youth the opportunity to get feedback from the staff regarding the effectiveness of his behaviors. The staff act as positive role models and provide encouragement to youths. Youths provide encouragement and feedback to peers.
- L. “Solution Focused” means a technique that is a strength focused, behavioral based intervention. Solutions are reached through identifying youth’s strengths and healthy patterns. All youth and their families have some resources such as skills, capabilities, interests, positive character traits, even perseverance and hope. This approach utilizes important techniques and questions to discover solutions to the problems and reinforce positive behaviors.

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#### **IV. PROCEDURES**

M. "Thinking Errors" mean youth's mental process or faulty assumptions that may precipitate criminal behaviors or maladjustment in life.

A. Treatment programs shall utilize a variety of techniques in the provision of counseling services. Techniques shall be supported by the treatment approaches that are proven to be effective and approved by the Mental Health Director or designee. Examples include but are not limited to: social modeling, cognitive-behavioral approaches, behavior contracts, behavior modification, psycho-education, relapse prevention, solution focused, and relaxation techniques.

##### **B. Individual Counseling**

1. Individual counseling shall be utilized to help youth make choices and solve problems through the process of implementing and modifying the Individual Treatment Plan (ITP).
2. Individual counseling shall focus on modifying the thinking, feelings, and behaviors of the youth and shall consist of a variety of interactions designed to promote these changes. The focus shall be on identifying problems, assisting changes, and helping youth internalize and maintain changes. It shall include assessment of factors contributing to the risk of re-offending. It shall address problems identified in the ITP and focus on completing ITP goals. Reference DJJPP 302.
3. Each youth shall receive individual counseling at a minimum of one scheduled hour per week and more often as deemed appropriate by the treatment team.
4. In addition to scheduled weekly individual counseling sessions, staff shall be available to provide emergency counseling to youth upon their request.
5. Assigned counselors shall demonstrate competency in counseling skills through a combination of training and supervision and/or licensure or certification.
6. Possible interventions include but are not limited to: reviewing life stories, examining and challenging thinking errors, understanding behavioral patterns, processing feelings, gaining problem solving skills and coping skills, developing victim empathy and constructing a relapse prevention plan.
7. Individual counseling provided on both a scheduled and emergency basis shall be documented in accordance with DJJPP 329 for inclusion in the

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youth's Individual Client Record. Documentation shall be filed in the youth's Individual Client Record within seven (7) calendar days of the end of the reporting week. This may be printed from JORI.

C. Group Counseling

1. Group counseling shall be a structured, planned series of interventions to discuss specific and/or common issues, conflicts, and concerns utilized to help youth make choices and solve problems through the process of implementing and modifying the Individual Treatment Plan (ITP).
2. Group counseling sessions in day treatment programs and group homes shall be lead by staff trained in methods approved by DJJ. The maximum size of the group in day treatments is 12. Size of the group in group homes is dictated by the capacity but shall not exceed 12.
3. Group sessions in Youth Development Centers shall be led by a staff trained in methods approved by DJJ. The group leader shall be a Juvenile Counselor. In absence of the Juvenile Counselor, a trained youth worker, trained in group facilitation, may substitute for psycho-educational groups. The maximum size of the group in Youth Development Centers shall not exceed 12 youth unless exception recommended by the facility based Qualified Mental Health Professional and the Superintendent is approved by the Facilities Regional Administrator or Regional Director and the Regional Psychologist.
4. Group leaders shall demonstrate competency in group counseling skills through a combination of training and supervision, licensure, or certification. Reference DJJPP 504.
5. Group sessions in Youth Development Centers shall be conducted at a minimum of one hour and shall be regularly scheduled a minimum of three times per week for each youth assigned, except in day treatment programs where group shall be regularly scheduled a minimum of two times per week for each youth assigned.
6. Possible interventions include but are not limited to: reviewing and understanding past behavior patterns , examining and challenging thinking errors, understanding current behavioral patterns, learning social skills and problem solving skills, developing victim empathy, and constructing a relapse prevention plan. Other types of groups which address chemical dependency and mental health issues are encouraged.
7. Group counseling shall be done in conjunction with individual and family counseling during the treatment process. Rationale for exceptions, and any alternatives, shall be noted in the youth's Individual Client Record and approved by the Treatment Team.

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8. The group members and the leader shall establish group rules for members to follow. Group counseling shall create a climate of trust and acceptance; it shall promote personal growth and interpersonal functioning. Yelling, shouting, threatening, name-calling, or any physically aggressive acts shall not be tolerated. If a youth becomes angry to the point of losing control and refuses to calm down, the youth may be removed from that group session in order to gain control. Appropriate discipline techniques shall be followed and documented.
9. Group goals and agendas shall be consistent with goals formulated in the Individual Treatment Plan for each participating youth. Reference DJJPP 302.
10. Privacy and confidentiality shall be the responsibility of the leaders and individual group members and shall be consistent with existing policies. Reference DJJPP 102.
11. Group sessions shall be documented in accordance with DJJPP 329 and filed in the youth's Individual Client Record within seven (7) calendar days of the end of the reporting week. This may be printed from JORI.
12. Group Home and Youth Development Center staff shall record the occurrence of group counseling sessions on the log. Information regarding group sessions shall be recorded in logs if that information would impact on the security or orderly operation of the facility and shall be reported through the administrative chain. Reference DJJPP 330.

**D. Therapeutic Environment**

1. Staff shall follow policy consistently to create an appropriate therapeutic environment. Limits shall be set in an objective nonjudgmental manner.
2. Staff shall provide feedback about thoughts, behavior and feelings and help youth identify alternatives for maladaptive functioning.
3. Youths shall be expected to listen to feedback from staff and peers and provide supportive feedback to peers.

**V. MONITORING MECHANISM**

**A. In Youth Development Centers:**

1. The Treatment Director or Counselor Supervisor shall observe a minimum of one group counseling session per supervisee quarterly.
2. The Treatment Director or Counselor Supervisor shall review a random sampling of individual client records for compliance with individual and

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group counseling standards, treatment protocol and documentation standards. This shall be done monthly, one case per supervisee.

3. The Treatment Director shall provide a written report of observations and findings with a Corrective Action Plan and timetable for implementation, if appropriate, to the Facilities Regional Administrator, Regional Psychologist and the Superintendent within one week of the review.
4. The Superintendent and Treatment Director shall see that the Corrective Action Plan is followed. A full report documenting completion of the Corrective Action Plan shall be sent to the Facilities Regional Administrator and Regional Psychologist within thirty (30) days of the plan's development.
5. The Quality Assurance Branch shall conduct audits on at least an annual basis.

**B. In Group Homes and Day Treatment Centers:**

1. The Superintendent shall observe a minimum of one group counseling session per supervisee quarterly.
2. The Superintendent or designee shall review a sampling of individual client records for compliance with individual and group counseling standards, treatment protocol and documentation standards. This shall be done monthly.
3. The Superintendent shall provide a written report of observations and findings to the Regional Director within one week of the review. The Regional Director may request a Corrective Action Plan and timetable for implementation.
4. The Superintendent shall see that the Corrective Action Plan is followed. A full report documenting completion of the Corrective Action Plan shall be sent to the Regional Director within thirty (30) days of the plan's development.
5. The Regional Psychologist shall review a random sample of individual client records on at least a semi-annual basis for compliance with individual and group counseling standards, treatment protocol, and documentation standards.
6. The Quality Assurance Branch shall conduct audits on at least an annual basis.



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

**REFERENCES:  
505 KAR 1:110  
3-JTS-5C-01, 05  
3-JCRF-5C-01, 03; 5H-04,05  
1-JDTP-3D-09, 10, 11  
1-JBC-5C-06**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Family Involvement in Treatment Process**

**POLICY NUMBER: DJJ 309**

**TOTAL PAGES: 2**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

The family shall be encouraged to participate in their youth's treatment. The residential or day treatment program shall maintain regular contacts with the youth's family to the extent possible.

**II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

A. One of the primary goals of DJJ in working with youth shall be to assist the youth to remain in, or return to, a family setting most likely to provide permanency and support. Family involvement in a DJJ program shall include the following:

1. Treatment Planning – As outlined in DJJPP 302 Individualized Treatment Plan.
2. Family Counseling –Professional treatment staff shall provide, or arrange for the provision of, family counseling in accordance with the youth's ITP and consistent with the Case Plan for the family. Professional treatment staff may make recommendations for marital counseling and other extended family needs to the family. The DJJ program may assist families in making contact with local agencies or private practitioners in conjunction with the Juvenile Service Worker's efforts.

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3. Professional treatment staff shall communicate the youth's progress to the family periodically and encourage their support. They shall help the family recognize signs for future harmful behaviors in order to prevent future relapse.
  4. Parent Education – A professional staff member may provide regularly scheduled parent education classes.
  5. Parent Support Groups – A professional staff member may lead a parent support group.
  6. Visitation – Family members and significant others approved in conjunction with the Juvenile Service Worker may be permitted to visit youth in DJJ residential programs in accordance with DJJPP 310, Family and Community Contacts.
  7. Telephone or Written Contact – The assigned counselor shall maintain regular contact with the youth's family to inform the parents of the youth's progress in the treatment program and to keep current with changes in the family.
  8. Tele-conferencing
- B. Family contacts and services shall be documented in the youth's record in accordance with DJJPP 329.

**V. MONITORING MECHANISM**

Family involvement shall be monitored by the Superintendent, Facilities Regional Administrator or Regional Director, facility based Qualified Mental Health Professional where applicable, and the Regional Psychologist.

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES:</b>  <b>505 KAR 1:110</b>  <b>3-JTS-5H-01—17; 5I-02—06</b>  <b>3-JCRF-5G-01—07; 5H-03, 04</b>  <b>1-JDTP-3D-25, 26</b>  <b>1-JBC-5H-01—16; 5I-03—05</b></p>
<p><b>CHAPTER: Program Services</b></p>		<p><b>AUTHORITY: KRS 15A.065</b></p>
<p><b>SUBJECT: Family and Community Contacts: Mail, Telephone, Visitation, Off-Grounds Activities, Day Release, and Furlough</b></p>		
<p><b>POLICY NUMBER: DJJ 310</b></p>		
<p><b>TOTAL PAGES: 7</b></p>		
<p><b>DATE ISSUED: July 15, 2005</b></p>		<p><b>EFFECTIVE DATE: 02/03/06</b></p>
<p><b>APPROVAL: Bridget Skaggs Brown</b></p>		<p><b>, COMMISSIONER</b></p>

## I. POLICY

Community contacts shall be designed to promote family and community involvement with youth and programs. Contacts shall be in keeping with the mission and security level of the program and in accordance with the Individual Treatment Plans of individual youth.

## II. APPLICABILITY

This policy shall apply to group homes and youth development centers.

### LIMITED APPLICABILITY

*Day treatment programs shall provide youth access to a telephone to initiate and receive emergency personal calls. Community contacts in day treatment programs shall be done in accordance with Individual Treatment Plans. All related program procedures shall reflect policies regarding confidentiality, program security and accountability to the community. Treatment Teams and Superintendents shall at all times be keenly sensitive to the ultimate priority of maintaining safety for the community. All family and community contacts shall be documented in the youth's Individual Client Record.*

## III. DEFINITIONS

- A. "Day Release" means escorted and unescorted day leaves into the community of less than 24-hour duration.
- B. "Furlough" means unescorted leave of absence granted to a youth extending beyond a 24-hour period from a residential or group home program.

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C. "Visitation" means individuals or groups being allowed access to youth or programs.

#### **IV. PROCEDURES**

##### **A. MAIL**

1. There shall be a weekly postage allowance of two (2) stamps per week per youth. This allowance shall not be transferable to another youth.
2. There shall be no limit on the volume of mail a youth may send or receive, except for substantial reason, when the youth bears the mailing cost.
3. 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 caused 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 youth.
4. 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 specified class of persons and organizations may be opened only to inspect for contraband and only in the presence of the juveniles, unless waived in writing, or in circumstances which may indicate contamination.
5. 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.
6. Procedures for the opening of mail, including packages, and inspection for contraband 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:
  - a. Determining and providing notice to staff of any restrictions on

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correspondence for each youth.

- b. Tracking the youth's use of the weekly postage allowance.
- c. Handling of cash, checks or money orders removed from incoming mail.
- d. 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.
- e. Approval by the Superintendent, notification to the youth, and documentation in the youth's Individual Client Record for mail restrictions or items returned to the sender.
- f. Forwarding of mail to youth who have been transferred or released.

## **B. TELEPHONE**

1. Each youth in group homes and youth development centers shall be provided access to the telephone to make and receive personal calls, within the limits of the orderly operation of the facility, in order to maintain community and family ties and maintain contact with attorneys.
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 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. Juveniles with hearing and/or speech disabilities, shall be afforded access to a Telecommunications Device for the Deaf (TDD), or comparable equipment.
5. Programs shall develop Standard Operating Procedures that detail hours and location for telephone access by youth as well as a method for determining and providing notice to staff of approved calls/callers for each youth.

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6. Procedures for access to telephone may relate to progress of the youth as demonstrated by advancement in the phase or privilege system.
7. Call(s), except those to or from the youth's legal representative, may be monitored.

**C. GENERAL GUIDELINES: OFF-GROUNDS ACTIVITIES**

1. All related program procedures shall reflect policies regarding confidentiality, program security and accountability to the community. All Treatment Teams and Superintendents shall be keenly sensitive to escape risks and the ultimate priority of maintaining safety for the community.
2. Youth assigned to Level V maximum secure facilities are **prohibited** from individual or group off-grounds activities, community activities, day releases, or furloughs. Reference DJJPP 201. Any exception shall require the approval of the Deputy Commissioner of Operations.
3. Youth in all other levels of DJJ operated or contracted programs may participate in off-grounds activities with approval of the treatment team and Superintendent except as stipulated in Sections E & F of this policy in relation to unescorted day leaves and furlough of Youthful Offenders.

**D. VISITATION:**

1. Programs shall develop Standard Operating Procedures that detail visitation hours; location; method for determining and providing notice to staff of approved visitors for each youth; acceptable activities during visits; screening for and control of contraband during visitation; how special visits outside normal hours are approved and conducted; documentation of visits; and provision of assistance with transportation to the parent(s) who have difficulty making visits to the facility. These procedures for visitation shall relate to progress of the youth as demonstrated by advancement in the phase system.
2. Additionally, procedures shall include visitor sign-in and sign-out, identification of all visitors, and distribution of facility rules and regulations. Secure programs may retain identification as visitors sign in and shall develop security procedures consistent with this policy.
3. While visitation shall be encouraged, any visitor may be excluded from

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contact with youth and the program if it is established that they: were involved in the youth's offense; present a threat to the youth; refuse to follow facility rules or procedures including search; appear intoxicated or under the influence of drugs; or have 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 isolation or if behavior presents a threat to others. Suspension of visitation privileges or the exclusion of any individual(s) from visiting shall be documented in the youth's Individual Client Record.

4. Any group wishing to visit the program or a specific youth shall be required to have the advance approval of the Superintendent. Any group not routinely involved in the program or known to the facility staff shall provide an advance written request for the visit to the Superintendent for approval. Such visits shall be limited to those groups who have a legitimate, beneficial purpose for the youth or program. Individuals of these groups shall be subject to the same policies and procedures established for individual visitation. Additionally, the written approval from the Superintendent authorizing the visit, and a list of all group members, shall be brought to the facility at the time of the visit.
5. If available, tele-conferencing may be arranged by the Juvenile Services Worker as a means for the parent(s) or guardian(s) to contact youth.

#### **E. DAY RELEASES**

1. Each DJJ program shall develop Standard Operating Procedures to govern escorted and unescorted day leaves which address a screening and selection process through the treatment team, written rules of conduct, and a system of supervision to minimize abuse of this program privilege.
2. Program procedures may allow for youth's participation in employment or school release programs.
3. Unescorted day release of a Youthful Offender may be authorized in compliance with the stipulations of KRS 439.600. Written approval from the Regional Director and Deputy Commissioner of Operations shall be obtained prior to the unescorted day release of a Youthful Offender.

#### **F. FURLOUGHS**

<b>POLICY NUMBER</b> <b>DJJ 310</b>	<b>ISSUE DATE</b> <b>07/15/05</b>	<b>EFFECTIVE DATE</b> <b>02/03/06</b>	<b>PAGE NUMBER</b> <b>6 of 7</b>
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1. The furlough of Youthful Offenders shall be prohibited except as provided for in KRS 439.600. The Division Director and the Medical Director shall jointly approve all cases of furlough for inpatient medical care. The Commissioner shall have sole authority for the approval of any other type of request.
2. Furlough of public offenders in progress phase may be granted upon recommendation of the treatment team, including the Juvenile Services Worker, and approval of the Superintendent and Regional Director /Facilities Regional Administrator. DJJ 24-hour programs shall develop and implement Standard Operating Procedures regarding furloughs.
3. Furloughs to meet treatment objectives shall not be granted for more than 7 days consecutively, unless extended by the Regional Director/Facilities Regional Administrator and approved by the Regional Director. Medical furloughs shall be granted for the duration as specified by the youth's attending physician and approved by the DJJ Medical Director.
4. Emergency furloughs may be granted by the Superintendent, upon collaboration with the Juvenile Services District Supervisor and approval of the Regional Director/Facilities Regional Administrator, based upon sufficient documentation that an emergency exists. Emergency furloughs shall not exceed more than 7 days consecutively, unless extended by the Regional Director, upon recommendation of the Juvenile Services Worker.
5. When a furlough is recommended to meet a treatment objective, the treatment team shall notify the youth's Juvenile Services Worker at least seven days in advance of the finalization of the furlough plan.
6. The treatment team and the Juvenile Services Worker shall develop written terms of the furlough, including medical or emergency furloughs.
7. The youth shall sign the terms of the furlough signifying agreement. Copies of the agreement shall be given to the youth, the Juvenile Services Worker, and parent or guardian supervising the youth during the furlough.
8. During the furlough period, the Juvenile Service Worker shall maintain at least weekly contact with the youth and family. Reference DJJPP 614.
9. Furlough to out-of-state locations shall be pursuant to the Interstate Compact Policies. Reference DJJPP 210.
10. Copies of the agreement shall be given to the youth, the Juvenile Services Worker, and parent or guardian supervising the youth during the furlough.

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**G. 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 members, the juvenile shall be allowed, whenever, statutes and circumstances allow, to go to the bedside under escort or alone.

**H. DOCUMENTATION**

Programs shall develop Standard Operating Procedures for the documentation of incoming and outgoing mail, including packages; incoming and outgoing telephone calls; visitation; day release; and furloughs in the youth's Individual Client Record.

**V. MONITORING MECHANISM**

This activity shall be monitored by the Superintendent and Facilities Regional Manager or Regional Director, as well as by regularly scheduled reviews by the Education/Quality Assurance Branch.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:110 3-JTS-1A-21 1-JDTP-1A-18</b>
<b>CHAPTER: Program Services</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Youth Council</b>		
<b>POLICY NUMBER: DJJ 314</b>		
<b>TOTAL PAGES: 2</b>		
<b>DATE ISSUED: July 15, 2005</b>		<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>		<b>, COMMISSIONER</b>

**I. POLICY**

Each DJJ program shall have a Youth Council which meets monthly with the Superintendent or designee.

**II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

- A. The Youth Council shall be comprised of representatives from each unit, cottage or group who shall respond to youth concerns.
- B. Program Standard Operating Procedures shall address the criteria for selection of youth representatives and shall establish protocol for Youth Council meetings.
- C. The Youth Council shall discuss and offer recommendations to the Superintendent on issues to include, but not be limited to, the following:
  - 1. Staff/youth relations;
  - 2. Programming issues;
  - 3. Physical plant concerns;
  - 4. Recreation;
  - 5. Education;
  - 6. Health and dietary issues;

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- 7. Youth Activity Fund, including Annual Youth Activity Fund Plan.
  - D. Written minutes shall be kept of each Youth Council meeting and shall be held on file for three (3) years by the Superintendent or designee.
  - E. Information gathered from the Youth Council meetings shall be used to resolve problems and to improve facility programs and services via immediate, short term actions or long term goals and objectives of the facility.

**V. MONITORING MECHANISM**

This activity shall be monitored by regularly scheduled reviews held by the Superintendent, Facilities Residential Administrator or Regional Director and the Education/Quality Assurance Branch.



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

**REFERENCES:**  
**505 KAR 1:110**  
**3-JTS-1B-03, 07-12, 17-19**  
**3-JCRF-1B-08-10, 16, 19**  
**1-JDTP-1B-03, 07, 09, 10, 12, 17,**  
**18**  
**1-JBC-1B-07—11, 17, 18; 5H-08**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Use of Non-Governmental Funds  
And Youth Activity Funds**

**POLICY NUMBER: DJJ 315**

**TOTAL PAGES: 4**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

Each DJJ program using non-governmental funds, including funds collected through private donations or work projects, shall establish and implement a program to manage and account for the appropriate use of these funds.

## **II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes, youth development centers, and detention centers.

## **III. DEFINITIONS**

“Youth Activity Fund” is comprised of funds collected through work projects, sales of articles produced by residents, and private donations, to be used for the social and recreational pursuits of the resident/ participants.

“Non-Governmental Funds” shall include, but are not limited to, donations, profit from work projects, individual youth’s money, meal receipts, vending machine receipts and interest income.

## **IV. PROCEDURES**

- A. DJJ facilities shall establish one account for various funds collected. However, specific accounting procedures shall be established and detailed to identify the various funds.
- B. Review of the Annual Youth Activity Funds Plan with recommendations shall be documented in the minutes of the Youth Council meetings. Final

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approval of all expenditures shall be made by the Superintendent (Reference DJJPP 101.IV.C.)

- C. Youth Activity Funds and youth's individual funds shall be kept in one bank account. The facility shall maintain an acceptable accounting system necessary to ensure an accurate accounting of these funds. Individual personal earnings shall only be entered into that individual's personal account.
- D. When a fund exceeds \$100, a bank account shall be utilized with bank statements being reconciled on at least a monthly basis.
- E. A petty cash fund of no more than \$200 from the account may be maintained on hand. Cash on hand shall be secured by the trustees in a locked box or cabinet with appropriate key control.
- F. The Superintendent shall serve as primary trustee of all non-governmental funds. The Superintendent shall appoint secondary trustees for the account. Checks written from the account shall require double endorsements from the trustees.
- G. The primary trustee of each fund shall review the account at least quarterly and certify the accuracy of the deposits and disbursements.
- H. The facility shall maintain separate ledgers to document records of receipts, disbursements and balances to each fund.
- I. To ensure that all disbursements of funds are appropriately documented, each purchase shall be paid by a check against the fund's bank account, unless it is a cash purchase less than \$100. All purchases shall be filed with an invoice or receipt for both cash and check purchases.
- J. All receipts shall be documented as to the source and accompanied by a receipt voucher. Each voucher shall indicate the date, source of funds, amount received, date scheduled for deposit in the bank account and any special restrictions which may apply to disbursement of the funds.
- K. Incoming checks and monies shall be registered immediately in the appropriate fund ledger by the Superintendent or secondary trustee and deposited in the account. No incoming funds shall be expended prior to depositing in the account.
- L. All disbursements shall be documented as to the check number, date, payee, amount, voucher number and a full description of a disbursement voucher. Disbursements of \$500 or more shall require approval in advance by the Regional Director or Facilities Regional Administrator.

