

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	505 KAR 1:100 REFERENCES:
CHAPTER: Interstate Compact for Juveniles		AUTHORITY: KRS 15A.069
SUBJECT: Interstate Runaways, Escapees and Absconders		
POLICY NUMBER: DJJ 1202		
TOTAL PAGES: 3		
EFFECTIVE DATE: 4/05/2019		
APPROVAL: Carey D. Cockerell , COMMISSIONER		

I. POLICY

Upon apprehension, youth who have run away, escaped or absconded, or are Absent Without Leave (AWOL) shall be afforded due process for extradition in the appropriate court in the holding state. No youth who is under the jurisdiction of a court, public agency, or private agency shall be released to the home jurisdiction without verification from the Interstate Compact for Juveniles (ICJ) in the holding state that all due process requirements have been met.

II. APPLICABILITY

This policy shall apply to all youth probated, paroled, committed, or detained in a facility operated by or under contract with the Kentucky Department of Juvenile Justice (DJJ) who have run away, escaped or absconded, or are AWOL and are apprehended in another state; and to all youth probated, paroled, committed, or detained in another state who have run away, escaped or absconded and are apprehended in Kentucky.

III. DEFINITIONS

Refer to Chapter 1200.

IV. PROCEDURES

- A. DJJ staff shall not transport a youth who is on AWOL status back from another state without confirmation from the Compact Administrator or Compact staff, that due process has been served and the youth is free for extradition.
- B. Voluntary Extradition of Youth Apprehended in Kentucky
 1. Upon notification that a youth from another state has been apprehended in Kentucky, the DJJ staff shall contact the Kentucky Compact

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Administrator or Compact staff and provide the identifying information on the youth, the nature of any charges, and the date of the court hearing.

2. If there are pending charges filed in Kentucky, DJJ staff shall ensure that the charges have been disposed, prior to the extradition.
3. The Juvenile Service Worker (JSW) shall ensure that the Kentucky court is provided with the Consent for Voluntary Return by Runaway, Escapee or Absconder (ICJ Form III) and the ICJ Rights documents for completion in open court. The JSW shall secure a detailed physical and clothing description of the youth for inclusion on the (ICJ Form III).
4. If the JSW has knowledge that the youth may be a victim of human trafficking as a result of detention screening, the JSW shall notify the Compact Administrator or Compact staff.
5. The Compact Administrator or Compact staff shall notify the home state compact office of any suspected human trafficking.
6. If the youth agrees to voluntary extradition and both the youth and judge sign the required documents, the JSW shall provide copies of both forms via fax or electronic transfer to the Kentucky Compact Administrator or Compact staff.
7. Upon notification from the requesting state Compact Administrator or Compact staff of the return travel arrangements, the Kentucky Compact Administrator or Compact staff shall provide this information to DJJ staff. The Compact Administrator or Compact staff shall assist with the travel plan, if necessary, to transport the youth from detention to a designated departure point agreed upon by the demanding state.
8. The youth may be held in secure detention pending completion of the extradition process. The cost of detention and in-state transportation shall be the responsibility of the holding state. Air or special ground transportation arrangements and their costs shall be the responsibility of the demanding state and shall be made within five (5) business days of notification of the completion of the extradition process. This time period may be extended with approval by both ICJ offices.
9. If the youth refuses to comply with the option for voluntary extradition, the youth shall be held in secure detention pending the initiation of a requisition for involuntary extradition or Governor's warrant by the demanding state. Youth shall not be held in a DJJ group home or youth development center (YDC) pending extradition. All information shall be transmitted immediately to the Kentucky Compact Administrator or Compact staff via fax or electronic transfer.

C. Voluntary Extradition of Youth Apprehended in Another State

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1. Upon notification from the holding state that a youth who is a resident of Kentucky has been apprehended, the Kentucky Compact Administrator or Compact staff shall notify the DJJ facility staff, JSW, or Juvenile Service District Supervisor (JSDS).
2. The Compact Administrator or Compact staff in the holding state shall ensure that all extradition procedures are followed by DJJ staff. DJJ staff shall not attend any court hearings out of state unless authorized by the Kentucky Compact Administrator or Compact staff. The cost of detention shall be the responsibility of the court of jurisdiction in the holding state.
3. Upon notification from the Compact Administrator or Compact staff in the holding state that the voluntary extradition process has been completed, the Kentucky Compact Administrator or Compact staff shall coordinate the return transportation arrangements and contact DJJ staff of the planned return. The Compact Administrator or Compact staff shall make every effort to avoid making transportation arrangements on weekends, holidays, or after normal working hours in order to ensure the availability of staff to place the youth.

D. Involuntary Extradition

1. In some cases, the youth, either on their own accord or through advice of the legal counsel, may refuse to agree to voluntary extradition.
2. If the youth refuses voluntary extradition, the Kentucky Compact Administrator or Compact staff shall take the proper steps to initiate the Requisition for Escapee or Absconder (ICJ Form II).
3. In situations in which the court refuses to honor the Requisition for Escapee or Absconder, the Kentucky Compact Administrator or Compact staff may request a Governor's Warrant.

V. MONITORING MECHANISM

The Classification Branch Manager, Division Director of Placement Services, the Deputy Commissioner of Program Operations, and the Compact Administrator or Compact staff shall monitor all activities related to the ICJ.