

JUSTICE AND PUBLIC SAFETY CABINET

Department of Juvenile Justice (New Administrative Regulation)

505 KAR 1:200. Cell entry teams, emergency response teams, and emergency response training.

RELATES TO: KRS 15A.065, 15A.0652, 15A.160, 15A.305, 200.080-200.120, Chapters 600-645

STATUTORY AUTHORITY: KRS 15A.065(1), 15A.0652, 15A.160, 15A.305, 605.150, 635.095, 640.120, 645.250

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.065(1), 15A.0652, 15A.067, 15A.160, 15A.305, 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. KRS 15A.305(8)(b) requires the department to conduct monthly documented trainings related to emergency response. KRS 15A.305(8)(d) requires the department to establish emergency response teams at juvenile detention centers and youth development centers and further requires the emergency response teams to conduct monthly drills. KRS 15A.305(8)(e) requires memoranda of understanding with local law enforcement for emergency response and the inclusion of local law enforcement in emergency response training. This administrative regulation authorizes the creation of cell entry teams and requires emergency response teams and training.

Section 1. Definitions.

- (1) "Cell entry team" means a team of staff that are deployed to remove a juvenile from a cell or other confined area.
- (2) "Emergency Response Team" or "ERT" means a team of staff trained and equipped to respond to emergencies within facilities operated by the department, including:
 - (a) Natural disaster;
 - (b) Riot, fire, or any other occurrence that create a risk to the safety or security of the facility, juveniles, staff, or volunteers;
 - (c) The escape of a juvenile from a facility operated by the department; or
 - (d) Other similarly emergent events.

Section 2. Cell Entry Team.

- (1) The department may establish and train cell entry teams.
- (2) The department shall use reasonable force necessary to gain the compliance of a juvenile during a cell entry or other action by a cell entry team.
- (3) A juvenile shall comply with the orders of a cell entry team.

Section 3. Emergency Response Team.

- (1) The department shall establish and train emergency response teams for detention centers and youth development centers.
- (2) If a use of force is necessary during any emergency to which the ERT responds, the ERT shall use only reasonable force to resolve the emergency.
- (3) The ERT shall conduct monthly drills for emergency response. The monthly drills may include:
 - (a) Riot;
 - (b) Fire;
 - (c) Tornado;
 - (d) Mass evacuation;
 - (e) Facility infrastructure failure;

- (f) Search; or
- (g) Other topics related to proper response to unexpected or emergent circumstances.

Section 4. Emergency Response Training and Coordination.

- (1) DJJ shall contact local law enforcement to:
 - (a) Obtain memoranda of understanding with local law enforcement for emergency response; and
 - (b) Include them in emergency response training involving DJJ facilities.
- (2) A juvenile detention center or a youth development center shall conduct monthly training for staff concerning emergency response. The monthly training may include:
 - (a) Riot;
 - (b) Fire;
 - (c) Tornado;
 - (d) Mass evacuation;
 - (e) Facility infrastructure failure;
 - (f) Search; or
 - (g) Other topics related to proper response to unexpected or emergent circumstances.

VICKI REED, Commissioner

APPROVED BY AGENCY: May 15, 2023

FILED WITH LRC: May 15, 2023 at noon

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on July 21, 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 July 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.