

JUVENILE JUSTICE OVERSIGHT COUNCIL

Minutes of the 5th Meeting of the 2023 Interim

September 15, 2023

Call to Order and Roll Call

The 5th meeting of the Juvenile Justice Oversight Council was held on Friday, September 15, 2023, at 2:00 PM, in Room 171 of the Capitol Annex. Representative Daniel Elliott, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Whitney Westerfield, non voting Co-Chair (Appeared via Zoom); Representative Daniel Elliott, non voting Co-Chair; Senators Danny Carroll and Robin L. Webb; Representative Kevin Bratcher; Katie Comstock, Lesa Dennis, Paula Garner, Christina Weeter for Jason Glass, Steve Gold, Kerry Harvey, Katie Marks, Damon Preston, Vicki Reed, and Tyra Walker.

Guests: Stephanie Francis, Executive Director, Community & Mental Health Services, Department of Juvenile Justice; Judge Jessica A. Moore, 30th Judicial District; Judge Kimberly W. Shumate, 9th Judicial District; Ashley Clark, Administrative Office of the Courts; and Jason Reynolds, Administrative Office of the Courts.

LRC Staff: Roberta Kiser, Matt Trebelhorn, Brett Gillispie, and Robert Wright.

Approval of Minutes

A motion was made by Senator Carroll and seconded by Representative Bratcher to approve the minutes of the August 25, 2023, meeting. Minutes were approved by voice vote without objection.

Agency Updates

Katie Marks updated the committee regarding the Kentucky Department for Behavioral Health, Developmental and Intellectual Disabilities' recent notice of award. Representative Elliot examined a report provided by the Administrative Office of the Courts regarding FAIR Team outcomes and mandated member attendance, collaboration efforts with school resource officers, and House Bill 3 implementations.

Community Supervision

Stephanie Francis, Executive Director, Community & Mental Health Services, Department of Juvenile Justice outlined the purpose and responsibilities of the

Community & Mental Health Services division, including intensive case management services and community supervision.

In response to a question from Representative Elliot, Ms. Francis stated that there are three regional psychologists working for Community & Mental Health Services.

In response to a question from Representative Bratcher, Ms. Francis stated that a juvenile is evaluated by Community & Mental Health Services after they have been adjudicated delinquent.

In response to questions from Senator Carroll, Ms. Francis discussed staffing and pay issues, but stated that turnover is low. Ms. Francis also stated that corrections staff feel safe in the facilities they work in.

In response to questions from Senator Westerfield, Ms. Francis stated that Community & Mental Health Service's employees' caseloads are manageable, but case numbers are trending upwards. Ms. Francis also confirmed that their work is done post-adjudication. Ms. Francis agreed with Senator Westerfield that the department's needs are higher salary and more employees and stated that larger office space is another need of the department.

In response to questions from Mr. Preston, Ms. Francis stated that Community & Mental Health Services has the discretion to end supervision early depending on the development of a case plan and if a juvenile is successful in following the case plan. Ms. Francis stated that Community & Mental Services has served juveniles as young as 11 years old. Ms. Francis stated that the minimum education for an entry level position at Community & Mental Health Services is a four-year degree related to social service.

Juvenile Justice System Contact Points

Judge Jessica A. Moore, 30th Judicial District; Judge Kimberly W. Shumate, 9th Judicial District; Ashley Clark, Administrative Office of the Courts; and Jason Reynolds, Administrative Office of the Courts overviewed juvenile justice system contact points.

Ms. Clark outlined the duties of the court designated worker (CDW) and how juveniles interact with CDW within the juvenile justice system, including the preliminary inquiry interview, diversion, and securing least restrictive placement for juveniles. Ms. Clark also outlined the initial hearing and valid court order aspects of the juvenile court process.

Judge Shumate and Judge Moore discussed contact points judges have with CDWs. Judge Shumate and Judge Moore outlined the adjudication hearing and disposition hearing

aspects of the juvenile court process. Judge Moore discussed the anticipated impacts of House Bill 3 from the 2023 Regular Session.

In response to a question from Mr. Preston, Ms. Clark explained the upward trend in school related complaints in FY 2023.

In response to a question from Representative Elliot, Judge Moore outlined the judicial process when there is overlap between family court and a district court.

In response to questions from Senator Carroll, Judge Shumate stated that an explanation is given for when a juvenile is detained, and an explanation is not given when a juvenile is not detained. Ms. Clark agreed to provide information regarding the 458 complaints that would have been detained if HB 3 was in effect.

In response to a question from Representative Elliot, Ms. Clark confirmed that all 458 complaints from FY 2023 were violent offenses, and that in most complaints the CDW was not contacted.

In response to a question from Mr. Preston, Ms. Clark clarified that 22 percent of the 458 juveniles will be under the age of 14 in FY 2023.

Adjournment

There being no further business, the Juvenile Justice Oversight Council adjourned at 3:58 pm.