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- M. Copies of all deposit slips shall be maintained and reflect the receipt vouchers documenting funds received and from what source. The Youth Activity Fund disbursements shall be limited to social and recreational activities of the membership. Disbursements for items or services for employees from the Youth Activity Fund shall not be made. No more than 25% of the available cash from the fund may be invested in short-term investments such as Certificates of Deposit, unless otherwise approved by the Superintendent.
- N. All disbursements of any fund shall be covered by a sufficient balance in the account at the time of expending or obligating.
- O. All properties valued at \$500 or more and purchased from the Youth Activity Fund account shall be tagged and numbered in a permanent manner that cannot be removed and shall become part of the facility's properties and kept on a separate inventory clearly identified as club fund property. An inventory of said properties shall be forwarded to the DJJ Property Officer to be noted as non-state properties and included for insurance purposes. Vehicles which require taxes, licenses and insurance may not be purchased with account funds.
- P. Voided checks shall be attached to the checkbook. Cancelled checks shall be maintained with monthly bank statements. These records shall be maintained in the facility for three (3) years from the date of audit by the Division of Administrative Services.
- Q. If for any reason the facility discontinues operation or discontinues a fund, the assets of the fund shall be frozen with no new activity obligations. The Superintendent or secondary trustee of the fund shall notify the bank and ask for an ending statement within 45 days of the closure date. All records concerning the fund shall be forwarded to the Office of Support Services, Deputy Commissioner. Upon receipt of this material, the Deputy Commissioner shall issue specific instructions for the disposition of all cash and recreational equipment belonging to the fund.
- R. Each facility shall include a section in its quarterly report entitled "Youth Activity Fund Account." This section shall contain the following documentation: balance at the beginning of the quarter; disbursements during the quarter; and, balance at the end of the quarter. Individual disbursements of \$500 or more shall be itemized at the end of the report. A brief explanation for these disbursements shall be required.
- S. At the end of each fiscal year, a report of all income and expenditures shall be sent to the Director of the Division of Administrative Services.

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**V. MONITORING MECHANISM**

Each fiscal year, fund records shall be subject to auditing by the Fiscal Branch or other agent(s) authorized by the Division of Administrative Services.

The Director of the Division of Administrative Services shall ensure that an audit of all residential treatment center's and youth development center's non-governmental funds is made by an appropriate, independent auditor or auditor from Central Office at least one time during a three (3) year period.



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

**REFERENCES:  
505 KAR 1:110  
3-JTS-1B-20, 21; 5D-16-18;  
5I-05  
3-JCRF-1B-17; 5D-05-07  
3-JDTP-1B-19; 3D-22, 24  
1-JBC-1B-19; 5D-13; 5I-04**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Youth Work Programs**

**POLICY NUMBER: DJJ 316**

**TOTAL PAGES: 3**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

Work 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. Nothing in this section shall be viewed as restricting either voluntary youth services to the community or staff involvement in youth fundraising activities.

**II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers.

**III. DEFINITIONS**

- A. "Work Detail" means daily work and chore assignments related to housekeeping, maintenance of the facility or its grounds, or personal hygiene needs.
- B. "Work Experience Program" means an organized work training program offered as a component of the educational/vocational programming, differentiated from Work Detail in that emphasis on instruction and evaluation rather than task accomplishment. Reference DJJPP 334.
- C. "Work Release" means approved day leave for the youth to have part or full-time employment away from the facility. Work Release shall generally have been preceded by successful participation in the Work Experience Program. Reference DJJPP 310 and 334.

**IV. PROCEDURES**

- A. Youth shall not be required to participate in uncompensated work assignments unless it is related to housekeeping, maintenance of the facility or its grounds,

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personal hygiene needs, part of an approved vocational or training program, or for restitution.

- B. Each program shall set forth in their Standard Operating Procedures Manual Guidelines for Work Details, to include allowance and/or compensation schedules. Allowance and/or compensation schedules shall be recommended by the Superintendent for approval by the Education Branch Manager or designee and shall be paid from the program's annual operating budget.
- C. Work details shall not conflict with school attendance. Work Experience Program(s) may be included in the youth's ITP/IPI or IEP. Superintendents and School Administrators shall collaboratively establish written procedures for such programs. The Facilities Regional Administrator or Regional Director shall approve these procedures. Reference DJJPP 334.
- D. DJJ programs may provide facility resources and staff time devoted to assisting employable youth in locating and maintaining employment outside the facility.
- 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.
- F. When youth are to earn wages through participation in Work Release, a work agreement shall be executed. This agreement shall include such information as the employer's name, salary paid, work schedule assigned, and level of supervision. The work agreement shall contain the provision which requires the employer to abide by the Kentucky Child Labor Laws where applicable.
- G. Work Detail, Work Experience, and Work Release Programs shall comply with all legal and regulatory requirements.
- H. A Kentucky Child Labor Law poster regarding hours of work permitted for minor youth 14 – 17 years of age shall be posted in a conspicuous place in the facility.
- I. Wages earned by the youth while residing in a DJJ program may be placed in an individual interest bearing account maintained by the facility Superintendent or designee.
- J. Medical documentation for every youth who participates in a work program indicating that the youth is physically capable of performing the required work shall be maintained in their individual Medical Record.
- K. Youth residing in a Level V facility are not eligible for outside employment.

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L. Written approval from the Regional Director and Deputy Commissioner of Operations shall be obtained prior to outside employment by a Youthful Offender.

**V. MONITORING MECHANISM**

This procedure shall be monitored by the Superintendent, the Facilities Regional Administrator or Regional Director and the Education/Quality Assurance Branch.



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

**REFERENCES:  
505 KAR 1:110  
3-JTS-5F-01-06  
3-JCRF-5E-01-03  
1-JDTP-3D-01  
1-JBC-5F-01—05  
NCCHC Y- 43, 48**

<b>CHAPTER: Program Services</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Recreation</b>	
<b>POLICY NUMBER: DJJ 317</b>	
<b>TOTAL PAGES: 3</b>	
<b>DATE ISSUED: July 15, 2005</b>	<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>	<b>, COMMISSIONER</b>

**I. POLICY**

Organized recreation and structured leisure activities shall be provided for all youth in DJJ programs.

**II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers.

**III. DEFINITION**

“Leisure time activities” consist of constructive time that is utilized by the youth such as drawing, writing, reading, listening to music, individual sports activities, etc.

**IV. PROCEDURES**

- A. Day treatment Superintendents shall provide, or arrange for the provision of, appropriate indoor and outdoor recreation and leisure activities integrated within the programming schedule.
- B. Each group home and youth development center Superintendent shall ensure that the youths are offered a varied recreation and leisure program utilizing both indoor and outdoor activities. Two (2) hours of recreational exercise shall be provided each day. One hour of this shall be in the form of large muscle group activity. The other hour shall be devoted to planned, leisure time activities.
- C. Recreation shall be organized, structured, and supervised by a staff member.

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- D. Youth development centers with a capacity of 50 or more youths shall have a qualified recreation director to plan and supervise recreation. Youth development centers with less than 50 beds shall have a staff member trained in recreation. The Division of Staff Development shall provide said training.
- E. The program recreation staff or youth worker shall plan and promote activities for participation by youth in community programs and services consistent with the security concerns of the program. The staff shall encourage involvement in civic, artistic, cultural, recreational, religious and social activities.
- F. A recreation schedule that shall involve all youth shall be established. Components of schedules shall be daily activities, weekly trips, and monthly special functions as dictated by security and treatment concerns.
  - 1. A schedule of planned activities shall be prepared each month and submitted to the Superintendent for approval. The Superintendent shall make final approval for all off-campus field trips, social events and other recreational activities.
  - 2. Each program shall maintain documentation of the recreation/exercise schedule.
  - 3. Staff shall ensure that the recreation schedule is followed unless approval is given by a supervisor to alter the schedule. The supervisor shall document any such alterations, and the necessitating circumstances, in the program log and/or shift report.
- G. The academic program shall collaborate and provide teacher certified oversight to the recreation program for purpose of earning high school credits in physical education.
- H. A variety of fixed and movable equipment for indoor and outdoor recreation shall be provided. Equipment such as bats, balls, pool sticks, horseshoes, etc. shall be inventoried and secured after each use for safety concerns. The Youth Council, with facility superintendent approval, may recommend and purchase from their activity account specific recreation equipment not provided by the Department.
- I. Safety of the youth is the primary concern in recreation. Staffing levels for supervision of activities shall be in compliance with DJJPP 319. Proper dress and behavior shall be expected at all times. Staff supervising the activity shall monitor and eliminate safety hazards.

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**DRAFT (REVISION)**

- J. Youth shall not be permitted to participate in water sports unless a lifeguard is present. An approved life jacket shall be worn for activities occurring in natural waters and at all times by non-swimmers.
- K. Each program shall have a written policy and procedure outlining off-campus activities involving camping and participation in wilderness activities. The procedural outline shall be program specified and shall include types of activities, supplies needed and clothing required. Staff who accompany residents to wilderness settings shall be trained in first aid and CPR. A first aid kit shall be available for injuries. Consent for treatment forms shall be available for emergency care. In YDC or Group Homes, if any youth require medication a health-trained staff shall accompany the group and shall administer medications as ordered. Inhalers, epi-pens and other individual treatments shall accompany youth off campus and at least one accompanying staff shall be trained to use or to assist in the use of such equipment or medication. Reference DJJPP 504.
- L. Youth who are restricted by medical personnel shall not be able to participate in the restricted 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.
- M. Under circumstances involving a critical treatment incident, a youth may be denied recreational activity on a day to day basis. The youth's recreational privileges shall be restored by the Treatment Team upon resolution of the critical treatment incident. Reference DJJPP 208.
- N. Special effort shall be made in youth development centers to provide daily physical exercise for those youth in special management isolation units. If youth is placed in confinement in excess of 23 hours, an alternative recreation activity that will provide the required one (1) hour large muscle activity shall be offered. The alternative recreation activity may be conducted in the confinement area.

**V. MONITORING MECHANISM**

Monitoring shall be accomplished by the Superintendent or designee; the recreation leader, if applicable; the Facilities Regional Administrator/Regional Director or designee; and during routine annual audits by the Education/ Quality Assurance Branch.



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

**REFERENCES:**  
**505 KAR 1:110**  
**3-JTS-3A-18, 28, 29, 31; 3C-01**  
**3- JCRF-3A-02, 05**  
**1-JDTP-3E- 01, 02**  
**1-JBC-3A-16, 18, 19; 3C-01; 5I-01**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Behavior Management**

**POLICY NUMBER: DJJ 318**

**TOTAL PAGES: 4**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

A safe and secure program culture shall be promoted by all staff through utilizing appropriate behavior management methods and techniques. Staff shall be permitted to use approved methods of physical restraint on youth who become aggressive toward staff or peers. Staff shall handle such situations in a controlled, well-disciplined, safe and humane manner.

## **II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers.

## **III. DEFINITION**

“Violent Behavior” means behavior or acting out that could lead to the infliction of harm or injury to self, others, or property.

## **IV. PROCEDURES**

### **A. Preventing Inappropriate Behavior**

1. Staff shall be observant of circumstances which may precipitate inappropriate behavior or indicate that such behavior is imminent from a youth. This may include body language, seating arrangements, tone of voice, embarrassing situations, bad news received from home, etc. Staff shall use these observations, anticipate possible reactions and plan accordingly. Examples include: separating the youth who do not get along, giving extra attention to a youth who has received bad news, etc.
2. Staff shall keep youth occupied with constructive, organized activities so there is not idle time.

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**B. Redirection:**

Staff shall verbally call youth's attention to behaviors which are, or could lead to, inappropriate behavior in a manner which allows the youth to change the behavior.

**C. Modeling Appropriate Behavior:**

1. Staff shall display behaviors that are positive and appropriate and shall set good examples for youth to model.
2. Staff shall demonstrate appropriate social skills. Staff may give instructions regarding how to act so that the situation will resemble real life, such as table manners, appropriate social greetings, appreciative gestures, etc. Youth may obtain the opportunity to get feedback from the staff regarding the effectiveness of their behaviors.

**D. Teaching Appropriate Decision Making Skills:**

1. Staff shall teach youth decision-making skills to form healthy personal interactions. The decision making process often involves sequential steps, including: identify the problem, identify personal values and long-range goals, identify alternatives, examine alternatives, make a tentative decision, take action on the decision, and evaluate outcomes.
2. Staff shall assist youth in the practice of decision-making skills and shall provide opportunities for youth to utilize decision-making skills. These skills may be utilized to accomplish treatment goals.

**E. Reinforcing Positive Behavior:**

1. Staff shall observe and monitor youth's behaviors and shall reward appropriate behaviors as positive reinforcement often works better than negative reinforcement. Reference DJJPP 306.
2. Staff shall limit or apply consequences for negative behaviors utilizing the principles of progressive discipline. Reference DJJPP 318.1.
3. Methods and techniques shall include, but not be limited to, token economy, restitution, community service, behavioral modification, and other contingency management methods. Staff may use a behavior contract or behavior modification approach to modify specific behavioral patterns. Reference DJJPP 307.

**F. Teaching Conflict Resolution Skills:**

1. Staff shall teach youth conflict resolution skills.

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2. Youth shall be encouraged to practice and utilize these skills when interpersonal problems arise. They shall be reinforced for use in settling disputes/disagreements.

G. Promoting Mutual Respect:

1. Staff shall act in a professional manner and treat youth and other staff with respect at all times. Staff shall use proper language and make comments in a professional manner. Reference DJJPP 104.
2. Staff shall have high expectations for youth and offer praise when youth take positive steps to meet those expectations.

H. In the management of aggressive youth, only those skills that are non-punitive in nature and are approved by the DJJ shall be used.

I. DJJ staff who have responsibility, or potential responsibility, for the direct care, supervision and treatment of youth shall be required to hold certification from the Training Branch in approved methods of restraint before being allowed to apply restraint upon a youth without assistance of another certified staff. Superintendents shall recommend which staff shall complete training in advanced restraint techniques. Superintendents shall work with the Training Branch to ensure staff receive the ongoing training in approved methods of physical restraint necessary to obtain and maintain certification. Reference DJJPP 504.

J. The obligations of all staff in a crisis situation shall be to do everything possible to diffuse the explosive situation, to send for assistance, and to safeguard other youth by removing them from the area surrounding the violent youth.

K. Physical restraint shall not be used as punishment. Staff shall use only the level of physical restraint necessary to control violent behavior until the youth is able to demonstrate self-control. Once the youth regains control of his behavior, it shall be the staff's responsibility to assist the youth to reintegrate into the treatment environment.

L. The incident report documenting the use of physical management shall be completed within the timeframes specified in DJJPP 321 and filed in the youth's Individual Client Record. The specific physical restraint technique(s) used shall be noted in the incident report.

M. If an injury occurs in the course of a restraint, it shall be fully documented.

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Prompt medical attention shall be required when injuries are serious enough to warrant anything other than first aid. 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.

- N. Youth shall not be permitted, expected, or directed to physically manage other youth. Once the youth regains control of his behavior, it shall be the staff's responsibility to assist the youth in the reintegration into the treatment environment and to identify follow-up services needed.

**V. MONITORING MECHANISM**

Behavior management techniques shall be monitored by the Superintendent, the facility based Qualified Mental Health Professional and/or Regional Psychologist, the Facility Regional Administrator or Regional Director. The Superintendent, the Regional Manager or Residential Facilities Administrator, the Ombudsman and the Education/Quality Assurance Branch shall monitor the use of physical restraint.



**JUSTICE CABINET  
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POLICY AND PROCEDURES**

**REFERENCES:  
505 KAR 1:110  
3-JTS-3C-02-08; 3E-02  
3-JCRF-3C-01, 02, 05, 08, 11-14  
1-JDTP-3D-16; 3E-05-07  
1-JBC-3C-02—07**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Discipline**

**POLICY NUMBER: DJJ 318.1**

**TOTAL PAGES: 6**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

### **I. POLICY**

Each DJJ program shall develop a written set of disciplinary regulations governing youth rule violations. These regulations shall be reviewed annually and updated as needed. The rules and possible consequences shall be included in the Orientation Handbook for staff and youth to review.

### **II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers, with the following exceptions:

- A. Room Restriction, Unit Restriction, Facility Restriction and Intensive Room Restriction shall **not** be applicable to day treatment programs.
- B. Intensive Room Restriction shall **not** be applicable to group homes.

### **III. DEFINITIONS**

- A. “Consequence” means suspension of privileges or behavioral penalty issued due to a negative behavior that is being displayed or an infraction of the rules within the facility’s standard operating procedure.
- B. “Facility Restriction” means a consequence whereby the youth is restricted to the confines of the program grounds.
- C. “Intensive Room Supervision” means when a youth is placed in an unlocked isolation room under constant staff supervision as a safety measure for a period of time that shall not be longer than 4 hours without authorization of the superintendent or ADO but shall not exceed 24 hours.
- D. “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.

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- E. “Room Restriction” means the youth is socially and physically separated from the program community and restricted to any unlocked room in the facility (excluding closets, storage areas, or restroom facilities) for a period of time not in excess of 12 hours.
- F. “Time Out” means when a youth is socially and physically separated from the program community for a short period in order to de-escalate negative behavior. Youth may request a time out, or staff may require a youth to take a time out based upon a situation where the youth may require a quiet place to think and regain composure.
- G. “Unit Restriction” means a consequence whereby the youth is restricted to the confines of a specific program building(s).

#### **IV. PROCEDURES**

- A. Disciplinary approaches which are physically abusive or which are verbally abusive methods used to dehumanize or humiliate youth, or in any other way abuse youth, shall not be permitted. Discipline shall not be imposed solely as a means to demonstrate a staff member’s authority over residents.
- B. The goal of discipline shall be to teach youth more constructive and socially acceptable methods of responding to their environment, and provide a safe and secure facility for youth and staff. Generally, discipline shall be used when dealing with unacceptable behavior. However, DJJ recognizes that in some specific circumstances, precautionary measures may need to be imposed prior to the occurrence of a problem behavior based upon the youth’s past behavioral history.
- C. Youth shall be made aware of the rules and consequences as part of the orientation process. Each youth shall receive written copy at the time of admission and shall sign acknowledgement of such. When a literacy or communication problem exists, a staff member shall assist the youth in understanding the materials.
- D. Consequences issued shall be natural, logical, and appropriate to the youth’s age, functioning, maturity level, and the behavior for which the youth is being disciplined. 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. Reference DJJPP 323 and 324
- E. Consequences shall be imposed promptly, calmly, and consistently.

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- F. Consequences shall be preceded whenever possible by warning that discipline may be forthcoming in order to provide the youth an opportunity to think and decide whether to continue the negative behavior and accept the consequences for it, or to cease the behavior.
- G. Consequences shall be reasonably time-limited.
- H. The youth shall have the reasons for the consequence explained and be given the opportunity to explain the behavior leading to the consequence, as soon as conditions allow.
- I. Consequences that are issued to youth for a rule infraction shall be documented by entry into the youths Individual Client Record. Documentation shall include: name, date and time of behavior, consequence, date and time of restriction, and date and time restriction is finished
- J. Following are some examples of discipline which are **NOT CONSIDERED CONSEQUENCES**:
1. Planned “ignoring” of problem behaviors which can be “ignored” as determined by the Individual Treatment Plan such as non-aggressive, non-destructive, or defiant behaviors.
  2. Verbally or physically redirecting the youth toward a more positive alternative behavior and reinforcing the youth for following those directions.
  3. A youth-requested time out. Staff shall recognize youth’s voluntary request for time out may be therapeutic and a positive step in their treatment process in identification of triggers and accessing an intervention to prevent relapse into certain behavior. This allows youth to exert self-control to prevent escalation of behaviors. Youth-requested time out shall be staff approved taking of a brief time out in a quiet place. Guidelines which shall be used whenever a youth is placed in a self-requested time out are the same as for a staff-directed time out, except no penalty slip may be issued.
  4. Applying physical or mechanical restraints, or the use of isolation.
- K. **EXAMPLES OF ACCEPTABLE CONSEQUENCES**:
1. Withdrawing a privilege, activity or “treat” a youth has received;
  2. Requiring a youth to compensate for damages by paying for the damages to be repaired, by repairing the damages, or by completing a work task;

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3. Removing the youth from the group activity for logical period of time;
4. Negotiating other natural logical consequences for the youth with the Treatment Team;
5. Demoting the youth to a lower phase of the program, in accordance with the treatment plan and with approval from the Superintendent;
6. Denying promotion to the next program phase, in accordance with the phase guidelines, due to specific problematic behaviors by the youth;
7. Placing youth on one-to-one supervision with staff. Youth may still participate in regular programming, to the extent possible, while staying within close proximity to the staff.
8. **TIME OUT:** Following are some guidelines which shall be used whenever a youth is placed in time out:
  - a. Time out shall always be taken within staff's sight or sound.
  - b. Youth shall never be placed in a locked room for time out.
  - c. Staff shall visually make contact every 15 minutes. Youth shall be within sight or sound at all times.
  - d. Time out shall not exceed 60 minutes. Upon completion of a time out period, the youth shall discuss the situation with a staff member.
  - e. The time-out stamp shall be used to document each time-out in the Individual Client Record, to include time in/out; reason for time out; time and observation at each 15-minute check; and brief summary of staff processing at the conclusion of the time out period. In YDCs and Group Homes, notation shall also be made in the shift log/report. The time-out stamp shall be used for this purpose.
  - f. A Penalty Slip may be issued for staff-directed time out, if the behavior necessitating the Time Out was a Major Rule Violation.
9. **ROOM, UNIT OR FACILITY RESTRICTION :**
  - a. Room Restriction shall not be longer than 8 hours without authorization of the Superintendent or ADO but shall not exceed 12 hours.
  - b. Unit and Facility Restriction shall not exceed forty-eight (48) hours

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without a Disciplinary Review being conducted by the Treatment Team. Reference DJJPP 318.2

- c. Staff shall make visual and verbal contact every 15 minutes with youth on Room or Unit Restrictions. Youth shall be within sight or sound at all times.
  - d. When a youth requires Room or Unit Restriction, staff shall complete an Observation Log, with Addendum as necessary. This form shall be reviewed and signed by a supervisory staff member daily. Notation shall also be made in the shift log/report.
  - e. Youth who receive Room, Unit or Facility restriction shall discuss, or “process”, their behavior and the results of their behavior prior to rejoining the general population.
  - f. No entry shall be required in the youth’s Progress Notes, unless there were extenuating circumstances necessitating documentation.
  - g. No Critical Incident Report shall be required, unless the behavior necessitating the placement into Room, Unit or Facility Restriction qualifies under DJJPP 321; i.e., AWOL; escape; physical or sexual assault by youth; major property destruction; possession of contraband; chronic program disruption; major injury; suicide attempt; or use of restraint.
  - h. A Penalty Slip may be issued, if the behavior necessitating the Room, Unit or Facility Restriction was a Major Rule Violation.
10. **INTENSIVE ROOM SUPERVISION:**
- a. Intensive Room Supervision shall only be used when a youth is showing or expressing a behavior that could escalate into violence, and as a less restrictive attempt to avoid a locked isolation placement; and as a step-down from an isolation placement.
  - b. The isolation room may only be utilized with the door open and with the approval of the Superintendent or designee. Staff shall be present to visually monitor the youth for the duration of the restriction.
  - c. Intensive Room Supervision shall not last longer than 4 hours without authorization of the superintendent or ADO but shall not exceed 24 hours.

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- d. When a youth requires Intensive Room Supervision, staff shall complete an Observation Log, with Addendum as necessary. This form shall be reviewed and signed by a supervisory staff member daily. Notation shall also be made in the shift log/report.
- e. No entry shall be required in the youth's Progress Notes, unless there were extenuating circumstances necessitating documentation.
- f. No Critical Incident Report shall be required, unless the behavior necessitating the placement into Intensive Room Supervision qualifies under DJJPP 321; i.e., AWOL; escape; physical or sexual assault by youth; major property destruction; possession of contraband; chronic program disruption; major injury; suicide attempt; or use of restraint.
- g. A Penalty Slip may be issued, if the behavior necessitating the Intensive Room Supervision was a Major Rule Violation.

**V. MONITORING MECHANISM**

Discipline shall be routinely monitored by the respective Regional Psychologist, Facilities Regional Administrator or Regional Director. Reviews shall also occur as part of regularly scheduled audits by the Education/Quality Assurance Branch.



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

**REFERENCES:  
505 KAR 1:110  
3-JTS-3C-09—12, 14—24  
3-JCRF-3C-03, 04, 06, 07, 09, 10,  
15, 16  
1-JBC-3C-08—11, 13—23**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Disciplinary Review**

**POLICY NUMBER: DJJ 318.2**

**TOTAL PAGES: 3**

**DATE ISSUED: November 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

When there exists evidence or allegations that a youth has committed a Major Rule Violation, a Disciplinary Review shall be scheduled with the youth's Treatment Team.

**II. APPLICABILITY**

This policy shall apply to both state operated and contract group homes and youth development centers.

