

	DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-3A-15-2 3-JDF-3A-26, 27 3-JDF-3B-04
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Definitions		
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APPROVAL: Vicki Reed, COMMISSIONER		

I. POLICY

The following definitions shall apply in the Department of Juvenile Justice Policy and Procedures Manual (DJJPP) 701 through 731.

II. DEFINITIONS

- A. “Absent without leave” or “AWOL” means a juvenile who is absent without permission from an alternative to detention placement or a DJJ probated or committed public offender or youthful offender is absent without permission while on conditions of probation, conditions awaiting placement, or who violates the terms or conditions of supervised placement.
- B. “Alternative to Secure Detention Program (ATD)” means any resource which provides a less restrictive environment than Secure Detention: e.g. emergency shelter care, court resource home, day reporting center, or home detention.
- C. “Cavity search” means a manual or instrument inspection of a person’s anal, vaginal, or other body cavity by trained medical personnel.
- D. “Classification” means a process to determine the risks, needs, and requirements of youth.
- E. “Contraband” is defined by KRS 520.010 (1) and includes tobacco, lighters, matches, pins, needles, sewing equipment, aerosol cans, toxic cosmetics (such as nail polish remover), modeling glue, cleaning fluids, paints, razors, tools, ropes, chains, extremely toxic house plants, broken articles, drug paraphernalia, as defined by KRS 218A.500, and any other item used to subvert security measures, assist in an escape event, or as indicated by the facility Standard Operating Procedures.
- F. “Court resource home” means 24 hour custodial care in a home setting.
- G. “Dangerous contraband” is defined by KRS 520.010 (3) and means contraband which is capable of endangering the safety or security of a facility or persons therein, including dangerous instruments or deadly weapons as defined in KRS 500.080, saws, files, and similar metal cutting instruments, any controlled substance, any quantity of an alcoholic beverage, and any quantity of marijuana.
- H. “Dangerous instrument” is defined by KRS 500.080(3).

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- I. “Deadly weapon” is defined by KRS 500.080(4).
- J. “Detention Alternative Coordinator (DAC)” means a person employed by the Department of Juvenile Justice that is responsible for the development of alternatives to secure detention programs, screening of youth to determine who is appropriate for non-secure detention, and oversight of the youth placed in these programs.
- K. “Detention Risk Assessment Instrument” means the scoring instrument used by the Department of Juvenile Justice to determine whether a youth should be placed in secure, non-secure, or home detention care.
- L. “Disciplinary review” means a non-judicial administrative procedure to determine if grounds exist to substantiate activity or privilege restriction or Room Confinement.
- M. “Disciplinary Review Committee” means staff empowered to conduct a Disciplinary Review.
- N. “DJJ” means Department of Juvenile Justice.
- O. “Electronic monitoring” means a supervision tool that provides electronic information about the youth’s presence at, or absence from, his or her residence or other location.
- P. “Escape” is defined by KRS 520.010(5).
- Q. “Escorted day leave” means the authorized absence of a youth from the detention facility into the community for a period of less than 24-hours under direct escort and supervision of the detention center staff. May be referred to as furlough by the courts.
- R. “Grievance” means an actual or supposed circumstance regarded as just cause for complaint. A written statement in which a complaint or dissatisfaction is documented.
- S. “Home detention” means ordered supervision of youth in his or her own home with or without electronic monitoring.
- T. “ICR” means Individual Client Record.
- U. “Incident” means unusual event or occurrence in which youth behaviors compromise the health, safety, or security of youth or staff including:
 - 1. Use of isolation;
 - 2. AWOL or 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;

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11. The taking of hostages;
12. Medication error; or,
13. Other.

V. “Isolation” means the removal of a resident from the general population.

W. “JSW” means Juvenile Service Worker.

X. “Juvenile” means:

1. Any person probated, committed, or under the supervision of the Department of Juvenile Justice under KRS Chapter 600 who is subject to the jurisdiction of the juvenile court;
2. Any youthful offender in the custody of the Department of Juvenile Justice prior to final sentencing; and
3. Any person under the age of 18, unless under adult court supervision and confined or detained in a prison or jail as established in 28 C.F.R. § 115.5.

Y. “Juvenile holding facility” means a physically secure setting which is an entirely separate facility or portion or wing of a building containing an adult jail, which provides total separation between juvenile and adult facility spatial areas and which is staffed by sufficient certified staff to provide twenty-four (24) hour per day supervision.

