



**DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
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CHAPTER: Detention Services

AUTHORITY: KRS 15A.065

SUBJECT: Escape/AWOL

POLICY NUMBER: DJJ 712

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APPROVAL: Vicki Reed, COMMISSIONER

I. POLICY

When a juvenile is missing from his assigned area or placement, immediate appropriate procedures shall be followed to locate and return the juvenile.

II. APPLICABILITY

This policy shall apply to all regional juvenile detention centers and alternative to secure detention programs.

III. DEFINITIONS

Refer to DJJPP 700.

IV. PROCEDURES

A. General

1. Staff shall be alert to the possibility that any juvenile might escape or be absent without leave (AWOL). Staff shall take appropriate and well defined measures to prevent, when possible, a resident from being AWOL or escaping. All preventive measures shall ensure that the juvenile's civil rights are not violated or compromised.
2. Staff responding to an escape or AWOL situation shall not:
 - a. 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;
 - b. Carry or use a deadly weapon;
 - c. Use unnecessary force. Any use of restraint necessary in the course of return to custody shall be applied in accordance with DJJPP 713 (Restraints);
 - d. Engage in any activity that creates a hazardous or physically offensive condition;
 - e. Violate any law or ordinance; or,

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- f. Give permission to or use another juvenile in the search for, taking into custody, or the returning of a missing juvenile.
3. Each DJJ juvenile detention center shall establish Standard Operating Procedures for responding to an escape or AWOL situation. These procedures 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 escape or AWOL procedures.

B. ESCAPE FROM SECURE DETENTION

1. Any staff who becomes aware of a missing juvenile shall immediately notify the supervisor and staff on duty. The supervisor shall immediately notify the Superintendent about 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 missing juvenile.
2. After accounting for all other juveniles and ensuring their safety, the Superintendent may select available staff to conduct a search in the immediate vicinity of the facility or grounds from which the juvenile became missing.
3. If the missing juvenile is suspected to possess a deadly weapon or dangerous instrument, staff shall not proceed or do anything that may escalate the situation.
4. Law enforcement assumes primary responsibility in the search and apprehension of the juvenile. 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 on the situation. A photograph of the missing juvenile shall be provided to law enforcement.
5. The Superintendent shall institute a formal record keeping process, other than the program log, to accurately document the events of the incident. This record shall be entered into the juvenile's record as an attachment to the incident report when completed. The progress notes 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.
6. The Superintendent or designee shall immediately notify the Facility Regional Administrator (FRA). The FRA shall immediately contact the Regional Director. The Regional Director or designee shall immediately notify the Commissioner or designee. Written escape reports shall be

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transmitted to the Regional Director and Commissioner's office as soon as possible.

7. The Office of the Commissioner shall notify the DJJ Office of Communications. The Office of Communications shall conduct or coordinate response to all media contacts and inquiries.
8. Within 2 hours of the escape, the juvenile's family or surrogates, the Court Designated Worker, and appropriate DJJ Juvenile Services personnel shall be notified. When notifying the juvenile's family, it shall be made clear that their assistance is requested in notifying the appropriate law enforcement agencies and DJJ agencies if the juvenile's location becomes known to them.
9. Notice shall be provided to the court within two hours of the incident for juveniles that are in detention who are not committed to the Department; or, within two hours of the start of the court's next business day if the incident occurred after hours or on a weekend or holiday.
10. The escape report shall be completed and transmitted to the Regional and Central Offices within 2 hours of an escape from secure detention.
11. Report of the incident shall be fully documented in compliance with DJJPP 715 (Incident Reports).
12. If the juvenile has an active order of commitment to DJJ, the assigned Juvenile Service Worker, with local or Kentucky State Police assistance, shall make phone contact with the juvenile's caregiver within 24 hours and maintain weekly contact for the duration of the AWOL.
13. The Superintendent or designee shall file escape charges with the local prosecutor as soon as possible.
14. The Court Designated Worker, appropriate DJJ Juvenile Service personnel, and the family shall be notified once the juvenile is returned to the program site or taken into custody by law enforcement.

