



Administrative Office of the Courts

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Report for Juvenile Justice Oversight Council
Submitted by Katie Comstock AOC Director
October 31, 2023

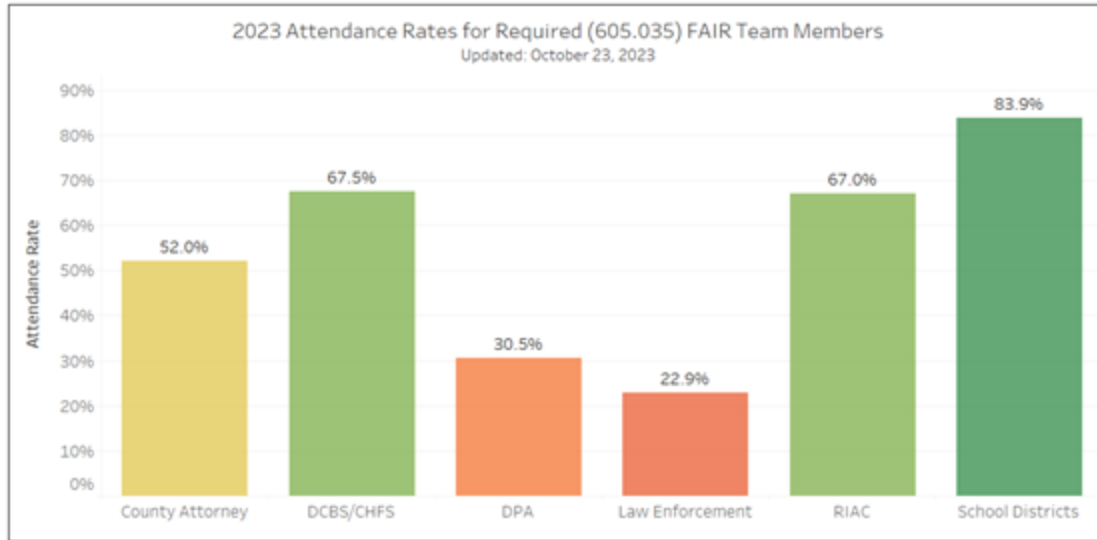
The Administrative Office of the Courts is pleased to report its progress on several important juvenile justice initiatives. This report will provide an update on the following:

- Family, Accountability, Intervention, and Response (FAIR) Team Outcomes and Attendance by Mandated Members
- FAIR Team Attendance Improvement Strategies
- Trends in Detentions
- HB 3 Implementation
- Alternatives to Detention Collaboration

FAIR Team Outcomes and Member Attendance

The AOC reports outcomes for cases reviewed by FAIR Teams at each Juvenile Justice Oversight Council meeting.

- FAIR Teams were referred 947 complaints in 2021; 1,926 complaints in 2022; and, as of October 23rd, 1,759 in 2023.
- Of the 1,741 complaints closed thus far in 2023 that had been referred to FAIR Teams, 58% of the cases were resolved outside of court while 42% were referred to court.
- The Department for Family and Juvenile Services (FJS) developed a method to track FAIR Team attendance in 2022. FJS also plans to expand the tool to allow Court Designated Specialists to track how the meeting was held – either virtually, in-person, or in a hybrid format.
- FAIR attendance rates for the year-to-date can be seen in the chart below. This data was pulled on October 23.



FAIR Team Attendance Improvement Strategies

To increase FAIR Team attendance, the council may consider:

- Incorporating language requiring FAIR members to have a formal appointment to the team by the chief regional judge.

The Department of Family and Juvenile Services plans to:

- Explore notification systems to remind members of upcoming meeting dates.
- Review internal policies and procedures regarding reminders of meetings and update accordingly.
- Continue to regularly include this data in our JJOC reports.

Trends in Detentions

Detention at intake means a youth has been taken into custody by law enforcement and a judge has ordered the youth be detained pending a detention hearing.

Similar to how complaint filings have decreased across the state over the years, detentions have decreased as well. Detentions peaked at the earliest year we have reportable data – 2006. That year there were 4,583 complaints detained at intake. Over the years, AOC along with other agencies have made a concerted effort to ensure that detention is only utilized after all other least restrictive placements have been considered. In 2019, there were 1,586 complaints detained at intake. This number further decreased by 40% during the peak of the pandemic but increased in 2022 to 1,369 complaints. As of October 22nd, there have been 1,259 complaints detained at intake in 2023. Below are a few data points comparing detentions for the first 9 months (January – September) of 2022 and 2023:

- Detentions in the first eight months of the year went from 1,023 up to 1,161 (an increase of 13%).
- Nearly the entirety of that increase in detentions can be attributed to Jefferson County which saw a 48% increase in detentions at intake through the first nine months of the year. Other counties have also seen a dramatic increase in detentions: Christian (32%), Kenton (94%), McCracken (45%), Hardin (48%), Campbell (133%).
- Violent offenses (KRS 532.200) have made up a smaller percentage of detained charges in 2023, especially in Jefferson County where they have gone from 25% of all detained complaints in 2022 down to 19% this far in 2023.
- While only 7% of complaints in the state's other 119 counties are detained at intake, that rate is 23% in Jefferson County – an all-time high.
 - Of the complaints that are detained at intake in Jefferson Court, 82% were filed against non-white youth.

HB 3

To address the changes by the passage of HB 3, the AOC has been working to finalize manual revisions, form changes, updates to the FAIR Team Guidelines, training requirements, and communication plans. The following areas are currently being addressed:

- School notifications regarding diversion
- Intentional use of the electronic platform for FAIR Team members
- 90-day requirement for FAIR Team action
- Guidance for AOC's CDWs and CDSs on parental cooperation
- Updating the CDW Case Management System (CDWCMS)

Alternatives to Detention Collaboration

The Administrative Office of the Courts is hosting professional development opportunities across the state for Court Designated Workers. As the trainings occur the Department of Juvenile Justice is collaborating and participating by reviewing the 2023 Resource Guide Alternative to Detention. During the session participants review the custody process and the role of the Detention Alternative Coordinators and how to access least restrictive placement options.

Definitions for Consideration

- **Successful Diversion:** A diversion that has been deemed to have met the requirements of agreed-upon action steps and goals to the best of the youth's ability and the complaint has been dismissed.
- **Unsuccessful Diversion:** A diversion in which that youth has failed to meet the requirements of their agreed-upon diversion agreement and the diversion has been terminated.
- **Adjudication:** A formal court hearing to determine the truth or falsity of the allegations in a juvenile petition. KRS 610.060.

- **Disposition:** A hearing, held after and (usually) separately from the adjudication hearing, to determine the action to be taken by the Court on behalf of a child who has been found to have committed a public or status offense. KRS 610.110

In conclusion, AOC will continue to update the JJOC on the ongoing efforts to improve Kentucky's juvenile justice system.