

15A.020 Organization of Justice and Public Safety Cabinet.

- (1) The Justice and Public Safety Cabinet shall have the following departments:
 - (a) Department of Corrections;
 - (b) Department of Criminal Justice Training, which shall have the following divisions:
 1. Training Operations Division;
 2. Administrative Division; and
 3. Training Support Division;
 - (c) Department of Juvenile Justice, which shall have the following divisions:
 1. Division of Medical Services;
 2. Division of Western Region;
 3. Division of Central Region;
 4. Division of Eastern Region;
 5. Division of Southeastern Region;
 6. Division of Administrative Services;
 7. Division of Program Services;
 8. Division of Placement Services;
 9. Division of Professional Development; and
 10. Division of Community and Mental Health Services;
 - (d) Department of Kentucky State Police, which shall have the following divisions:
 1. Administrative Division;
 2. Operations Division;
 3. Technical Services Division; and
 4. Commercial Vehicle Enforcement Division; and
 - (e) Department for Public Advocacy, which shall have the following divisions:
 1. Protection and Advocacy Division;
 2. Division of Law Operations;
 3. Division of Trial Services; and
 4. Division of Post-Trial Services.
- (2) Each department, except for the Department for Public Advocacy, shall be headed by a commissioner who shall be appointed by the secretary of justice and public safety with the approval of the Governor as required by KRS 12.040. Each commissioner shall be directly responsible to the secretary and shall have such functions, powers, and duties as provided by law and as the secretary may prescribe. The Department for Public Advocacy shall be headed by the public advocate, appointed as required by KRS 31.020, who shall be directly responsible to the Public Advocacy Commission. The Department for Public Advocacy is an independent state agency which shall be attached to the Justice and Public Safety

Cabinet for administrative purposes only. The Justice and Public Safety Cabinet shall not have control over the Department for Public Advocacy's information technology equipment and use unless granted access by court order.

- (3) The Justice and Public Safety Cabinet shall have the following offices:
 - (a) Office of the Secretary, which shall be headed by a deputy secretary appointed pursuant to KRS 12.050 and responsible for the direct administrative support for the secretary and other duties as assigned by the secretary, and which, with the approval of the secretary, may employ such staff as necessary to perform the duties, functions, and responsibilities of the office;
 - (b) Office of Management and Administrative Services, which shall be headed by an executive director appointed pursuant to KRS 12.050 who shall be responsible to and report to the secretary and be responsible for all matters relating to human resources, state and federal grants management, including but not limited to the administration of KRS 15A.060, fiscal functions, management and daily operations of the information processing activities for the cabinet, and management and daily administrative services for the cabinet; and who, with the approval of the secretary, may employ such staff as necessary to perform the duties, functions, and responsibilities of the office;
 - (c) Office of Legal Services, which shall be headed by an executive director appointed pursuant to KRS 12.050 and 12.210 to provide legal representation and services for the cabinet. The executive director shall be directly responsible to and report to the secretary and, with the approval of the secretary, may employ such attorneys appointed pursuant to KRS 12.210 and other staff as necessary to perform the duties, functions, and responsibilities of the office;
 - (d) Office of Legislative and Intergovernmental Services, which shall be headed by an executive director appointed pursuant to KRS 12.050 who shall be responsible for all matters relating to the provision of support to the Criminal Justice Council, legislative liaison services, and functions and duties vested in the Criminal Justice Council as described in KRS 15A.030. The executive director shall be directly responsible to and report to the secretary and may employ such staff as necessary to perform the duties, functions, and responsibilities of the office;
 - (e) Office of the Kentucky State Medical Examiner, which shall be headed by a chief medical examiner appointed pursuant to KRS 72.240 who shall be responsible for all matters relating to forensic pathology and forensic toxicology and other duties as assigned by the secretary. The executive director appointed pursuant to KRS 12.050 shall be responsible for all matters related to the administrative support of the Office of the State Medical Examiner. The executive director shall report directly to the secretary and with the approval of the secretary may employ such administrative support staff as necessary to perform the administrative duties, functions, and responsibilities of the office. The chief medical examiner shall be directly responsible to and

report to the secretary and may employ such staff as necessary to perform the forensic duties, functions, and responsibilities of the office;

