

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:140</b>
<b>CHAPTER: Detention Services</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Complaint Investigations of Secure Juvenile Detention Centers and Juvenile Holding Facilities</b>		
<b>POLICY NUMBER: DJJ 731</b>		
<b>TOTAL PAGES: 3</b>		
<b>EFFECTIVE DATE: October 5, 2018</b>		
<b>APPROVAL: Carey D. Cockerell</b>		<b>, COMMISSIONER</b>

## **I. POLICY**

The Department of Juvenile Justice shall classify and investigate complaints lodged against regional juvenile detention centers under the jurisdiction of the Department of Juvenile Justice as well as those entities which operate juvenile facilities governed by the provisions of KRS Chapter 15A.

## **II. APPLICABILITY**

This policy is applicable to all Department of Juvenile Justice staff who administer and enforce the provisions of KRS Chapter 15A.

## **III. DEFINITIONS**

Refer to Chapter 700.

## **IV. PROCEDURES**

- A. Department of Juvenile Justice staff shall notify the Superintendent and forwarded to Ombudsman any complaints received. Special incidents shall be referred to the Internal Investigation Branch (IIB).
- B. The Ombudsman shall upon notification of a complaint investigate the complaint as follows:
  1. Investigate the complaints by the procedure required for the most serious allegation.
  2. Maintain a record of all complaints received and their outcomes.
  3. Investigate the complaint for violations of applicable laws, standards, and policies. The investigation may be conducted indirectly through conferencing only if the complaint can be thoroughly investigated and all pertinent information obtained. Direct investigation may be conducted by

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visiting the juvenile detention or juvenile holding facility and interviewing the juveniles, if available, the administrator, and other appropriate staff.

4. The Ombudsman may refer complaints to the Superintendent or designee for information gathering or investigation.
  5. The Ombudsman shall review facility records to obtain written documentation available that pertains to the complaint.
- C. Abuse complaints (Special Incident) at DJJ operated facilities shall be forwarded to the IIB.
- D. Complaints which appear to be violations of law shall be forwarded to the IIB.
- E. Completed investigations by the Ombudsman shall be put in written form and forwarded to the Deputy Commissioner of Operations and the Division Director. The final investigation report shall contain the following information:
1. Date, time complaint(s) is received;
  2. Name of person initiating the complaint(s);
  3. Nature of complaint(s);
  4. Narrative explanation of the investigative process:
    - a. Listing of each complaint;
    - b. How each complaint was investigated (facility visit, interviews, record review, etc.).
  5. Any related KRS or DJJ policy;
  6. Conclusion: if complaint was substantiated and why or if complaint was not substantiated;
  7. Recommended course of action on each substantiated complaint;
  8. Supporting documentation:
    - a. Interviews;
    - b. Facility inspection observations, including pictures if appropriate;
    - c. Facility Policies/Procedures;
    - d. Other relevant information as deemed appropriate;
  9. Date investigation completed;
  10. Name of person completing investigative report.
- F. The individual initiating the complaint shall be notified in writing of the investigations findings by the Quality Assurance Branch Manager.

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**V. MONITORING MECHANISM**

This activity shall be monitored by the Ombudsman and the Office of Commissioner or designee.