

The Future of the Kentucky Department of Juvenile Justice

February 14, 2023

DJJ FACILITIES

Regional Juvenile Detention Centers

Adair
Boyd
Breathitt
Campbell
Fayette
Jefferson
McCracken
Warren

Youth Development Centers

Lake Cumberland
Mayfield
Morehead
Northern Kentucky
Woodsbend

Group Homes

Ashland
Burnside
Frankfort
Frenchburg
Hopkinsville
Jackson
London
Middlesboro

Day Treatment Centers

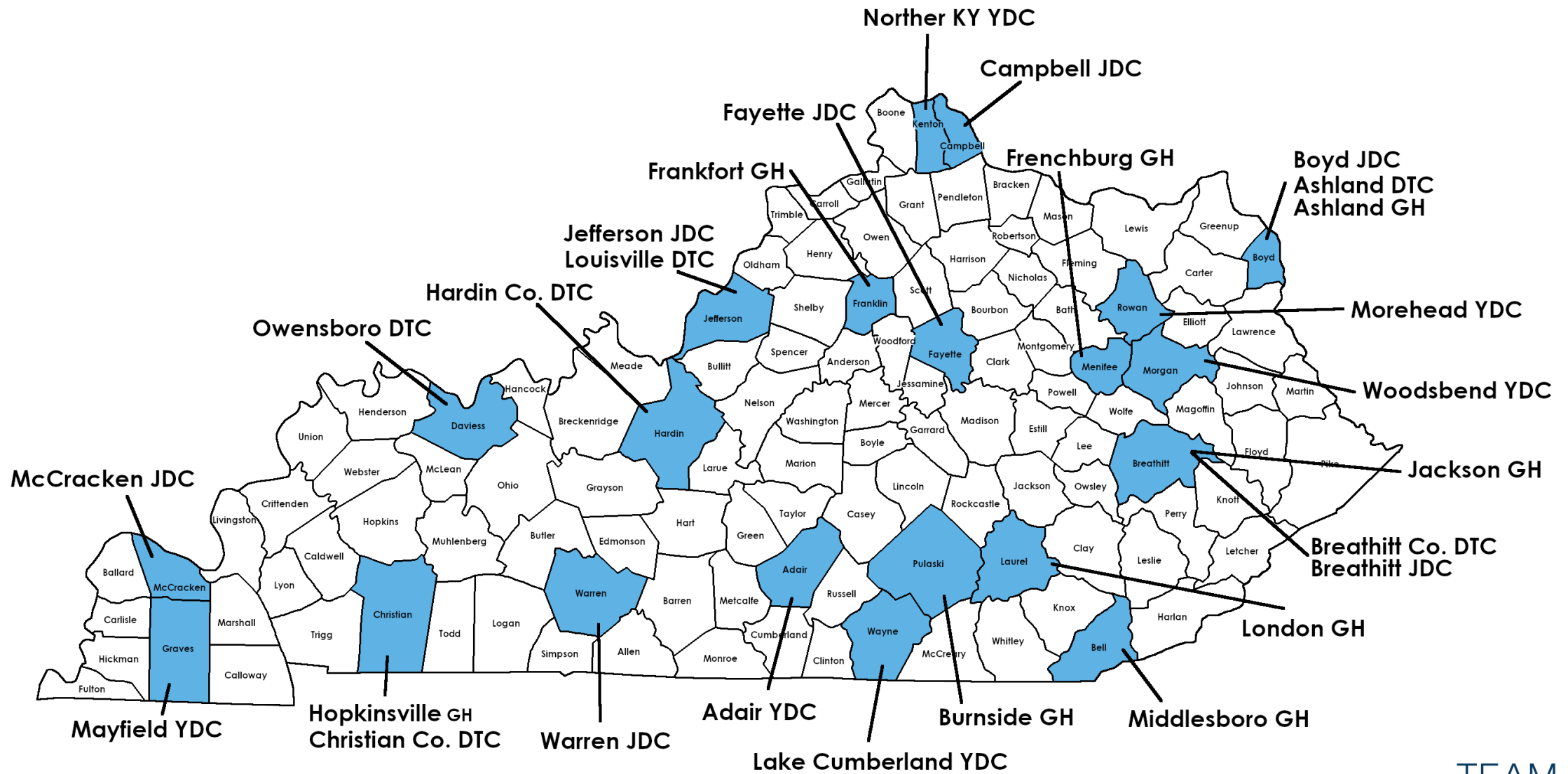
Ashland
Brathitt County
Christian County
Hardin County
Louisville
Owensboro

