JUSTICE AND PUBLIC SAFETY CABINET

Department of Juvenile Justice

(Amendment)

505 KAR 1:140. Department of Juvenile Justice Policies and Procedures Manual: detention services.

RELATES TO: KRS 15A.065, 15A.067, 15A.200-15A.245, 15A.305, 200.080-200.120, Chapters 600-645

STATUTORY AUTHORITY: KRS 15A.065(1), 15A.067, 15A.160, 15A.210, 15A.305, 200.115, 605.150, 635.095, 635.100(7), 640.120, 645.250

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.065(1), 15A.067, 15A.160, 15A.210, 15A.305(5), 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 incorporates by reference policies and procedures concerning detention services for the Department of Juvenile Justice in the implementation of a statewide juvenile services program.

Section 1. Incorporation by Reference.

(1) The "Department of Juvenile Justice Policy and Procedures Manual: Detention Services", June 13, 2023, is incorporated by reference and includes the following:

700	Definitions (Amended 06/13/23)
700.1	Detention Services Delivery System (Amended 06/13/23)
701	Criteria for Admissions (Amended 03/30/18)
702	Intake, Reception and Orientation (Amended 07/10/18)
703	Detention Risk Assessment (Amended 03/30/18)
704	Alternatives to Secure Detention (Amended 01/13/23)
704.1	Supervision of Juveniles in Alternative to Secure Detention Programs (Amended 03/30/18)
704.2	Revocation of Juveniles in Alternative to Secure Detention Programs (Amended 03/30/18)
704.3	Juvenile Justice and Delinquency Prevention Act (Added 03/30/18)
705	Individual Client Records (Amended 03/30/18)
705.2	Progress Notes (Amended 03/30/18)
706	Grievance Procedure (Amended 03/30/18)
707	Bed Capacities and Staffing of Juvenile Detention Centers (Amended 01/13/23)
708	Classification of Juveniles for Housing and Program Assignment (Amended 01/13/23)
709	Security and Control (Amended 03/30/18)
710	Shift and Log Reports (Amended 03/30/18)
712	Escape/AWOL (Amended 06/13/23)
714	Searches (Amended 03/30/18)
715	Incident Reports (Amended 03/30/18)
716	Behavior Management (Amended 03/30/18)

~~[717] [Discipline and Special Behavior Management (Amended 06/13/23)]~~

718 Disciplinary Review (Amended 07/10/18)

720 Programs and Services (Amended 03/30/18)

720.1 Library Services (Amended 01/13/23)

720.2 Recreation and Structured Activities (Amended 01/13/23)

720.3 Religious Programs (Amended 03/30/18)

720.4 Juveniles Work Details (Amended 03/30/18)

720.5 Social Services (Amended 07/10/18)

720.6 Family and Community Contact (Amended 07/10/18)

725 Educational Programming and Assessment (Amended 07/10/18)

725.1 Instructional Staffing (Amended 03/30/18)

725.2 Education Records (Amended 07/10/18)

726 Leaves (Amended 03/30/18)

729 Release From Detention (Amended 03/30/18)

730 Inspections of Secure Juvenile Detention Facilities (Amended 01/13/23)

731 Complaint Investigations of Secure Juvenile Detention Centers and Juvenile Holding Facilities (Amended 03/30/18)

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Juvenile Justice, Office of the Commissioner, 1025 Capital Center Drive, Third Floor, Frankfort, Kentucky 40601, or at any department field office, Monday through Friday, 8 a.m. to 4:30 p.m. This material may be obtained from the Department of Juvenile Justice Web site at https://djj.ky.gov/About%20DJJ/Pages/lrcfilings.aspx.

COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

RANDY WHITE, Commissioner

APPROVED BY AGENCY: September 25, 2025

FILED WITH LRC: September 25, 2025 at 1:15 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation amendment shall be held Tuesday, December 23, 2025, 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 is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. 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 until December 31, 2025. 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: Nathan Goens, Assistant General Counsel, Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, phone (502) 564-8216, fax (502) 564-6686, email Justice.RegsContact@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Nathan Goens

Subject Headings:Children and Minors, Juvenile Detention and Justice, Justice and Public Safety

(1) Provide a brief summary of:

(a) What this administrative regulation does:
The regulation amendment establishes policies and procedures concerning detention services for the Department of Juvenile Justice in the implementation of a statewide juvenile services program.

(b) The necessity of this administrative regulation:
The regulation amendment is needed to ensure additional safeguards are in place protect the well-being of juveniles placed in isolation.

(c) How this administrative regulation conforms to the content of the authorizing statutes:
KRS 15A.065 and 15A.305 require the Department of Juvenile Justice (DJJ) to operate and monitor both detention facilities and treatment facilities children across the Commonwealth of Kentucky. KRS 15A.0652, 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 policies and procedures concerning detention services for the Department of Juvenile Justice in the implementation of a statewide juvenile services program.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:
This administrative regulation removes outdated procedures for isolation and protective custody in juvenile detention centers and youth development centers operated or monitored by the Department of Juvenile Justice and will ensure new, additional safeguards are in place to protect the health, safety, and welfare of juveniles placed in isolation.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:
The administrative regulation amendment removes outdated procedures for isolation and protective custody in juvenile detention centers and youth development centers operated or monitored by the Department of Juvenile Justice and ensures safeguards to protect the health, safety, and welfare of juveniles placed in isolation.

