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|  | JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES | REFERENCES: 2-CO-4E-01 4-JCF-4C-43 3-JDF-4C-45 3-JCRF-4C-27 1-JDTP-3B-19 1-JBC-4C-42, 43 1-SJD-4C-27 NCCHC Y-10, 11 |
| CHAPTER: Administration | | AUTHORITY: KRS 15A.065 |
| SUBJECT: Death of a Youth | | KRS 72.020 |
| POLICY NUMBER: DJJ 147 | | |
| TOTAL PAGES: 4 | | |
| EFFECTIVE DATE: 5/15/2017 | | |
| APPROVAL: Carey D. Cockerell | | , COMMISSIONER |

I. POLICY

In the event of the death of a youth in an out-of-home placement prompt notification shall be provided to Emergency Medical Services (EMS), law enforcement officials, the coroner, to the parent or caregiver of the youth, the Internal Investigations Branch (IIB), and to Department of Juvenile Justice (DJJ) officials.

II. APPLICABILITY

This policy shall be applicable to all youth under the supervision and custody of (DJJ) operated and contracted programs.

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

A. Staff shall follow these procedures when the death of youth occurs in a DJJ operated program:

1. Staff on duty shall immediately notify the Emergency Medical Services (EMS) and law enforcement via 911 services, the Superintendent or ADO, and the program nurse, where applicable.
2. Staff on duty shall not disturb the body or the immediate area beyond any action necessary to check for vital signs or provide emergency resuscitation techniques.

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3. The Superintendent or ADO shall immediately notify the respective Facilities Regional Administrator (FRA) or Regional Director, Deputy Commissioner of Operations, Commissioner, and the Office of Legal Counsel.
 4. Staff shall immediately report the incident to IIB.
 5. Notification to the parent or caregiver for death of a youth in an out-of-home placement shall be made by the Commissioner's Office, the Chief of Medical Services, or designee.
 6. Staff shall not provide statements to the press. All inquiries from the press shall be referred to the Public Information Officer or designee.
 7. All staff with direct information regarding events surrounding the death shall document this information on an Incident Report. Detailed documentation of the incident shall be entered in the youth's Individual Client Record (ICR) by staff as soon as possible, including the time the Coroner was notified and pronouncement of death given, names of all staff involved, and all subsequent notifications of parents and guardians. All pertinent notifications and significant facts related to the death shall be fully documented in the ICR.
 8. A final written report, including a copy of the coroner's report, autopsy report when applicable, and any other relevant documentation shall be submitted by the Superintendent to the FRA and up-lined through the chain of command to the Office of the Commissioner.
 9. A complete copy of all records relating to the youth shall be forwarded to the Office of Legal Counsel.
- B. Staff shall follow these procedures when the death of youth occurs off campus while the youth is not under DJJ staff supervision (i.e., AWOL, furlough, off-campus work site, school, etc.):
1. The Superintendent or ADO shall immediately notify the respective Facilities Regional Administrator (FRA) or Regional Director, Deputy Commissioner of Operations, Commissioner, and the Office of Legal Counsel.
 2. The Superintendent or ADO shall cooperate and communicate with the person in charge at the location of the death.
 3. Notification to the parent or caregiver for death of a youth shall be made by the Commissioner's Office, the Chief of Medical Services, or designee.
 4. A final written report, including a copy of the coroner's report, autopsy report when applicable, and any other relevant documentation shall be submitted by the Superintendent to the FRA and up-lined through the chain of command to the Office of the Commissioner.

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5. A complete copy of all records relating to the youth shall be forwarded to the Office of Legal Counsel.
 6. The reason the youth was off campus and out of staff supervision shall be included on the incident report.
- C. Staff shall follow these procedures when the death of a youth occurs in a contracted or DJJ arranged private placement:
1. The private provider shall notify the JSW and DJJ Classification Branch.
 2. The JSW shall immediately notify the Juvenile Services District Supervisor (JSDS), Juvenile Services Regional Manager, Director of Community and Mental Health Services, Deputy Commissioner of Community and Mental Health, Commissioner, and the Office of Legal Counsel.
 3. The JSDS shall immediately report the incident to IIB.
 4. If notification to the parent or caregiver has not already been made by the placement, the Commissioner's Office, the Chief of Medical Services, or designee shall provide the notification.
 5. Service providers having direct knowledge of the events surrounding the death shall be requested by the JSW to supply a written narrative regarding the death for inclusion in the client file.
 6. A final written report, including a copy of the coroner's report, autopsy report when applicable, and any other relevant documentation shall be submitted by the JSDS to the Regional Manager, Director of Community and Mental Health, Deputy Commissioner of Community and Mental Health, Commissioner, and Office of Legal Counsel.
- D. Staff shall follow these procedures if the death of youth occurs in an Alternative to Detention program:
1. Upon the death of a youth in an Alternative to Detention program, the Detention Alternatives Coordinator (DAC) shall immediately notify the Alternatives Services Branch Manager, Director of Placement Services, Deputy Commissioner of Program Operations, the Commissioner, and Office of Legal Counsel.
 2. The DAC shall notify the court that approved the Alternative to Detention placement.
 3. If notification to the parent or caregiver has not already been made by the placement, the Commissioner's Office, the Chief of Medical Services, or designee shall provide the notification.
 4. Service providers having direct knowledge of the events surrounding the death shall be requested by the DAC to supply a written narrative regarding the death for inclusion in the client file.

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5. A final written report, including a copy of the coroner's report, autopsy report when applicable, and any other relevant documentation shall be submitted by the Alternative to Detention Branch Manager, Director of Placement Services, Deputy Commissioner of Program Services, Commissioner, and Office of Legal Counsel.
- E. Staff shall follow these procedures when the death of a probated, committed, or sentenced youth occurs in the community:
 1. JSW shall immediately notify the JSDS, Regional Manager, Director of Community and Mental Health, Deputy Commissioner of Community and Mental Health, Commissioner, and the Office of Legal Counsel.
 2. If notification has not already been made, staff shall immediately report the incident to law enforcement.
 3. A final written report, including a copy of the coroner's report, autopsy report when applicable, and any other relevant documentation shall be submitted by the JSDS to the Regional Manager, Director of Community and Mental Health, Deputy Commissioner of Community and Mental Health, Commissioner, and the Office of Legal Counsel.
 - F. A complete copy of the deceased youth's records shall be forwarded within seventy-two (72) hours for the internal review committee process to occur. Reference DJJPP 617 "Incident Reports".
 - G. If a plan of corrective action is recommended by the Commissioner, the Regional Manager or Regional Division Director shall submit a subsequent report regarding the implementation and results of the corrective action to the Commissioner within thirty (30) calendar days of receiving the report.
 - H. All family and personal resources shall be exhausted prior to recommending expenditure of Departmental funds for funeral and burial expenditures. Requests of this nature shall be forwarded through the supervisory channels to the Office of the Commissioner. Only the Commissioner may approve this request.

V. MONITORING MECHANISM

This policy shall be monitored by the Commissioner's Office.