**Note: Adair facility and Campbell facility house YDC youth, as well*

The Department of Juvenile Justice serves the commonwealth's youth as the juvenile justice system for the state

- DJJ operates 29 facilities across Kentucky and throughout the juvenile justice process as of 01/13/23.
 - 8 secure detention centers with 175 youth.
 - 7 youth development centers with 144 youth.
 - 8 Group Homes with 50 youth.
 - 6 Day Treatment Centers.
- As of 01/13/23: 225 kids in Alternatives to Detention – 208 of these youth were on some sort of home detention

DJJ Staffing			
	Filled	Vacant	Total
Detention Only	321	98	419
All DJJ	1022	131	1153



Historical Detention Information

- Kentucky's juvenile detention system was established by the General Assembly in 1996 with HB 117. The system has changed little over the years, even though the challenges today are far different.
- A centerpiece of the "old" system was the regional model of detention.
 - Girls and boys were detained together in the same facility.
 - Low-level offenders were housed with more serious offenders.
 - This has been the case since the system was established decades ago.

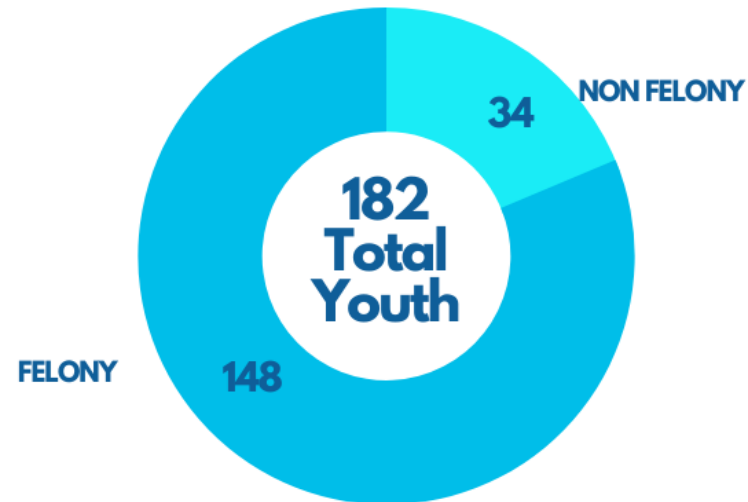
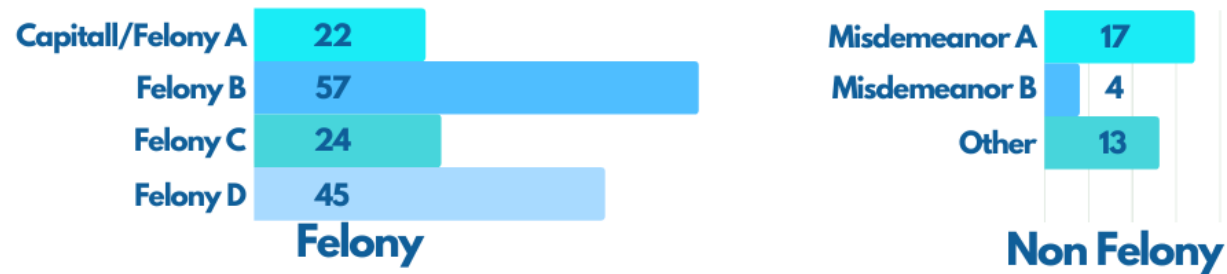
Impact of SB 200