(b) The necessity of the amendment to this administrative regulation:
The regulation amendment is needed to ensure additional safeguards are in place protect the well-being of juveniles placed in isolation.

(c) How the amendment conforms to the content of the authorizing statutes:
KRS 15A.065 and 15A.305 require the Department of Juvenile Justice (DJJ) to operate and monitor both detention facilities and treatment facilities children across the Commonwealth of Kentucky. KRS 15A.0652, 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 removes outdated procedures for isolation and protective custody in juvenile detention centers and youth development centers operated or monitored by the Department of Juvenile Justice and ensures safeguards to protect the health, safety, and welfare of juveniles placed in isolation.

(d) How the amendment will assist in the effective administration of the statutes:

This administrative regulation removes outdated procedures for isolation and protective custody in juvenile detention centers and youth development centers operated or monitored by the Department of Juvenile Justice and ensures additional safeguards are in place to protect the health, safety, and welfare of juveniles placed in isolation.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This administrative regulation will affect the juveniles in the care or custody of the Department of Juvenile Justice, which is currently approximately 400, and approximately merit employees of the Department of Juvenile Justice, which is currently approximately 1,300.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

Juveniles in the care or custody of the Department of Juvenile Justice will have added protection due to the increased safeguards put in place through the administrative regulation amendment. Department of Juvenile Justice staff and employees will be required to implement the newly established procedures that govern the operations of the Department of Juvenile Justice.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

It will not cost the entities identified in question (4) anything to implement the amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

As a result of compliance with the amendment, Department of Juvenile Justice staff and employees will be better able to protect the health, safety and welfare of juveniles placed in isolation, which will result in better health, safety, and welfare outcomes to those youth in the care or custody of the Department of Juvenile Justice.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There will be no additional initial costs to the administrative body to implement this administrative regulation amendment as the Department of Juvenile Justice will use existing resources, staff and employees to implement the new safeguards.

(b) On a continuing basis:

There will be no additional costs on a continuing basis to the administrative body to implement this administrative regulation amendment as the Department of Juvenile Justice will use existing resources, staff and employees to implement the new safeguards.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

The funding source for implementation and enforcement of this administrative regulation is DJJ budgeted funds for the biennium.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

There will not be an increase in fees or funding necessary to implement this administrative regulation amendment.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

The administrative regulation amendment does not establish any fees.

(10) TIERING: Is tiering applied?

No. Tiering was not appropriate in this administrative regulation amendment because the administrative regulation amendment applies equally to all those individuals or entities regulated by it.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 15A.065 and 15A.305 require the Department of Juvenile Justice (DJJ) to operate and monitor both detention facilities and treatment facilities children across the Commonwealth of Kentucky. KRS 15A.0652, 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 policies and procedures concerning detention services for the Department of Juvenile Justice in the implementation of a statewide juvenile services program.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

KRS 15A.065 and 15A.305 require the Department of Juvenile Justice (DJJ) to operate and monitor both detention facilities and treatment facilities children across the Commonwealth of Kentucky. KRS 15A.0652, 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 policies and procedures concerning detention services for the Department of Juvenile Justice in the implementation of a statewide juvenile services program.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Department of Juvenile Justice

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:There will be no additional expenditures to implement this administrative regulation amendment as the Department of Juvenile Justice will use existing resources, staff and employees to implement the new safeguards.

For subsequent years:There will be no additional expenditures to implement this administrative regulation amendment as the Department of Juvenile Justice will use existing resources, staff and employees to implement the new safeguards.

2. Revenues:

For the first year:The administrative regulation amendment will not generate revenue.

For subsequent years:The administrative regulation amendment will not generate revenue.

3. Cost Savings:

For the first year:Cost savings are not anticipated.

For subsequent years:Cost savings are not anticipated.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

None

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:No affected local entities have been identified.

For subsequent years:No affected local entities have been identified.

2. Revenues:

For the first year:No affected local entities have been identified.

For subsequent years:No affected local entities have been identified.

3. Cost Savings:

For the first year:No affected local entities have been identified.

For subsequent years:No affected local entities have been identified.

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

Juveniles in the in the care or custody of the Department of Juvenile Justice will be affected by this administrative regulation amendment.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:There will be no expenditures for juveniles in the care or custody of the Department of Juvenile Justice.

For subsequent years:The administrative regulation amendment will not generate revenue.

2. Revenues:

For the first year:The administrative regulation amendment will not generate revenue.

For subsequent years:Cost savings are not anticipated.

3. Cost Savings:

For the first year:Cost savings are not anticipated.

For subsequent years:Cost savings are not anticipated.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

A fiscal impact to implement this administrative regulation amendment is not anticipated as the Department of Juvenile Justice will use existing resources, staff and employees to implement changes.

(b) Methodology and resources used to reach this conclusion:

Because the Department of Juvenile Justice will use existing resources, staff, and employees to implement this administrative regulation, the Department of Juvenile Justice concluded there will be no fiscal impact.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

An overall negative or adverse major economic impact is not anticipated.

(b) The methodology and resources used to reach this conclusion:

The administrative regulation amendment amends an existing administrative regulation. The administrative regulation was reviewed, and an overall negative or adverse major economic impact was not identified as the Department of Juvenile Justice will use existing resources, staff and employees to implement the new safeguards.