**III. DEFINITION**

A "Major Rule Violation" is a rule infraction involving a grievous loss and requiring imposition of due process procedures. Major Rule Violations are (1) violations that may result in disciplinary detention; (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 specifically include Escape, AWOL, physical or sexual assault or threat of physical or sexual assault, major property destruction, possession of contraband, and chronic program disruption.

**IV. PROCEDURES**

A. The shift supervisor or Administrative Duty Officer (ADO) shall initiate an investigation within twenty-four (24) hours of occurrence of an alleged Major Rule Violation. The investigation shall be completed without unreasonable delay, unless there are exceptional circumstances for delaying the investigation.

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- B. Violation of a Major Rule shall require the issuance of a Penalty Slip to the youth within 24 hours of the infraction. The Penalty Slip shall document the alleged violation and any immediate sanctions taken by staff. Copy of the Penalty Slip shall be given to the chairperson of the youth's Treatment Team. Disciplinary Review for Major Rule Violation shall be held by the youth's assigned Treatment Team as soon as practical but no later than seven (7) days, excluding weekends and holidays, after the infraction.
- C. The Treatment Team is responsible for making all treatment decisions regarding a youth in response to the Major Rule Violation, i.e. phase demotion, changes in the Individual Treatment Plan or recommendation for transfer.
- D. The Treatment Team chairperson, or designee, shall set the date and time of the Disciplinary Review. The youth charged with the Major Rule Violation shall be given written notice twenty-four (24) hours prior to the review of the place, date and time the Disciplinary Review.
- E. The chairperson, for justifiable cause, may grant postponement or continuance of the Disciplinary Review. Such action, and the reason for it, shall be documented.
- F. The youth shall be present during the Disciplinary Review unless his behavior justifies exclusion or the youth waives his right to attend. The youth may be excluded during testimony of any youth whose statement shall be given in confidence. Reason for the youth's absence shall be documented.
- G. The youth may request the services of any staff member to represent him in the Disciplinary Review or a staff member may be assigned by the chairperson or designee if the youth is incapable of representing himself.
- H. Treatment Team member(s) involved in the alleged Major Rule Violation shall be exempt from participation in the Disciplinary Review in order to ensure impartiality.
- I. During the Disciplinary Review, the youth may make a statement, present evidence, and request witnesses on his behalf. If witnesses' behavior jeopardizes the security of the facility, they shall be excluded with reasons being documented.
- J. Consideration for prosecution shall be given to any Major Rule Violation covered by criminal law. If it is determined that an offense petition shall be filed, the Disciplinary Review process shall be suspended until the criminal prosecution is complete.

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K. Immediately following the Disciplinary Review, the Treatment Team shall render a decision. This decision shall be based solely on information obtained in the Disciplinary Review process, including staff reports, the statements of the youth charge with the violation, and evidence derived from witnesses and documents. All recommendations or dispositions of the Treatment Team shall be:

1. Documented on a Disciplinary Review Report Form;
2. Reviewed by the Treatment Director or designee for approval and to insure conformity with policy and procedure;
3. Copied to the youth along with notice of right to appeal; and
4. Filed into the youth's Individual Client Record.

L. If at any time during the investigation or during the Disciplinary Review the allegation is found to be unsubstantiated, the matter shall be dismissed. All written documentation regarding such shall be destroyed and any physical evidence confiscated during the investigation shall be turned over to the appropriate authorities.

M. Appeals of Disciplinary Reviews shall be made in writing by the youth to the Facility Superintendent within fifteen (15) days of receipt of the Treatment Team decision. The Facility Superintendent shall make a decision on the appeal within thirty (30) days. The youth shall be promptly notified in writing of the decision and copy shall be placed in the youth's Individual Client Record.

N. A copy of the Disciplinary Review Appeal Form documenting the Superintendent's final decision, along with the Disciplinary Review Report Form, shall be forwarded to the Regional Facilities Administrator or Regional Manager and the Departmental Ombudsman the same time the final resolution is given to the resident.

O. Major rule violations resulting in Disciplinary Reviews shall have the charge and results of the review documented in JORI by the facility counselor.

## **V. MONITORING MECHANISM**

Monitoring shall be conducted by the Facilities Regional Administrator or Regional Director, the Departmental Ombudsman, and the Education/Quality Assurance Branch during regularly scheduled audits.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:110</b>
<b>CHAPTER: Program Services</b>	<b>AUTHORITY: KRS 15A.065</b>	
<b>SUBJECT: Discipline: Level 5 Facilities</b>		
<b>POLICY NUMBER: 318.3</b>		
<b>TOTAL PAGES: 2</b>		
<b>DATE ISSUED: July 15, 2005</b>	<b>EFFECTIVE DATE: 02/03/06</b>	
<b>APPROVAL: Bridget Skaggs Brown</b>		<b>, COMMISSIONER</b>

## I. POLICY

Discipline and Behavioral Sanctions for the Departments' Level 5 Facility shall provide for the authorization of the use of Room Restriction, Disciplinary Confinement and Special Management Plans for the safe secure management of the facility. These behavioral control techniques shall comply with the expressed Department philosophy as detailed in Policy 318.1.

## II. APPLICABILITY

This policy shall apply only to DJJ operated Level 5 Facilities

## III. DEFINITIONS

- A. Disciplinary Confinement means a placement of a juvenile in a secure room per a Disciplinary Review Hearing by the treatment team for a major rule violation. Placement shall take into account a youth's prior conduct and specific program needs. Disciplinary Confinement shall not exceed five (5) days for any particular offense.
- B. Level 5 Facility means a maximum-secure residential program which provides 24-hour a day, 7 day a week supervision. All routine activities occur on site. Direct sight and/or sound supervision shall be provided by staff or cameras at all times. Exit doors shall be locked and under strict control of staff.
- C. Room Confinement means when a youth is socially and physically separated from the program community in a secure room for up to four hours in order to de-escalate an immediate potential for violence.
- D. Special Management Plan means a specific therapeutic intervention for identified youth to work through difficult

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treatment issues and/or develop personal behavior management skills without disrupting the treatment culture of the overall program. These youth will be identified by the treatment team based on individual needs, and their current behaviors in the program.

#### **IV. PROCEDURES**

- A. The Department's Level 5 facility shall employ a continuum of sanctions, in order to ensure that the minimum level of intervention is utilized to correct inappropriate behavior. Sanctions shall include time out, room restriction, intensive room restriction, room confinement, disciplinary confinement, and special management plans.
- B. A written set of Level 5 Facility procedures detailing operational procedures for room restriction, disciplinary confinement and special management plans shall be approved by the Mental Health Director, authorized by the Regional Director, reviewed annually and updated as necessary. Procedures shall include timely notification and routine analysis by the Regional Office concerning the use of the most restrictive sanctions.
- C. Procedures for time-out, room restriction, and intensive room restriction shall be the same as those described in policy 318.1.
- D. Youth shall be made aware of the rules and consequences as part of the orientation process. Each youth shall receive written copy at the time of admission and shall sign acknowledgement of such. When a literacy or communication problem exists, a staff member shall assist the youth in understanding the materials.

#### **V. MONITORING MECHANISM**

Discipline shall be routinely monitored by the respective Facilities Regional Administrator or Regional Director. Reviews shall also occur as part of regularly scheduled audits by the Education/Quality Assurance Branch.



**JUSTICE CABINET  
DEPARTMENT OF  
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POLICY AND PROCEDURES**

**REFERENCES:**  
**505 KAR 1:110**  
**3-JTS-1C-04, 05; 3A-07; 4C-28**  
**3-JCRF-3A-03**  
**1-JDTP-1C-04**  
**1-JBC-3A-06; 4C-29**  
**NCCHC Y-26**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Required Staffing for Supervision of Youth**

**POLICY NUMBER: DJJ 319**

**TOTAL PAGES: 2**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

Staffing for the supervision of youth shall be sufficient on each shift to ensure the safety of youth and staff, to maintain the security of the facility, and to facilitate youth access to staff, programs and services.

**II. APPLICABILITY**

This policy shall be applicable to all state operated and contract youth development centers and group homes.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

**A. Youth Development Centers**

1. The required minimal staffing ratio in all Youth Development Centers shall be one (1) Youth Worker on duty for every twelve (12) youth in the population during awake hours (exclusive of the Youth Worker assigned to Control Center, where applicable).
2. In addition, each shift shall staff one additional Youth Worker or Youth Worker Supervisor to provide necessary relief for direct care coverage.
3. Each center shall also ensure that a shift supervisor is working each shift. It is permissible to utilize a Youth Worker III as a backup shift supervisor.
4. During sleep hours, the required staff ratio is one (1) Youth Worker on duty for every twelve (12) youth in the population, which is inclusive of the Shift Supervisor.

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5. In crisis situations, Superintendents may utilize counselors, the facility psychologist or other supervisory personnel to complete the complement of required Youth Worker staff coverage.

**B. Group Homes**

1. When there are more than eight (8) youth present in the facility during awake hours, group homes shall have a minimum of two staff members present on duty.
2. During non-awake hours, each facility is required to maintain at least one awake staff member on duty.
3. To the extent possible, a staff person shall be on duty in the facility when there are no juveniles on the property.
4. In crisis situations, Superintendents may utilize counselors to complete the complement of required Youth Worker staff coverage.

**C. Gender Requirement**

When both males and females are housed in the facility, at least one staff member of each gender shall be on duty at all times.

- D. Youth Worker staff present on each shift shall be trained in the facility emergency preparedness plans and certified in emergency first aid procedures, including cardiopulmonary resuscitation (CPR) and DJJ approved physical management techniques. Reference DJJPP 504.

**V. MONITORING MECHANISM**

Facility shift coverage assignments shall be monitored by the Facilities Regional Administrator or Regional Director, and the Education/Quality Assurance Branch.



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**REFERENCES:  
505 KAR 1:110  
3-JTS-1C-04; 2B-08; 5C-04  
3-JCRF-2B-03  
1-JDTP-1C-04, 05  
1-JBC-1C-04; 2B-07; 5C-05  
NCCHC Y-26**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Facility Capacities and Staffing Requirements**

**POLICY NUMBER: DJJ 319.1**

**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 Youth Development Center shall not exceed the facility's recommended maximum bed capacity. There shall be adequate personnel at each Youth Development Center to permit the full implementation of each youth's treatment plan.

## **II. APPLICABILITY**

This policy shall apply only to youth development 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 Youth Development Center.
2. The Commissioner may, for a period of not more than ninety (90) days, waive the capacity maximums in response to an emergency situation.

### **B. REQUIRED PERSONNEL**

At minimum, the following personnel shall be employed at each facility:

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1. Administrative Staff:

Superintendent II to provide administrative direction to all aspects of facility operations.

2. Psychologist:

One master level program psychologist per facility who serves as the Qualified Mental Health Professional for the facility to coordinate and supervise the treatment program.

Other professionals who fall within the parameters of Qualified Mental Health Professional as defined in KRS 600.020 may be employed in lieu of a psychologist in rural areas of the state given substantial proof that all reasonable efforts have been made, but have been unsuccessful, in recruitment efforts for a psychologist.

3. Counselors

Sufficient professional counseling staff to meet at maximum a 1:12 ratio.

4. Nursing Personnel

Two nurses per facility, at least one of whom is a licensed Registered Nurse.

5. Youth Workers

Sufficient personnel to comply with DJJPP 319 in the staffing for supervision of youth.

6. Recreation Director

One qualified recreation director per facility with capacity of 50 or more youths. Facilities with less than 50 beds shall have a staff member trained in recreation by the Training Branch Reference DJJPP 504.

**V. MONITORING MECHANISM**

The Superintendent and Classification Branch Manager shall monitor facility population capacity. The Superintendent and Facilities Regional Administrator shall monitor staffing levels. Education/Quality Assurance staff shall also review both resident population and required staffing levels during scheduled reviews.



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**REFERENCES:  
505 KAR 1:110  
3-JTS-3A-15  
3-JCRF-3A-09  
1-JBC-3A-14**

<b>CHAPTER: Program Services</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Transportation of Youth</b>	
<b>POLICY NUMBER: DJJ 320</b>	
<b>TOTAL PAGES: 4</b>	
<b>DATE ISSUED: July 15, 2005</b>	<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>	<b>, COMMISSIONER</b>

## **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 juveniles between the courts and detention, and between the courts/detention and treatment facilities. In other circumstances, the Department is responsible for transporting youth committed or sentenced to its custody. All travel arrangements for youth that are under the supervision of the Department shall be commensurate with the security level required to ensure youth, staff and public safety.

## **II. APPLICABILITY**

This policy shall apply to all group homes, youth development centers, and regional detention centers as well as to the Division of Placement Services, Classification & Transportation Branches.

*Reference DJJPP 600.3 for further information relative to community services.*

*Reference DJJPP 711 for further information relative to regional detention centers.*

## **III. DEFINITIONS**

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

## **IV. PROCEDURES**

- A. The Transportation Branch shall have primary responsibility for the transport of youth to and from various placement sites. Standard Operating Procedures

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that comply with the requirements of this policy shall be developed by the Transportation Branch Manager, approved by the Division of Placement Services Director, reviewed at least annually and updated as necessary.

- B. Youth being transported to detention and Level V facilities shall always be transported in mechanical restraints.
- 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.
- D. Personal vehicles shall not be used in the transporting of youth by facility staff except as authorized by the Superintendent. Personal vehicles shall not be used in the transport of youth when the use of restraints is necessary.
- E. Staff transporting youth shall observe the same gender requirements of KRS 605.080.
- F. Staff transporting youth shall not carry or use a firearm, knife, or other deadly weapon or dangerous instrument.
- G. The Juvenile Counselor for youth being transported between DJJ residential placements shall be responsible to see that all pertinent paperwork and information is available to the receiving placement before the trip is completed.
- H. When transporting a youth to and from In-State placement and the route that is to be traveled is outside the State boundaries, an Interstate Travel Permit shall be secured and accompany the youth. Reference DJJPP 213.
- I. All transportation planning shall take into consideration:
  - 1. The youth's history of crimes committed, violence issues, AWOL risks and the general attitude of said juvenile at the time of transport;
  - 2. The purpose of the transport, i.e., to placement, home, visit, medical, etc.
  - 3. The adequacy of staff, equipment and vehicles to be used in each transport;
  - 4. Any unusual condition or considerations involved in the movement.
- J. Personnel involved in transporting juveniles shall receive prior training in the procedures to be used. Reference DJJPP 504.
- K. The number of staff required to transport a youth shall be sufficient to minimize the risk of accident or injury to the youth and others. The transporter

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shall do a thorough search of the transporting vehicle to assure it is clean and free of contraband or materials that may be harmful. The transporter shall ensure the vehicle is inspected to confirm that gasoline, coolant, oil, battery, and tire pressure levels are adequate. The transporter shall conduct a thorough search of the youth. 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 juveniles who appear to be or have a history of violence, AWOL incidents, or other related crimes. Mechanical restraints shall be used in accordance with DJJPP 324. Every effort shall be made to use vehicles with security screens when transporting youth. Personal vehicles shall not be used in the transport of youth except as authorized by the Superintendent or designee.

- L. An emergency plan shall be prepared in case the transport is not on time as scheduled due to breakdowns, escapes or unforeseen circumstances. Emergency plans shall include:
  - 1. Telephone numbers of agencies to contact for assistance, such as state and local law enforcement agencies as well as the telephone numbers of the sending and receiving programs; and
  - 2. What actions the transporting staff is authorized to take, i.e. administering first aid, emergency medical services, use of physical restraints, search and apprehension in the event of escape, etc.
- M. During transport the transporter shall:
  - 1. Seat the youth in the vehicle in accordance with Standard Operating Procedures and ensure seat belts are properly secured;
  - 2. Follow the usual or designated route at all times unless extraordinary or emergency conditions arise;
  - 3. Make stops only for emergencies or at planned locations. Whenever feasible:
    - a. Restroom stops shall be made at DJJ facilities, offices or Kentucky State Police Posts; and
    - b. Meal stops shall be exercised via drive through services.
  - 4. In the event of a delay of thirty (30) minutes or more, or significant route changes, promptly attempt to contact the sending/receiving facility and the Transportation Coordinator.

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- N. Transportation that becomes overdue one (1) hour or more without reporting shall require the receiving facility to coordinate with the Transportation Branch and the sending facility to determine the location of and provision of assistance to the missing transporting unit.
- O. All receipts for gas or other car necessities shall be kept in an assigned place. Upon return to the workstation or before beginning additional transporting, the vehicles shall be searched for contraband, refueled, and the mileage sheet completed for the trip.
- P. Sheriffs are responsible for transporting Youthful Offenders to court upon final disposition at age 18. Law enforcement shall be reimbursed by the Department of Juvenile Justice for such transports.

**V. MONITORING MECHANISM**

Monitoring of transportation shall be done by the Superintendent or designee, the Facilities Regional Administrator or Regional Director, the Director of Placement Services and the Transportation Branch Manager.



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**REFERENCES:  
505 KAR 1:110  
3-JTS-3A-18, 28, 31  
3-JCRF-3A-02  
1-JDTP-3E-02  
1-JBC-3A-17, 18**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Critical Incident Reports**

**POLICY NUMBER: DJJ 321**

**TOTAL PAGES: 4**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

DJJ facilities shall have a system for reporting critical incidents. Prompt reporting shall take place according to established procedures.

**II. APPLICABILITY**

This policy shall apply to all day treatment programs, group homes, and youth development centers.

**III. DEFINITION**

A. "Critical Incident" means resident behaviors which compromise the health, safety or security of youth, staff or the program including, but not limited to:

1. Use of Isolation;
2. AWOL/Escape;
3. Assault by youth on youth;
4. Assault by youth on staff;
5. Major Property destruction;
6. Possession of Contraband;
7. Death of resident;
8. Major injury;
9. Suicide Attempt;
10. Use of restraint;
11. Other, including Medication Error.

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- B. “Major Rule Violation” means a rule infraction involving a grievous loss and requiring imposition of due process procedures. A grievous loss is any behavior that results in: disciplinary detention; (2) punishment which increases a Youthful Offender’s sentence or that may result in a forfeiture, such as loss of good-time; and (3) criminal prosecution. Therefore, Major Rule Violations include Escape, AWOL, physical or sexual assault or threat of physical or sexual assault, major property destruction, possession of contraband, and chronic program disruption that results in a grievous loss.
- C. “Restraint” means anytime a youth’s movement is restricted or redirected through a physical technique approved by the Training Branch and by which physical control is required due to non-compliance of the youth.

#### **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. Reference DJJPP 412.
- 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 shall be submitted by witnessing staff. The Superintendent or designee shall require a brief narrative of the incident to also be entered into the Progress Notes, or in JORI, 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

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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.
- 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. 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 the Division 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 Deputy Commissioner of Operations and the Commissioner.
- K. In accordance with protocol approved by the Deputy Commissioner of Operations, the superintendent shall forward copies of incident reports, including all supporting documentation, to the Regional Director or Facilities Regional Administrator.
- L. If appropriate, filing of public offenses shall be done after consultation with the Regional Director or Facilities Regional Administrator.

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**V. MONITORING MECHANISM**

Monitoring shall be conducted by the Superintendent; the Facilities Regional Administrator or Regional Director; and by the Education/Quality Assurance Branch.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:110 3-JCRF-4C-23, 24 1-JDTP-3B-16, 17 1-JBC-5C-12, 14</b>
<b>CHAPTER: Health and Safety Services</b>		<b>AUTHORITY: KRS 15A. 065</b>
<b>SUBJECT: Drug Testing</b>		
<b>POLICY NUMBER: DJJ 322</b>		
<b>TOTAL PAGES: 3</b>		
<b>DATE ISSUED: November 15, 2005</b>		<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>		<b>, COMMISSIONER</b>

## **I. POLICY**

Drug testing shall be used to protect the community, deter future criminal behavior, assist in assuring safety of youth and staff in residential settings, assure personal accountability, and assist in developing appropriate services and treatment planning for youths.

## **II. APPLICABILITY**

The Department may test youths that are probated, committed or sentenced to the Department, youth placed in any program or service operated by the Department, including youth in community placements, as well as any youth ordered detained pursuant to KRS 610.265.

## **III. DEFINITIONS**

- A. "Drug Screen" shall mean testing a specimen for the presence of all categories of drugs.
- B. "Onsite testing" shall mean the testing of specimens within the Department's facilities or offices using Department staff.
- C. "Positive result" shall mean illicit drug use is detected.
- D. "Negative result" shall mean illicit drug is not detected.

## **IV. PROCEDURES**

- A. Drug and alcohol screens may be administered to any youth in a Department operated or contracted group home, detention or residential program with the approval of the Superintendent or designee. Youth in private childcare may be screened for drug or alcohol use by the contract vendor.

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- B. Drug and alcohol screens may be administered to any DJJ committed or probated youth attending a Department Day Treatment Center. Non-adjudicated youth court ordered to attend a Day Treatment Program shall be subject to drug or alcohol screens. At the time of placement into a Day Treatment program, the parents of non-adjudicated youth shall be required to sign permission for drug testing to be done.
- C. The Department may use a combination of onsite testing and contracted services.
- D. A log shall be maintained at any Department onsite testing location. Log entries shall specify the youth's name, date of testing, name of staff person, and the results. Each program shall compile a monthly listing of the number of tests given and the test results.
- E. On site testing shall be conducted in a consistent manner.
- F. Drug and alcohol screening may be randomly implemented for the purpose of deterrence of any illicit substance abuse. Selected youths may be screened on the basis of a suspicion of use or because the youth has been in a situation such as a furlough where activities have not been monitored by facility staff. Youths on probation may be court ordered to submit to regularly scheduled drug and alcohol screens.
- G. Test results shall be used to:
  1. Identify youth who recently used illicit drugs;
  2. Request further alcohol and other drug assessments;
  3. Make recommendations for court dispositions;
  4. Notify parents of a youth's drug involvement;
  5. Develop treatment plans for youth;
  6. Make referrals to appropriate treatment agencies;
  7. Hold youths accountable and apply departmental sanctions for drug usage;
  8. Modify the conditions of probation/supervision;
  9. Reinforce continued sobriety and abstinence; and to
  10. Help keep facilities drug free.
  11. To support revocation procedures against youth.
- H. All youths shall be advised as part of orientation procedures or explanation of probation/aftercare terms that they are subject to drug testing at any time.
- I. Youths shall be informed in writing during the orientation phase of the purpose of drug testing and the consequences of positive test results including graduating negative sanctions, movement to a more restrictive level of care, revocation of probation or supervised placement, criminal charges filed by a law enforcement agency, or sanctions imposed by the court.

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- J. Youths shall be informed in writing that failure or refusal to cooperate by providing a specimen within a reasonable time period (i.e. 2 hours) is a violation and can result in graduated sanctions. Youth in DJJ programs may be kept on one to one supervision until they provide a specimen.
- K. Youths shall be required to sign a statement declaring comprehension of the drug testing procedures and the consequences of a positive drug test or a refusal to take the test.
  - 1. Youths shall be asked if there has been any drug usage, including prescription, over-the-counter, nonprescription, or illicit drug usage prior to the drug screening.
  - 2. To avoid the possibility of specimens being adulterated or otherwise tampered with the collection shall be observed. If a urine specimen is obtained it shall be observed by a person who is the same sex as the youth. Drug and alcohol screening shall take place in a private setting. No other youths shall be present during any part of the procedure. If a same sex person is not available the sample collection shall not be observed but should be controlled as much as possible. Youths shall be instructed to empty their pockets and remove jackets or coats prior to testing.
  - 3. Youths shall be instructed to wash, rinse, and thoroughly dry their hands prior to providing a urine specimen. Staff shall wear rubber gloves when handling urine specimens.
- L. Youth testing positive for drugs may be subject to escalating sanctions including verbal or written warnings, community service hours, adjustment in curfew, loss of furlough time, loss of privileges, increased frequency of testing, required drug treatment, house arrest, electronic monitoring, or short term detention, revocation, or other restrictions up to and including placement into a more secure environment.
- M. Youths who are tested and show negative results may be rewarded by praise, increased privileges, a decrease in the number of tests, more rapid advancement through treatment program, quickened release from probation or supervised placement, or tangible rewards.

