

	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 Travel		
POLICY NUMBER: DJJ 1203		
TOTAL PAGES: 4		
EFFECTIVE DATE: 4/05/2019		
APPROVAL: Carey D. Cockerell		, COMMISSIONER

I. POLICY

This policy establishes the criteria for juveniles traveling out-of-state that require a travel permit by the Interstate Compact of Juveniles (ICJ). All travel arrangements for youth, who for a period exceeding twenty-four (24) hours, are being placed in another state, are traveling on furlough status to another state, traveling for vacation, are being returned to Kentucky from Absent Without Leave (AWOL) or Escape in another state, or traveling out-of-state for any purpose shall be made through the Interstate Compact Office. Travel arrangements shall be coordinated by the Compact Administrator or Compact staff commensurate with the level of security required to ensure both youth and public safety. All travel permits shall be submitted prior to the juveniles travel.

II. APPLICABILITY

This policy shall apply to all youth probated, paroled, or committed to the Department of Juvenile Justice (DJJ) who are traveling out-of-state for any purpose; and to absconders and escapees from DJJ custody or supervision and apprehended in another state and being returned to Kentucky.

III. DEFINITION

Refer to Chapter 1200.

PROCEDURES

- A. Travel permits shall be mandatory for the following juveniles traveling out-of-state for a period in excess of twenty-four (24) consecutive hours:
 1. Juveniles adjudicated for:
 - a. Sex-related offenses;
 - b. Violent offenses that have resulted in personal injury or death; or

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- c. Offenses committed with a weapon; and
- 2. Juveniles who are:
 - a. State committed;
 - b. Relocating pending a request for transfer of supervision, and who are subject to the terms of ICJ;
 - c. Returning to the state from which they were transferred for the purposes of visitation;
 - d. Transferring to a subsequent state with the approval of the original sending state; or
 - e. Transferred and the victim notification laws, policies and practices of the sending or receiving state required notification.
- B. The Juvenile Service Worker (JSW) shall complete a travel permit for any juvenile indicted in IV. A. 1. or 2. and submit to the Compact Administrator or Compact staff for travel approval.
- C. A travel permit for any juvenile that is not listed in IV. A. 1. or 2. shall be completed by the JSW and submitted to the Compact Administrator and Director of Community and Mental Health Services or designee for review.
- D. A copy of all travel permits shall be placed in the juvenile hard case file and electronic record, if applicable.
- E. Travel for Vacation or Visit Only
 - 1. Once DJJ receives a request from a probated, paroled, or committed youth, or parent or caregiver regarding travel to another state for a period exceeding twenty-four (24) hours, the supervising JSW shall complete an Interstate Out-of-State Travel Permit and Agreement to Return Form (ICJ Form VII) and route the request through the Division of Community and Mental Health Services chain of command.
 - 2. The completed, signed document shall be sent via electronic transfer to the Compact Administrator or Compact staff for approval. It shall be the responsibility of the Compact Administrator or Compact staff to obtain approval or denial from the Commissioner or Compact staff if necessary. The Compact Administrator shall forward the information to the state of the visit or vacation, and also to any states that the youth may be traveling through to reach their destination.
 - 3. The maximum length of stay under these conditions shall not exceed ninety (90) calendar days. If for the purposes of testing a proposed residence, a referral shall be received by the receiving state's ICJ Office within thirty (30) calendar days of the effective date of the travel permit. The issuing state shall instruct the juvenile to immediately report any change in status during that period.

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4. When a Travel Permit exceeds thirty (30) days, the sending state shall provide specific reporting instructions for the youth to maintain contact with the supervising agency.
5. Regardless of length of stay, the visiting state shall be notified by the Compact Administrator or Compact staff of travel permits issued to all youth subject to the terms of ICJ for all visits in cases in which the adjudicated offenses include any of the following:
 - a. Sex-related offenses;
 - b. Violent offenses that have resulted in personal injury or death;
 - c. Offenses committed with a weapon; or
 - d. Youth committed to state custody.
6. The Compact Administrator or Compact staff shall notify the supervising JSW of any special requirements the youth may have to meet while traveling out of state, such as sex offender notification or registration in the destination state.
7. Out-of-state travel for a juvenile under ICJ supervision shall be at the discretion of the supervising person in the receiving state. If the sending state wishes to retain authority to approve travel, it shall do so by notifying the supervising state in writing. When the sending state retains authority to approve travel permits, the receiving state shall request and obtain approval prior to authorizing the juvenile's travel.
8. If an (ICJ Form VII) Out-of-State Travel Permit and Agreement to Return is issued, the sending state shall be responsible for victim notification in accordance with the laws, policies and practices of that state. The sending and receiving states shall collaborate to the extent possible to comply with the legal requirements of victim notification through the timely exchange of required information.

F. Travel for Return of AWOL's

Upon verification that all due process criteria have been met, the Kentucky Compact Administrator or Compact staff shall make the appropriate travel arrangements.

G. Emergency Travel

Travel permits for youth with family emergencies shall be submitted through the respective supervisory chain to the Compact Administrator or Compact staff for approval.

H. Travel Outside the United States

Any travel by committed youth outside the United States shall be approved by the Commissioner or designee.

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I. Residential Facility Placements Excluded from Rule

Juveniles placed in residential facilities shall be excluded from this rule; however, states may elect to use the (ICJ Form VII) Out-of-State Travel Permit and Agreement to Return for notification purposes.

IV. 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.