- In 2014, SB 200 removed most, but certainly not all, of the youth charged with low-level crimes from detention centers and steered them toward alternative community options.
 - Court-designated workers and other community members play important roles in diversion, but judicial discretion determines next steps for youth.
 - DJJ does not play a role in deciding which youth are detained.
- A 2020 evaluation from the Office of Juvenile Justice and Delinquency Prevention found that SB 200 resulted in an increase in the number of cases placed on diversion and a reduction of juvenile incarceration.
- A key goal of SB 200 was to focus resources on the most serious offending youth. As low-level youth have been diverted from detention, public safety concerns have become a primary factor in the decision to detain a youth.

Changes in Population

Over the past decade, the juvenile justice detention center population has changed resulting in a decrease in non-felony charges and an increase in felony charges. This is driven in part by SB 200 implementation.

Male Population by Offense as of 2/13/23

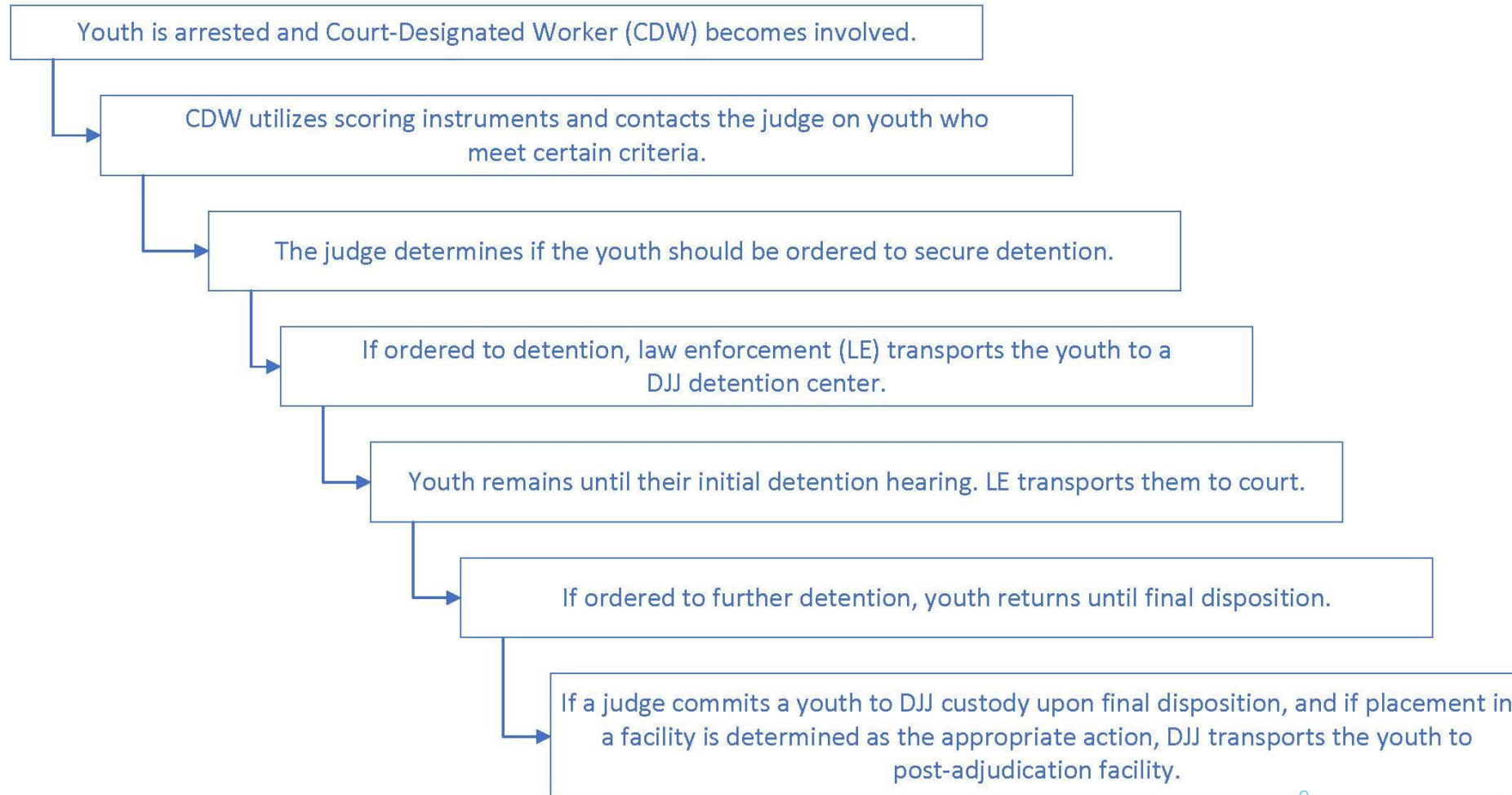


- Total felonies increased from 42.9% of the population in 2012 to 72% in 2023.
- Capital offenses and Class A & B felonies among the population has increased from 22.8% of the population in 2012 to 37.9% in 2023.
- Non-felonies decreased from 57.1% of the population in 2012 to 28% in 2023.

Juvenile Justice Detention Center Population

	Jan 10, 2012	Jan 10, 2023
Capital/Felony A	23	19
Felony B	28	50
Felony C	16	26
Felony D	29	36
Misdemeanor A	33	19
Misdemeanor B	6	5
Violation	1	
Other	88	27
Total	224	182
Capital/Felony A and B	51	69
	22.8%	37.9%
Felony C and D	45	62
	20.1%	34.1%
Total Felonies	96	131
	42.9%	72.0%
Misdemeanors	39	24
	17.4%	13.2%
All Other	89	27
	39.7%	14.8%
Total Non-Felonies	128	51
	57.1%	28.0%

DJJ Detention Process



Pre-Adjudication

- Juvenile Detention Centers mainly house the juvenile population (under 18 years of age) after an arrest but before they have been adjudicated.
