

JUSTICE AND PUBLIC SAFETY CABINET

Department of Juvenile Justice

(Amended After Comments)

505 KAR 1:330. Personal property, dress, and clothing and bedding supply.

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.067, 15A.160, 200.115, 605.150, 635.095, 635.100(7), 640.120, 645.250

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.065(1), 15A.0652, 15A.067, 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 personal property limitations and requirements for clothes and bedding for juvenile detention centers, youth development centers, and group homes.

Section 1. Personal Property

(1) At intake, staff shall take inventory of personal belongings of the juvenile and the juvenile and staff shall sign the personal property inventory. The juvenile shall receive a copy of the inventory, the original shall be maintained in the individual client record, and a copy shall be maintained with the property.

(2) The facility shall provide the juvenile with written information, in the juvenile orientation handbook or otherwise, concerning the property that may remain in the juvenile's possession.

(a) A juvenile in a juvenile detention center may have the following:

1. Letters;
2. Court papers;
3. Photos with no nudity, revealing clothes, or gang signs;
4. Religious book, e.g. Bible, Quran;
5. School work or certificates.

(b) A juvenile in a youth development center or group home may have the following:

1. Letters;
2. Court papers;
3. Photos with no nudity, revealing clothes, or gang signs;
4. Religious book, e.g. Bible, Quran; **and**
5. School work or certificates;
6. Treatment work;
7. Personal journals;
8. Watch; and
9. At least one set of personal clothes including shirt, pants, and shoes.

(3) The youth's parent or caregiver shall be advised of the personal items needed or permitted at the facility.

(4) Items and clothes that are inappropriate pursuant to the dress code in Section 3(5)**of this administrative regulation** shall be stored or returned to the parent or caregiver.

(5) Property Disposal.

(a) After thirty (30) days, the juvenile's personal account shall be used to send **unpermitted** property to the juvenile's parent or caregiver with delivery confirmation; or

(b) If the juvenile does not have sufficient funds to send the property, the facility shall incur the cost of delivery to the parent or caregiver with delivery confirmation.

(6) The inventory shall be updated and signed by the youth as items are added or removed.

- (7) Inventoried items shall be signed for and returned to the juvenile, upon release from the custody of DJJ.
- (8) Personal belongings of a juvenile absent without leave or on escape status shall be stored and retained by the program for thirty (30) days following the AWOL or escape incident.

Section 2. Lost or Stolen Property.

- (1) If a juvenile reports that personal property has been stolen or is lost and the report is substantiated, the juvenile shall be reimbursed.
- (2) The maximum cost of replacement or repair shall be limited to the following:
 - (a) Blouse or shirt twenty-five (25) dollars;
 - (b) Skirt or trousers thirty (30) dollars;
 - (c) Sweater twenty-five (25) dollars;
 - (d) T-shirt ten (10) dollars;
 - (e) Dress forty (40) dollars;
 - (f) Coat or jacket seventy-five (75) dollars;
 - (g) Shoes fifty (50) dollars;
 - (h) Jewelry seventy-five (75) dollars;
 - (i) Electronic devices and accessories \$100; and
 - (j) Other items shall be evaluated on a per item basis.
- (3) Approval of reimbursement for property that is in the possession of the juvenile shall be based upon the facts of each situation.

Section 3. Clothing.

