

Reporting Probation Violations to the Court

Probation Violations will be reported to the court if the violation creates an imminent threat or significant safety risk to self or others OR if after graduated sanctions and services have been exhausted, violations persist. If a decision is made to present the probation violations to the court, you will be notified of such and the Court will appoint an attorney represent you.

If the court has previously imposed graduated sanctions for a violation of conditions of probation, or makes a finding that the graduated sanctions have previously been imposed, then the court may impose a sanction of up to thirty (30) days of detention for a violation of conditions of probation.



Kentucky Department of Juvenile Justice

Reporting Probation Violations to the Court

Supervised Placement Administrative Revocation Process



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Department of Juvenile Justice
Central Office
1025 Capital Center Drive
Frankfort, KY 40601
Phone: 502-573-2738
Website: <http://www.djj.ky.gov>



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Supervised Placement Administrative Revocation

The administrative revocation process applies to committed youth who reside in the community and are on conditions of supervised placement.

Administrative Revocation may be initiated by the youth's Juvenile Services Worker if he/she violates his or her Supervised Placement Conditions and has not responded to graduated sanctions in an attempt to correct the behavior. A revocation request will be initiated if the youth presents a safety concern to self or others. This process is conducted internally by the Department of Juvenile Justice. It consists of a hearing officer being assigned to hear the case and a defense attorney being assigned to represent the youth.

If a youth presents safety concerns to self or others, a Commissioner's Warrant will be issued. The Commissioner's Warrant is executed by law enforcement resulting in the youth being detained. If this is the case, your child will be detained in the juvenile detention center closest to where the youth was picked up or where the youth resides.



Probable Cause Hearing

When youth are detained on a Commissioner's Warrant, a probable cause hearing will be held within five (5) days (excluding weekends and holidays) of the youth being detained.

The purpose of the probable cause hearing is two-fold:

1. To determine whether it is more likely than not that the youth has violated his or her conditions.
2. To determine if there are safety concerns that warrants continued detention.



If probable cause **IS** found to exist, then a revocation hearing will be scheduled.

- If it is found that a safety concern exists, the youth will be detained pending the revocation hearing.
- If it is found that no safety concern exists, the youth will be released from detention pending the revocation hearing in the community.

If probable cause **DOES NOT** exist, then the youth will be released, if he or she was detained, and the revocation process is over for these specific alleged violations. The youth will then return to the community on supervised placement conditions.

Revocation Hearing

At the revocation hearing (whether it be in detention or the community), the hearing officer must determine if the youth has violated one or more conditions of his supervised placement and whether revocation is warranted.

If such a finding is made by the hearing officer, the DJJ Director of Community & Mental Health Services may proceed with issuing the final decision letter advising that the youth's supervised placement has been revoked and he/she will be referred to Classification for out of home placement.

If there is no such finding of conditions violated or that revocation is not warranted, the youth will remain in the community on conditions of supervised placement.