Z. “Licensed Behavioral Health Professional” or “LBHP” means:

1. A psychiatrist licensed under the laws of Kentucky to practice medicine or osteopathy, or a medical officer of the government of the United States while engaged in the performance of official duties, who is certified or eligible to apply for certification by the American Board of Psychiatry and Neurology, Inc. or the American Osteopathic Board of Neurology and Psychiatry;
2. A physician licensed in Kentucky to practice medicine or osteopathy in accordance with KRS 311.571;
3. A psychologist licensed and practicing in accordance with KRS 319.050;
4. A psychologist certified and practicing in accordance with KRS 319.056;
5. A licensed psychological associate licensed and practicing in accordance with KRS 319.064;
6. A certified psychologist with autonomous functioning or licensed psychological practitioner practicing in accordance with KRS 319.056;
7. A clinical social worker licensed and practicing in accordance with KRS 335.100;
8. A social worker certified and practicing in accordance with KRS 335.080;
9. An advanced practice registered nurse licensed and practicing in accordance with KRS 314.042;
10. A physician assistant licensed under KRS 311.840 to 311.862;
11. A licensed marriage and family therapist as defined by KRS 335.300(2);
12. A marriage and family therapy associate as defined by KRS 335.300(3);
13. A licensed professional clinical counselor as defined by KRS 335.500(3);
14. A licensed professional counselor associate as defined by KRS 335.500(4);
15. A licensed professional art therapist as defined by KRS 309.130(2);
16. A licensed professional art therapist associate as defined by KRS 309.130(3);

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- 17. A licensed behavior analyst as defined by KRS 319C.010(6); or
- 18. A registered behavior technician under the supervision of a licensed behavior analyst.
- AA. “Major rule violation” means a rule infraction that includes escape, Absent Without Leave, physical or sexual assault or threat of physical or sexual assault, major property destruction, possession of contraband, and chronic program disruption requiring due process.
- BB. “Minor rule violation” means a violation of the facility’s rules of conduct that does not require due process.
- CC. “One-to-one supervision” means when an individual staff member is assigned to directly supervise no more than one (1) youth. The staff shall stay within very close proximity to ensure constant supervision and immediate intervention if needed for safety reasons.
- DD. “Pat-down search” means a running of the hands over the clothed body of an inmate, detainee, or resident by an employee to determine whether the individual possesses contraband.
- EE. “Qualified mental health professional” or “QMHP” is defined by KRS 202A.011.
- FF. “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.
- GG. “Room restriction” means a temporary removal of a youth from general population to a specified location for behavior management purposes for a maximum of 24 hours.
- HH. “Runaway” means any child under the juvenile jurisdictional age limit established by their home state who has run away from their residence without consent of the parent, legal guardian, person, or custodial agency entitled to their legal custody.
- II. “Secure juvenile detention facility” is defined by KRS 15A.200(2).
- JJ. “Security staff” means employees primarily responsible for the supervision and control of inmates, detainees, or residents in housing units, recreational areas, dining areas, and other program areas of the facility as established in 28 C.F.R. § 115.5.
- KK. “Special incident” means an act in which the health or welfare of a resident is harmed or threatened with harm by an offender, including if an offender:
 - 1. Uses inappropriate or excessive force that results in injury;
 - 2. Uses inappropriate or excessive force that could result in an injury;
 - 3. Engages in any sexual activity to include any contact or interaction that uses, allows, permits, or encourages the use of a resident for the sexual gratification of the offender or another person;

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4. Uses inappropriate consequences as punishment such as exercise, harsh physical labor, or other physical consequences outside accepted practices.
- LL. “Staff-secure shelter” means 24-hour custodial care for youth in a non Department of Juvenile Justice staff secure setting.
- MM. “Status offender” means a youth who is accused of committing acts, which if committed by an adult, would not be a crime.
- NN. “Strip search” means a search that requires a person to remove or arrange some or all clothing so as to permit a visual inspection of the person’s breasts, buttocks, or genitalia.
- OO. “Time-out” means the temporary removal of a youth from general programming for the youth to be given a chance to regain control of his or her behavior.
- PP. “Unescorted day leave” means the authorized absence from the detention center into the community for a period of less than 24-hours without escort or supervision, or under escort and supervision of anyone other than the detention center staff. May be referred to as furlough by the court system.
- QQ. “Work detail” means daily work and chore assignments related to housekeeping, maintenance of the facility or its grounds, or personal hygiene needs.
- RR. “YWS” means Youth Worker Supervisor.