

1 AN ACT relating to the Justice and Public Safety Cabinet.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 15A.020 is amended to read as follows:

4 (1) The Justice and Public Safety Cabinet shall have the following departments:

5 (a) Department of Corrections;

6 (b) Department of Criminal Justice Training, which shall have the following  
7 divisions:

8 1. Training Operations Division; and

9 2. Administrative Division;

10 (c) Department of Juvenile Justice, which shall have the following offices and  
11 divisions:

12 1. ~~{Office of Program Operations, which shall have the following~~  
13 ~~divisions:~~

14 ~~a. Division of Western Region;~~

15 ~~b. Division of Eastern Region; and~~

16 ~~c. Division of Placement Services;~~

17 ~~2. }Office of Support Services, which shall have the following divisions:~~

18 a. Division of Administrative Services;

19 ~~b. {Division of Program Services; and~~

20 ~~c. }Division of Professional Development;~~

21 **c. Division of Placement Services;**

22 **d. Division of Education; and**

23 **e. Division of Health Services**~~;~~

24 ~~3. Office of Community and Mental Health Services, which shall have the~~  
25 ~~following division:~~

26 ~~a. Division of Community and Mental Health Services];~~

27 **2. [4.] Office of Detention, which shall require that all detention centers report**

1 to one (1) supervisor who reports directly to the commissioner, and  
2 which shall have the following division:

3 a. Division of Transportation;~~and~~

4 **3. Office of Rehabilitation and Reentry Services, which shall have the**  
5 **following divisions:**

6 **a. Division of Youth Development Centers;**

7 **b. Division of Group Homes;**

8 **c. Division of Community Services; and**

9 **d. Division of Reentry; and**

10 ~~4.5.~~ Division of Compliance;

11 (d) Department of Kentucky State Police, which shall have the following offices  
12 and divisions:

13 1. Office of Administrative Services, which shall be headed by an  
14 executive director who shall be appointed by the commissioner of the  
15 Department of Kentucky State Police and who shall report to the  
16 commissioner;

17 a. Division of Operational Support, which shall be headed by a  
18 director who shall be appointed by the commissioner of the  
19 Department of Kentucky State Police and who shall report to the  
20 executive director of the Office of Administrative Services; and

21 b. Division of Management Services, which shall be headed by a  
22 director who shall be appointed by the commissioner of the  
23 Department of Kentucky State Police and who shall report to the  
24 executive director of the Office of Administrative Services;

25 2. Office of Operations, which shall be headed by an executive director  
26 who shall be appointed by the commissioner of the Department of  
27 Kentucky State Police and who shall report to the commissioner;

- 1           a.    Division of West Troops, which shall be headed by a director who  
2                   shall be appointed by the commissioner of the Department of  
3                   Kentucky State Police and who shall report to the executive  
4                   director of the Office of Operations;
- 5           b.    Division of East Troops, which shall be headed by a director who  
6                   shall be appointed by the commissioner of the Department of  
7                   Kentucky State Police and who shall report to the executive  
8                   director of the Office of Operations;
- 9           c.    Division of Special Enforcement, which shall be headed by a  
10                   director who shall be appointed by the commissioner of the  
11                   Department of Kentucky State Police and who shall report to the  
12                   executive director of the Office of Operations; and
- 13           d.    Division of Commercial Vehicle Enforcement, which shall be  
14                   headed by a director who shall be appointed by the commissioner  
15                   of the Department of Kentucky State Police and who shall report  
16                   to the executive director of the Office of Operations; and
- 17        3.    Office of Technical Services, which shall be headed by an executive  
18                   director who shall be appointed by the commissioner of the Department  
19                   of Kentucky State Police and who shall report to the commissioner;
- 20           a.    Division of Forensic Services, which shall be headed by a director  
21                   who shall have a minimum of a bachelor's degree in a natural  
22                   science and at least seven (7) years of experience in an accredited  
23                   forensic laboratory, who shall be appointed by the commissioner  
24                   of the Department of Kentucky State Police, and who shall report  
25                   to the executive director of the Office of Technical Services;
- 26           b.    Division of Electronic Services, which shall be headed by a  
27                   director who shall be appointed by the commissioner of the

1 Department of Kentucky State Police and who shall report to the  
2 executive director of the Office of Technical Services; and

3 c. Division of Records Management, which shall be headed by a  
4 director who shall be appointed by the commissioner of the  
5 Department of Kentucky State Police and who shall report to the  
6 executive director of the Office of Technical Services; and

7 (e) Department of Public Advocacy, which shall have the following divisions:

8 1. Protection and Advocacy Division;

9 2. Division of Law Operations;

10 3. Division of Trial Services;

11 4. Division of Post-Trial Services;

12 5. Division of Conflict and Contract Services; and

13 6. Division of Education, Strategic Planning, and Recruitment.

