

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES:
CHAPTER: Transportation Mobile Video		AUTHORITY: KRS 15A.065
SUBJECT: Administrative		
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APPROVAL: Raymond F. DeBolt		, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) staff may use a mobile video recorder (MVR) within state vehicles used by DJJ staff during the transport of youth.

II. APPLICABILITY

This policy shall apply to all DJJ staff when a portable MVR is available and assigned.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. DJJ staff may be assigned a portable MVR when transporting youth. The staff shall be responsible for the proper use and storage of the equipment.
- B. Prior to use, staff shall ensure that the MVR is working properly. Any equipment failures shall be brought to the attention of the Transportation Branch Manager as soon as possible. The Transportation Branch Manager shall notify DJJ Information System (IS) Branch the next business day of any technical issues or malfunctioning equipment.
- C. Staff shall not erase, alter, modify, or tamper with the MVR or the MVR equipment.
- D. In preparation for a transport, the MVR shall be installed by DJJ staff. The MVR shall be positioned in the vehicle so that the vehicle interior, specifically the youth being transported and the compartment housing the driver, can be recorded. If the MVR is not capable of capturing the interior of the vehicle, the

POLICY NUMBER DJJ 151	EFFECTIVE DATE 5/24/2019	PAGE NUMBER 2 of 3
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MVR shall be positioned to ensure the youth are within view at all times of the transport and include as much of the compartment housing the driver.

- E. DJJ staff shall not intentionally interfere with the capability of the MVR system to record video or audio data.
- F. When a youth is being transported, DJJ staff shall begin recording immediately after the youth is placed in the vehicle prior to the movement of the vehicle and continue recording until the vehicle has reached the final destination and the youth has been removed.
- G. The MVR shall only be used to record a youth being transported by staff. Any other usage of the MVR shall be approved by the Transportation Branch Manager.
- H. DJJ staff shall remove the data storage cards once the media card reaches capacity. Staff shall secure and protect data cards that have reached capacity and submit the data cards to the Transportation Branch Manager in order to preserve and to protect the data or video recordings.
- I. After the data card has been removed and the data is stored, the device shall be reset for the next scheduled transport.
- J. Each data card shall be maintained for thirty (30) days after a transport is completed.
- K. If during the thirty (30) days, an incident report or youth grievance is generated due to the transport, the data shall be sent to the Transportation Branch Manager within two (2) business days of the incident report or grievance. The Transportation Branch Manager shall send the data storage card to the Director of Placement Services within two (2) business days. The data recording shall be archived in accordance with DJJPP Chapter 1 (Video Surveillance).
- L. If the DJJ staff involved in the transport, DJJ management staff or the DJJ Transportation Branch Manager becomes aware of reasonably foreseeable litigation or receive notice of litigation concerning the transport, then the DJJ staff involved in the transport shall send the data storage card to the Transportation Branch Manager within two (2) business days of the incident. The Transportation Branch Manager shall send the data storage card to the Director of Placement Services within two (2) business days. The Director of Placement Services shall be responsible for making sure that the data recording of the transport is archived in accordance with DJJPP Chapter 1 (Video Surveillance).
- M. If a data card is not needed thirty (30) days after a transport, the data card may be reused by staff.
- N. All imagery, video and audio recordings, or other similar items that are taken, recorded or obtained while within the scope of the DJJ business or authority is the property of the department. Storage, destruction, copying, releasing, or other

POLICY NUMBER DJJ 151	EFFECTIVE DATE 5/24/2019	PAGE NUMBER 3 of 3
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dissemination is prohibited unless approved by the DJJ Office of Legal Services and the Commissioner.

- O. All viewing or listening to any recordings generated by a transport shall only be conducted by the Information Services Branch Manager, the Director of Placement Services, the Transportation Branch Manager, the Ombudsman or IIB staff, DJJ Office of Legal Services, the Deputy Commissioner, or Commissioner. No copies or images from the MVR shall be made by anyone except the Information Services Branch Manager or a designee specified by IS.
- P. To prevent damage to or alteration of an original recording generated by a MVR, the original recording shall not be copied, viewed, or otherwise inserted into any device not approved by the Information System Branch Manager or a designee specified by IS.
- Q. In the event of a MVR malfunction, either at the beginning or during a transport, DJJ staff shall report the issue immediately to the Transportation Branch Manager at the first available opportunity to stop.
- R. The MVR shall remain in the recording mode the entire transport. The recording shall be in record mode during all stops and breaks even when the youth is not in the vehicle. The MVR shall not be stopped until the final transportation destination.

V. MONITORING MECHANISM

DJJ Transportation Branch Manager shall have the responsibility for monitoring the MVR equipment and compliance with this policy.