**V. MONITORING MECHANISM**

The Superintendent of each program, each District Office Supervisor, Facilities Regional Administrators, Regional Director, and the Education/Quality Assurance Branch shall supervise and monitor these activities.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:110 3-JTS-3C-13; 3E-01-05 NCCHC Y-G-05</b>
<b>CHAPTER: Program Services</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Isolation</b>		
<b>POLICY NUMBER: DJJ 323</b>		
<b>TOTAL PAGES: 6</b>		
<b>DATE ISSUED: November 15, 2005</b>		<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>		<b>, COMMISSIONER</b>

## I. POLICY

Youth who threaten the secure and orderly management of the facility may be separated from the general population and placed in special isolation units to allow for individualized attention or to meet specific goals of the youth's treatment plan. Youth shall not be placed in isolation if they are considered to be a suicide risk.

## II. APPLICABILITY

This policy shall apply to Youth Development Centers.

## III. DEFINITIONS

- A. "Isolation" means the placement of a youth in a secure room under staff observation but without normal peer interaction for a period of time.
- B. A threat to security and order may include:
  1. Aggravated Assault – unlawful, intentional infliction of serious bodily injury;
  2. Sexual Assault – unlawful sexual intercourse or sexual contact through use of force or threatened use of force;
  3. Escape – see KRS 520.010(5);
  4. Attempted Escape/AWOL—see KRS 520.010(5);
  5. AWOL -Escape from grounds of non-secure program;
  6. Riot – a disturbance involving an assembly of three or more persons acting together, which by tumultuous and violent conduct results in injury to person(s).
  7. Plotting a Riot - person acting alone or in concert with others to plan a

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disturbance involving an assembly of three or more persons acting together, which by tumultuous and violent conduct may result in injury to person(s).

8. Dangerous Contraband – contraband capable of endangering the safety or security of a facility or persons therein, including but not limited to dangerous instruments as defined in KRS 500.080, an escape device, or any controlled substances, marijuana or intoxicant.
9. Severe Property Damage—see KRS 512.020, KRS 512.030, KRS 512.040.
10. Continuous Disruption to Program (Severe)—see KRS 519.020

#### **IV. PROCEDURES**

##### **A. Authorization**

1. Approval of the Superintendent, Administrative Duty Officer (ADO), Treatment Director or shift supervisor shall be obtained prior to placement of a youth into isolation. If prior authorization can not be obtained without jeopardizing safety and security, said authorization shall be obtained immediately following the safe securing of the youth. Placement into isolation shall not be utilized if the youth is considered to be a suicide risk.
2. The charge nurse or designee shall be notified immediately to review the youth's Medical Record and determine if there are contra-indications for the youth being placed in isolation.
3. A decision to keep a youth in isolation beyond an initial (4) hour period may only be authorized by the Facility Superintendent. If a Superintendent cannot be reached, the Regional Facilities Administrator shall be contacted for the authorization.
4. A facility Counselor, the Treatment Director or the ADO shall meet with the youth in isolation initially in the first four (4) hours and at least once every four (4) hours thereafter, during on-duty hours throughout the duration of the isolation placement to facilitate and assess the youth's progress in meeting the conditions of the plan for release.
5. The facility psychologist or designee shall conduct interviews and assessment for disturbances in mental status (e.g. depression; suicidal ideation; impaired thought processes, cognition or memory; agitation; paranoia; self-injurious behavior; evidence of bruises or other signs of trauma) when the youth's behavior has escalated beyond the staff's ability

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to control the youth by counseling or disciplinary measures.

6. When the youth is back under reasonable control, and demonstrating behavior in accordance with the terms of the plan for release, the youth shall be removed from isolation and provided re-entry into regular or special programming.
7. Under no circumstances shall youth be isolated longer than necessary to achieve the above noted expectations. In the rare instance that a segregated youth's out-of-control behavior lasts 24 hours, and there appears to be a need for continued intervention, qualified health personnel shall assess the youth daily for these physical and mental signs and symptoms. Any treatment provided shall be documented in the youth's Medical Record. No placement into isolation shall exceed five (5) days.
8. Staff shall notify the ADO or the Superintendent of youth released from isolation.
9. In the event that a youth in isolation threatens suicide or behaves in a fashion that may be suicidal (Reference DJJPP 405.4), the staff shall follow the protocol for dealing with Mental Health Emergencies as detailed in DJJPP 405.5.

## **B. DOCUMENTATION**

Each time a youth is placed in isolation, the following information shall be documented and placed in the youth's Individual Client record with copies to the Superintendent, the Facilities Regional Administrator, and the Regional Director's Office:

### **1. Isolation Packet**

- a. The Isolation Packet shall include reason for the isolation; the duration of the isolation; and the reason for the duration of the isolation; and
- b. Staff person authorizing isolation and the time the approval was received.

### **2. Isolation Room Checklist**

All youth in isolation shall be afforded living conditions and privileges approximating those available to the general population. Exceptions are

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justified, in writing, by clear and substantial evidence. Living conditions and privileges include, but are not limited to the following:

- a. Adequate floor space and light.
- b. One (1) hour of physical recreation daily.
- c. Meals that are approved by a registered dietitian eaten inside the isolation room. Utensils may be withheld due to safety concerns.
- d. Appropriate clothing, with the removal of clothing articles that could be harmful. (Paper gowns shall be provided if all clothing is removed).
- e. A daily shower unless it is unsafe to do so.
- f. Education services may be offered, but any educational materials that could be used as a weapon shall be prohibited.
- g. A mattress, blanket and pillow shall be provided at night for sleeping.
- h. Counseling by staff at least daily and as needed shall occur.

### **3. Medical Checklist**

- a. The time and the results of the facility nurse's or health trained staff examination of the youth in isolation. This review shall occur immediately upon placement of the youth in isolation or as soon as it is safe to do so.
- b. Any injuries, bruises, or scratches shall be documented and observations shall be noted by a minimum of two staff. The nurse or designee shall document the date, time and results of this examination.

### **4. Plan for Release (The action plan for release from isolation;)**

- a. Staff shall inform the youth of what is expected for release
- b. Upon placement of a youth in isolation, staff shall immediately develop and write an action plan for the release of youth from isolation. The plan shall include:
  - (1) The reason for the confinement, i.e., safety of facility staff and/or youth or in accordance with the treatment plan;
  - (2) The criteria for release shall be staff's determination that the youth has regained control of his behavior; is acting in accordance with the terms of his treatment plan; is no longer a threat to other youth, staff or themselves; and that the youth is not presenting interference in the treatment of other youth.

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(3) Youth shall be responsible for the daily cleaning of their living area while in isolation.

**5. Professional Review(s)**

- a. There shall be a formal professional review of each placement in isolation. This review shall be conducted within an appropriate period following the initial placement. The review shall be repeated at appropriate intervals while the youth remains in isolation. The initial review shall be during the first four (4) hours the youth is in isolation, and every four (4) hours thereafter, during the day. There shall be a review every ten (10) hours at night.
- b. This review shall be conducted by an appropriately qualified and competent professional, including a counselor, the ADO, or facility based psychologist.
- c. This review shall evaluate whether the initial and continued placement is necessary to meet treatment goals or immediate and short-term security needs; and what amount of time the youth shall be in isolation to meet the treatment goals or the action plan for release.
- d. Documentation shall include the name and title of the person conducting the review; date and time the review was conducted; and recommendations of the review.

**6. Observation Log/Addendum**

- a. Staff shall monitor the youth at least every 15 minutes for the youth's compliance with the release criteria. These checks shall involve personal contact with the youth.
- b. 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.
- c. Visits conducted by the facility nurse or medically trained staff, the counselor and/or any other staff visiting the youth each 24 hours that the youth is in isolation and a summary of the results of each visit. All interactions with the youth shall be documented in log format.

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**V. MONITORING MECHANISM**

Incidents of use of isolation shall be reviewed by the Facilities Regional Administrator. Education/Quality Assurance staff shall also review written documentation during their scheduled reviews. The facility superintendent, facility psychiatrist and facility charge nurse shall discuss use of isolation and unusual incidents during quarterly Medical/Administrative meetings.



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

**REFERENCES:**  
**505 KAR 1:110**  
**3-JTS-3A-16-18, 26, 27, 29, 31;**  
**4C-35**  
**3-JCRF-3A-02; 4C-17**  
**1-JDTP-3E-02;**  
**1-JBC-3A-18, 20, 21, 27, 28**  
**4C-33**  
**NCCHC Y- 66**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Mechanical Restraints**

**POLICY NUMBER: DJJ 324**

**TOTAL PAGES: 4**

**DATE ISSUED: November 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

Mechanical restraint equipment shall be used only as a control measure and only when all other actions appropriate to the situation have been ruled out. Mechanical restraints are not intended for, and shall be prohibited for use as, a means of discipline and punishment.

## **II. APPLICABILITY**

This policy shall apply to all group homes and youth development centers. For use of mechanical restraints in detention centers see DJJPP 713.

*The use of mechanical restraints shall be prohibited in day treatment programs.*

## **III. DEFINITIONS**

A. "Mechanical restraints" means fleece-lined leather, canvas or soft rubber restraints; handcuffs; chains; anklets; or any other devices approved or authorized by the Mental Health Director or designee used to limit the movement of a youth's body.

## **IV. PROCEDURES**

A. Before using mechanical restraint equipment, it shall be determined that no other alternatives are available which will control the youth, and, at the same

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time, protect staff and other residents. Use of mechanical restraints shall be restricted to:

1. Gaining control of out-of-control youths as a prevention against serious self-injury, injury to others, or property damage.
  2. As a precaution against escape or assault during transport.
- B. 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) procedures outlined in DJJPP 406 shall be followed.
- C. DJJ staff who are required to use mechanical restraints shall be certified by the Division of Staff Development in approved methods of restraint before being allowed to apply the restraints upon a youth without assistance of another certified staff. The Superintendent shall work with the Training Branch to ensure staff receive basic and ongoing training in approved methods of restraint. Reference DJJPP 504.
- D. Except as noted in "E.", the event shall be documented on an incident report form when staff find it necessary to mechanically restrain a youth. The incident report shall be completed within the timeframes specified in DJJPP 321 and filed in the youth's Individual Client Record. The specific mechanical restraint equipment used shall be noted in the incident report. The report shall be reviewed by the Superintendent for compliance with policy and procedure.
- E. Youth being transported to and from Level 5 facilities or secure detention facilities shall always be transported in mechanical restraints. The only exception shall be for youth being transported home or to a community-based placement for furlough or upon release from the facility. An incident report form shall **not** be required for the use of mechanical restraints in routine transports to or from these facilities; however, required documentation shall be entered on the mechanical restraint inventory/usage log.
- F. Minimum force shall be used in the application of mechanical restraints to reduce the possibility of injury to the youth and to the staff. Cuffs and leg shackles shall be double locked. Handcuffs, shackles, or hard plastic straps used to subdue and/or transport a youth shall not be affixed to a stationary object in any manner so as to constitute a fixed restraint. It also shall be prohibited to restrain a youth in an unusual position (e.g., face down, spread eagle, hog tied).
- G. Youth shall not to be held in mechanical restraints longer than the time

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absolutely necessary. In the situation where the mechanical restraints are for the management of violent behavior:

1. When no change occurs within the first 30 minutes, staff shall begin the evaluation of the youth for possible referral to appropriate resources.
  2. Restraints shall be removed when there is positive change in a youth's behavior or attitude, it is believed that the youth can be controlled without them, and it is safe to do so. Decision to release from therapeutic restraint shall be made by the facility psychologist or Regional Psychologist.
- H. If an injury occurs in the course of use of mechanical restraints, it shall be fully documented. Prompt medical attention shall be required when injuries are serious enough to warrant anything other than first aid. 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.
- I. Authorization for the use of mechanical restraints in youth development centers may be granted by the Administrative Duty Officer, Superintendent or Regional Facilities Administrator. In group homes, authorization for the use of mechanical restraints may be granted by the Superintendent or Facilities Regional Administrator.
- J. Mechanical Restraint Equipment Inventory:
1. The availability, control, and use of mechanical restraint equipment shall be the responsibility of the Superintendent or designee, or the Regional Director or designee.
  2. Mechanical restraints shall be engraved with DJJ markings and shall be secured in a location that is accessible only by supervisory staff. Documentation shall be maintained in the form of inventory and use log(s) to provide accountability for their whereabouts and use.
  3. The Superintendent or Regional Director or designees shall review the mechanical restraint inventory and use records monthly and ascertain that equipment listed is secured in the locations noted.
  4. Reusable restraint equipment shall not be used on another person until it is properly cleaned and disinfected. Commercial products shall be available for disinfecting.

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**V. MONITORING MECHANISM**

The Regional Director or Facilities Regional Administrator, Director of Mental Health Services, and Education/Quality Assurance Branch shall monitor compliance with this policy.



**JUSTICE CABINET  
DEPARTMENT OF  
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POLICY AND PROCEDURES**

**REFERENCES:  
505 KAR 1:110  
3-JTS-3A-19-21; 5H-16  
3-JCRF-3A-12  
1-JDTP-3E-08  
1-JBC-3A-22—24**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Searches**

**POLICY NUMBER: DJJ 325.1**

**TOTAL PAGES: 3**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**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 be applicable to group homes, and youth development centers.

**LIMITED APPLICABILITY**

*In day treatment programs the facility and grounds, youth and their personal belongings may be searched at any time. Only frisk searches and the use of metal detectors shall be permitted. Frisks and metal detector searches, shall be completed [~~done~~] when the youth first arrives at the program in the morning, when they return at any point in the day, and whenever a youth is suspected or rumored to have contraband. Superintendents shall ensure adequate staff is present to conduct morning searches. Frisks shall be documented in the search log and an incident report completed if contraband is discovered. Only staff who have received search techniques training provided, or sanctioned, by the Department of Juvenile Justice may assist in the conduct of searches. When possible, two staff shall conduct the search.*

**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 pat-down search which includes the removal and inspection of shoes, jackets, sweaters, gloves and hats and inspection of the contents of all

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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. The facility and grounds, youth, their rooms and personal belongings of youth and staff may be searched at any time. Youth room searches shall be conducted at least weekly. 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.
- B. A complete search of the youth and possessions shall be conducted at the time of admission, to include metal detector scanning in programs having such equipment. Frisk and metal detector searches shall be completed when a youth returns from an off site activity and at other times as necessary.
- 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 and Facilities Regional Administrator.
  - 2. **Strip Searches** shall be utilized prior to admission into the general population 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

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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 321 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.;
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 Facilities Regional Administrator by the next working day following occurrence.

G. Search of Visitors:

1. Visitors of youth shall be required to be scanned with a metal detector at any DJJ program.
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 Facilities Regional Administrator 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 1:110  
3-JTS-3A-19  
3-JDF-3A-19  
3-JCRF-3A-12  
1-JDTP-3E-08  
1-JBC-3A-22  
1-SJD-3A-16  
KRS 218A.50  
KRS Chapter 218A**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Contraband, Seizure and Chain of Custody**

**POLICY NUMBER: DJJ 326**

**TOTAL PAGES: 6**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

The Department shall ensure the safety of the youth and the environment within a program by controlling the introduction of contraband into the environment. When contraband is discovered, staff shall ensure seizure and security of the contraband, maintaining chain of custody accountability if the item(s) are to be entered into evidence in District or Circuit Court. Confiscated evidence shall be secured in a locked area under the control and supervision of the facility Superintendent. Victims of sexual assault shall be referred under appropriate security provisions to a community facility such as an emergency room for evaluation, treatment and collection of evidence.

## **II. APPLICABILITY**

This policy shall apply to all state operated or contract programs providing services to youth sentenced or committed to, or placed in the care and custody of, the Department of Juvenile Justice.

*(Reference DJJPP 621 for related Community Services policy.)*

## **III. DEFINITIONS**

A. "Contraband" is defined in KRS 520.010(1) and includes, but is not limited to, tobacco, pins, needles, sewing equipment, aerosol cans, toxic cosmetics (such as nail polish remover), modeling glue, cleaning fluids, paints, razors,

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tools, ropes, chains, extremely toxic house plants, broken articles, drug paraphernalia, as defined in KRS 218A.500, and any other item used to subvert security measures, assist in an escape event, or as indicated by the Superintendent or designee.

B. "Chain of Custody" means documented accountability for the custody of evidence from the moment in which it reaches the staff's custody until the moment in which it is offered as evidence. The knowledge or record of each person who has come into possession of a physical object from the time it is discovered until it is presented in court.

C. "Dangerous Contraband" is defined in KRS 520.010 (3) and means contraband which is capable of use to endanger the safety or security of a detention facility or persons therein, including, but not limited to, dangerous instruments as defined in KRS 500.080, any controlled substance, any quantity of an alcoholic beverage, and any quantity of marijuana, and saws, files, and similar metal cutting instruments.

D. "Dangerous Instrument" is defined in KRS 500.080(3) and means any instrument, including parts of the human body when a serious physical injury is a direct result of the use of that part of the human body, article, or substance which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury.

E. "Deadly weapon" is defined in KRS 500.080(4) and means any of the following: a weapon of mass destruction; any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged; any knife other than an ordinary pocket knife or hunting knife; billy, nightstick, or club; blackjack or slapjack; nunchaku karate sticks; shuriken or death star; or artificial knuckles made from metal, plastic, or other similar hard material.

#### **IV. PROCEDURES**

A. Youth Development Centers, DJJ operated detention facilities, and other DJJ programs as directed by the Commissioner shall have a sign posted in a visible location on the grounds of the facility to advise all

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persons that it is a violation of Kentucky law to bring weapons, intoxicants, drugs and other contraband onto the grounds or into the premises. The Office of Counsel shall approve the content of each sign.

- B. Searches shall be conducted in accordance with DJJPP 325.1.
- C. Items confiscated in the possession of a youth which are dangerous shall be transferred to supervisory personnel for proper storage or disposal. The transfer shall be documented listing date, time, and transferring employee. Other items which are in violation of facility policy or are not essential to the well-being of the youth shall be disposed of or properly stored.
- D. The illegal possession of any controlled substances may be subject to the penalties of KRS 218A and KRS 520.050. Any and all controlled substances shall be immediately confiscated by the staff, observing procedures for Chain of Custody accountability. These controlled substances shall be sealed in an envelope and labeled, placed under lock and key, and the Superintendent or ADO shall be notified immediately. Law enforcement shall be notified before the end of the shift by the Superintendent or designee and requested to pick up the controlled substance for storage or disposal. If law enforcement is unable to pick up the controlled substance a designated DJJ employee shall transport the controlled substance to a KSP post or a proper law enforcement agency, observing the Chain of Custody procedures.
- E. An incident report shall immediately be filled out by the confiscating worker indicating the following:
  - 1. Name of youth allegedly possessing controlled substances;
  - 2. Suspected type of controlled substance;
  - 3. Number of pills or estimated number of ounces; and
  - 4. Whether the youth is suspected of selling controlled substances.
- F. Any deadly instrument or weapon shall be confiscated. In the confiscating of a deadly weapon, procedures for Chain of Custody accountability shall be observed. The Superintendent, law enforcement, the Facilities Regional Administrator and Regional Director shall be notified immediately. The Superintendent shall ensure the safety of residents and staff in confiscating deadly weapons.
- G. Immediate action shall be taken upon the direction of the Superintendent or ADO, which may include a report filed with the appropriate law enforcement agency.
- H. An incident report shall be written and placed in the youth's case record.

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## **I. Evidence: Chain of Custody**

1. Any confiscated contraband that is also an illegal item or a deadly weapon shall be turned over to the proper law enforcement agency.
2. The most positive means to identify a confiscated object which may be introduced in evidence is to keep accurate, detailed records of the evidence in regards to chain of custody. Record keeping of the knowledge or record of each person who has come into possession of a physical object from the time it was discovered until it is presented in Court is crucial. Confiscated evidence shall be transferred as few times as is practical.
  - a. Once the evidence is confiscated and in the custody of staff, it shall be surrendered as soon as practical to the Superintendent or Administrative Duty Officer.
  - b. Evidence confiscated shall not be left unattended for any period of time. It shall be placed under lock and key as soon as possible.
  - c. Marking Evidence for Identification
    - (1) Any item confiscated may be placed in an envelope or plastic bag. If the property is confiscated, a Chain of Custody Form shall be utilized.
    - (2) The following items are illegal items that may be confiscated. The information listed with each item shall be recorded for identity purposes on the envelope or plastic bag:
      - i. Firearms—List caliber, brand, type, barrel length, finish, model number, and serial number.
      - ii. Weapons (Other than Firearms)—List the type, brand name, size, color and serial number, if applicable.
      - iii. Drugs and Medicines—List the type and amount and specify if pill or liquid form.
      - iv. Alcoholic Beverages—List the number of containers, container type, size, brand and alcohol content. Indicate whether the seal has been broken on the container.
  - d. Examination or Removal of Evidence Retained at the Facility
    - (1) Anytime the evidence is viewed, examined, or taken from the secured area for specific legitimate purposes, there shall be two (2)

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persons present. The event shall be recorded following the Chain of Custody procedure and both persons names shall be recorded.

- (2) If the item is removed from the secured area for Court, hearing, etc., the portion of the Chain of Custody Form shall be appropriately filled out. The staff member removing the evidence is assuming responsibility for the evidence.
- (3) If the evidence has been removed for the purpose of administration, Court, or examination purposes, the evidence shall promptly be returned to the secured area and date and time of return noted on the evidence envelope.
- (4) Anytime evidence is released to the custody or control of another authorized person, that person shall sign the evidence out on the Chain of Custody Form, including date and time obtained, for accountability.

e. Disposal of Evidence: Time Tables

- (1) In cases where evidence has been seized from a youth and said evidence WAS NOT used for court proceedings, the evidence may be disposed of within thirty (30) days after confiscation. (Note: The only item which may not be disposed of in thirty (30) days is a firearm as KRS 500.090 sets a ninety (90) day timetable.
- (2) Evidence which has been utilized in court proceedings may be disposed of one (1) year from the date of final disposition of the case involving the evidence; although, evidence utilized in court should become the responsibility of local law enforcement.
- (3) The Superintendent or designee shall inventory evidence in a secure, locked area, which is under the control and supervision of the Superintendent, on a semi-annual basis to ensure disposal according to timetables outlined.

f. Method of Disposal

- (1) According to KRS 67.594, evidence may be disposed of in accordance with a court order.
- (2) If the court order is not specific regarding the method of disposal, consult the Regional Facilities Administrator before any action is taken. Methods of disposal may include:
  - i. Turning the evidence over to the State Police for disposal.

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- ii. Pouring alcoholic beverages down a drain (same being witnessed by two persons).
  - iii. Burned, at a designated location.
- (3) Methods of disposal other than those listed above shall have the prior approval of the Division Director.
- (4) If evidence is ordered by the Court to be sold, it shall be done in accordance with Departmental Policy and Procedures regarding Disposal of Surplus Property.
- (5) The Superintendent or designee shall be present any time evidence is disposed of.
- g. Proof of Ownership by a Third Party
  - (1) Evidence that has been seized during a search (and is not an illegal substance) may be returned to its lawful owner if proper proof of ownership is established.
  - (2) Prior to releasing any evidence to a third party, the Superintendent or the Administrative Duty Officer shall be advised. A document shall be signed by the third party and witnessed by two people acknowledging receipt of the item confiscated. The signed document shall be maintained in the case file.

**V. MONITORING MECHANISM**

This activity shall be monitored by the Superintendent and the Facilities Regional Administrator or Regional Director.

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES:</b>  <b>505 KAR 1:110</b>  <b>3-JTS-3B-15</b>  <b>3-JCRF-3A-08</b>  <b>1-JDTP-3E-10, 11</b>  <b>1-JBC-3B-15</b></p>
<p><b>CHAPTER: Program Services</b></p>		<p><b>AUTHORITY: KRS 15A.065</b></p>
<p><b>SUBJECT: Escape/AWOL</b></p>		
<p><b>POLICY NUMBER: DJJ 327</b></p>		
<p><b>TOTAL PAGES: 7</b></p>		
<p><b>DATE ISSUED: July 15, 2005</b></p>		<p><b>EFFECTIVE DATE: 02/03/06</b></p>
<p><b>APPROVAL: Bridget Skaggs Brown</b></p>		<p><b>, COMMISSIONER</b></p>

**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 group homes and youth development centers.

*Day Treatment youth who do not report to the program site as scheduled, or leave the site without staff permission, shall be considered as unexcused absences and not as missing youth.*

**III. DEFINITIONS**

- A. "AWOL" occurs when a public offender youth is absent without permission from a Level I or II placement. Reference DJJPP 201.
- B. "Escape" occurs when a public offender is absent without permission from a Level III, IV or V facility; or a youthful offender is absent without permission from any facility. Escape is defined in KRS 520.010, 520.020, 520.030, and 520.040. Reference DJJPP 201.