C. ESCAPE DURING COMMUNITY VISIT/HOSPITALIZATION

If a juvenile becomes missing while on a community visit (i.e. medical visits, escorted community visit, etc.) or while hospitalized away from the secure detention facility for in-patient medical or psychiatric care, the following procedures shall apply:

1. After ensuring the safety and security of other residents who might be present, staff shall immediately place a call to the 911 emergency operator (or directly to law enforcement in areas not having 911 service). Law enforcement assumes primary responsibility in the search and apprehension of the juvenile.

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2. After notifying law enforcement, staff shall act to insure immediate notification of the Superintendent as to the current situation and what actions have been taken to that point.
3. A designated staff member at the facility shall place calls to the Kentucky State Police, and the law enforcement unit in the home locale of the escapee.
4. All procedures outlined in Sections B. 3.-B. 13. of this policy shall be followed.

D. INVESTIGATION OF ESCAPE FROM SECURE DETENTION

1. The Superintendent or designee shall up-line the information to the Office of the Commissioner or designee as soon as possible about the escape.
2. The Internal Investigations Branch (IIB) shall be notified as soon as practical about the incident and ensure all investigative reports from the Superintendent or Regional Director are forwarded to IIB. Notice shall also be provided to the DJJ Construction Superintendent if immediate attention is required for correction of contributing major physical plant issues.
3. Copies of any investigative report shall be forwarded to the Facility Superintendent, and the Regional Director or designee by the Office of the Commissioner.
4. An action plan of correction or prevention shall be submitted by the Superintendent of the facility from which the escape occurred within fifteen (15) days following the receipt of an IIB investigation report or notification that IIB is declining to investigate. This plan shall be submitted through the Facilities Regional Administrator for up-lining to the Office of the Commissioner. These action plans shall require implementation dates and documented completions of outlined action steps.
5. After approval, copy of the plan shall be forwarded to the Office of the Commissioner or designee. Follow-up to determine if the plans of correction have been implemented shall be conducted by the Regional Director.

E. AWOL FROM ALTERNATIVE DETENTION PROGRAM

1. The Detention Alternative Coordinator or designee who becomes aware of a juvenile missing from his assigned Alternative Detention Placement shall immediately place a call to local law enforcement, the Kentucky State Police, and the law enforcement unit in the home locale of the escapee. Law enforcement assumes primary responsibility in the search and apprehension of the juvenile.

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2. Within 2 hours of the escape, the juvenile's family or surrogates, the Court Designated Worker, and appropriate DJJ Juvenile Services personnel shall be notified. When notifying the juvenile's family, it shall be made clear that their assistance is requested in notifying the appropriate law enforcement agencies and DJJ agencies if the juvenile's location becomes known to them.
 3. The Detention Alternative Coordinator shall notify the Superintendent as to the current situation and what actions have been taken to that point.
 4. Report of the incident shall be fully documented in an incident report in compliance with DJJPP 715 (Incident Reports).
 5. Upon apprehension, the juvenile shall be returned to the juvenile detention center.
 6. The Court Designated Worker, appropriate DJJ Juvenile Service personnel, and the family shall be notified once the juvenile is returned to the program site or taken into custody by law enforcement.
- F. Investigations of AWOLs from alternative to detention may be initiated in accordance with the protocol for investigation of escape from secure detention at the discretion of the Office of the Commissioner.
- G. The Superintendent shall include in their quarterly and annual reports a summary of all incidents of escape or AWOL which occurred during that report time period.

V. MONITORING MECHANISM

The Facility Superintendent, Facilities Regional Administrator and the Quality Assurance Branch shall monitor compliance with this policy. Records maintained on incidents shall be reviewed by the Office of the Commissioner.