- Detained youth were not separated by gender nor offense level until Gov. Beshear's orders in November and December for the first time in commonwealth history.
 - Girls and boys were separated starting 12/01/22. Girls were moved to the Campbell County Juvenile Detention Center in Newport.
 - Gov. Beshear announced a new classification model on 12/15/22 and designated high-security and low-security facilities for male youth.
 - The classification model was implemented on 01/12/23.

Pre-Adjudication Population & Process

- Juvenile Detention Centers house youth ranging across risk levels, alleged crimes, and individual needs.
- Average length of stay is often short, but some youth, particularly those designated as youthful offenders, can be detained up to several months or years due to the judicial process.
- Detention staff must handle a wide variety of youth and situations due to the nature of detention, and they must triage the immediate needs of youth in custody.
- Because their cases have not concluded, DJJ is limited in the programming it can provide in detention.

Pre-Adjudication Services

- Mental health and education services are provided to youth in detention. Counselors assist with family contacts, assessments for suicide risk, and making referrals for acute mental health services. Detention counseling staff meet with youth in groups to help with programs and issues.
- Formal evidence-based treatment is limited in detention:
 - Youth may not be guilty of the offense for which detained.
 - Youth and parents have the right to refuse treatment. Parents must give informed consent.
 - Effective treatment requires discussions of past and present history. Youth's attorneys do not want a youth talking about their current offense, or any others, as this could be subject to court proceedings. DJJ counselors in detention are not given confidentiality status.
 - Duration of detention is not long enough for effective services.
 - Not all youth need treatment services.
- DJJ contracts with local school systems to provide education to youth in detention. Youth are required to receive a six-hour school day.

