

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	505 KAR 1:100 REFERENCES: KRS Chapter 615
	CHAPTER: Admissions	AUTHORITY: KRS 15A.069
SUBJECT: Interstate Referrals		
POLICY NUMBER: DJJ 210		
TOTAL PAGES: 4		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter		, COMMISSIONER

I. POLICY

All out-of-state placements of committed or probated youths that have more than 90 days of supervision remaining shall be referred through the Interstate Compact for Juveniles prior to placement. The sending state shall establish the jurisdictional limits of the duration of supervision for youths placed on probation or parole (supervised placement). Courtesy supervision shall, at a minimum, be the equivalent of that offered to youths who are residents of the receiving state.

II. APPLICABILITY

This policy shall apply to all youth committed or probated to the Kentucky Department of Juvenile Justice (DJJ) who are being considered for out-of-state placement and to all youth who are probated or committed in another state and being considered for placement under the supervision of the Department of Juvenile Justice in Kentucky.

III. DEFINITIONS

Refer to Chapter 200.

IV. PROCEDURES

A. Referrals from Other States:

1. Upon receipt of a referral from the sending state, the Compact Administrator or designee shall view the materials and, if complete, forward the packet to the Juvenile Services District Supervisor (JSDS) for the proposed county of residence for the youth.
2. The JSDS shall assign the referral to the appropriate Juvenile Service Worker (JSW) for investigation.

POLICY NUMBER DJJ 210	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
--	---	-------------------------------------

3. The JSW shall complete the home investigation and prepare a written Interstate Home Evaluation Report (ICJ Form VIII) summarizing their findings and recommendations regarding the placement of the youth.
 - a. This report shall be submitted for the review of the JSDS and forwarded to the Compact Administrator or designee within thirty (30) working days following referral.
 - b. Investigations shall be completed and returned to the Compact Administrator or designee by electronic transfer.
- B. Referrals from Kentucky:
1. When initiating a referral to place a youth in another state, the JSW shall complete a written request and forward it to the Kentucky Compact Administrator or designee for the placement investigation.
 2. Youths who are placed in DJJ residential facilities shall be referred by the Superintendent or designee in consultation with the youth's JSW.
 3. Referrals for placement shall include the following information:
 - a. A cover letter delineating the reason for the request to include the proposed placement and restitution orders from the court, if any;
 - b. A current Social History and Risk-Needs Assessment;
 - c. Court documents: petitions, court calendars, commitment order(s), or probation order(s), to include any special orders of the court (i.e., for community service hours or restitution payments);
 - d. Conditions of probation or parole (supervised placement agreement) signed by the youth and witnessed;
 - e. Additional available information may include: educational, medical, and psychological reports. If the youth is a declared juvenile sexual offender, a psychosexual assessment and relapse prevention plan are required;
 - f. Current Case Plan or Treatment Plan;
 - g. Application for Services and Waiver (ICJ Form 1A-VI) with required signatures; and
 - h. Probation or Parole Investigation Request (ICJ Form IV).
- C. The Compact Administrator or designee shall verify that the referral is complete before forwarding the materials to the proposed receiving state.
- D. Upon receiving a report from the receiving state, the Compact Administrator or designee shall advise the JSW or residential facility.

POLICY NUMBER DJJ 210	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
--	---	-------------------------------------

- E. The JSW or residential facility shall notify the Compact Administrator or designee in advance of the date of the youth's pending placement and travel plan.
- F. The Compact Administrator or designee shall make the appropriate travel arrangements and complete the Report of Sending State upon Parolee or Probationer Being Sent to the Receiving State (ICJ Form V).
- G. Cooperative Supervision:
1. After accepting supervision, the receiving state will assume the duties of visitation and supervision over any youth, including juvenile sexual offenders, and in exercise of those duties shall be governed by the same standards of visitation and supervision that prevails for its own youth released on probation or parole.
 2. Both the sending and receiving states shall have the authority to enforce terms of probation and parole. Any costs incurred from any enforcement sanctions shall be the responsibility of the state seeking to impose such sanctions.
 3. The receiving state shall furnish written progress reports to the sending state on no less than a quarterly basis. Additional reports shall be sent in cases where there are concerns regarding the youth or there has been a change in placement.
 4. The sending state shall be financially responsible for treatment services ordered either by the court or paroling authority in the sending state when they are not available through the supervising agency in the receiving state or cannot be obtained through Medicaid, private insurance, or other payer. The initial referral shall clearly state who will be responsible for purchasing treatment services.
 5. In conducting home evaluations for sexual offenders, the receiving state shall ensure compliance with local policies or laws prior to issuing reporting instructions.
 6. Supervision may only be denied or accepted by the Interstate Compact Administrator or designee after considering the recommendation from the JSW or JSDS. Supervision may be denied when the home evaluation reveals that the proposed placement is unsuitable except when a juvenile has no custodial parent or legal guardian remaining in the sending state and the juvenile does have a custodial parent or legal guardian residing in the receiving state.
 7. Restitution payments or court fines from youth are to be paid directly from the youth or youth's family to the adjudicating court or agency in the sending state. Supervising officers in the receiving state shall encourage the youth to make regular payments in accordance with the

POLICY NUMBER DJJ 210	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
--	---	-------------------------------------

court order of the sending state. The sending state shall provide the specific payment schedule and payee information to the receiving state.

- H. Termination of supervision shall be granted only by the sending state. Upon official notification from the Compact Administrator, the Compact portion of the youth's case may be closed. The JSW or JSDS shall not close the Interstate Compact portion of an open case without approval from the Compact Administrator or designee.

V. MONITORING MECHANISM

The Classification Branch Manager, Division Director of Placement Services, the Deputy Commissioner of Program Operations, and the Commissioner of Interstate Compact shall monitor all activities related to the Interstate Compact on Juveniles.