- (1) DJJ shall ensure a juvenile is provided required clothing.
- (2) A facility shall provide for the thorough cleaning and, if necessary, disinfecting of a juvenile's personal clothing before storage or before allowing the juvenile to keep and wear personal clothing.
- (3) A facility shall allow for clean socks and underwear daily and a minimum of three (3) sets of clean clothing per week, and more often if necessary, depending on activities and weather conditions. Clothing shall be properly fitted and climatically suitable.
- (4) Provision shall be made for the issuance of special and, if appropriate, protective clothing and equipment to a juvenile assigned to food service, a technical program, and a work experience program. If standard issue clothing presents a security risk, the juvenile shall be supplied with a security garment.
- (5) Dress code.
 - (a) The dress code shall be contained in the juvenile orientation handbook and explained to each juvenile upon admission.
 - (b) A juvenile's clothing shall be proper in size and shall reflect a neat and well-groomed appearance.
 - (c) Clothing that displays profanity or sexual lewdness or conveys a message contrary to the treatment goals of the juvenile and facility shall be prohibited.
 - (d) Clothing that is identified with gangs, including the way it is worn, shall be prohibited. A facility may prohibit specific colors of clothing that are associated with a gang.
 - (e) State issued clothing shall be provided to a juvenile in a detention center.
 - (f) A juvenile in a YDC or group home may wear personal clothing, uniforms, or a combination thereof that is consistent with the requirements of the facility.
 - (g) A juvenile may be subject to discipline for failure to abide by the established dress code.
- (6) Discharge. At discharge, an inventory of facility-issued clothing shall be made. The facility shall assess the basic clothing needs of the juvenile, and may allow the juvenile to

retain state-issued clothing, as needed, with approval from the **facility manager**~~Superintendent~~.

Section 4. Bedding. A residential facility shall provide clean bed linens weekly and clean towels and wash cloths at least three (3) times per week.
(50 Ky.R. 257, 1098; eff. .3-5-2024.)

VICKI REED, Commissioner

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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.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Amy Barker

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes personal property limitations and requirements for clothes and bedding for juvenile detention centers, youth development centers, and group homes.

(b) The necessity of this administrative regulation:

This administrative regulation meets statutory authorization or requirements in KRS 15A.065(1), 15A.0652, 15A.160, 605.150, 635.095, and 640.120 for administrative regulations.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 15A.065(1), 15A.0652, 15A.067, 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.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

The regulation provides direction and information to department staff and juveniles concerning procedures that govern operations of facilities with juveniles in the custody of the department.

(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:

This is a new administrative regulation.

(b) The necessity of the amendment to this administrative regulation:

Not applicable

(c) How the amendment conforms to the content of the authorizing statutes:

Not applicable

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

Not applicable

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

This affects approximately 632 DJJ employees, 348 juveniles, and their families.

(4) Provide an analysis of how the entities identified in question (3) 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 (3) will have to take to comply with this administrative regulation or amendment:

Staff and juveniles will have to be aware of and follow the rules for personal property and clothes and bedding supply.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

An exact cost of compliance is unknown, but it is not anticipated that this administrative regulation will increase current costs.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

The administrative regulation will assist in the effective and orderly management of the department and its facilities.

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

(a) Initially:

An exact cost of compliance is unknown, but it is not anticipated that this administrative regulation will increase current costs.

(b) On a continuing basis:

An exact cost of compliance is unknown, but it is not anticipated that this administrative regulation will increase current costs.

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

DJJ budgeted funds for the biennium.

(7) 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:

An increase in funding is not anticipated.

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

This administrative regulation does establish any fee.

(9) TIERING: Is tiering applied?

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

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

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(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 15A.065, 15A.0652, 15A.160, 200.080-200.120, 605.150, 635.095, 640.120, 645.250, Chapters 600-645

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

This administrative regulation will not create any revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

This administrative regulation will not create any revenue.

(c) How much will it cost to administer this program for the first year?

An exact cost of compliance is unknown, but it is not anticipated that this administrative regulation will increase current costs.

(d) How much will it cost to administer this program for subsequent years?

An exact cost of compliance is unknown, but it is not anticipated that this administrative regulation will increase current costs.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

This administrative regulation is not anticipated to generate any cost savings.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

This administrative regulation is not anticipated to generate any cost savings.

(c) How much will it cost the regulated entities for the first year?

An exact cost of compliance is unknown, but it is not anticipated that this administrative regulation will increase current costs.

(d) How much will it cost the regulated entities for subsequent years?

An exact cost of compliance is unknown, but it is not anticipated that this administrative regulation will increase current costs.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):

Expenditures (+/-):

Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)] A major economic impact to the agency is not anticipated.