14 (2) Each department, except for the Department of Public Advocacy, shall be headed  
15 by a commissioner who shall be appointed by the secretary of the Justice and Public  
16 Safety Cabinet with the approval of the Governor as required by KRS 12.040. Each  
17 commissioner shall be directly responsible to the secretary and shall have~~such~~  
18 functions, powers, and duties as provided by law and as the secretary may  
19 prescribe. The Department of Public Advocacy shall be headed by the public  
20 advocate, appointed as required by KRS 31.020, who shall be directly responsible  
21 to the Public Advocacy Commission. The Department of Public Advocacy is an  
22 independent state agency which shall be attached to the Justice and Public Safety  
23 Cabinet for administrative purposes only. The Justice and Public Safety Cabinet  
24 shall not have control over the Department of Public Advocacy's information  
25 technology equipment and use unless granted access by court order.

26 (3) The Justice and Public Safety Cabinet shall have the following offices and  
27 divisions:

- 1 (a) Office of the Secretary, which shall be headed by a deputy secretary  
2 appointed pursuant to KRS 12.050 and responsible for the direct  
3 administrative support for the secretary and other duties as assigned by the  
4 secretary, and which, with the approval of the secretary, may employ~~such~~  
5 staff as necessary to perform the duties, functions, and responsibilities of the  
6 office;
- 7 (b) Office of Human Resource Management, which shall be headed by an  
8 executive director appointed pursuant to KRS 12.050 who shall be responsible  
9 to and report to the secretary and be responsible for all matters relating to  
10 human resources, and who, with the approval of the secretary, may employ~~such~~  
11 ~~such~~ staff as necessary to perform the duties, functions, and responsibilities  
12 of the office;
- 13 1. Division of Human Resource Administration, which shall be headed by  
14 a director appointed pursuant to KRS 12.050 who shall report to the  
15 executive director of the Office of Human Resource Management; and
- 16 2. Division of Employee Management, which shall be headed by a director  
17 appointed pursuant to KRS 12.050 who shall report to the executive  
18 director of the Office of Human Resource Management;
- 19 (c) Office of Legal Services, which shall be headed by an executive director  
20 appointed pursuant to KRS 12.050 and 12.210, that:
- 21 1. Shall provide legal representation and services for the cabinet; and  
22 2. May investigate all complaints regarding the facilities, staff, treatment  
23 of juveniles, and other matters relating to the operation of the Justice  
24 and Public Safety Cabinet. If it appears that there is a violation of  
25 statutes, administrative regulations, policies, court decisions, the rights  
26 of juveniles who are subject to the orders of the department, or any other  
27 matter relating to the Justice and Public Safety Cabinet, the office shall

1 report to the secretary of the Justice and Public Safety Cabinet who  
2 shall, if required, refer the matter to a law enforcement agency,  
3 Commonwealth's attorney, county attorney, the Attorney General, or  
4 federal agencies, as appropriate. The office may be used to investigate  
5 matters in which there is a suspicion of violation of written policy,  
6 administrative regulation, or statutory law within the Department of  
7 Public Advocacy only when the investigation will have no prejudicial  
8 impact upon a person who has an existing attorney-client relationship  
9 with the Department of Public Advocacy. Notwithstanding the  
10 provisions of this subparagraph, investigation and discipline of KRS  
11 Chapter 16 personnel shall continue to be conducted by the Department  
12 of Kentucky State Police pursuant to KRS Chapter 16. The office shall  
13 conduct no other investigations under the authority granted in this  
14 subparagraph. The secretary may, by administrative order, assign the  
15 investigative functions in this subparagraph to a branch within the  
16 office.

17 The executive director shall be directly responsible to and report to the  
18 secretary and, with the approval of the secretary, may employ~~such~~ attorneys  
19 appointed pursuant to KRS 12.210 and other staff as necessary to perform the  
20 duties, functions, and responsibilities of the office;

- 21 (d) Office of Legislative and Intergovernmental Services, which shall be headed  
22 by an executive director appointed pursuant to KRS 12.050 who shall be  
23 responsible for all matters relating to the provision of support to the Criminal  
24 Justice Council, legislative liaison services, and functions and duties vested in  
25 the Criminal Justice Council as described in KRS 15A.030. The executive  
26 director shall be directly responsible to and report to the secretary and may  
27 employ~~such~~ staff as necessary to perform the duties, functions, and

1 responsibilities of the office;

2 (e) Office of Communications, which shall be headed by an executive director  
3 appointed by the secretary of the Justice and Public Safety Cabinet pursuant to  
4 KRS 12.050 who shall be responsible to report to the secretary and be  
5 responsible for all matters relating to communications, and who, with the  
6 approval of the secretary, may employ~~such~~ staff as necessary to perform the  
7 duties, functions, and responsibilities of the office;

