



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:110
KRS 640.070; KRS 640.075**

CHAPTER: Program Services	AUTHORITY: KRS 15A.0652
SUBJECT: Youthful Offender Transfer	
POLICY NUMBER: DJJ 352	
TOTAL PAGES: 2	
EFFECTIVE DATE: 4/05/2019	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

A youthful offender (YO) may be transferred to the Department of Corrections (DOC) by the sentencing circuit court, prior to the age of eighteen (18), if the youth has escaped, caused serious disruption to the program, or has exhibited violent behavior.

II. APPLICABILITY

This policy shall apply to YOs.

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. A YO shall be advised verbally, in writing, and sign an acknowledgement of Kentucky Revised Statute (KRS) 640.070, upon admission. When a literacy or communication problem exists, a staff member shall assist the youth in understanding the provision.
- B. Documentation that the youth has received this information shall be maintained in the youth's hard case file with a copy given to the youth and a copy forwarded to the Department of Juvenile Justice (DJJ) Offender Information Administrator.
- C. If a youth is transferred to another facility, a new copy of the KRS 640.070 acknowledgement shall be signed by the youth, the original placed in the youth's hard case file, and copies given to the youth and the DJJ Offender Information Administrator.
- D. If the treatment team decides that a request for transfer of a YO to DOC is appropriate, the youth counselor shall prepare a report that details the rationale for such a request and forward the report to the Superintendent.

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- E. If in agreement, the Superintendent shall forward the report to the Regional Division Director, through the Facilities Regional Administrator (FRA), for review.
- F. If in agreement, the Regional Division Director shall forward the request to the Office of Legal Counsel and the Commissioner.
- G. The Office of Legal Counsel shall be responsible for facilitating any needed court process.

V. MONITORING MECHANISM

This activity shall be monitored by the Superintendent, the FRA, and the Office of Legal Counsel.