

640.075 Youthful offender transferred to Department of Corrections may remain in custody of Department of Juvenile Justice -- Transfer -- Petition for reconsideration of probation and for early parole.

- (1) Any other provision of KRS Chapter 640 to the contrary notwithstanding, any youthful offender ordered transferred to the Department of Corrections under KRS 640.030(2)(c) may, at the discretion of the Department of Juvenile Justice, after consultation with the Department of Corrections, remain in the custody of the Department of Juvenile Justice and in a Department of Juvenile Justice facility or program, until expiration of sentence or until the youthful offender is released on parole, but in no event past the age of twenty-one (21).
- (2) Any youthful offender whose custody has been retained by the Department of Juvenile Justice under subsection (1) of this section may be immediately transferred to the Department of Corrections, at such location within this state as the Department of Corrections directs, if the youthful offender causes any disruption to the program or attempts to escape.
- (3) Any youthful offender who attains the age of twenty-one (21) while in the custody of the Department of Juvenile Justice shall be immediately transferred to the Department of Corrections at such location within this state as the Department of Corrections directs.
- (4) Any youthful offender whose custody has been retained under subsection (1) of this section and who has not been released under other provision of law or delivered to the Department of Corrections under subsection (2) of this section, may, on one (1) occasion and after the completion of a minimum twelve (12) months additional service of sentence, petition the sentencing Circuit Court for reconsideration of probation and, except as provided in KRS 439.3401, may be considered for early parole eligibility.

Effective: July 15, 2002

History: Created 2002 Ky. Acts ch. 263, sec. 11, effective July 15, 2002.