Post- Adjudication

- DJJ carefully considers which location and facility type are most appropriate and least restrictive for youth upon disposition, and it customizes placement and treatment plans to fit the youth's unique needs.
- DJJ operates two distinct residential facilities post-adjudication:
 - Youth Development Centers
 - Group Homes
- DJJ operates Day Treatment Centers which provide youth education and counseling services while they remain in their own homes.

Pre-adjudication Facilities

- *DJJ does not determine which youth are sent to these facilities*

Juvenile Detention Centers

Post-adjudication Facilities

- *If a judge commits a youth, DJJ customizes placement and treatment to fit the youth's needs*

Residential

- Youth Development Centers
- Group Homes

Day Treatment Centers

Community Services

- Probation and aftercare serve hundreds of youth each day and also prepare pre-dispositional reports for the courts.
- Over 200 youth are served each day in DJJ's statewide alternative to detention program.
- DJJ is also involved in prevention work and administers grants to local communities.
- The wide array of community services that DJJ provides illustrates the broad-reaching impact of DJJ across the system – including long before detention and long after commitment.
 - On an average day, DJJ could be serving around 1,400 kids across Kentucky.

Issues Impacting DJJ's Current System

- Significant acts of violence involving multiple youths have occurred within at least three detention centers in the last few months. Both staff and youth have been subjected to random, life-threatening assaults. Some facilities have incurred substantial property damage as a result of uncontrolled behavior and lack of protective measures for staff.
- The DJJ detention system based on regional models is ineffective in the current environment, and positive changes are needed to better respond to today's needs.
- Detention center staff report that today's youth in facilities are substantially more prone to violence and demonstrate less respect for authority than in years passed.
- DJJ's facilities are aging, and many are in need of improvements, including retrofitting buildings to improve safety and security.

Detention Facilities

- Opened the first female-only detention center in Campbell County
- Separated male juveniles by security level based on severity of offenses
 - **High-security Facilities:**
 - Adair County Juvenile Detention Center
 - Fayette County Juvenile Detention Center
 - Warren County Juvenile Detention Center
 - **Low-security Facilities:**
 - Boyd County Juvenile Detention Center
 - Breathitt County Juvenile Detention Center
 - Jefferson County Juvenile Detention Center
 - McCracken County Juvenile Detention Center
- Collaborated with Kentucky State Police to enhance security through daily visits

Transportation Services

- Gov. Beshear announced the expansion of DJJ transportation services on 12/15/22.
 - After a youth's initial detention and hearing, law enforcement will return a youth to their facility, and DJJ will transport the youth to the correct facility based on charges and available beds.
- DJJ has designed a transportation plan that will impose no greater burden on local law enforcement than the previous system.
- The plan will require additional resources and time to implement.
 - In the interim, DJJ is preparing steps to mitigate the burden on local law enforcement.