**IV. PROCEDURES**

- A. A Kentucky Missing Person's Report and the DJJ Escape/AWOL Report shall be completed on each youth during the admissions process by the assigned counselor or designee and filed in the youth's Individual Client Record. Data on the Kentucky Missing Persons Report shall be updated as necessary during placement by the counselor or designee.

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- B. Staff shall at all times be alert to the possibility that any youth might AWOL/Escape either from the facility's immediate boundaries or while on a community visit. Staff shall take appropriate and well defined measures to prevent, when possible, a youth 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 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.
- C. Anytime a youth is determined to be missing from staff's immediate care and supervision, the incident shall be considered serious in nature, and appropriate procedures shall be followed to locate and return the resident to the original program site.
- D. Following the issue of a Commissioner's Warrant the youth shall be entered into LINK/NCIC. Reference with DJJPP 610.1.IV.B.4.
1. The Facilities Regional Administrator shall complete DJJPP form "Wanted-Absconder Notice and Cancellation," and shall forward to the Regional Director for approval.
  2. Once approved, BOTH the signed copy of the Commissioner's Warrant and the Wanted-Absconder Notice and Cancellation Form shall be FAXED to the Kentucky State Police (KSP) Radio Room for entry into LINK/NCIC and a copy FAXED to the Branch Manager of Classification. The Facilities Regional Administrator shall send notification to the Regional Director.
  3. When youth is located it is the responsibility of the Facilities Regional Administrator to immediately FAX a cancellation notice on the Wanted-Absconder Notice and Cancellation Form to the Kentucky State Police Headquarters Radio Room. The Department shall be responsible for the return of juveniles arrested out of state. The point of contact for the Kentucky State Police is the Facilities Regional Administrator as listed on the Wanted-Absconder Notice and Cancellation Form.
  4. The Division of Placement Services shall review and make changes to the validation list provided KSP by the required date. Reference 211.IV.B & C.
- E. In instances where the missing youth is suspected to possess a weapon, staff shall request assistance from law enforcement officials using the most expeditious means available. Staff shall not proceed or do anything that may escalate the situation.

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F. The Superintendent of each DJJ program shall establish written procedures for searching for and returning to custody missing youth. These procedures shall be set forth in the program's Standard Operating Procedures (SOP) Manual and 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 AWOL/escape procedures.

G. Staff looking for an AWOL/ escapee shall not:

1. 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;
2. Carry or use a firearm, knife, or other weapon or dangerous instrument;
3. Use unnecessary force. Any use of restraint necessary in the course of apprehension and return to custody shall be applied in accordance with DJJPP 322 and 324.
4. Cause unnecessary annoyance or alarm or make unreasonable noise;
5. Engage in any activity that creates a hazardous or physically offensive condition;
6. Violate any law or ordinance; and
7. Use or allow other youth to look for, take into custody or return a missing youth.

#### G. YOUTH MISSING FROM A PROGRAM SITE

In the event a youth is AWOL or escapes from a program site, the following procedures apply:

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). Law enforcement may only register this report into NCIC as a missing person under current regulations.

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2. Facility staff shall utilize the Kentucky Missing Person's Report as a reference document when making the verbal escape report; additional information needed at the time of the report includes a description of what the youth was wearing at the time of escape and suspicion of any injuries occurring in the course of the escape/AWOL.
3. The Superintendent shall institute a formal record keeping process **other than the program log** to accurately document the events of the incident. 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. This record shall be entered into the youth's Individual Client Record as attachment to the Critical Incident Report when completed.
4. The Superintendent shall in all cases select available staff to conduct a search and designate a person to be in charge of the search. After ensuring the safety and security of other youth, staff shall look for the missing youth within the facility's property boundaries. A search shall be made of the immediate vicinity in which the youth became missing.
5. After ensuring the safety and security of other youth, an off-grounds search shall be conducted when appropriate. 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. Information obtained as a result of looking for the missing youth shall be communicated immediately to appropriate law enforcement agencies using the most expeditious means available. Photograph of the missing youth(s) shall be provided to law enforcement. This cooperation may include staff riding with officers in patrol cars as requested; however, DJJ staff shall not be equipped with—or authorized to use—firearms, chemical restraints nor any other device that may be construed as a weapon. They shall observe the rights of property owners and citizens. They shall not go onto or enter private property without the express permission of the owner.
6. The Superintendent or designee shall immediately notify the Facilities Regional Administrator (FRA) or Regional Director of all incidents of missing youth. The FRA or designee shall immediately notify the Regional Director. In turn, the Regional Director or designee shall notify the Deputy Commissioner of Operations and the Deputy Commissioner shall notify the Commissioner as soon as practical about the incident.

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Up-lining all escapes **requires actual contact** with an upline representative.

7. The Deputy Commissioner shall notify the DJJ Office of Communications. The Office of Communications shall conduct or coordinate response to all media contacts and inquiries.
8. The Superintendent shall immediately initiate the issue of a Commissioner's Warrant to convey authorization for any peace officer to take the youth into custody for return to a DJJ facility or detention center upon apprehension to await the action of the Department.
9. Within 2 hours, the youth's family or surrogates and the Juvenile Service Worker shall be notified. The Juvenile Service Worker shall contact the AWOL youth's family immediately by telephone or personal contact. When notifying the youth's family, it shall be made clear that assistance is requested in notifying the appropriate law enforcement agencies and DJJ agencies if the youth's location becomes known to them.
10. Within four (4) hours, the written Escape Report shall be faxed to the Division and Central Offices. This report shall not substitute for the upline telephone call and actual contact made with the upline representative.
11. Within 24 hours of the next business day, the assigned Juvenile Service Worker, with local or State Police assistance, shall visit the youth's home of record in an effort to apprehend and return the juvenile to custody.
12. The Superintendent or designee shall file escape charges with the local prosecutor as soon as possible, unless cause has been presented and approved by the Facilities Regional Administrator/Regional Director to not pursue formal charges. The Court/Placement Specialist shall provide necessary support and assistance in this process to obtain order for the Bench Warrant as expeditiously as possible.

#### H. YOUTH MISSING WHILE ON A COMMUNITY VISIT OR INPATIENT HOSPITALIZATION

If a youth becomes missing while on a community visit (i.e. medical visits, school, recreational or work activities, escorted or unescorted day release, furlough, etc.) or while hospitalized away from the facility for in-patient medical or psychiatric care all procedures outlined in Section G, except # 4, of this policy shall be followed.

- I. Reference DJJPP 615 regarding correlating policies and procedures for DJJ Juvenile Service staff.

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J. When a missing youth is found, all efforts shall be made by DJJ staff or appropriate law enforcement personnel to ensure the youth is safely taken into custody. The Juvenile Service Worker, and the family shall be notified once the youth is returned to the program site or taken into custody by law enforcement. Transportation arrangements shall be a joint responsibility between the community and facility staff. When a youth appears in court for a new offense while on AWOL status, the final disposition of the case rests with the district judge. The youth may be placed in detention pending disposition of the new charges, or may be returned to a program awaiting disposition.

**K. INVESTIGATIONS**

1. The Deputy Commissioner shall make copy of all escape/AWOL incident reports available to the Education/Quality Assurance Branch Manager.
2. The Deputy Commissioner shall use a three tiered approach to categorizing Escapes/AWOLS from Youth Development Centers for the purpose of investigation.
  - a. Category I: This type of escape is one in which the youth simply runs or walks away while participating in on- or off-campus activities or fails to return from unescorted day leave or furlough. The Superintendent and Facilities Regional Administrator shall conduct the investigation and forward the findings through the Division Director to the Deputy Commissioner and to the Education/Quality Assurance Branch Manager. Time frame for submission of the investigation report is fourteen (14) working days from the date of the escape.
  - b. Category II: This is an escape in which a youth assaults staff, steals or causes damage to facility property in order to break free of staff supervision, steals a facility or staff vehicle, or escapes from a secure facility. It may also be an escape that occurred while the staff was transporting a youth to an off-campus activity and one of the factors related to this category are involved in the escape (such as stealing the vehicle). Education/Quality Assurance staff shall conduct the investigation. The Education/Quality Assurance Branch Manager shall assign a Education/Quality Assurance staff person to begin an investigation the next working day after the incident is reported. Findings shall be forwarded through the Education/Quality Assurance Branch Manager to the Deputy Commissioner. Time frame for

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submission of the investigation report is fourteen (14) working days from the date of receipt of report.

- c. Category III: This is an escape that fits into Category I, but either the Regional Management staff, the Deputy Commissioner or the Commissioner feel a more detailed investigation is needed because of discrepancies in the facility report, or because there has been a series of escapes or critical incidents that could point to problems with facility operations. The Commissioner or Deputy Commissioner shall advise the Education/Quality Assurance Branch Manager of the need to conduct the investigation and ensure all investigative reports from the Superintendent or Facilities Regional Administrator are forwarded to the Education/Quality Assurance Branch. Time frame for submission of the investigation report is fourteen (14) working days from the date of request.
3. Investigations of AWOLs from group homes may be initiated in accordance with the above protocol at the discretion of the Deputy Commission of Operations.
4. An action plan of correction/prevention shall be submitted by the Superintendent of the facility from which the AWOL/escape occurred within fifteen days following the conclusion of the regional investigation or the receipt of the Education/Quality Assurance investigation. This plan shall be submitted through the Facilities Regional Administrator to the Regional Director and Deputy Commissioner. These action plans **require** implementation dates and documented completions of outlined action steps.
5. After approval, copy of the plan shall be forwarded to the Education/Quality Assurance Branch Manager. Follow-up to determine if the plans of correction have been implemented shall be conducted by the Education/Quality Assurance Branch during regularly scheduled program audits unless otherwise specified by the Deputy Commissioner.

## V. MONITORING MECHANISM

Records maintained on critical incidents shall be reviewed by the Education/Quality Assurance Branch. An annual report and statistical analysis of AWOL/Escapes occurring in DJJ 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.



COMMONWEALTH OF KENTUCKY  
DEPARTMENT OF JUVENILE JUSTICE  
ESCAPE/AWOL REPORT

**FACILITY, ADDRESS AND PHONE:**

**AUTHOR OF REPORT:**

**DATE, LOCATION AND TIME OF ESCAPE/AWOL:**

**RESIDENT NAME:**

(LAST)

(FIRST)

(MI)

**GENDER:**

**SS#:**

**DJJ#:**

**DOB:**

**AGE:**

**RACE:**

**HEIGHT:**

**WEIGHT:**

**IDENTIFYING MARKS:**

**COUNTY RESIDENCE:**

**COUNTY COMMITMENT:**

**COMMITMENT DATE:**

**PLACEMENT DATE:**

**OFFENDER TYPE:**

(Public Offender/Youthful Offender)

**CLASSIFICATION/PRIMARY OFFENSE:**

**PRIMARY OFFENSE:**

**PREVIOUS CHARGES:**

**HISTORY OF VIOLENCE (specify):**

**NARRATIVE OF ESCAPE/AWOL (Include How and Motive):**

**SPECIAL RISK FACTOR/CONCERN/CIRCUMSTANCES:**

HIGH  MEDIUM  LOW

# KENTUCKY MISSING PERSONS REPORT

<input type="checkbox"/> JUVENILE			<input type="checkbox"/> ADULT			<input type="checkbox"/> UNIDENTIFIED		
AGENCY			CASE NO.			ORI		
DATE MISSING (or body found)		MO. / DA. / YR.	TIME MISSING		<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	DATE REPORTED		MO. / DA. / YR.
NAME LAST FIRST MIDDLE			PHOTO ATTACHED:			YES <input type="checkbox"/> IF NO NO <input type="checkbox"/> WHERE STORED:		
ALIASES/Nicknames								
ADDRESS (or Location Body Found)								
RACE <input type="checkbox"/> White <input type="checkbox"/> Indian <input type="checkbox"/> Hispanic <input type="checkbox"/> Black <input type="checkbox"/> Asian			SEX <input type="checkbox"/> M <input type="checkbox"/> F		HAIR <input type="checkbox"/> Black <input type="checkbox"/> Blond <input type="checkbox"/> White <input type="checkbox"/> Bald Color <input type="checkbox"/> Brown <input type="checkbox"/> Gray <input type="checkbox"/> Red			
HAIR <input type="checkbox"/> Above ear <input type="checkbox"/> Collar <input type="checkbox"/> Below Length <input type="checkbox"/> Covers ear <input type="checkbox"/> Shoulder Shoulder			FACIAL <input type="checkbox"/> None <input type="checkbox"/> Beard <input type="checkbox"/> Mustache Hair <input type="checkbox"/> Unshaven <input type="checkbox"/> Goatee <input type="checkbox"/> Sideburns		BUILD <input type="checkbox"/> Thin <input type="checkbox"/> Heavy <input type="checkbox"/> Medium <input type="checkbox"/> Muscular			
EYE <input type="checkbox"/> Black <input type="checkbox"/> Blue <input type="checkbox"/> Maroon <input type="checkbox"/> Green Color <input type="checkbox"/> Brown <input type="checkbox"/> Gray <input type="checkbox"/> Unknown <input type="checkbox"/> Hazel			HEIGHT		WEIGHT		DOB	AGE
COMPLEXION <input type="checkbox"/> Fair/Light <input type="checkbox"/> Dark <input type="checkbox"/> Black <input type="checkbox"/> Medium <input type="checkbox"/> Ruddy <input type="checkbox"/> Other			TEETH		<input type="checkbox"/> Protruding <input type="checkbox"/> Chipped		<input type="checkbox"/> Gaps <input type="checkbox"/> Decayed	<input type="checkbox"/> Gold Capped <input type="checkbox"/> Straight
SCARS OR BIRTHMARKS								
TATTOOS OR DEFORMITIES								
ARTIFICIAL PARTS <input type="checkbox"/> Eyeglasses <input type="checkbox"/> Dentures <input type="checkbox"/> Prosthesis <input type="checkbox"/> Contacts <input type="checkbox"/> Hearing Aid (Artificial Parts)								
CLOTHING last seen wearing: Shirt, Shoes Belt, Slacks, Dress etc.								
ADDITIONAL Clothing Taken:								
JEWELRY:								
SOCIAL SECURITY NO.			OPERATORS LICENSE NO.			FINGERPRINT CLASSIFICATION		
DATE & TIME Last Seen: MO. / DA. / YR.		HR. MN.		<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	LOCATION LAST SEEN			
PROBABLE DESTINATION (Name & Location)								
IN COMPANY WITH: (Address, DOB or Age, Description, etc.)								
PRESENT MENTAL STATE (Depressed, Suicidal, etc.)								
DENTAL RECORDS AVAILABLE			<input type="checkbox"/> Yes <input type="checkbox"/> No		Where Stored:			
DOCTOR/HOSPITAL RECORDS AVAILABLE			<input type="checkbox"/> Yes <input type="checkbox"/> No		Where Stored:			
MEDICATION REQUIRED <input type="checkbox"/> Yes <input type="checkbox"/> No						(Reason & Type)		Blood Type
MILITARY SERVICE			<input type="checkbox"/> Yes <input type="checkbox"/> No		Branch & Serial No.			
VEHICLE INVOLVED <input type="checkbox"/> Yes <input type="checkbox"/> No			Make		Model		Year	Color
VEHICLE REGISTRATION PLATE State			No.		Other Identifying Characteristics of Vehicle			

NEXT OF KIN: Name _____ Address _____	Relationship _____ Phone: Work: _____ Home: _____
HOBBIES, Interest, Associations: _____	
TYPE PLACES/HANG-OUTS Frequented: _____	
OTHER COMMENTS: _____	

**JUVENILES ONLY**

PRESENT OR LAST SCHOOL ATTENDED:	NAME	COUNTY	DISTRICT
PREVIOUS SCHOOLS ATTENDED:			
BIRTH INFORMATION AS APPEARS ON BIRTH RECORD:			
MOTHER'S MAIDEN NAME:	FIRST:	MIDDLE:	LAST:
CHILD'S COUNTY OF BIRTH:	STATE:		

**AUTHORIZATION FOR RELEASE OF INFORMATION**

I certify under penalty of law that I am the parent or legal guardian of the child described in this report and that my right to the custody of said child has not been terminated or limited by the order or decree of any court of law. I hereby authorize the Kentucky State Police, or any officer or employee thereof, or officer or employee of any other criminal justice agency, to disseminate the information contained in this report, including photographs, to any person or organization engaged directly or indirectly in any effort to assist in the location of missing children.

I certify that the information contained in this report is true and correct to the best of my knowledge.

This \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Signature: \_\_\_\_\_ Relationship \_\_\_\_\_

Address \_\_\_\_\_ Phone No. Home \_\_\_\_\_  
Work \_\_\_\_\_

Officer's Name \_\_\_\_\_ Badge No. \_\_\_\_\_

Agency \_\_\_\_\_

- Note:**
1. Attach Current Photograph
  2. Attach Child I-Dent (if available)
  3. Send Completed Form and Attachments to:

Kentucky State Police  
Missing Child Information Center  
1250 Louisville Road  
Frankfort, Kentucky 40601

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES:</b>  <b>505 KAR 1:110</b>  <b>3-JTS-1E-01—07; 5I-12</b>  <b>3-JCRF-1E-01—07</b>  <b>1-JDTP-1E-01—07</b>  <b>1-JBC-1E-01—03, 05, 07—09;</b>  <b>5I-11, 12</b></p>
<p><b>CHAPTER: Administration</b></p>		<p><b>AUTHORITY: KRS15A.065</b></p>
<p><b>SUBJECT: Individual Client Records</b></p>		
<p><b>POLICY NUMBER: DJJ 328</b></p>		
<p><b>TOTAL PAGES: 5</b></p>		
<p><b>DATE ISSUED: July 15, 2005</b></p>		<p><b>EFFECTIVE DATE: 02/03/06</b></p>
<p><b>APPROVAL: Bridget Skaggs Brown</b></p>		<p><b>, COMMISSIONER</b></p>

**I. POLICY**

Department staff shall maintain appropriate, accurate documentation within an Individual Client Record established for each youth. Individual Client 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. APPLICATION**

This policy shall apply to day treatment programs, group homes and youth development centers.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

A. Each youth's Individual Client 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 One – Intake/Parole**

- a. Photograph (on top).
- b. Initial intake information.
- c. Program rules and policy signed by juvenile.
- d. Approved visitor/contact list.
- e. All release forms.

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- f. Any identifying documentation.
- g. All pre-dispositional reports.
- h. Emergency Medical Information Data Sheet.  
(All other medical information shall be in the Medical Record only.)
- i. If youth is a Youthful Offender, a subsection entitled “Parole” shall be created to include:
  - (1) Pre-Sentence Investigation (always on bottom); and
  - (2) All other parole related documents to include correspondence making a parole recommendation.

**2. Section Two – Classification/Education**

- a. Special notices (always on top on colored paper).
- b. Social History/Needs Assessment, any other classification data.
- c. Administrative Transfer Review (ATR) information, if applicable.
- d. Referral to other agencies.
- e. A subsection entitled “Education” shall be created to include:
  - (1) Copy of the Individual Plan of Instruction (IPI);
  - (2) Education progress reports and notations.  
(All other education information shall be in the Education Record only.)
- f. Copies of Mental Health Assessments, if approved by the Mental Health Professional doing the assessment.

**3. Section Three – Individual Treatment Plan**

- a. Orientation Treatment Plan
- b. Individual Treatment Plan/ reviews printed from JORI as required

**4. Section Four – Program Progress**

- a. Treatment Team/Weekly Progress Summaries, including aftercare phase Weekly Progress Summaries (CLEP only), printed from JORI as required.
- a. Copies of Mental Health Notes, if approved by the Mental Health Professional(s) writing the note(s).

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**5. Section Five – Disciplinary/Miscellaneous**

- a. Incident Reports.
- b. Isolation or other reports of a disciplinary nature.
- c. A subsection entitled “Miscellaneous” shall be created to include:
  - (1) Correspondence that does not include parole or (ATR’s); and
  - (2) Any other document that does not fit in one of the above sections.  
This may include visitor/mail logs, inventory of personal belongings, etc.
- d. Resident Grievance Form

**6. Section Six - Legal**

- a. Resident Record Card for Youthful Offenders (always on top);
- b. Judgement/Commitment Orders;
- c. All other court documents.
  - (1) Correspondence that does not regard parole or ATR’s;
  - (2) Any other document that does not fit in one of the above sections.
- B. All youth records shall be clearly marked “Confidential”.
- C. All youth records shall be kept in locked file cabinets which are marked “Confidential”. Access to electronic data shall be restricted and password protected. When staff remove youth records from the file room it shall be documented on the sign-in/sign-out sheet.
- D. 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. Computers shall either be under the direct control of the assigned staff or have the screen turned so as to be out of sight of youth or public who may be in the office.
- E. 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. Computers shall be logged off at the end of each working day or when the assigned staff leaves the computer unattended.
- F. Staff shall not take individual case records off the premises except when subpoenaed or required in court cases and Parole Board hearings.

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- G. Documentation in case records shall be written in ink, typewritten, or computer processed and shall be dated and signed.
- H. 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.
- I. Documents entered into case records shall be filed in chronological order. Delayed entries shall be clearly marked as such.
- J. 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 initials only.
- K. Care shall be taken to limit access of all records to those who have a right or a need to know specific information. The youth shall sign a "Release of Information Consent Form" prior to the release of information to collateral agencies involved in the case. Where statutorily required, judicial, law enforcement, correctional, and social service authorities involved with the case shall be supplied information without consent forms being required.
- L. Others who wish access to records, including the youth or their families, shall make a written request. Contract agencies shall develop a like procedure pertaining to their agency.
- M. The updated Individual Client Record for any youth transferred from one facility to another shall be transferred simultaneously or at the latest within twenty-four (24) hours and shall include a transfer summary from the sending facility.
- N. Individual Client Records shall be maintained at the facility and disposed of according to the Record Retention and Disposal Schedule of 2004 or any revisions thereafter. Retained Individual Client Records shall be identified as confidential. Case records shall be sent to Archives via the Central Office Records Administrator.
- O. If a youth returns to a DJJ facility, the Individual Client Record shall be re-activated and forwarded to the receiving facility.

**V. MONITORING MECHANISM**

**A. In Youth Development Centers:**

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1. The Treatment Director or Counselor Supervisor shall review a sampling of individual client records for compliance with documentation standards, including electronic records. This shall be done monthly, one case per supervisee.
2. The Treatment Director shall provide a written report of observations and findings with a Corrective Action Plan and timetable for implementation, if appropriate, to the Facilities Regional Administrator, Regional Psychologist and the Superintendent within one week of the review.
3. The Superintendent and Treatment Director shall see that the Corrective Action Plan is followed. A full report documenting completion of the Corrective Action Plan shall be sent to the Facilities Regional Administrator and Regional Psychologist within thirty (30) days of the plan's development.
4. The Regional Psychologist shall review a random sample of individual client records on at least a semi-annual basis for compliance with documentation standards, including electronic records.
5. The Regional Psychologist shall provide a written report with observations and findings through the Facilities Regional Administrator to the Mental Health Director and Division Director each monitoring period.
6. Monitoring shall also be conducted by the Education/Quality Assurance Branch during regularly scheduled reviews.

**B. In Group Homes and Day Treatment Centers:**

1. The Superintendent or designee shall review a sampling of individual client records for compliance with documentation standards. This shall be done monthly.
2. The Superintendent shall provide a written report of observations and findings to the Regional Director. The Regional Director may request a Corrective Action Plan and timetable for implementation.
3. The Superintendent shall see that the Corrective Action Plan is followed. A full report documenting completion of the Corrective Action Plan shall be sent to the Regional Director within thirty (30) days of the plan's development.
4. Monitoring shall also be conducted by the Education/Quality Assurance Branch during regularly scheduled reviews.