- (f) Office of Drug Control Policy, which shall be headed by an executive director appointed pursuant to KRS 12.050 who shall be responsible for all matters relating to the research, coordination, and execution of drug control policy and for the management of state and federal grants, including but not limited to the prevention and treatment related to substance abuse. By December 31 of each year, the Office of Drug Control Policy shall review, approve, and coordinate all current projects of any substance abuse program which is conducted by or receives funding through agencies of the executive branch. This oversight shall extend to all substance abuse programs which are principally related to the prevention or treatment, or otherwise targeted at the reduction, of substance abuse in the Commonwealth. The Office of Drug Control Policy shall promulgate administrative regulations consistent with enforcing this oversight authority. The executive director shall be directly responsible to and report to the secretary and may employ such staff as necessary to perform the duties, functions, and responsibilities of the office; and
- (g) Office of Investigations, which shall be headed by an executive director appointed pursuant to KRS 12.050 who shall be responsible for investigating all complaints regarding the facilities, staff, treatment of juveniles, and other matters relating to the operation of the Justice and Public Safety Cabinet. If it appears that there is a violation of statutes, administrative regulations, policies, court decisions, the rights of juveniles who are subject to the orders of the department, or any other matter relating to the Justice and Public Safety Cabinet, the office shall report to the secretary of the Justice and Public Safety Cabinet who shall, if required, refer the matter to a law enforcement agency, Commonwealth's attorney, county attorney, the Attorney General, or federal agencies, as appropriate. The executive director shall be directly responsible to and report to the secretary and, with the approval of the secretary, may employ such staff as necessary to perform the duties, functions, and responsibilities of the office. The Office of Investigations may be used to investigate matters in which there is a suspicion of violation of written policy, administrative regulation, or statutory law within the Department for Public Advocacy only when such investigation will have no prejudicial impact upon a person who has an existing attorney-client relationship with the Department for Public Advocacy. Notwithstanding the provisions of this paragraph, investigation and discipline of KRS Chapter 16 personnel shall continue to be conducted by the Department of Kentucky State Police pursuant to KRS Chapter 16. The Office of Investigations shall conduct no other investigations.

Effective: June 25, 2009

History: Amended 2009 Ky. Acts ch. 15, sec. 2, effective June 25, 2009; and ch. 75, sec. 12, effective June 25, 2009 -- Amended 2007 Ky. Acts ch. 85, sec. 40, effective June 26, 2007. -- Amended 2001 Ky. Acts ch. 64, sec. 1, effective June 21, 2001. -- Amended 1994 Ky. Acts ch. 227, sec. 2, effective July 15, 1994. -- Amended 1986

Ky. Acts ch. 64, sec. 3, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 343, sec. 2, effective July 15, 1982. -- Created 1974 Ky. Acts ch. 74, Art. V. sec. 2.

Legislative Research Commission Note (6/25/2009). This section was amended by 2009 Ky. Acts chs. 15 and 75, which do not appear to be in conflict and have been codified together.

Legislative Research Commission Note (6/26/2007). Although 2007 Ky. Acts ch. 85, sec. 40, contains references to the "Department of Public Advocacy," the entity created by 2007 Ky. Acts ch. 85, secs. 7 and 40, and Executive Order 2006-805 is the "Department for Public Advocacy." In accordance with 2007 Ky. Acts ch. 85, sec. 335, and KRS 7.136, the erroneous references in this section have been corrected in codification.

Legislative Research Commission Note (6/26/2007). Although subsection (3)(d) of this section states that the Criminal Justice Council is "described in KRS 15A.030," the Criminal Justice Council is actually created and described in 2007 Ky. Acts ch. 85, sec. 37, codified as KRS 15A.075.