

## JUSTICE AND PUBLIC SAFETY CABINET

### Department of Juvenile Justice

(Amended at ARRS Committee)

#### **505 KAR 1:230. Facility capacity, staffing, and population count.**

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.160, 605.150, 635.095, 640.120, 645.250

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.065(1), 15A.0652, 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 requirements for a maximum capacity to be established for each department facility, staffing, and a daily population count to be made.

#### Section 1. Bed Capacity.

- (1) A facility shall not exceed the maximum capacity established by the State Fire Marshal.
- (2) The department shall establish and maintain recommended maximum bed capacities at each facility.
- (3) The Commissioner or designee may waive the recommended capacity maximum of a juvenile facility established in subsection (2) of this section, if it is determined that a waiver does not seriously affect the security, supervision of juveniles, programs, or the safe, healthful, or efficient operation of the facility.

#### Section 2. Required Staffing Levels for Juvenile Facilities.

- (1) Each juvenile facility shall have adequate staff to provide reasonable security to the juveniles and ensure their wellbeing.
- (2) A juvenile or group of juveniles shall not be given control or authority over other juveniles.
- (3) At least one (1) same sex staff member of the juvenile population shall be on duty at all times.
- (4) In an emergency, the superintendent may use other approved physical management certified DJJ staff to fulfill required youth worker staff coverage on a shift-by-shift basis.

#### Section 3. Daily Census.

- (1) A facility operated by or contracted with the department shall conduct a daily census of the juveniles in its custody.
- (2) A facility shall report any other information regarding the juvenile population in the daily census that the commissioner or designee directs, including:
  - (a) Sex;
  - (b) Race;
  - (c) County of origin;
  - (d) Admission date;
  - (e) Release date;
  - (f) Charge; and
  - (g) Other information as instructed.

(49 Ky.R. 2438, 50 Ky.R. 661; eff. 12-5-2023.)

FILED WITH LRC: August 8, 2023

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.