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

**REFERENCES:  
505 KAR 1:110  
3-JTS-1E-06  
3-JCRF-1E-04  
1-JDTP-1E-06  
1-JBC-1E-05**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Progress Notation**

**POLICY NUMBER: DJJ 329**

**TOTAL PAGES: 3**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

Continuous and comprehensive documentation shall be maintained regarding each youth's progress in all aspects of the treatment program.

**II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

**A. Weekly Progress Summaries**

1. A Weekly Progress Summary shall be entered in JORI in format approved by the Mental Health Director. The primary recorder shall be the counselor.
2. The Weekly Progress Summary shall provide a summary of the youth's progress toward, and services provided to facilitate fulfillment of, goals and objectives of the youth's Individual Treatment Plan.
3. The Weekly Progress Summary shall be filed in the youth's Individual Client Record within seven (7) calendar days of the end of the reporting week. This may be printed from JORI.

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B. Progress Notes

1. Medical

- a. The purpose of Medical Progress Notes for youth in 24-hours residential programs is to provide a running record of health services provided.
- b. Recordings shall be made on the date of service using the Progress Note form. Either the Problem Oriented or SOAP format may be used. Problem Oriented documentation shall be based on the nursing process.

2. Daily Life Progress Notes

- a. The purpose of Daily Life Progress Notes is to provide a running record of significant events in the youth's course of treatment.
- b. The primary recorders shall be the Youth Worker staff. The Division of Staff Development shall include Progress Notation training within the Academy curriculum. Reference DJJPP 501.
- c. Recording shall be made on the date of service. Progress Notes shall be filed in the youth's Individual Client Record within seven (7) calendar days of the end of the reporting week.

- C. Progress Note entries shall be made in ink. They shall include a heading for each entry and shall be dated and signed, including 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. Entries into Weekly Progress Summaries and Progress Notes shall be directly correlated to problems identified in the youth's ITP. Extraneous comments shall be avoided. If another youth must be identified in a youth's Progress Notes or Weekly Progress Summary for any reason, that youth shall be identified by initials only.

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**V. MONITORING MECHANISM**

The Superintendent, the Facilities Regional Administrator or Regional Director, the Medical Director, and the Mental Health Director or their designees shall monitor these procedures.



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

**REFERENCES:  
505 KAR 1:110  
3-JTS-3A-09  
3-JCRF-3A-06  
1-JBC-3A-07**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Log and Shift Reports**

**POLICY NUMBER: DJJ 330**

**TOTAL PAGES: 2**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

Supervisory staff in 24-hour residential programs shall maintain a permanent log and prepare shift reports that record routine and emergency situations.

**II. APPLICABILITY**

This policy shall apply to group homes and youth development centers.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

A. Program daily logs shall be recordings kept by members of the Treatment Team, staff providing supervision of youth, and other program staff as necessary, for the purpose of communicating daily 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. 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".
2. Logs shall be either under the direct control of the assigned staff or secured out of sight of youth or public.

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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.
- C. Log procedures and location of logs are to be established in accordance with current DJJ policy by the Superintendent.
- 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 in 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.

## **V. MONITORING MECHANISM**

The Superintendent or designee 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 1:110  
3-JTS-3D-09  
3-JCRF-3D-07  
1-JDTP-3D-17  
1-JBC-3D-08**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Grievance Procedure**

**POLICY NUMBER: DJJ 331**

**TOTAL PAGES: 5**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

Youth shall be provided an internal grievance mechanism for complaints arising from institutional matters.

**II. APPLICABILITY**

This policy shall apply to day treatment centers, group homes and youth development centers. Contracted programs shall adhere to their parent agency's procedures. If no procedures exist, the contracted program shall develop procedures within their Standard Operating Procedures Manual.

**III. DEFINITIONS**

- A. "Program Days" means scheduled days for student attendance at a Day Treatment Program.
- B. "Working Days" means Monday – Friday exclusive of Holiday.
- C. "Designated Grievance Officer" means those who have been through approved training, including back-ups.

**IV. PROCEDURES**

- A. A youth may file a grievance if he believes that there has been a:
  - 1. Violation of Federal or Kentucky civil or criminal law;
  - 2. Violation of Federal or Kentucky civil rights provisions;
  - 3. Violation of Department regulations or policy/procedure;
  - 4. Violation of facility rules/procedures; or

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5. To resolve a condition within the program that creates unsafe or unsanitary living conditions.
- B. Non-grievable issues include court decisions, policies from agencies outside the program, disciplinary hearing decisions, probation or parole decisions, and legislative action affecting the facility.
  - C. The youth shall be encouraged to resolve all grievances at the informal level. If unsuccessful in resolving the grievance informally a formal procedure may be used. At the formal procedure a Grievance Aide may be used. A Grievance Aide is a youth who is in the final stages of treatment. The Grievance Aide shall be selected by the Superintendent, shall be trained in the grievance procedure, and shall aid the resident in writing and presenting the formal grievance.
  - D. During the admission process each youth shall:
    1. Receive both written and verbal explanation of their right to file a grievance. The Resident Handbook which includes information and instructions for resolving complaints and for the filing of formal grievances shall be provided to each youth. When a literacy or communication problem exists, a staff member shall assist the youth in understanding the materials. Documentation that the youth has received this information shall be kept in the Individual Client Record.
    2. Be informed of their right to medical care and the right to file a formal grievance if they feel they have received inadequate care. Documentation that the youth has received this information shall be kept in the Medical Record and the Individual Client Record. If grievance is a medical issue, the nurse shall be involved in the resolution process at the facility level.
    3. Be shown the location of the grievance forms.
  - E. Informal – Prior to filing the grievance, an effort shall be made to resolve the grievance informally. The youth shall be expected to talk with the staff person involved and attempt to resolve the issue.
  - F. Formal
    1. If unable to resolve the issue informally, the youth shall write up the grievance on the proper form, being as specific as possible. In Youth Development Centers and Group Homes the formal grievance shall be initiated within 48 hours of the time the grieving incident occurred; within two (2) program days in Day Treatment. The form shall contain:

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- a. All the information concerning the issue being grieved;
  - b. All the information concerning the effort to informally resolve the issue; and
  - c. The desired resolution.
2. The youth may use the help of a Grievance Aide to assist in writing up the grievance. If neither the youth nor the Grievance Aide is able to adequately express the grievance in written form, the youth shall be allowed to present the grievance verbally.
  3. In Youth Development Centers and Group Homes, the written grievance shall be presented to the Designated Grievance Officer within two (2) working days of the grieving occurrence. A formal hearing shall be held within three (3) working days of receiving the grievance.  
  
In Day Treatment Programs, the written grievance shall be presented to the Designated Grievance Officer within two (2) program days of the grieving occurrence. A formal hearing shall be held within three (3) program days of receiving the grievance.
  4. Present at the hearing may be:
    - a. The Designated Grievance Officer who shall conduct the hearing;
    - b. The youth filing the grievance;
    - c. The Grievance Aide.; and
    - d. Staff involved and/or witnesses, at the discretion of the Designated Grievance Officer.
  5. The Designated Grievance Officer shall within three (3) working days of the conclusion of the hearing present a written response to the youth. In Day Treatment Programs, the Grievance Officer shall provide this written response to the youth within three (3) program days.
  6. If dissatisfied with the resolution presented by the Designated Grievance Officer, the youth may within two (2) working/program days forward the grievance to the Superintendent. The youth shall present all previous information submitted.
  7. Within three (3) working/program days of receiving the grievance the Superintendent shall meet with:

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- a. The Designated Grievance Officer;
  - b. The youth;
  - c. The Grievance Aide; and
  - d. Staff involved and/or witnesses, at the discretion of the Superintendent.
8. The Superintendent shall have up to five (5) working/program days to present a written final response to the youth.
  9. A copy of the Superintendent's final resolution of the appeal along with the grievance and all appropriate attachments shall be forwarded to the Facilities Regional Administrator and Regional Director, with copy to the Departmental Ombudsman at the same time the final resolution is given to the youth.
  10. The original record, including all information regarding the grievance, shall be kept on file in the office of the Designated Grievance Officer. A copy of the grievance shall be placed in the youth's ICR and a copy shall be given to the youth. These records shall be maintained in the facility for at least three years.
  11. Time Frames
    - a. If the time frames are not met by the youth, the grievance is automatically terminated unless legitimate reason for the delay is presented to and approved by the Facilities Regional Administrator or Regional Director.
    - b. If the time frames are not met by staff, the grievance is automatically won by the youth, unless legitimate reason for the delay is presented to and approved by the Regional Director.
    - c. Due to the availability of an essential party, the time frames may be extended with the written agreement of the youth and the Designated Grievance Officer, with the approval of the Superintendent.
  12. Roles
    - a. In the absence of the Designated Grievance Officer or the Superintendent, the person covering their duties shall be responsible for the handling of grievances.
    - b. If the Designated Grievance Officer or Superintendent is directly involved in the grievance, the grievance shall be handled by that person's supervisor.

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- c. The Designated Grievance Officer shall be appointed by the superintendent.
- d. All youth grievances shall be reviewed by the superintendent or designee, excluding the youth worker series.

**V. MONITORING MECHANISM**

The Office of the Ombudsman shall monitor this activity in all DJJ operated Youth Development Centers, Group Homes and Day Treatment Centers. Monitoring in contract Group Homes and Day Treatment Centers shall be the responsibility of the Regional Director.



## JUSTICE AND PUBLIC SAFETY CABINET

**Steven L. Beshear**  
Governor

### Department of Juvenile Justice

1025 Capital Center Drive, 3<sup>rd</sup> Floor  
Frankfort, Kentucky 40601-8205  
Phone (502) 573-2738  
Fax (502) 573-4308  
[www.kentucky.gov](http://www.kentucky.gov)

**J. Michael Brown**  
Secretary

**J. Ronald Haws**  
Acting Commissioner

**To:** All DJJ Staff

**From:** Ann-Lynn Ellerkamp  
Deputy Commissioner, Support Services

**Subject:** Grievance Form

The Grievance Form for group homes, youth development centers, day treatments, detention centers and alternative to secure detention has been slightly revised. The form and the instructions that are currently on the IPage have been revised to reflect the change. The correct form can be identified by the revision date of 04/11/08 at the bottom of the second page of the Grievance Form. Once you receive this notice, please remove and destroy all other versions of the Grievance Form and replace it with this newer version. As with the previous version of the Grievance Form, the instructions and the form will be maintained on the IPage. Each site will be responsible for printing the form, typing the site's name at the top of the form, and maintaining this site specific form at the site.

The change was needed to clarify a youth's intention in the grievance process after the findings of the grievance have been provided to the youth and they have the option of appealing the findings to the next level. During reviews conducted by the Office of the Ombudsman and Quality Assurance, it was continually noted that no indication of the youth's intentions were documented on the second page of the form. We are all aware that in many of these instances the youth was satisfied with the findings and did not wish to appeal the findings any further. However, in the earlier version of the form the youth was required to check either the "Yes" or "No" box to indicate their intentions. In the reviews, neither of the boxes was being checked so the youth's intention regarding the findings was not being documented on the form.

The change that was made on this form was to hopefully simplify the process. If a youth wishes to appeal the findings related to the specific grievance, then they just need to indicate that by checking the "Yes" box. If the youth does not wish to appeal the findings of the grievance, then they do not have to do anything on the form.

If you have any questions regarding this change, please direct your questions to Stacy Smith or Patty Burks. As always, thank you for your assistance in this matter.



## JUSTICE AND PUBLIC SAFETY CABINET

**Steven L. Beshear**  
Governor

**Department of Juvenile Justice**  
1025 Capital Center Drive, 3<sup>rd</sup> Floor  
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**J. Michael Brown**  
Secretary

**J. Ronald Haws**  
Acting Commissioner

TO: DJJ Personnel  
FROM: Office of the Ombudsman  
SUBJECT: Instructions for Grievance Form  
DATE: April 11, 2008

Please find below the instruction for completing the Grievance Form.

1. This form is for **printing only** and is not for typing so that one document can be used throughout the grievance process.
2. This form is to be a 2-page document.
3. Each facility will need to insert their name at the top of this form, print a copy for facility use and the forms manager should save a copy as a back up.
4. This form will remain on the iPage so that it can be accessible to all programs.
5. Upon receipt of this document and revised Grievance Form, all other copies and/or versions shall be destroyed. This form can be identified by the revision date of "04/11/08" in the lower left hand side of page two. There are to be no alterations to this document other than those done by this office.
6. Facilities are to ensure that this document is not misused.
7. If you have any questions please contact the Office of the Ombudsman at 502-573-2738.

Please refer to DJJ Policy 331 Grievance Procedure for Group Homes, Youth Development Centers, and Day Treatment Centers or DJJ Policy 706 for Regional Juvenile Detention Centers & Alternative to Detention if you need specific details and guidance on the procedure before printing this document.

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(Facility name)

## GRIEVANCE FORM

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

UNIT/COTTAGE: \_\_\_\_\_ COUNSELOR: \_\_\_\_\_

**Have you made an effort to resolve this grievance informally?**     Yes     No

1. What is your grievance? (Be specific) \_\_\_\_\_

\_\_\_\_\_

a. What policy or rule was violated? \_\_\_\_\_

b. When did this happen? \_\_\_\_\_

c. List who was involved staff and witnesses? \_\_\_\_\_

\_\_\_\_\_

2. What have you done to resolve this issue? \_\_\_\_\_

\_\_\_\_\_

a. Who did you talk to and when? \_\_\_\_\_

\_\_\_\_\_

3. What do you want to happen? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Youth Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

Date received (Grievance Officer): \_\_\_\_\_

FINDING/RESPONSE TO YOUTH:

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_____	_____/_____/_____
Grievance Officer Signature	Date
_____	_____/_____/_____
Youth Signature	Date

I wish to appeal this grievance to the Superintendent (Appeal must be submitted within 2 days)  
 Yes

_____	_____/_____/_____
Youth Signature	Date

FINDING/RESPONSE TO YOUTH:

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_____	_____/_____/_____
Superintendent Signature	Date
_____	_____/_____/_____
Youth Signature	Date

c: Original to Grievance Officer  
Youth's File (ICR)  
Youth

If grievance is appealed also send copies to:  
FRA and/or Regional Director  
Ombudsman

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES:</b> 505 KAR 1:110 3-JTS-5D-01, 01-1, 01-2, 03, 05-09, 11, 13, 15-1, 18-1 1-JBC-5D-01—09, 11, 14; 5I-01</p>
<p><b>CHAPTER: Program Services</b></p>		<p><b>AUTHORITY: KRS 15A.065</b></p>
<p><b>SUBJECT: YDC Educational/Vocational Programming, Assessment, and Transition</b></p>		
<p><b>POLICY NUMBER: DJJ 334</b></p>		
<p><b>TOTAL PAGES: 4</b></p>		
<p><b>DATE ISSUED: July 15, 2005</b></p>		<p><b>EFFECTIVE DATE: 02/03/06</b></p>
<p><b>APPROVAL: Bridget Skaggs Brown</b></p>		<p><b>, COMMISSIONER</b></p>

**I. POLICY**

The Department of Juvenile Justice shall provide educational services, operating in compliance with Federal and state laws and regulations, to youth in youth development centers through written agreement with local school districts or private or public providers and with the Cabinet for Workforce Development, Department for Technical Education.

**II. APPLICABILITY**

This policy shall apply to all DJJ youth development centers.

**III. DEFINITIONS**

- A. "Individual Education Program (IEP)" means a written statement for a youth with a disability that is developed, reviewed and revised in accordance with the Individuals with Disabilities Education Act (IDEA) and 707 KAR 1:320.
- B. "Individual Graduation Plan (IGP) or Career Transition Plan" means a plan that: establishes a course through required academic coursework and elective choices; incorporates an emphasis on the career major and career development; and leads to successful transitions to post-secondary options. The IGP is developed by the time the youth enters high school and is reviewed annually and approved by the youth, parents or guardian and school officials.
- C. "Individual Plan of Instruction" (IPI) means the educational instructional program required for each DJJ youth.
- D. "Individual Treatment Plan (ITP)" means a social and behavioral intervention plan, including the plan for educational instruction, that is developed for each youth being served by a treatment institution or facility.

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#### **IV. PROCEDURES**

- A. The DJJ Education Branch staff shall be responsible for reviewing the contents of written agreements for educational services with youth development center 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 shall be provided at no cost to the youth.
- D. Educational services shall be constructed on an open entry—open exit basis and scheduled so that educational services do not compete with other facility programming.
- E. Educational, vocational and treatment services shall be integrated and individualized to meet the assessment, educational, rehabilitative and developmental instructional needs of each youth.
- F. DJJ and education staff shall establish criteria for allowing selected youth opportunities to supplement the facility’s educational programs with community offerings.
- G. Necessary instructional materials and specialized equipment that meet minimum state education standards (including computers) shall be provided by the local school district, or by DJJ per written agreement.
- H. Incentives shall be provided for educational participation and formal recognition of specific educational and vocational achievements.
- I. Youth shall have the opportunity to enroll in pre-vocational and skill-based vocational training programs and to explore vocational opportunities.
- J. Each youth development center shall have specific guidelines for enrolling youth in vocational programming. These guidelines shall be included in the Orientation Handbook and submitted to the DJJ Education Branch.
- K. DJJ staff shall use community resources to enhance the facility’s vocational programs.
- L. Vocational and educational assessments shall be completed within twenty-one (21) calendar days of the youth’s admission if previous results are not available.
- M. The results of educational and vocational assessments shall be used as a basis for the initial development and periodic review/revision of an integrated IPI, IEP if applicable, ITP, IGP and Aftercare Plan for Transitioning. Available social history information and the results of medical and mental health

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screening conducted by DJJ staff shall be shared with the school administrator or designee to the extent permissible by law.

- N. All youth fourteen years or older who enter a youth development center without a previously administered vocational assessment shall be administered vocational assessments of aptitude, interest inventory and learning and working styles. The results shall be used:
1. To determine youth's vocational aptitude and interests, learning and working styles and Career Major;
  2. To assist DJJ and educational staff as they integrate academic, vocational and work assignments, social skills and treatment goals;
  3. To assist DJJ and educational staff as they communicate with youth;
  4. To develop or review and revise if necessary each youth's Individual Graduation Plan (IGP) and Aftercare Plan for Transitioning; and
  5. To provide each youth with workplace readiness skills.
- O. DJJ and education staff shall participate jointly in the development, review and revision of the youth's ITP, IPI, the IEP, if applicable, and Aftercare Plan for Transitioning.
- P. The IPI and IEP, when applicable, shall be integrated with the ITP and completed within twenty-one (21) calendar days of admission. It is the responsibility of the superintendent of a youth development center and the school administrator to see that this is accomplished.
- Q. DJJ staff that suspect a youth may have an educational disability shall make a referral to the school administrator.
- R. DJJ youth workers shall provide supervision and supportive assistance in the course of academic activities. Youth workers shall be included in classroom activities to the maximum extent possible and shall work cooperatively with all education staff.
- S. The superintendent of a youth development center shall ensure that work programs and disciplinary measures for youth do not interfere with educational programming.
- T. Youth who demonstrate behavior so disruptive that they must be removed from the classroom shall be under constant supervision of DJJ staff until readmitted to the classroom.
- U. The superintendent of a DJJ youth development center, the school administrator and the vocational coordinator shall develop a code of acceptable school behavior and disciplinary measures that are consistent with

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the facility behavior management system. The code shall contain: the type of behavior expected from the youth; the consequences of failure to obey the standards; and the importance of the standards in maintaining a safe learning environment. This code shall be implemented without partiality or discrimination.

- V. The code of acceptable school behavior shall be incorporated in the Orientation Handbook and reviewed with each youth. A copy of the Orientation Handbook shall be posted at the school site. All DJJ and education staff shall be provided copies of the Handbook.
- W. Discipline of youth shall be in accordance with DJJ disciplinary policies and procedures, i.e., disciplinary approaches that humiliate, dehumanize, or in any way emotionally or physically abuse the youth, including sarcasm, name-calling, cursing, or other verbally abusive methods shall not be permissible.
- X. DJJ shall provide or approve training for education staff to assure discipline of youth is in accordance with DJJ disciplinary policy and procedures. Appropriate classroom management techniques to carry out the disciplinary code shall be utilized.

**V. MONITORING MECHANISM**

The DJJ Education/Quality Assurance Branch Manager or designee, the Facilities Regional Administrator, the superintendent of the youth development center, the Cabinet for Workforce Development, Office of Career and Technical Education designee, and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:110 1-JDTP-3D-01—03, 05, 07, 16, 21—23</b>
<b>CHAPTER: Program Services</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Day Treatment: Educational Programming, Assessment, and Transition</b>		
<b>POLICY NUMBER: DJJ 334.1</b>		
<b>TOTAL PAGES: 4</b>		
<b>DATE ISSUED: July 15, 2005</b>		<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>		<b>, COMMISSIONER</b>

## **I. POLICY**

Educational services, operating in compliance with Federal and state laws and regulations, shall be provided to youth in day treatment programs through written agreement with local school districts or private or public providers and with the Cabinet for Workforce Development, Department for Technical Education.

## **II. APPLICABILITY**

This policy shall apply to all DJJ operated and contracted day treatment programs.

## **III. DEFINITION**

- A. “Individual Education Program (IEP)” means a written statement for a youth with a disability that is developed, reviewed and revised in accordance with the Individuals with Disabilities Education Act (IDEA) and 707 KAR 1:320.
- B. “Individual Graduation Plan (IGP) or Career Transition Plan” means a plan that establishes a course through required academic coursework and elective choices leading to successful transitions to post-secondary options. The IGP is developed by the time the youth enters high school and is reviewed annually and approved by the youth, parents or guardian and school officials.
- C. “Individual Plan of Instruction (IPI)” means the educational instructional program required for each DJJ youth.
- D. “Individual Treatment Plan (ITP)” means a social and behavioral intervention plan, including the plan for educational instruction, that is developed for each state agency youth being served by a treatment institution or facility.

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#### **IV. PROCEDURES**

- A. DJJ staff shall be responsible for reviewing the contents of the written agreement for educational services with DJJ operated or contracted day treatment staff.
- B. Educational services shall be made available to each youth upon admission and shall be constructed on an open entry – open exit basis.
- C. Educational services shall be provided at no cost to the youth.
- D. Educational services shall be individualized to meet the assessment, educational, rehabilitative, and developmental instructional needs of each youth.
- E. Necessary instructional materials and specialized equipment that meets minimum state education standards (including computers) shall be provided by the school district, or by DJJ per written agreement.
- F. Vocational and educational assessments shall be completed within twenty-one (21) calendar days of the youth’s admission if previous results are not available.
- G. The results of educational and vocational assessments shall be used as a basis for the initial development and periodic reviews/revisions of an integrated IPI, IEP if applicable, ITP, IGP and aftercare plan. 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 permissible by law.
- H. All youth fourteen years or older who enter a DJJ operated or contracted day treatment program without a previously administered vocational assessment shall be administered vocational assessments of aptitude, interest inventory and learning and working styles. The results shall be used:
  - 1. To determine youth’s vocational aptitude and interests, learning and working styles and Career Major;
  - 2. To assist DJJ and educational staff as they integrate academic, vocational and work assignments and treatment goals;
  - 3. To assist DJJ and educational staff as they communicate with youth;

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4. To develop or review and revise if necessary each youth's Individual Graduation Plan (IGP) and Aftercare Plan; and
  5. To provide each youth with workplace readiness skills.
- I. DJJ and school staff shall participate jointly in the development, review and revision of the youth's ITP, IPI, the IEP, if applicable, and transition plan.
  - J. The IPI and IEP, when applicable, shall be integrated with the ITP and completed within twenty-one (21) calendar days of admission. It is the responsibility of the superintendent of a DJJ operated day treatment program, or the program administrator of a contracted day treatment program, and the school administrator to see that this is accomplished.
  - K. DJJ staff that suspect a youth may have an educational disability shall make a referral to the school administrator.
  - L. DJJ youth workers shall provide supervision and supportive assistance in the course of academic activities. Youth workers shall be included in classroom activities to the maximum extent possible and shall work cooperatively with all education staff.
  - M. The superintendent of a DJJ operated day treatment program, or the administrator of a contracted day treatment program, shall ensure that work programs and disciplinary measures for youth do not interfere with educational programming.
  - N. The superintendent of a DJJ operated day treatment program, or the program administrator of a contracted day treatment program, and the school administrator shall develop a code of acceptable school behavior and disciplinary measures which contains: the type of behavior expected from the youth; the consequences of failure to obey the standards; and the importance of the standards in maintaining a safe learning environment. This code shall be implemented without partiality or discrimination.
  - O. The code of acceptable school behavior shall be incorporated in the Orientation Handbook and reviewed with each youth. A copy of the Orientation Handbook shall be posted at the school site. All DJJ and education staff shall be provided copies of the Handbook.
  - P. Discipline of youth shall be in accordance with DJJ disciplinary policies and procedures, i.e., disciplinary approaches that humiliate, dehumanize, or in any way emotionally or physically

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abuse the youth, including sarcasm, name-calling, cursing, or other verbally abusive methods shall not be permissible.

