

**610.190 Arrest laws applicable to child taken into custody -- Applicability of bail laws -- Protective custody by peace officer -- Custody by person other than peace officer.**

- (1) The law relating to the persons by whom and the circumstances under which a person may be arrested for a public offense shall be applicable to children, but the taking of a child into custody under such law shall not be termed an arrest until the court has made the decision to try the child in Circuit or District Court as an adult. The law relating to bail shall not be applicable to children detained in accordance with this chapter unless the child is subject to being tried in Circuit or District Court as an adult.
- (2) A peace officer may take a child into protective custody if the officer suspects the child to be a runaway. A child taken into protective custody under this subsection shall not be considered to have been arrested and may be held at the locations specified in KRS 610.220(1), after which the officer shall proceed with an initial investigation as provided for in KRS 610.200.
- (3) When a child is taken into custody by a person other than a peace officer, such person shall as soon as possible place the child in the custody of a peace officer.

**Effective:** July 1, 2015

**History:** Amended 2014 Ky. Acts ch. 132, sec. 40, effective July 1, 2015. -- Amended 1996 Ky. Acts ch. 358, sec. 29, effective July 15, 1997. -- Amended 1988 Ky. Acts ch. 350, sec. 27, effective April 10, 1988. -- Created 1986 Ky. Acts ch. 423, sec. 38, effective July 1, 1987.

**Legislative Research Commission Note (7/15/96).** Under 1996 Ky. Acts ch. 358, sec. 67(1), the amendment of this statute by Section 29 of that Act becomes effective July 15, 1997.