

JUVENILE JUSTICE OVERSIGHT COUNCIL

Minutes

July 21, 2023

Call to Order and Roll Call

The 4th meeting of the Juvenile Justice Oversight Council was held on July 21, 2023, at 11:00 AM in Room 171 of the Capitol Annex. Senator Whitney Westerfield, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Whitney Westerfield, non voting Co-Chair; Representative Daniel Elliott, Senator Danny Carroll, Senator Robin L. Webb, Representative Kevin D. Bratcher, Representative Keturah Herron, Rachel Bingham for Katie Comstock, Lesa Dennis, Christina Weeter for Jason Glass, Kerry Harvey, Katie Marks, Damon Preston, Vicki Reed, John Adams, and Steven Gold.

Guests: Rebecca Norton, Budget Director, Kentucky Justice & Public Safety Cabinet; Myrissa Ritter, Human Resources Branch Manager, Kentucky Justice and Public Safety Cabinet; Jamaal Crawford, Regional Director - Midwest, Ashley Randall, Lexington Program Director, Youth Advocate Programs; Cal Karey, Cure Violence Site Manager, Youth Build Louisville.

LRC Staff: Joshua Shelepak, Matt Trebelhorn, and Brett Gillispie.

Approval of Minutes

A motion was made by Rachel Bingham, seconded by Chairman Elliott, and the minutes of the meetings on May 26 and June 20 were approved by voice vote.

Department of Juvenile Justice Update

Rebecca Norton, Budget Director, Kentucky Justice and Public Safety Cabinet; Myrissa Ritter, Human Resources Branch Manager, Kentucky Justice and Public Safety Cabinet, provided updates on staffing and hiring for the Department of Juvenile Justice (DJJ). Ms. Ritter outlined recent developments in DJJ personnel and recruitment. DJJ has increased staff in its detention centers from 146 officers, in January, to 183. She testified that there are still difficulties with hiring staff within urban facilities, such as Campbell and Jefferson Counties. Recruitment efforts have included hiring a marketing company to develop social media and other internet venues, and has participated in college and regional job fairs. Senate Bill 162 has also provided the youth worker -R program, and a limited time initiative to allow workers who had resigned to rejoin DJJ, which has brought back 10 experienced workers.

In response to a question from Senator Westerfield, Ms. Norton asked for clarification on the community workers to be included, and agreed to provide data on salaries.

In response to a question from Rep. Bratcher, Ms. Norton replied that the trooper -R program has not yet had time to get started, but that letters have been sent to retirees to solicit interest.

In response to a question from Representative Elliott, Ms. Norton responded that entry level social services workers start at just over \$45,000 per year and entry level youth workers start at

just over \$41,000. Representative Elliott asked whether there is a staff shortage in youth workers similar to what is seen in detention, and the witnesses agreed to provide information on the question.

In response to a question from Commissioner Marks, Ms. Norton said that while DJJ did not yet have much data on retention rates, as the latest pay increases have not been in effect for very long, the department was developing a historical look at retention rates to attempt to put current trends in context.

Responding to a question from Damon Preston, Ms. Norton said that current difficulties with regional placement are from a combination of factors, including low staffing levels and the limitations of the brick and mortar facilities. She added that SB 162 provided funding for a consultant to analyze facilities and make recommendations. Secretary Harvey added that regional placement, as required by SB 162, is a very different system than anything that has previously been done in Kentucky.

Agency Updates

Senator Westerfield examined a report provided by the Administrative Office of the Courts, regarding attendance at FAIR team meetings, and noted that law enforcement, county attorneys, and DPA, had the lowest attendance.

In response, Damon Preston noted that according to the report, DPA and county attorneys had both shown improvement in their attendance. He explained that DPA is under staffing pressure and due to the way youth are detained across the state, DPA attorneys can have clients in multiple facilities across the state, making it difficult to meet with clients and meet other responsibilities, such as FAIR teams or drug courts, where the client's liberty is not at stake.