- Q. Youth who demonstrate behavior so disruptive that they must be removed from the classroom shall be under supervision of staff until readmitted to the classroom. Supervision shall comply with procedures outlined in DJJPP 318.1, Section IV.K (8).
- R. DJJ shall provide or approve training for local school district staff to assure discipline of youth is in accordance with DJJ disciplinary policy and procedures. Appropriate classroom management techniques to carry out the disciplinary code shall be utilized.

#### **V. MONITORING MECHANISM**

The DJJ Education/Quality Assurance Branch Manager or designee, the Regional Day Treatment Manager, the superintendent of a DJJ operated day treatment program or the administrator of a contracted day treatment program 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 1:110  
3-JCRF-1E-07; 5D-01—05**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Group Home Educational Services**

**POLICY NUMBER: DJJPP 334.2**

**TOTAL PAGES: 3**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

The Department of Juvenile Justice shall ensure educational services operated in compliance with Federal and state laws and regulations are provided to youth in group home placement.

**II. APPLICABILITY**

This policy shall apply to DJJ operated and contracted group homes.

**III. DEFINITION**

- A. "Individual Education Program (IEP)" means a written statement for a youth with a disability that is developed, reviewed and revised in accordance with the Individuals with Disabilities Education Act (IDEA) and 707 KAR 1:320.
- B. "Individual Plan of Instruction (IPI)" means the educational instructional program required for each DJJ youth.
- C. "Individual Treatment Plan (ITP)" means a social and behavioral intervention plan, including the plan for educational instruction, that is developed for each state agency youth being served by a treatment institution or facility.

**IV. PROCEDURES**

- A. Educational services shall be made available to each youth upon admission except if there is substantial evidence to justify otherwise.
- B. Educational, vocational and treatment services shall be integrated and individualized to meet the assessment, educational, rehabilitative and developmental instructional needs of each youth.
- C. Educational services shall be provided at no cost to the youth.

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- D. Where possible, and appropriate to the educational needs of the youth, youth placed in group homes shall be enrolled in the local school districts.
- E. For youth in group home placement not enrolled in the local school district, education may be made available in a day treatment program or other alternative collaboratively developed with the local school district.
- F. Group home youth enrolled in community schools shall be transported in accordance with the local school district's transportation policy.
- G. DJJ may assist education staff in obtaining education records when feasible. Federal and state laws and regulations shall govern the confidentiality, maintenance, handling, and access of educational records.
- H. 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 permissible by law.
- I. Group home staff that suspect a youth may have an educational disability shall make a referral to school staff.
- J. Individual Client Records shall include academic and vocational information to the extent permissible by law.
- K. The IPI and IEP, when applicable, shall be integrated with the ITP. It is the responsibility of the superintendent or administrator, or designee, of the group home to see that this is accomplished.
- L. Group home and school staff shall to the extent possible participate jointly in the development, review and revision of the youth's ITP, IPI, the IEP, if applicable, and transition plan.
- M. Discipline of youth during school activities shall be in accordance with local school board procedures; however; disciplinary approaches that humiliate, dehumanize, or in any way emotionally or physically abuse the youth, including sarcasm, name-calling, cursing, or other verbally abusive methods shall not be permissible.
- N. Youth who demonstrate behavior so disruptive that they must be removed from the classroom may be remanded to the supervision of group home staff until readmitted to the classroom.
- O. Group home staff shall monitor progress of youth in public school at least weekly. Group home staff shall provide supportive assistance in the course of academic activities.

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- P. The superintendent of a DJJ operated or the administrator of a contracted group home shall ensure that work programs for youth do not interfere with educational programming. Disciplinary measures shall not interfere with educational programming except if there is substantial evidence to justify otherwise.
- Q. The DJJ Regional Manager shall be notified when a group home youth is not allowed to enroll in the local school program or day treatment program or is suspended or expelled from a local school program.

**V. MONITORING MECHANISM**

The DJJ Education/Quality Assurance Branch Manager or designee, the Regional Director, and the Superintendent of a DJJ operated group home or the administrator of a contracted group home shall monitor these activities. Monitoring shall be conducted at least annually.



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**REFERENCES:  
505 KAR 1:110  
3-JTS-1E-07; 5D-15-2  
1-JBC-1E-08**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: YDC Educational and Vocational Records**

**POLICY NUMBER: DJJ 335**

**TOTAL PAGES: 2**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

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

**II. APPLICABILITY**

This policy shall apply to all DJJ youth development centers.

**III. DEFINITIONS**

Not Applicable

**IV. PROCEDURES**

- A. DJJ staff may assist education and vocational staff in obtaining records when feasible.
- B. Individual Client Records shall include academic and vocational 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 he is not entitled or for purposes for which he is not permitted to obtain them.
- 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 which 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, including behavior management, medical, dental, mental, or psychological

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reports is prohibited unless presented as evidence in court. No person, including school personnel, shall disclose any report or information contained therein except as permitted by specific order of the court.

(NOTE: Reports from any evaluations or reevaluations to determine if a youth has a suspected disability become part of the youth's due process record and shall be released to the next agency providing education services.)

- G. DJJ vocational coordinators shall be responsible for sending complete vocational records, including lesson plans, curriculum delivery, vocational records, assessments, and ICR of youth who are transferred to other DJJ programs. The vocational coordinator shall be a member of the treatment team.
- H. Vocational records shall be sent to the receiving program's vocational coordinator to assure the youth's training may continue without repetition or interruption. Complete vocational records include the following:
  1. Initial Vocational Interview, indicating barriers to employment;
  2. Career Scope Assessment Results;
  3. Learning and Working Styles Assessment Results;
  4. Workplace Readiness Task Sheet indicating hours and tasks completed;
  5. Workforce Development Curriculum task sheet indicating hours and tasks completed;
  6. Career Pathway indicating Career Major and activities, training, and/or experience obtained or completed within the major; and
  7. Transition efforts initiated toward post secondary education or training, i.e., financial aid, enrollment applications, etc.

**V. MONITORING MECHANISM**

The DJJ Education / Quality Assurance Branch Manager or designee, the Facilities Regional Administrator, the Superintendent of the youth development center and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually.



**JUSTICE CABINET  
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**REFERENCES:  
505 KAR 1:110  
1-JDTP-1E-07**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Day Treatment Education Records**

**POLICY NUMBER: DJJPP 335.1**

**TOTAL PAGES: 2**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE:  
02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

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

**II. APPLICABILITY**

This policy shall apply to all DJJ operated and contracted day treatment programs.

**III. DEFINITIONS**

Not Applicable

**IV. PROCEDURES**

- A. DJJ may assist education staff in obtaining education records when feasible.
- B. Individual Client Records shall include academic information.
- C. No person, including school personnel, authorized to obtain records pursuant to KRS Chapter 600 to 645 shall obtain or attempt to obtain records to which he is not entitled or for purposes for which he is not permitted to obtain.
- D. No person, including school personnel, not authorized to obtain records pursuant to KRS Chapter 600 to 645 shall obtain or attempt to obtain records which 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

<b>POLICY NUMBER</b> <b>DJJ 335.1</b>	<b>ISSUE DATE</b> <b>07/15/05</b>	<b>EFFECTIVE DATE</b> <b>02/03/06</b>	<b>PAGE NUMBER</b> <b>2 of 2</b>
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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, including behavior management, medical, dental, mental, or psychological reports is prohibited unless presented as evidence in court. No person, including school personnel, shall disclose any report or information contained therein except as permitted by specific order of the court.

(NOTE: Reports from any evaluations or reevaluations to determine if a youth has a suspected disability become part of the youth's due process record and shall be released to the next agency providing education services.)

**V. MONITORING MECHANISM**

The DJJ Education/Quality Assurance Branch, the Regional Director, the Superintendent of the DJJ operated day treatment program or the program administrator of a contracted day treatment program, and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually.



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**REFERENCES:  
505 KAR 1:110  
3-JTS-5D-12  
1-JBC-5D-10**

**CHAPTER: Program Services**

**AUTHORITY: KRS 15A.065**

**SUBJECT: YDC Instructional Staffing**

**POLICY NUMBER: DJJ 339**

**TOTAL PAGES: 2**

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**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

**I. POLICY**

The Department of Juvenile Justice shall insure that educational and vocational staffing for youth development centers is in compliance with federal and state laws and regulations through written agreements with local school districts or private or public providers and the Cabinet for Workforce Development, Office of Career and Technical Education.

**II. APPLICABILITY**

This policy shall apply to all DJJ youth development centers.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

- A. DJJ Education Branch staff shall be responsible for reviewing the contents of the written agreements for educational services with youth development center staff.
- B. The superintendent of the youth development center shall meet annually with the school administrator to plan for the next school year's teaching staff needs.
- C. The superintendent of the youth development center shall have the opportunity to participate in interviews when the local school district hires youth development center education staff.
- D. The superintendent of the youth development center, or DJJ designee, and DJJ Education/Quality Assurance Branch staff shall be represented on the Cabinet for Workforce Development interview panel for hiring vocational staff. This is in compliance with the written agreement between DJJ and the Cabinet for Workforce Development, Office of Career and Technical Education.

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- E. The superintendent of the youth development center or DJJ designee shall provide direct supervision of the vocational instructors in compliance with the written agreement between DJJ and the Cabinet for Workforce Development, Office of Career and Technical Education.
- F. The superintendent of a youth development center or DJJ designee shall provide program orientation to all new educational 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.

**V. MONITORING MECHANISM**

The DJJ Education/Quality Assurance Branch Manager or designee, the Facilities Regional Administrator, the superintendent of the youth development center, the Cabinet for Workforce Development, Office of Career and Technical Education designee, and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually.



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**REFERENCES:  
505 KAR 1:110  
1-JDTP-3D-04**

<b>CHAPTER: Program Services</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Day Treatment Instructional Staffing</b>	
<b>POLICY NUMBER: DJJPP 339.1</b>	
<b>TOTAL PAGES: 2</b>	
<b>DATE ISSUED: July 15, 2005</b>	<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>	<b>, COMMISSIONER</b>

**I. POLICY**

The Department of Juvenile Justice shall insure that educational staffing for DJJ operated or contracted day treatment programs is in compliance with federal and state laws and regulations through written agreements with local school districts or private or public providers.

**II. APPLICABILITY**

This policy shall apply to all DJJ operated and contracted day treatment programs.

**III. DEFINITIONS**

Not Applicable

**IV. PROCEDURES**

- A. DJJ staff shall be responsible for reviewing the contents of the written agreement for educational services with DJJ operated or contracted day treatment staff.
- B. The superintendent of a DJJ operated day treatment program or the administrator of the contracted day treatment program shall meet annually with the school administrator to plan for the next school year's teaching staff needs.
- C. The superintendent of a DJJ operated day treatment program or the administrator of a contracted day treatment program shall have the opportunity to participate in interviews when the local school district hires day treatment education staff.
- D. The superintendent of a DJJ operated day treatment program or DJJ designee, or the administrator of a contracted day treatment

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program or designee, shall provide program orientation to all new educational 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.

**V. MONITORING MECHANISM**

The DJJ Education/Quality Assurance Branch Manager or designee, the Regional Day Treatment Manager, the superintendent of a DJJ operated day treatment program or the program administrator of a contracted day treatment program and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually.

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES: 505 KAR 1:110 3-JTS-5D-14 1-JBC-5D-12</b></p>
<p><b>CHAPTER: Program Services</b></p>		<p><b>AUTHORITY: KRS 15A.065</b></p>
<p><b>SUBJECT: YDC Evaluation of Integrated Educational/Vocational Plan</b></p>		
<p><b>POLICY NUMBER: DJJ 342</b></p>		
<p><b>TOTAL PAGES: 2</b></p>		
<p><b>DATE ISSUED: July 15, 2005</b></p>		<p><b>EFFECTIVE DATE: 02/03/06</b></p>
<p><b>APPROVAL: Bridget Skaggs Brown</b></p>		<p><b>, COMMISSIONER</b></p>

**I. POLICY**

There shall be an integrated educational/vocational plan with measurable objectives for each Department of Juvenile Justice youth development center.

**II. APPLICABILITY**

This policy shall apply to all DJJ youth development centers.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

- A. The superintendent of the youth development center, the school administrator, the vocational coordinator and a local school district representative, if available, shall collaboratively develop an annual integrated educational/vocational plan with measurable objectives. The plan shall include the responsibilities of each party in the provision of the education program in the youth development center.
- B. The superintendent of the youth development center, the school administrator, the vocational coordinator and a local school district representative, if available, shall annually evaluate the effectiveness of the integrated educational/vocational plan against the stated objectives.
- C. The superintendent of the youth development center shall submit the annual evaluation of the plan to the DJJ Education/Quality Assurance Branch Manager for review.

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## **V. MONITORING MECHANISM**

The DJJ Education/Quality Assurance Branch Manager or designee, the Facilities Regional Administrators, the superintendent of the youth development center, the school administrator and the Cabinet for Workforce Development, Office of Career and Technical Education designee shall monitor these activities.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:110</b>
<b>CHAPTER: Program Services</b>	<b>AUTHORITY: KRS 15A.065</b>	
<b>SUBJECT: Day Treatment Evaluation of Educational Programming</b>		
<b>POLICY NUMBER: DJJPP 342.1</b>		
<b>TOTAL PAGES: 2</b>		
<b>DATE ISSUED: July 15, 2005</b>		<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>		<b>, COMMISSIONER</b>

**I. POLICY**

There shall be an education plan with measurable objectives for each DJJ operated and contracted day treatment program.

**II. APPLICABILITY**

This policy shall apply to all DJJ operated and contracted day treatment programs.

**III. DEFINITIONS**

Not Applicable

**IV. PROCEDURES**

- A. The superintendent of a DJJ day treatment program or the administrator of a contracted day treatment program, the school administrator and a local school district representative, if available, shall collaboratively develop an annual education plan with measurable objectives. The plan shall include the responsibilities of each party in the provision of the education program in a DJJ operated or contracted day treatment program.
- B. The superintendent of a DJJ day treatment program or the administrator of a contracted day treatment program, the school administrator and a local school district representative, if available, shall annually evaluate the effectiveness of the education plan against the stated objectives.
- C. The superintendent of a DJJ day treatment program or the administrator of a contracted day treatment program shall submit

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the annual evaluation of the education plan to the DJJ Education/Quality Assurance Branch Manager for review.

**V. MONITORING MECHANISM**

The DJJ Education/Quality Assurance Branch Manager or designee, the Regional Day Treatment Manager, the superintendent of a DJJ operated day treatment program or the administrator of a contracted day treatment program and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually.

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES: 505 KAR 1:110</b></p>
<p><b>CHAPTER: Program Services</b></p>		<p><b>AUTHORITY: KRS 15A.065</b></p>
<p><b>SUBJECT: YDC Vocational Education Safety</b></p>		
<p><b>POLICY NUMBER: DJJPP 343</b></p>		
<p><b>TOTAL PAGES: 2</b></p>		
<p><b>DATE ISSUED: July 15, 2005</b></p>		<p><b>EFFECTIVE DATE: 02/03/06</b></p>
<p><b>APPROVAL: Bridget Skaggs Brown</b></p>		<p><b>, COMMISSIONER</b></p>

**I. POLICY**

The Department of Juvenile Justice shall provide a safe vocational/technical training environment, operating in compliance with Federal and state laws and regulations and national standards, through written agreement with local school districts or private or public providers and with the Cabinet for Workforce Development, Office of Career and Technical Education.

**II. APPLICABILITY**

This policy shall apply to all DJJ youth development centers.

**III. DEFINITIONS**

Not Applicable

**IV. PROCEDURES**

- A. DJJ Education/Quality Assurance Branch staff shall be responsible for reviewing the contents of the written agreements with youth development center staff.
- B. The superintendent of a youth development center shall be knowledgeable of and enforce the laws, regulations, national standards, guidelines and policies and procedures governing safety in vocational programs.
- C. The superintendent of a youth development center shall make DJJ staff aware that youth may only use power driven machines and tools under the following circumstances:
  - 1. The youth must be enrolled in a vocational training program;
  - 2. The youth is performing tasks designated by the Workforce Development Curriculum of the training program in which the youth is enrolled;
  - 3. The certified vocational teacher of the training program is supervising the youth;

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4. The youth has successfully completed the safety training necessary to use the machines and tools and/or complete the task;
  5. The Statement of Safety Instruction Form provided by the Cabinet for Workforce Development, Office of Career and Technical Education is on file; and
  6. The certified vocational teacher of the training program has evaluated the emotional state and considered the mental ability of the youth prior to allowing the youth to use power driven machines and tools or perform a potentially hazardous task.
- D. Each youth development center shall establish a safety committee for vocational programming. The safety committee membership shall include but not be limited to the youth development center superintendent or DJJ designee, the vocational coordinator and the vocational teacher(s)
- E. The safety committee shall:
1. Complete a monthly safety inspection of the vocational shop/classroom using the Safety Inspection Form provided by the Cabinet for Workforce Development, Office of Career and Technical Education.
  2. Plan, implement, and record emergency drills and evacuation plans.
  3. Assure a copy of the completed Safety Inspection Form and Fire Drill Record is sent to the Education Branch monthly.

## **V. MONITORING MECHANISM**

The DJJ Education/Quality Assurance Branch Manager or designee, the Regional Facilities Administrator, the superintendent of the youth development center, and the Cabinet for Workforce Development, Office of Career and Technical Education designee shall monitor these activities. Monitoring shall be conducted at least annually.



**JUSTICE CABINET  
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**REFERENCES:  
505 KAR 1:110  
3-JTS-5E-01—06  
1-JBC-5E-01—03**

<b>CHAPTER: Program Services</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Library Services</b>	
<b>POLICY NUMBER: DJJ 344</b>	
<b>TOTAL PAGES: 2</b>	
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<b>APPROVAL: Bridget Skaggs Brown</b>	<b>, COMMISSIONER</b>

**I. POLICY**

Library services shall be provided and made available to youth in DJJ programs.

**II. APPLICABILITY**

This policy shall apply to day treatment programs, group homes and youth development centers.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

- A. DJJ programs shall maintain a library or have organized participation in a local library service. Local libraries or bookmobile services shall be accessed as appropriate.
- B. The School Administrator or designee for day treatment programs and youth development centers shall have primary responsibility for the oversight and coordination of on-site library services. In youth development centers, this responsibility shall include having available a qualified person to coordinate and supervise library services, including matters such as selection and acquisition of new material. Superintendents of group homes shall assign responsibility for the oversight and coordination of library services to a staff member.
- C. Library materials shall be selected to meet the educational, informational, and recreational needs of youth. The following guidelines shall assist in defining the principals, purposes and criteria used in the selection and maintenance of library materials:

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1. Materials shall support and be consistent with treatment goals and objectives;
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. Library services shall provide for, at minimum, the following:

1. A systematic approach to determining the library service needs of the population. This approach shall include periodic surveys of the youth and staff and shall incorporate the treatment environment.
2. Planned and continuous acquisition of materials to meet the need of users.
3. Logical organization of materials for convenient use.
4. Circulation of materials to satisfy the needs of users.
5. Information services to locate facts as needed.
6. A reader's advisory service that helps provide suitable materials for users.
7. Promotion of the uses of library materials.
8. A functional, well lighted area.
9. A congenial library atmosphere.

E. The library collection shall remain current and youth shall have designated times to choose books to read.

F. Reading materials shall be kept in leisure-time areas (i.e. dayrooms) to encourage and provide youth the opportunity to read. These materials shall augment, but not supplant, library services.

**V. MONITORING MECHANISM**

The Superintendent, or the School Administrator in collaboration with the Superintendent or contract Program Administrator, and the Education/Quality Assurance Branch shall monitor this activity.



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**REFERENCES:  
505 KAR 1:110  
3-JTS-5D-02; 5G-01—05  
3-JCRF-5F-01  
1-JBC-5G-01—08**

**CHAPTER: Program Services**

**AUTHORITY: KRS**

**SUBJECT: Religious Programs**

**POLICY NUMBER: DJJ 345**

**TOTAL PAGES: 3**

**DATE ISSUED: July 15, 2005**

**EFFECTIVE DATE: 02/03/06**

**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

DJJ shall provide or make available religious services and counseling to youth in residential placement. Youth shall have the opportunity for voluntary participation in practices of orthodox religious faith in accordance with legislation of the authority having jurisdiction, limited only to legitimate security and operational considerations.

## **II. APPLICABILITY**

This policy shall apply to group homes and youth development centers.

## **III. DEFINITION**

- A. "Orthodox Religious Faith" means conventional religious faith conforming to established doctrine.
- B. "Religious Diet" means any diet deemed essential by the judicatory of a particular religious faith.
- C. "Religious Items" means items associated with a particular religion.
- D. "Religious Practice" means outwardly observable manifestations of religious beliefs including participation in congregations and meetings; engaging in rituals and ceremonies; praying, chanting, singing; wearing special items of clothing, jewelry, hairstyles or beards; adhering to special diets; and participating in special activities characteristic of a particular religion or adherents of a particular religion.

## **IV. PROCEDURES**

- A. Group homes and Level III youth development centers shall use community resources to the extent possible in the provision of religious programming.

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- B. Each Youth Development Center 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.
- C. The Religious Services Coordinator shall:
1. Collaborate with program administrators and staff to plan, direct and coordinate all aspects of the religious program;
  2. Develop and maintain close relationships with community religious resources; and
  3. Assist in developing facility Standard Operating Procedures for the recruiting, training and supervision of religious volunteers.
- D. There shall be a systematic approach to determine the requirements for the religious programming to ensure all youth access to staff and services. Provision shall be made to formally determine and periodically update record of each youth's religious beliefs and practices and to ensure that they are accommodated to the fullest extent possible.
- E. Space shall be available for religious services. A multipurpose room may be used for religious services, provided there is access to this space when needed. Youth participation in religious services and counseling shall be on a voluntary basis. All youth shall have the opportunity to voluntarily practice their respective religions. Youth, in accordance with their classification, shall be permitted to attend religious services of their choice in the community when possible and to receive visits from representatives of their respective faiths. Reference DJJPP 201 and 310.
- F. All reasonable effort shall be made to ensure that youth shall have the opportunity to participate in practices of their religious faith that are deemed essential by the faith's judicatory. Such participation shall be limited only by documentation showing threat to the safety of persons involved in such activity or that the activity itself disrupts order in the facility.
1. Youth shall be permitted to possess items essential to the practice of their particular religious faith, provided such items pose no threat to the safety and security of the facility. Youth shall have access to religious publication of their respective faiths. All religious items and material, however, is subject to review before entering the facility.
  2. DJJ recognizes that certain religious faiths impose dietary restrictions upon their members. Each youth shall be provided, to the fullest extent

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possible, the opportunity to satisfy the minimum dietary requirements deemed essential by his faith's judicatory.

3. A youth's request for participation in a special ceremony or service may be subject to parental consent and approval the facility Superintendent.

#### **V. MONITORING MECHANISM**

Monitoring shall be the responsibility of the Superintendent, the Facilities Residential Administrator or Regional Director and the Education/Quality Assurance Branch.

