

JUSTICE AND PUBLIC SAFETY CABINET

Department of Juvenile Justice (New Administrative Regulation)

505 KAR 1:330. Personal property, dress, and clothing and bedding supply.

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, 200.115, 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, 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 personal property limitations and requirements for clothes and bedding for juvenile detention centers, youth development centers, and group homes.

Section 1. Personal Property

(1) At intake, staff shall take inventory of personal belongings of the juvenile and the juvenile and staff shall sign the personal property inventory. The juvenile shall receive a copy of the inventory, the original shall be maintained in the individual client record, and a copy shall be maintained with the property.

(2) The facility shall provide the juvenile with written information, in the juvenile orientation handbook or otherwise, concerning the property that may remain in the juvenile's possession.

(a) A juvenile in a juvenile detention center may have the following:

1. Letters;
2. Court papers;
3. Photos with no nudity, revealing clothes, or gang signs;
4. Religious book, e.g. Bible, Quran;
5. School work or certificates.

(b) A juvenile in a youth development center or group home may have the following:

1. Letters;
2. Court papers;
3. Photos with no nudity, revealing clothes, or gang signs;
4. Religious book, e.g. Bible, Quran;
5. School work or certificates;
6. Treatment work;
7. Personal journals;
8. Watch; and
9. At least one set of personal clothes including shirt, pants, and shoes.

(3) The youth's parent or caregiver shall be advised of the personal items needed or permitted at the facility.

(4) Items and clothes that are inappropriate pursuant to the dress code in section 3(5) shall be stored or returned to the parent or caregiver.

(5) Property Disposal.

(a) After thirty (30) days, the juvenile's personal account shall be used to send property to the juvenile's parent or caregiver with delivery confirmation; or

(b) If the juvenile does not have sufficient funds to send the property, the facility shall incur the cost of delivery to the parent or caregiver with delivery confirmation.

(6) The inventory shall be updated and signed by the youth as items are added or removed.

- (7) Inventoried items shall be signed for and returned to the juvenile, upon release from the custody of DJJ.
- (8) Personal belongings of a juvenile absent without leave or on escape status shall be stored and retained by the program for thirty (30) days following the AWOL or escape incident.

Section 2. Lost or Stolen Property.

- (1) If a juvenile reports that personal property has been stolen or is lost and the report is substantiated, the juvenile shall be reimbursed.
- (2) The maximum cost of replacement or repair shall be limited to the following:
 - (a) Blouse or shirt twenty-five (25) dollars;
 - (b) Skirt or trousers thirty (30) dollars;
 - (c) Sweater twenty-five (25) dollars;
 - (d) T-shirt ten (10) dollars;
 - (e) Dress forty (40) dollars;
 - (f) Coat or jacket seventy-five (75) dollars;
 - (g) Shoes fifty (50) dollars;
 - (h) Jewelry seventy-five (75) dollars;
 - (i) Electronic devices and accessories \$100; and
 - (j) Other items shall be evaluated on a per item basis.
- (3) Approval of reimbursement for property that is in the possession of the juvenile shall be based upon the facts of each situation.

Section 3. Clothing.

- (1) DJJ shall ensure a juvenile is provided required clothing.
- (2) A facility shall provide for the thorough cleaning and, if necessary, disinfecting of a juvenile's personal clothing before storage or before allowing the juvenile to keep and wear personal clothing.
- (3) A facility shall allow for clean socks and underwear daily and a minimum of three (3) sets of clean clothing per week, and more often if necessary, depending on activities and weather conditions. Clothing shall be properly fitted and climatically suitable.
- (4) Provision shall be made for the issuance of special and, if appropriate, protective clothing and equipment to a juvenile assigned to food service, a technical program, and a work experience program. If standard issue clothing presents a security risk, the juvenile shall be supplied with a security garment.
- (5) Dress code.
 - (a) The dress code shall be contained in the juvenile orientation handbook and explained to each juvenile upon admission.
 - (b) A juvenile's clothing shall be proper in size and shall reflect a neat and well-groomed appearance.
 - (c) Clothing that displays profanity or sexual lewdness or conveys a message contrary to the treatment goals of the juvenile and facility shall be prohibited.
 - (d) Clothing that is identified with gangs, including the way it is worn, shall be prohibited. A facility may prohibit specific colors of clothing that are associated with a gang.
 - (e) State issued clothing shall be provided to a juvenile in a detention center.
 - (f) A juvenile in a YDC or group home may wear personal clothing, uniforms, or a combination thereof that is consistent with the requirements of the facility.
 - (g) A juvenile may be subject to discipline for failure to abide by the established dress code.
- (6) Discharge. At discharge, an inventory of facility-issued clothing shall be made. The facility shall assess the basic clothing needs of the juvenile, and may allow the juvenile to retain state-issued clothing, as needed, with approval from the Superintendent.

Section 4. Bedding. A residential facility shall provide clean bed linens weekly and clean towels and wash cloths at least three (3) times per week.

VICKI REED, Commissioner

APPROVED BY AGENCY: May 15, 2023

FILED WITH LRC: May 15, 2023 at 3:59 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.