Recruitment & Retention

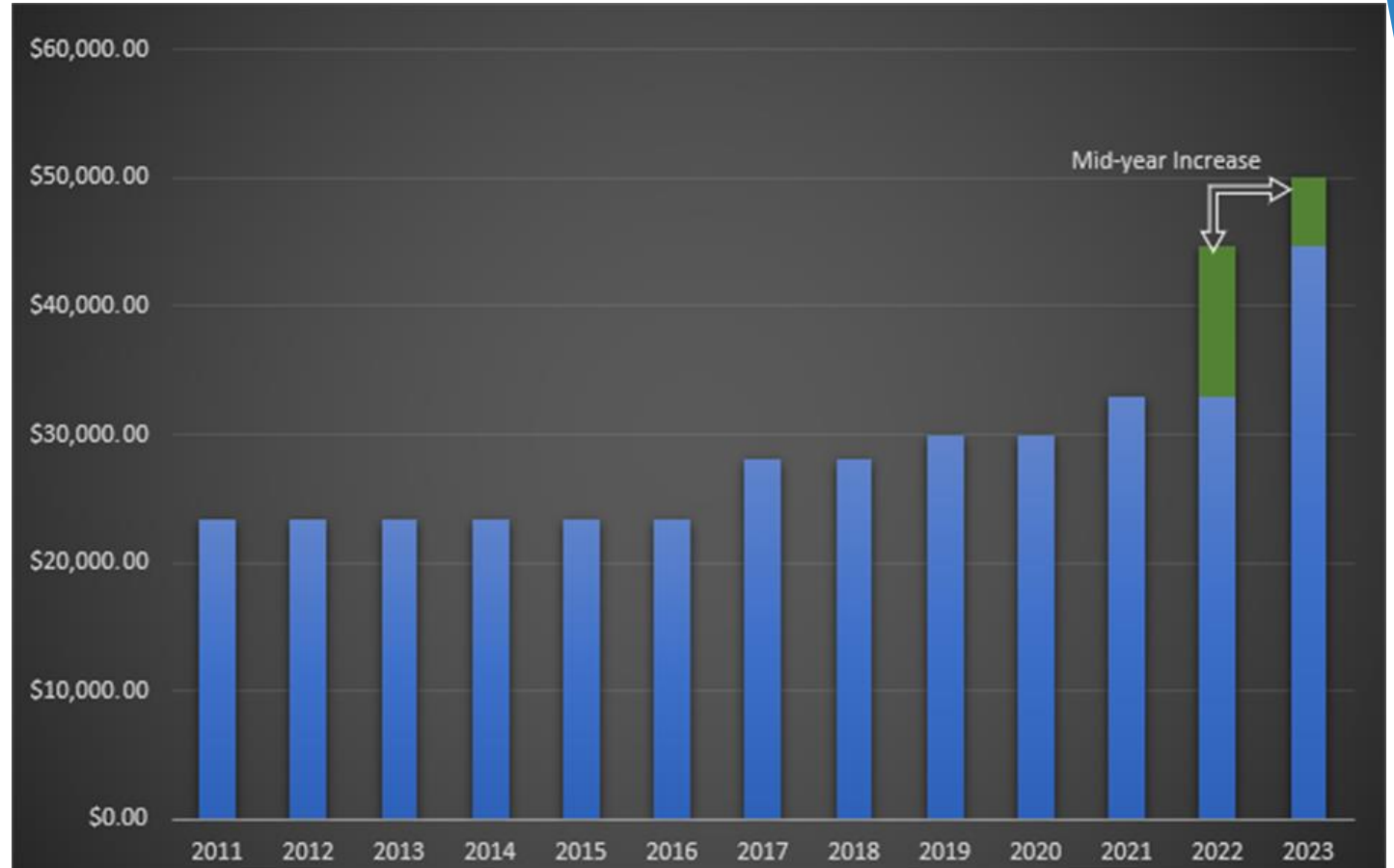
- Conditions negatively impact recruitment and retention.
- Limited staffing degrades facility security.
- Detention staff face poor compensation and pension options, as well as difficult and dangerous work environments
- In October 2022, the vacancy rate of Youth Worker positions in Juvenile Detention Centers was 37.5%.
 - There was a clear need to implement additional recruitment and retention efforts through salary increases

Recruitment & Retention Efforts

- It is imperative that DJJ recruit and retain an adequate staff to secure its facilities.
- Until one year ago, starting pay in Juvenile Detention Centers was only \$30,000.
 - In December 2021, Gov. Beshear announced a 10% raise for all security positions at DJJ.
 - In July 2022, the enacted budget provided an 8% increase for all state employees, including DJJ.
- Previous efforts did not solve the problem.
- In October 2022, Youth Worker starting salaries were increased to \$44,616.16 by using the salary schedule and a \$2.64 an-hour locality premium.
- Next month in February, DJJ will raise the starting salaries further to \$50,000.
 - With shift and holiday premiums, an employee can earn up to \$28.29 an hour.
- The cost of over 100 vacant positions was used to finance the last two salary increases.

