

Attachment 1

Louisville/Jefferson County Juvenile Detention – as of 7-25-22 by Lena Muldoon

Background

More than 25 years ago, the federal government required Kentucky and other states to house detained juveniles separately from the adult incarcerated population. Kentucky subsequently developed a unified juvenile justice system for 119 of the 120 counties with regional juvenile detention centers established in Adair, Boyd, Breathitt, Campbell, Fayette, McCracken, and Warren counties.

Louisville had its own youth detention center at the time and was not included in the unified statewide system by design, presumably because Louisville's youths were separately confined from adults, which was not the case elsewhere. As such, the state paid Louisville a per diem, per youth, to run its own facility and detain juveniles.

Jefferson County's Youth Detention Center (YDC), located in downtown Louisville, was licensed to operate 96 beds. The YDC also provided alternative services such as home incarceration and home supervision.

The state per diem has been \$94 for a long period of time. Occasionally, the state would cover relatively small-dollar pilot programs for alternative placements. Discussions between the city and the state about increasing reimbursements or altering the arrangement were occurring annually, all the while the gap continued to grow between the actual cost of running the center and what the state was reimbursing. In 2019 the actual operations costs were approximately \$9.7 million, and the state reimbursed \$3.6 million – far less than its obligation. The balance was continually covered by Louisville Metro Government's general fund.

State Resumption of Responsibility

During 2018-2019, increased pension costs across the state were creating budget shortfalls and necessitating crippling cuts across the public sector. Louisville was no exception. While Mayor Fischer's proposed budget included funding for the Youth Detention Center, Louisville Metro Council's FY20 budget cut many city services, including the YDC funding. It was a difficult decision to return the center to the state, however Louisville could no longer cover the state's responsibilities and meet its obligations locally.

Metro Council did include funding in the budget for the transition from city to state management of the operations. The FY20 enacted budget included funding for six months of the fiscal year to accommodate the transfer of juvenile detention responsibility to the state by January 1, 2020, plus \$685,000 for assisting the state to accelerate expanding the state's Audubon Youth Development Center in the Lyndon area of Louisville into a local facility.

The Lyndon center was repurposed in January 2020 as the Jefferson Regional Juvenile Detention Center with 16-20 short-term beds. Simultaneously, the city also

created the Department of Youth Transitional Services (YTS) to provide transportation of pre-adjudicated youth between Jefferson County Courts and the Regional Juvenile Detention Centers, as required by state statute. The Jefferson County Juvenile Detention Center operates solely to provide transportation and process detained juveniles and serve as a go-between for court dates and other needs before they are sentenced or otherwise processed. As time has gone on and needs have a risen and shifted, the center has seen longer-term stays.

Jefferson County's Juveniles Today

The impact of the pandemic on the opening of the repurposed detention center was significant. Many of the programs that were planned to be included at the center, such as alternatives to detention and wraparound services, were not implemented due to this additional strain on the system caused by the pandemic and the uncertainty during the transition period to the state.

In 2021, YTS transported approximately 700 juveniles in 2021 and had a total budget of \$2,901,200 – a 65% reduction from the previous year. (See report from YTS, Attachment 3)

Then in November 2021, Louisville Metro Government allocated \$3 million of the city's American Rescue Plan funding for a new designated facility to screen youth when they are placed in custody and subsequently assessed by the Court and Court Designated Workers. This new screening center opened in June and is operated in the old Youth Detention Center in downtown Louisville and is a part of the city's Department of Youth Transitional Services. This facility fills an important gap – children are screened in a clean, staff-secure, environment by trained peace officers and Court Designated Workers. The new funding of this facility will last three years.

This screening center assesses minors as many of them await a Court Designated Worker and judge to determine next steps – primarily whether the juvenile is to enter the system and be detained or whether they are to be assigned wrap-around services to help keep them out of the detention system. The screening center is staffed with 24 workers, eight sworn court process officers, and nine officers to handle transportation. In the first month of its operation, the Center has already seen 39 justice-involved children.

The screening center is not a detention facility and will not address the continuing issues of transportation burdens. (See Attachment 3)

Today's Issues & Needs: Budget Ask

-A significant percentage of the state's detained youth population is from Louisville, yet there is no local long-term facility for them to be housed

-There are not enough beds/capacity for the current detained juvenile population.

-The distances to other DJJ facilities around the state cause increased strain on families and the system.

Louisville's request is for the Jefferson County Juvenile Detention Center to be renovated and upgraded to accommodate 40 beds (increased from the current 20 beds) and expanded for wrap-around support services, restorative justice, and alternative solutions.

DJJ estimates that \$3,489,327 in one-time cost would be needed to retrofit the center and accomplish the needed safety and security updates, as well as the additional bed capacity. This would include materials, cost of labor, and all other capital expenses for this investment.

If the facility capacity is raised to 40 beds, additional staff will be required. When fully staffed the current 20-bed facility cost is \$4.75 million annually for operational costs. DJJ estimates an additional \$2-3 million would be needed annually for operating costs if the facility beds were increased to 40 (see Attachment 2). This brings the total state cost to about \$11.2 million.