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES: 505 KAR 1:110 I-JBC-1E-09</b></p>
<p><b>CHAPTER: Program Services</b></p>		<p><b>AUTHORITY: KRS 15A. 065</b></p>
<p><b>SUBJECT: Educational Good Time</b></p>		
<p><b>POLICY NUMBER: DJJ 346</b></p>		
<p><b>TOTAL PAGES: 2</b></p>		
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<p><b>APPROVAL: Bridget Skaggs Brown</b></p>		<p><b>, COMMISSIONER</b></p>

**I. POLICY**

The Department of Juvenile Justice shall award Educational Good time to Youthful Offenders serving time in its facilities in accordance with Kentucky Revised Statute 640.030.

**II. APPLICABILITY**

This policy shall apply to Youthful Offenders in DJJ residential programs.

**III. DEFINITIONS**

- A. "Educational Good Time" means a good time credit that is granted for completion of approved educational programs.
- B. "GED" or General Equivalency Diploma means the instructional program designed to achieve the equivalent of a high school diploma.

**IV. PROCEDURES**

- A. All youth shall be granted an Educational Good Time Award upon completion of any of the following educational programs:
  - 1. GED;
  - 2. High School;
  - 3. Two or four year college degree;
  - 4. Two or four year certification in applied sciences.
- B. Completion of the educational program shall be verified by the school administrator.
- C. Recommendations for an Educational Good Time Award shall be forwarded to the Superintendent and then to the Central Office Records Administrator

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who shall review for accuracy and forward to the Commissioner's Office for final approval.

- D. An Educational Good Time Award for a GED shall not be awarded to a youth who had earned a GED or high school diploma prior to the time of placement into DJJ custody. Exception to this shall be made for the Youthful Offender who earned a GED in detention prior to DJJ placement during a period of time that will be credited as days served toward his sentence.

**V. MONITORING MECHANISM**

Monitoring shall be performed by the Classifications Branch Records Administrator and the General Counsel.



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**REFERENCES:  
505 KAR 1:110  
1-JBC-1E-09**

**CHAPTER: Program Services**

**AUTHORITY: KRS 640.120;  
KRS 15A.065**

**SUBJECT: Meritorious Good Time**

**POLICY NUMBER: DJJ 347**

**TOTAL PAGES: 3**

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**APPROVAL: Bridget Skaggs Brown**

**, COMMISSIONER**

## **I. POLICY**

This policy is issued in accordance with Kentucky Revised Statute 640.120 which authorizes the Department of Juvenile Justice to adopt, amend and rescind regulations necessary for the proper administration of Juvenile Justice. Kentucky Revised Statute 640.030 authorizes Juvenile Justice to award Meritorious Good Time to Youthful Offenders serving time in its facilities.

## **II. APPLICABILITY**

This policy shall apply to Youthful Offenders in DJJ residential programs.

## **III. DEFINITION**

- A. "Anniversary Date" means the "date sentenced or received" as recorded on the second line of the Resident Record Card. The youth's eligibility for Meritorious Good Time shall be reviewed each year through that date.
- B. "Exceptional Award" means Meritorious Good Time for which the Commissioner of Juvenile Justice waives the eligibility requirements due to the performance of exceptionally meritorious service, as for example, an act of heroism. Under no circumstances shall the total of Meritorious Good Time and Exceptional Awards exceed five (5) days for any month served.
- C. "Major Violation" means escape/AWOL; riot or inciting to riot; physical or sexual assault; the unauthorized use, possession, taking, damaging or destroying of someone else's property; fighting; use or possession of contraband items; gambling; deliberately or negligently causing a fire; possession of any weapon; chronic program disruption; and any conduct which would constitute a criminal or public offense.
- D. "Meritorious Good Time" means a good time credit that may be awarded for performing duties of outstanding importance in connection with facility operations and programs.

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- E. "Partial Award" means that during the first year of this policy (Effective Date 01/01/00), on the first anniversary date, youth may be considered for an award for time served prior to the first anniversary date but after the effective date of this policy. Youth shall be eligible for a total of five (5) days per month for any month served in which a major violation did not occur.

#### **IV. PROCEDURES**

- A. All Youthful Offenders shall be considered for Meritorious Good Time annually through their anniversary date with the following exception:

Youth due to be released by minimum expiration of sentence, prior to their anniversary date shall be reviewed within ninety (90) days prior to the actual minimum expiration of their sentence.

1. Each Records Office shall identify monthly any youth that are within ninety (90) days of minimum expiration of sentence.
  2. These recommendations shall be submitted in the form of a memorandum to the Superintendent for signature and forwarding to the Central Office Records Administrator for processing.
- B. If the youth was AWOL or was adjudicated or convicted of an additional felony which occurred while in a DJJ residential program, the six month period following the return to the program from AWOL status or conviction of another felony shall never be considered for an award of Meritorious Good Time.
- C. Utilizing the anniversary date, the youth shall be considered for an award up to, but not exceeding, sixty (60) days for the previous twelve-month period.
1. Meritorious Good Time Awards shall be in five (5) day increments only.
  2. There shall be a decrease in the amount of time awarded by five days for each month in which a major violation occurred.
  3. Multiple major violation occurrences within a single month result in only one five-day (5) deduction.
  4. Those youths who may be eligible to receive a partial award shall be reviewed for an award not to exceed five (5) days per month for each month served. Credit shall not be given for a month in which a major violation occurred or if the youth served less than an entire calendar month.
- D. Each facility Records Office shall identify monthly any youth that are eligible

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for Meritorious Good Time consideration. Program staff shall review the youth record to determine the amount of the total award to which youth is eligible. Program staff shall forward recommendations to the Superintendent for approval or disapproval and signature.

- E. Upon approval of the Superintendent, the Meritorious Good Time recommendation shall be forwarded to the Central Office Records Administrator for verification.
- F. The Meritorious Good Time Award shall be reflected on the Resident Record Card at both the facility and Central Office files.
- G. Once an award period has been reviewed, future awards shall not include any previously considered time period.
- H. Youth may be awarded five (5) days for each full calendar month served. Meritorious Good Time Awards may be awarded on jail or detention time or Parole Violation time. Partial months shall not enter into consideration for award amounts. Example: A youth who has seven months and 20 days credit shall only be reviewed for the seven full months served.
- I. Jail or detention credit and Parole Violation credit may be added together for calculation purposes.
- J. Facility time shall be calculated in full month increments only and shall not be added to jail or detention credit or Parole Violation time.
- K. A youth convicted as a Sex Offender for a crime committed after July 15, 1998 shall not receive credit for Meritorious Good Time until after completion of a Sex Offender Treatment Program.
- L. Even though a youth has received a Meritorious Good Time award, the Department of Juvenile Justice retains the authority to void or adjust the amount of the award at any time during the youth's incarceration, if a review of the record indicates that the award was made in error of law or applicable Department of Juvenile Justice policy and procedure.

**V. MONITORING MECHANISM**

The Facility Records Officer and the Central Office Records Administrator shall monitor this activity.

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES: 505 KAR 1:110</b></p>
<p><b>CHAPTER: Program Services</b></p>		<p><b>AUTHORITY: KRS 15A.065</b></p>
<p><b>SUBJECT: Sex Offender Treatment</b></p>		
<p><b>POLICY NUMBER: DJJ 348</b></p>		
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**I. POLICY**

The Department of Juvenile Justice shall provide a continuum of treatment options from community to residential treatment settings for a youth committed or sentenced to the Department as a Sexual Offender. The Department of Juvenile Justice shall cooperate with the State Police in maintaining the Sex Offender Registry.

**II. APPLICABILITY**

This policy shall apply to all committed or sentenced Sexual Offenders in DJJ custody and shall function in conjunction with DJJPP 626.

**III. DEFINITIONS**

- A. "Juvenile Sexual Offender" is defined in KRS 635.505 (2).
- B. "Sex Offender Registry" is a registration system for adults, which includes Youthful Offenders tried and sentenced as adults, who have committed sex crimes. Reference KRS 17.510.
- C. "Sexual Offender" is defined in KRS 17.550. In accordance with KRS 640.030(4), a Youthful Offender who is a sexual offender shall receive sexual offender treatment through the program operated by the Department of Juvenile Justice pursuant to KRS 635.500.
- D. "Step Down" means transition of a youth to a less restrictive placement, or a graduated series of less restrictive placements, prior to release back into the community.

**IV. PROCEDURES**

- A. Counselors employed or contracted by the DJJ to provide Sex Offender Treatment shall demonstrate competency in this specialized field through a

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combination of training and supervision and/or licensure or certification. Reference DJJPP 504.

- B. Disclosures made in the application for or in the course of a sexual offender's diagnosis and treatment in the Sexual Offender Treatment Program shall be maintained confidential under the provisions of KRS 635.527. Documentation of both verbal and written notice of the limits of confidentiality shall be signed by the youth and placed into the youth's Individual Client Record (ICR).
- C. In addition to the issues delineated in DJJPP 302 for inclusion in the Individualized Treatment Plan (ITP), the ITP for the Juvenile & YO Sexual Offender shall address:
  - 1. Recommendations included in the sexual offender assessment;
  - 2. The schedule of attendance in Sexual Offender counseling;
  - 3. Participation in a Sexual Offender educational program;
  - 4. Participation in planning and completion of Sexual Offender treatment goals;
  - 5. Participation in family counseling;
  - 6. The criteria for discharge as relating to Sexual Offender Treatment; and
  - 7. Any court ordered treatment conditions.
- D. Procedures detailed in DJJPP 206 shall be followed in the referral for step-down of a Juvenile or YO Sexual Offender.
- E. JUVENILE SEXUAL OFFENDER
  - 1. Treatment shall be provided in the least restrictive setting that affords safety to both the Juvenile Sexual Offender and others in the community. If the youth is assessed as being unable to safely remain in the community, the Juvenile Service Worker shall refer the youth for out of home placement. Reference KRS 600.020 and 635.515 (2).
  - 2. Juvenile Sexual Offender treatment shall be for not more than three (3) years, except that the youth shall not remain in the care of the Department after the age of twenty-one (21) years. If a Juvenile Sexual Offender reaches the age of 19 years prior to the completion of the Sex Offender Treatment Program or the expiration of the maximum of three (3) years of treatment, that youth shall be returned to the committing court. At that time the court may order the youth to complete the prescribed treatment subject to the contempt powers of the court. Reference KRS 635.515 (1).

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3. The youth's Counselor shall prepare written reports every sixty (60) days in compliance with DJJPP 302 concerning the participation of the Juvenile Sexual Offender and family in the treatment program. The written report shall include information about the treatment received by the Juvenile Sexual Offender and family, an assessment of the Juvenile Sexual Offender's current condition, and recommendations by program staff. Copies of these sixty (60) day reviews shall be distributed in accordance with DJJPP 300.1 and forwarded to the Coordinator of the SOTP Tracking System in the Division of Placement Services. Reference KRS 635.515 (5).
4. The Juvenile Sexual Offender's case may be called for review upon the recommendation of the program staff or by the juvenile court judge at any time during the course of treatment. The review may be called to consider documentation of noncompliance or unwillingness to acknowledge responsibility for sexually inappropriate behavior which may be remedied through the contempt powers of the court. Reference KRS 635.515 (6).
5. In accordance with KRS 605.090(1)(f) and DJJPP 300.1, written notification shall be provided to the committing court within fourteen (14) days of placement for any Juvenile Sexual Offender being stepped down from a Youth Development Center to a Group Home.
6. Prior to the Juvenile Sexual Offender's release into community placement, a written treatment agreement shall be developed by the Treatment Team which shall include the youth, his parents or guardians, and the assigned Juvenile Service Worker. This written treatment agreement shall detail the responsibilities of the Juvenile Sexual Offender, his family, and the Sex Offender Treatment Program to include but not be limited to: attendance; participation in education; participation in planning and completion of treatment goals; curfew; visit of appropriate staff to the home; participation in parenting groups and family counseling; continued contact with the Sex Offender Treatment Program, schools and courts; insurance of legal rights; and discharge criteria. The written agreement shall be approved by the Superintendent, the Facilities Regional Administrator or Regional Director. Upon such approval, in accordance with KRS 635.515(4) the written agreement shall be presented to the court and the court shall include the agreement as part of the order except for good cause shown. Reference KRS 635.515 (3) and (4).
7. When the release of the youth from out of home placement coincides with

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discharge of the Juvenile Sexual Offender from the Sex Offender Treatment Program, the Facility Counselor and the Juvenile Service Worker shall mutually act to re-docket the youth's case before the committing court for a formal discharge review **60 days** prior to the planned release. Reference KRS 635.515 (7).

**F. YOUTHFUL OFFENDER SEXUAL OFFENDER**

1. Treatment shall be provided in a DJJ operated or contracted residential program providing the least restrictive setting that affords safety to both the YO Sexual Offender and others in the community.
2. The youth's Counselor shall prepare written reports every sixty (60) days in compliance with DJJPP 302 concerning the participation of the YO Sexual Offender in the treatment program. The written report shall include information about the treatment received by the YO Sexual Offender, an assessment of the youth's current condition, and recommendations by program staff. Copies of these sixty (60) day reviews shall be forwarded to the Coordinator of the SOTP Tracking System in the Division of Placement Services.
3. All pertinent information pertaining to a YO Sexual Offender who is to appear before the Parole Board shall be forwarded to the Board prior to the hearing date in accordance with KRS 640.090. As mandated by KRS 439.340 (11), no eligible YO Sexual Offender shall be granted parole unless he has successfully completed the Sex Offender Treatment Program.
4. All pertinent information pertaining to a YO Sexual Offender who is to be paroled or released shall be forwarded to the appropriate provider in accordance with KRS 17.574 for consideration in making recommendations to the sentencing court.
5. Any YO Sexual Offender ordered transferred to the Department of Corrections under KRS 640.030(2)(c) may, at the discretion of the Department of Juvenile Justice, after consultation with the Department of Corrections, remain in the custody of the Department of Juvenile Justice and in a Department of Juvenile Justice facility or program, until expiration of sentence or until released on parole, but in no event past the age of twenty-one (21).

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6. All pertinent information pertaining to participation in the Sex Offender Treatment Program of a YO Sexual Offender who is to be transferred to the Department of Corrections (DOC) shall be forwarded in accordance with KRS 640.110 to DOC on or before the date of transfer.
7. YO Sexual Offenders who have been sentenced for conviction of a “sex crime” as defined in KRS 17.500 after January 15, 1999 shall be informed by the Superintendent or designee of the duty to register. The youth shall be required to read and sign the form provided for that purpose prior to release.

**V. MONITORING MECHANISM**

The Regional and Facility Psychologist, Superintendent, Facilities Regional Administrator or Regional Director, and the Coordinator of the SOTP Tracking System in the Division of Placement Services shall monitor these activities.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:110</b>
<b>CHAPTER: Program Services</b>		<b>AUTHORITY: KRS Chapter 439: KRS 15A. 065, 640.120.</b>
<b>SUBJECT: Youthful Offender Parole</b>		
<b>POLICY NUMBER: DJJ 351</b>		
<b>TOTAL PAGES: 3</b>		
<b>DATE ISSUED: July 15, 2005</b>		<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>		<b>, COMMISSIONER</b>

#### **I. POLICY**

Pursuant to KRS 640.080(1), Youthful Offenders shall be subject to the jurisdiction of the Kentucky Parole Board.

#### **II. APPLICABILITY**

This policy shall apply to Youthful Offenders in DJJ residential placement.

#### **III. DEFINITION**

Not Applicable

#### **IV. PROCEDURES**

- A. The authority for parole rests with the Kentucky Parole Board. The Parole Board holds parole hearings at scheduled times. When a case is eligible for parole consideration, the case shall be reviewed by the Parole Board and, if paroled, the release shall be conditional upon the youth securing an approved Parole Planning Investigation Request Form (P: 403).
- B. Sixty-five (65) days prior to the parole eligibility date, the Superintendent or designee shall forward one copy of the youth's Pre-Parole Progress Report, most recent psychological evaluation and disciplinary Critical Incident Reports to the Central Office Records Administrator for inclusion in the Central Office file.
- C. The Central Office File shall be forwarded by the Central Office Records Administrator or designee to the Parole Board thirty (30) days prior to the parole eligibility month.
- D. The entire facility file shall accompany the youth to the parole hearing.

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- E. Facility staff shall maintain custody and control of the youth at all times while at the Parole Board.
- F. If the Parole Board recommends parole, the facility Treatment Director or designee shall complete a Parole Planning Investigation Request Form.
- G. The Parole Planning Investigation Request Form, the Pre-Sentence Investigation Report, Pre-Parole Progress Report and resident record card shall be forwarded by the Superintendent or designee to the Department of Corrections, Probation and Parole Officer in the county in which the youth will reside within seven (7) working days of the Parole Board's recommendation for Parole.
- H. The Division of Probation and Parole shall have responsibility to investigate the youth's Parole Planning Investigation Request and report the findings to the Parole Board.
- I. If the family or placement resource is out-of-state, it shall be the responsibility of the Division of Probation and Parole to initiate a request for out-of-state placement through Interstate Compact.
- J. If the Parole Planning Investigation Request is approved, the Parole Board shall issue a Parole Certificate. The youth shall not be discharged without a Parole Certificate.
- K. The following steps shall be taken by the Superintendent or designee upon receipt of the Parole Certificate:
  - 1. Sign and date all four (4) copies of the certificate. The date on the certificate shall be the date the youth is released.
  - 2. The Conditions of Supervision shall be signed and dated by the youth and a witness. A copy should be given to the youth, one placed in the facility file, and the original should be sent to the Parole Officer.
  - 3. Inform the youth to report directly to the Parole Officer upon release.
- L. Once a Parole Certificate has been issued, the Youthful Offender shall be released from custody to the direct supervision of the Division of Probation and Parole. The residential Facility Counselor and the Juvenile Service Worker shall be responsible for facilitating transportation for return of the youth to the community.
- M. The Juvenile Service Worker and the Facility Counselor shall document transfer of supervision to the Division of Probation and Parole and process the file for closure. The facility Notice of Discharge shall be forwarded by the Superintendent or designee to the following individuals:

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1. Judge of the Circuit Court in the jurisdictions of commitment and to which the youth is released (if the name of the judge is not known, notice shall be forwarded to the Circuit Court).
  2. Commonwealth Attorney in the jurisdiction to which the youth is released.
  3. County Attorney in the jurisdiction to which the youth is released.
  4. Sheriff of the county to which the youth is released (fax copy). Written copy shall be forwarded within twenty-four (24) hours.
  5. Chief of Police in the city or county to which youth is released (fax copy). Written copy shall be forwarded within twenty-four (24) hours.
  6. State Police in the District to which the youth is released (fax copy). Written copy is to be forwarded within twenty-four (24) hours.
  7. Probation and Parole Offices in the jurisdictions of commitment and to which the youth is released.
- N. Return of Youthful Offender for Placement: If a warrant is issued by the Parole Board, the Youthful Offender shall remain in custody of the local detention center until such time that the Parole Officer is notified by the Centralized Intake/Classification Branch or the Parole Board of the specific date the Youthful Offender shall be returned to DJJ custody to reenter residential placement.

**V. MONITORING MECHANISM**

The Facilities Regional Administrator or Regional Director and the Classification Branch Manager shall monitor this activity.



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

**REFERENCES:  
505 KAR 1:110  
KRS 640.070**

<b>CHAPTER: Program Services</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Youthful Offender Transfer</b>	
<b>POLICY NUMBER: DJJ 352</b>	
<b>TOTAL PAGES: 2</b>	
<b>DATE ISSUED: July 15, 2005</b>	<b>EFFECTIVE DATE: 02/03/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>	<b>, COMMISSIONER</b>

**I. POLICY**

A Youthful Offender may be transferred to the Department of Corrections by the sentencing Circuit Court if the youth has been violent, escaped, or caused serious disruption to the program.

**II. APPLICABILITY**

This policy shall apply to Youthful Offenders placed in any Level V program.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

- A. All Youthful Offenders shall be advised verbally and in writing of this provision upon admission. When a literacy or communication problem exists, a staff member shall assist the youth in understanding the provision.
- B. Documentation that the youth has received this information shall be kept in the Individual Client Record.
- C. If the Treatment Team decides that a request for transfer of a Youthful Offender to the Department of Corrections is appropriate, the counselor shall prepare a report that details the rationale for such a request and forward the report to the Superintendent. The format for this report shall be according to the dictate of the General Counsel.
- D. If in agreement, the Superintendent shall forward the report to the Regional Director through the Facilities Regional Administrator for review.

<b>POLICY NUMBER</b> <b>DJJ 352</b>	<b>ISSUE DATE</b> <b>07/15/05</b>	<b>EFFECTIVE DATE</b> <b>02/03/06</b>	<b>PAGE NUMBER</b> <b>2 of 2</b>
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- E. If in agreement, the Regional Director shall forward the request to the General Counsel and the Commissioner.
- F. General Counsel shall be responsible for facilitating any needed court process.

**V. MONITORING MECHANISM**

This activity shall be monitored by the Superintendent, the Facilities Regional Administrator and the Education/Quality Assurance Branch.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:110</b>
	<b>CHAPTER: Program Services</b>	<b>AUTHORITY: KRS 15A.065</b>
	<b>SUBJECT: Extended Jurisdiction for Youthful Offenders</b>	
	<b>POLICY NUMBER: DJJ 353</b>	
	<b>TOTAL PAGES: 3</b>	
	<b>DATE ISSUED: July 15, 2005</b>	<b>EFFECTIVE DATE: 02/03/06</b>
	<b>APPROVAL: Bridget Skaggs Brown</b>	<b>, COMMISSIONER</b>

**I. POLICY**

The Department may, at its discretion and after consultation with the Department of Corrections, retain physical custody of any youthful offender ordered transferred to the Department of Corrections, in a Department of Juvenile Justice facility or program until expiration of sentence or until the youthful offender is released on parole, but in no event past the age of twenty one (21). Reference KRS 640.075 (1).

**II. APPLICABILITY**

This policy shall apply to Youthful Offenders in DJJ residential placement.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

- A. Any Department Residential Facility may submit to the Commissioner's Office a request to retain jurisdiction of any youthful offender beyond age 18. Said request shall be submitted for processing 60 days prior to the required final court sentencing at attainment of age 18.
- B. The written request form shall contain signature approvals from the requesting facility superintendent as well as the respective FRA, Director and the Deputy Commissioner of Operations.

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- C. The request form shall be submitted to the Commissioner's Office reflecting consensus approval, that the youth fits into one of the following categories, and that retention is justified by one or more of the listed criteria:
1. Either the youth is physically or emotionally immature, and
    - a. Is participating in treatment and continues to make progress, or
    - b. Is completing education requirements, or
    - c. Has special needs that can best be met in a DJJ program; or
  2. The youth will serve out his or her sentence within one (1) year, and
    - a. Is participating in treatment and continues to make progress, or
    - b. Is completing education requirements, or
    - c. Has special needs that can best be met in a DJJ program.
- D. A narrative attachment prepared by the facility superintendent shall accompany each request. The narrative attachment shall outline in detail the justification for retaining the youthful offender in DJJ custody.
- E. The Commissioner or his designee shall consult with the Department of Corrections regarding its intent to retain custody of any eighteen-year-old youthful offender who has been approved for extended jurisdiction.
- F. The Commissioner's Office shall forward the decision of the youthful offender retention of custody through the Operations Deputy Commissioner's Office to the respective Regional Director, RFA and Facility Superintendent.
- G. DJJ staff shall not disclose the decision on extended jurisdiction prior to the court's final sentencing.
- H. **TRANSFERS**
1. Any youthful offender who has been retained in Department custody may be immediately transferred to the Department of Corrections if the

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youthful offender causes any disruption to the program or attempts to escape. Reference KRS 640.075 (2).

2. Any youthful offender who attains age twenty-one (21) while in the custody of the Department of Juvenile Justice shall be immediately transferred to the Department of Corrections. Reference KRS 640.075 (3).
3. The Department of Juvenile Justice shall consult with the Department of Corrections about pending transfers sixty (60) days prior to the twenty-first (21<sup>st</sup>) birthday (for those aging out) and as soon as possible for those who need to be transferred because of behavior.
4. In accordance with KRS 640.075(4), any youthful offender retained by the Department may, after 12 months, petition the sentencing court for reconsideration of probation and may be considered for early parole eligibility.

**V. MONITORING MECHANISM**

This activity shall be monitored by the Superintendent, the Facilities Regional Administrator and the Office of Counsel.