Recruitment & Retention Proposals

- Bring the starting salary for detention facility workers to \$50,000.
- Based on a security examination, more employees are needed in each detention center to ensure the safety of offenders and staff.
- Move Youth Workers to Correctional Officer classification.



DJJ Reorganization

- DJJ proposes a reorganization which will align management by function rather than geography. Predisposition facilities – detention centers – face different challenges than post-disposition facilities, such as Youth Development Centers.
- The reorganization will better enable management to focus on the particular needs of detention centers, emphasizing safety and security.
- The reorganization will create:
 - Compliance Division
 - Division of Detention
 - Division of Program Services
 - Director of Security
- This will require statutory changes.

Security and Response to Recent Incidents

- DJJ is limited in its ability to respond effectively and efficiently due to a combination of outdated policies and statutes, including lack of access to non-lethal defensive equipment.
- Larry Chandler was hired as Director of Security for DJJ to provide assessments and recommendations on security for DJJ's facilities.
- DJJ created the Compliance Division to enhance safety and security throughout DJJ and make recommendations to leadership for improvement.
- DJJ is purchasing non-lethal defensive equipment and is creating appropriate training for staff to meet security challenges.

Security & Operations Actions and Proposals

- DJJ is increasing staff in facilities based on an internal review of needs by superintendents.
- Critical improvements are already underway or complete at the Jefferson, Warren, and Breathitt Detention Centers.
- JPSC contracted with the American Correctional Association to inspect facilities and identify necessary improvements. Inspections are underway.
 - This is different from the regular audits and collaborative work that DJJ has done with ACA over the years.
- DJJ is leveraging DOC expertise and partnering on a review of needs, providing training, and more.
- Detention facility upgrades are in process and in planning, including modifying doors, locks, cameras, control panels, etc.
- DJJ is reviewing plans to improve perimeter security.
- An upgraded offender management system will be purchased for DJJ.
- Items not yet completed will require supporting resources.

Prioritizing Worker Safety

- Because of the changing environment, comprehensive changes to DJJ policies, procedures, and regulations are necessary to provide staff with the protective equipment to adequately respond when violent incidents occur.
 - Allow for the use of non-lethal defensive equipment, including pepper spray and tasers.
- Enhanced training and regulatory and policy changes will be necessary for staff to appropriately employ these protective methods.

Training Enhancements

- Adair Juvenile Detention Center staff is receiving training from DJJ and Louisville Metro Police Department on gang affiliations with specific reference to Louisville-based gang activities.
- DOC is providing a Secure Threat Group (STG) training for a primary and secondary STG coordinator at the three high-security centers and the girls-only detention facility. This is anticipated to expand.
- All detention facilities are receiving training from DOC on non-lethal defensive equipment.

What Funding Is Needed?

- **Operating Budget – FY 2024**
 - Maintain the Detention Center staff salary increase to \$50,000: \$3.2 million
 - Transportation services – vehicles and staffing: \$5.8 million
 - Hiring of more staff to ensure the safety of youths and staff in detention centers – once fully hired – annualized: \$9.7 million
 - Youth Offender Management System: \$0.2 million
- **Capital Budget – FY 2023**
 - Perimeter Fencing for detention centers: \$4.8 million
 - Security posts at detention center entrances: \$4 million
 - Other security upgrades at detention centers: \$4 million
 - Improvements to Jefferson County Detention Center: \$4.5 million
 - Design funding for two new detention centers: \$9 million
- **Impact on Adult Correctional Institutional Staffing**
 - Raise Correctional Officer minimum salary to \$50,000 with associated increases to existing staff: \$30 million

Further Proposals for the Legislature

- Amend KRS 610.190 to allow public offenders to qualify bail as set by the detaining court, similar to what is provided to adults.
- Remove status offenders and Class B misdemeanants from detention, including for a violation of court orders.