8 1. Information and Technology Services Division, which shall be headed  
9 by a director appointed by the secretary of the Justice and Public Safety  
10 Cabinet pursuant to KRS 12.050 who shall report to the executive  
11 director of the Office of Communications;

12 (f) Office of Financial Management Services, which shall be headed by an  
13 executive director appointed by the secretary of the Justice and Public Safety  
14 Cabinet pursuant to KRS 12.050 who shall be responsible to report to the  
15 secretary and be responsible for all matters relating to fiscal functions, and  
16 who, with the approval of the secretary, may employ~~such~~ staff as necessary  
17 to perform the duties, functions, and responsibilities of the office;

18 1. Division of Financial Management, which shall be headed by a director  
19 appointed by the secretary of the Justice and Public Safety Cabinet  
20 pursuant to KRS 12.050 who shall report to the executive director of the  
21 Office of Financial Management Services;

22 (g) Grants Management Division, which shall be headed by a director appointed  
23 by the secretary of the Justice and Public Safety Cabinet pursuant to KRS  
24 12.050 who shall be responsible to report to the secretary and be responsible  
25 for all matters relating to state and federal grants management, and who, with  
26 the approval of the secretary, may employ~~such~~ staff as necessary to perform  
27 the duties, functions, and responsibilities of the office;

1 (h) Office of the Kentucky State Medical Examiner, which shall be headed by a  
2 chief medical examiner appointed pursuant to KRS 72.240 who shall be  
3 responsible for all matters relating to forensic pathology and forensic  
4 toxicology and other duties as assigned by the secretary. The executive  
5 director appointed pursuant to KRS 12.050 shall be responsible for all matters  
6 related to the administrative support of the Office of the State Medical  
7 Examiner. The executive director shall report directly to the secretary and  
8 with the approval of the secretary may employ~~such~~ administrative support  
9 staff as necessary to perform the administrative duties, functions, and  
10 responsibilities of the office. The chief medical examiner shall be directly  
11 responsible to and report to the secretary and may employ~~such~~ staff as  
12 necessary to perform the forensic duties, functions, and responsibilities of the  
13 office; and

14 (i) Office of Drug Control Policy, which shall be headed by an executive director  
15 appointed pursuant to KRS 12.050 who shall be responsible for all matters  
16 relating to the research, coordination, and execution of drug control policy  
17 and for the management of state and federal grants, including but not limited  
18 to the prevention and treatment related to substance abuse. By December 31  
19 of each year, the Office of Drug Control Policy shall review, approve, and  
20 coordinate all current projects of any substance abuse program which is  
21 conducted by or receives funding through agencies of the executive branch.  
22 This oversight shall extend to all substance abuse programs which are  
23 principally related to the prevention or treatment, or otherwise targeted at the  
24 reduction, of substance abuse in the Commonwealth. The Office of Drug  
25 Control Policy shall promulgate administrative regulations consistent with  
26 enforcing this oversight authority. The executive director shall be directly  
27 responsible to and report to the secretary and may employ~~such~~ staff as

1           necessary to perform the duties, functions, and responsibilities of the office.

2           ➔Section 2. KRS 15A.064 is amended to read as follows:

- 3       (1) The Department of Juvenile Justice shall establish in each county, or assign to an  
4       existing body the responsibilities of, a local juvenile restorative justice advisory  
5       committee. For counties within the same judicial district, the requirements of this  
6       subsection may be satisfied through a joint committee.
- 7       (2) The membership of each committee shall include the following:
- 8           (a) The Chief District Judge;
- 9           (b) The county attorney;
- 10          (c) An assistant public advocate;
- 11          (d) A representative from the Department for Community Based Services;
- 12          (e) A representative from the Department of Juvenile Justice;
- 13          (f) A representative from a local law enforcement agency;
- 14          (g) A representative from each local school district;
- 15          (h) Community members reflecting the racial, socioeconomic, and other diversity  
16          of the county or, in the case of a joint committee, the counties; and
- 17          (i) A representative from a victims advocacy group.
- 18       (3) Each committee shall:
- 19           (a) Establish sustainable programs that employ restorative practices to identify  
20           the underlying causes of negative behavior and empower children, families,  
21           and communities to address and prevent issues surrounding incidents of  
22           negative behavior; and
- 23           (b) Develop and implement local restorative justice programs with an established  
24           organization to serve children, youth, and families through referrals from the  
25           court, the court-designated worker, the Department of Juvenile Justice, public  
26           schools, or other social service agencies, or upon request of a child or family.
- 27       (4) Restorative justice programs established pursuant to this section shall not allow

- 1 participation by a child accused or adjudicated of an offense which would classify  
2 him or her as a violent offender under KRS 439.3401.
- 3 (5) Each committee shall meet at least quarterly, and shall report to the Department of  
4 Juvenile Justice~~, Office of Community and Mental Health Services~~.