



## Administrative Office of the Courts

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## Administrative Office of the Courts

Report for Juvenile Justice Oversight Council  
Submitted by Katie Comstock AOC Director  
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The Administrative Office of the Courts (AOC) is pleased to report its progress on several important juvenile justice initiatives. This report will provide an update on the following:

- Implementation of Legislation from Regular Sessions 2023 & 2024
- Family, Accountability, Intervention, and Response (FAIR) Team Outcomes and Attendance by Mandated Members
- Trends in Detentions

### **Implementation of Legislation from Regular Sessions 2023 & 2024**

#### **Implementation Plan**

To address statutory changes impacting justice-involved youth, the AOC is implementing policy revisions, form changes, trainings for Court Designated Workers (CDW), modifications to the CDW case management system, and communication plans. Revisions are currently being made to the FAIR Team Guidelines and CDW program policy to align with legislative changes as follows:

- House Bill 611
  - The maximum length of diversion was raised from six to twelve months.
  - A notice will be sent to court if the FAIR team does not implement an action within 30 days (reduced from 90 days).
  - The habitual truancy process was modified to include tracking of affidavits, diversion failure after four unexcused absences during diversion, and county attorney intervention if the complaint accuses the youth of having 15 or more unexcused absences in the complaint.

- Senate Bill 11
  - Notice of charge(s) will be sent to the school at the complaint stage when the county attorney finds reasonable grounds that an applicable offense was committed.
  - If the youth is successfully diverted, a notice will be sent to the school requiring related records be deleted.
- House Bills 3 (Regular Session 2023), 278, and 5
  - Effective July 1<sup>st</sup>, the procedures and forms related to detention decisions were modified for clarity and data tracking based on House Bill 3's original language.
  - Effective July 15<sup>th</sup>, processes and data-tracking options were updated for the new list of violent felony offenses.
- Senate Bill 20
  - Procedures and forms were modified to allow tracking of youthful offender data.

CDWs began operating under the new processes on July 15<sup>th</sup>. The processes are being monitored, reviewed, discussed, and revised as needed based on feedback from stakeholders.

As of June 28, 2024, all Court Designated Worker Program staff have received training on new procedures. To ensure fidelity, staff received testing on the updated policies and procedures. A review of those test results has been reviewed, and booster trainings have been scheduled and will be completed by August 2024.

### **Communication Plan**

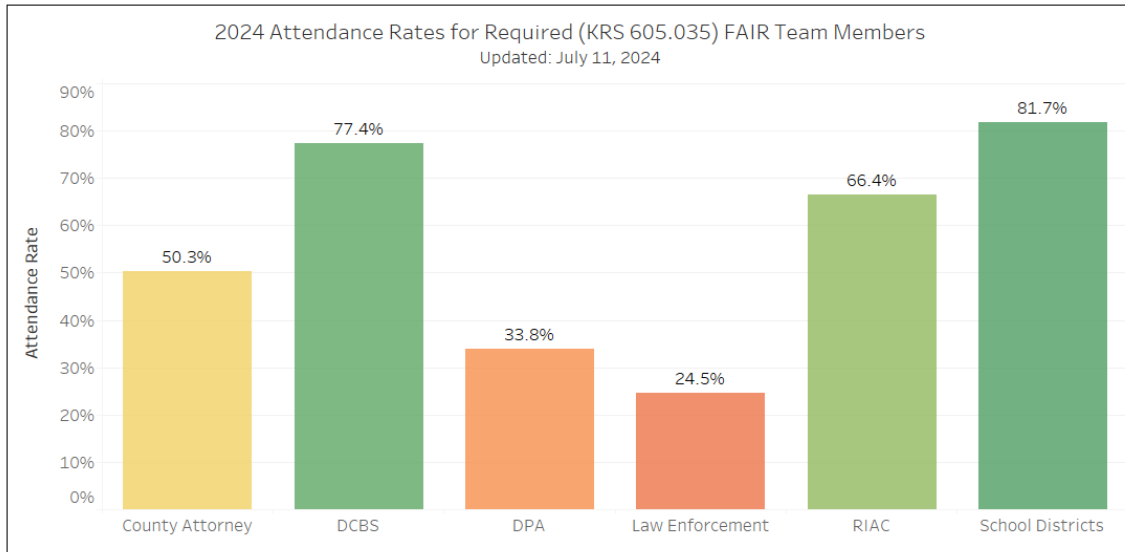
Management from the Department of Family and Juvenile Services (FJS) has met with the Kentucky Department of Education, Kentucky Directors of Pupil Personnel, Kentucky County Attorneys Association, and the Department of Juvenile Justice to discuss legislative changes and the impact on the CDW program. To ensure that local stakeholders are informed of changes to forms, and policy and procedures, CDW regional supervisors are currently conducting individual meetings with members of the judiciary, county attorneys, school districts, and FAIR Team members. This cross-agency communication will continue as an important part of effectuating these statutory changes.

### **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 1,922 complaints in 2022; 2,149 complaints in 2023; and, as of July 10, 2024, 1,760 complaints in 2024.

- Of the 1,513 complaints closed thus far in 2024 that had been referred to FAIR Teams, 52% of the cases were resolved outside of court compared to 48% that were referred to court.
- FAIR attendance rates are noted in the chart below. Attendance data was generated on July 11, 2024.
- Attendance rates are generally on par or above rates in 2023. DCBS has seen the largest attendance rate increase, with an increase of around 10% compared to the last calendar year.



### **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 in a secure facility pending a detention hearing.

Like the decrease of complaint filings across the state over the years, detentions have decreased as well. Detentions peaked at the earliest year we have reportable data – 2006. In 2006, there were 4,583 complaints detained at intake. 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 2023 to 1,555 complaints. As of July 11, there have been 782 complaints detained at intake in 2024. Additional data points comparing detentions for the first 6 months (January – June) of 2023 and 2024 below:

- Detentions in the first six months of the year went from 754 to 744 (a decrease of 1%).
- When comparing Jefferson County to the rest of the state, Jefferson County saw a 45% decrease in detentions at intake through the first six months of the year while the rest of the state had a 21% increase in detentions.
- Violent offenses (KRS 532.200) have made up a smaller percentage of detained charges in 2024, especially in Jefferson County where they have gone from 20% of all detained complaints in 2023 down to 16% thus far in 2024.

- This mirrors a statewide decrease in the number violent offense complaints filed in 2024. The number of violent offense complaints filed in the first six months of 2024 revealed a 19% decrease compared to the same timeframe in 2023.

### **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.