Responding to the same question, Steve Gold noted that prosecutors also face high caseloads, and the statutory requirement to attend FAIR team meetings needs to be taken seriously.

Senator Westerfield asked DPA, county attorneys, law enforcement, DCBS, CHFS, and RIACs -- the groups with the lowest attendance rates -- what needs to be done to improve attendance.

Senator Carroll stated that many in law enforcement do not buy in to the FAIR team process, and asked if law enforcement was consulted in creating the process.

Senator Westerfield responded that law enforcement had a role in the conversation, but has not provided significant input over the ensuing decade.

In response to a question from Damon Preston, Rachel Bingham said that the FAIR teams themselves decide who the law enforcement representative on the team should be, and Senator Webb suggested that there should be a more formal process for determining that member. Senator Webb also suggested that the private defense bar should be represented on the FAIR team.

Steve Gold pointed out some significant differences between drug court and a FAIR team; while drug court is a judicially-supervised diversion program for folks who are already in court, the FAIR team is not led by a judge, and is an attempt to avoid bringing a case to court. In response, Senator Westerfield pointed out that when SB 200 was drafted, the judges did not want to

convene or lead the FAIR team to discuss pre-court cases, but that like drug court, the FAIR team is a multi-disciplinary team convened to help the person succeed.

In response to a question from Chairman Elliott, Rachel Bingham agreed to provide information on failed diversions and common reasons for that failure.

Youth Advocate Programs, Inc.

Jamaal Crawford, Regional Director - Midwest, and Ashley Randall, Lexington Program Director, discussed the programs offered by Youth Advocate Programs (YAP) in Kentucky.

Mr. Crawford began by describing YAP as a high-impact social change non-profit that provides community-based alternatives to youth incarceration. Nationally, they provide services to over 17,800 families annually in more than 100 communities. YAP currently provides services in 34 states plus DC, and will expand to two more states by the end of the year. YAP serves the highest need of young people and families who are most at risk of out of home placement, working with kids who are coming out of secure settings, such as youth detention facilities, as well as working with kids who have violence within their communities.

The full presentation prepared by YAP is available in committee materials.

In response to a question from Senator Westerfield, Ms. Randall explained that when YAP hires its advocates, it looks at lived experience as well as academic credentials, and provides trainings on a variety of subjects.

In response to a question from Rachel Bingham, Mr. Crawford said that YAP always operates through contracts with local agencies, whether through schools, juvenile justice agencies, or child welfare agencies.

In response to a question from Representative Herron, Mr. Crawford said that YAP follows up with kids for a year after leaving the program, with check-ins at 3, 6, and 12 months, to determine the overall success rate for its participants.

In response to a question from Damon Preston, Mr. Crawford said that the current six offices will expand to offer services in surrounding counties.

Youth Build Louisville

Cal Karey, Cure Violence Site Manager, described Youth Build Louisville as a group that champions young adults to be great citizens so they can build sustainable communities. Youth Build Louisville has operated in Smoketown for 22 years, providing young people with career ladders, high school diplomas, and certifications. Youth Build Louisville also serves young people through its Cure Violence program, which has violence interrupters and outreach workers working directly in the Smoketown neighborhood to address the pandemic of gun violence in Louisville.

The materials distributed by Mr. Karey are available in meeting materials.

In response to a question from Commissioner Marks, Mr. Karey said that it would improve prevention for substance use disorder to reduce stigma around mental health, have more mental health providers that look more like the population that needs the services, and having more

mental health services providers in Jefferson County.

In response to a question from Senator Westerfield, Christina Weeter said that there are not enough mental health providers being trained, generally, and not enough providers of color.

In response to a question from Christina Weeter, Mr. Karey said that many things are driving the increase in the suicide rate among black youth, in the neighborhoods where Youth Build Louisville works, including high rates of trauma and a lack of youth services.

Adjournment

The Juvenile Justice Oversight Council adjourned at 1:06 PM.