

JUSTICE AND PUBLIC SAFETY CABINET
Department of Juvenile Justice
(Amendment)

505 KAR 1:110. Intake and orientation.

RELATES TO: KRS 15A.065, 15A.0652, 15A.067, 200.080-200.120, Chapters 600-645
STATUTORY AUTHORITY: KRS 15A.065(1), 15A.0652, 15A.067, 15A.160, 605.150, 635.095, 635.100(7), 640.120, 645.250

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.065(1), 15A.0652, 15A.067, 15A.160, 15A.210, 605.150, 635.095, and 640.120 authorize the Justice and Public Safety Cabinet and the Department of Juvenile Justice to promulgate administrative regulations for the proper administration of the cabinet and its programs. This administrative regulation establishes the requirements for intake and orientation of a juvenile in a department or contracted detention center, youth development center, or group home.

Section 1. Intake.

- (1) A juvenile shall be screened and assessed at intake to assist in developing appropriate services for the juvenile.
- (2) A juvenile shall not be discriminated against on the basis of race, color, sex, disability, age, national origin, religion, sexual orientation, gender identity, genetic information, political affiliation, or veteran status.
- (3) A juvenile shall be screened to determine if the juvenile is in crisis and requires referral to a mental health professional pursuant to KRS 15A.305(8)(a).

Section 2. Juvenile Detention Center Intake.

- (1) A juvenile shall be informed of the intake and orientation process at the time of intake.
- (2) Any medication or prescription for medication brought with the juvenile shall be immediately turned over to the facility health authority or designee for instructions regarding disposition.

Section 3. Screening for Detention Centers, Juvenile Development Centers, and Group Homes.

- (1) Staff shall provide the individual being screened with a verbal overview of the procedure for intake and orientation.
- (2) A juvenile shall have the following screenings:
 - (a) Initial health;
 - (b) Ectoparasite; and
 - (c) Mental health.
- (3) A juvenile may have a drug and alcohol screening.
- (4) Absent exigent circumstances, screenings shall be conducted by same gendered staff.
- (5) Mental Health Screening. Mental health screening shall be completed by staff trained in use of the screening instrument. If a juvenile is determined to have mental health needs, the facility health authority shall make the determination of need and make contact as appropriate with a mental health provider for a mental health assessment. The mental health screening shall be completed within twenty-four (24) hours of admission.

Section 4. Risk Assessment Screening. After the initial detention hearing, a juvenile ordered detained in a state-operated detention facility shall be screened using the detention risk assessment instrument to determine eligibility for the alternative detention program,

Section 5. Human Trafficking Screening. A human trafficking screening shall be conducted for a juvenile following completion of the Individual Treatment Plan but no later than thirty (30) days after admission.

Section 6. PREA Screening. The PREA vulnerability assessment shall be completed during intake.

Section 7. Security Threat Group Screening. An STG screening shall be completed during intake.

Section 8. Orientation in Juvenile Detention Centers, YDCs, and Group Homes.

(1) A juvenile shall receive orientation in their own language. Material shall either be written or interpreted to ensure understanding of the juvenile's rights and the facility's rules, including grievance procedures, discipline and penalties, and how to access medical and mental health services.

(2) Within twenty-four (24) hours of admission, facility staff shall provide a written handbook of rules and discuss them with the juvenile. If the juvenile handbook is provided electronically, juveniles in isolation shall be provided the information in a written format so that their access to the information is not impeded by their custody status. Receipt of the handbook shall be documented by a statement signed and dated by the juvenile and staff. Staff shall assist the juvenile in understanding the material if a literacy, hearing, or visual impairment issue exists and shall provide interpretation if needed. The orientation information letter to the parent or caregiver shall be in the language of the parent or caregiver if a language barrier exists.

(3) A juvenile shall be provided personal hygiene instruction, personal hygiene products, and a shower upon admission.

(4) A juvenile shall be provided a complete set of clean clothing at admission and daily thereafter, including underwear and socks.

(5) A juvenile shall receive clean, laundered linens.

(6) A juvenile shall be assigned to and given a brief tour of the housing unit.

(7) A juvenile shall receive assistance in notifying the juvenile's family of their admission, registered number, if applicable, and procedures for mail and visiting.

(8) Completion of orientation shall be documented by a signed and dated statement by the juvenile.

Section 9. Orientation Treatment Plan in Group Homes and YDCs. A juvenile's Orientation Treatment Plan shall be written within seven (7) days of admission.

(29 Ky.R. 853; 1268; eff. 11-12-2002; 30 Ky.R. 429; eff. 10-31-2003; 429; 1826; eff. 3-18-2004; 32 Ky.R. 536; 1126; eff. 2-3-2006; 41 Ky.R. 472; 1057; eff. 12-5-2014; 42 Ky.R. 521; 1563; eff. 1-4-2016; 45 Ky.R. 1818, 2663; eff. 4-5-2019; 50 Ky.R. 170; eff. 3-5-2024.)

VICKI REED, Commissioner

APPROVED BY AGENCY: May 19, 2023

FILED WITH LRC: May 19, 2023 at 12:50 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 22, 2023, at 9:00 a.m. at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2023.

Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Amy Barker, Assistant General Counsel, Justice & Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, email Justice.RegContact@ky.gov.