



Administrative Office of the Courts

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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
- Retirement of Rachel Bingham

Implementation of Legislation from Regular Sessions 2023 & 2024

Implementation Plan

To address statutory changes impacting justice-involved youth, the AOC has been working to finalize policy revisions, form changes, updates to FAIR Team Guidelines, trainings for Court Designated Workers (CDW), modifications to the CDW case management system, and communication plans. The AOC is modifying CDW program policy to align with legislative changes as follows:

- House Bill 611
 - The maximum length of diversion is 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 (current law requires notice after 90 days).
 - The habitual truancy process will be changed 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 Bill 3 (Regular Session 2023), House Bill 5, and House Bill 278
 - Effective July 1st, procedures and forms related to detention decisions will be modified to address mandatory detention for violent offenses.
 - Judges will determine whether an offense mandates detention.
 - The data system and forms will be revised for data tracking.
 - Effective July 15th, some forms will be revised again to account for the expanded list of violent offenses.
- Senate Bill 20
 - Procedures and forms will be modified to allow for tracking of youthful offender data.
 - Following changes in the CDW case management system, CDWs will be able to identify which youthful offender criteria is applicable to each individual youth.
 - CDWs will begin tracking court case numbers once a case is referred to court to assist with the ability to track court actions and outcomes.

Court Designated Workers and Specialist will receive training on changes through a series of regional trainings beginning on June 17th and ending June 28th. To ensure fidelity, staff will be tested on the updated policies and procedures. In addition, staff will receive targeted booster trainings and individual coaching.

Communication Plan

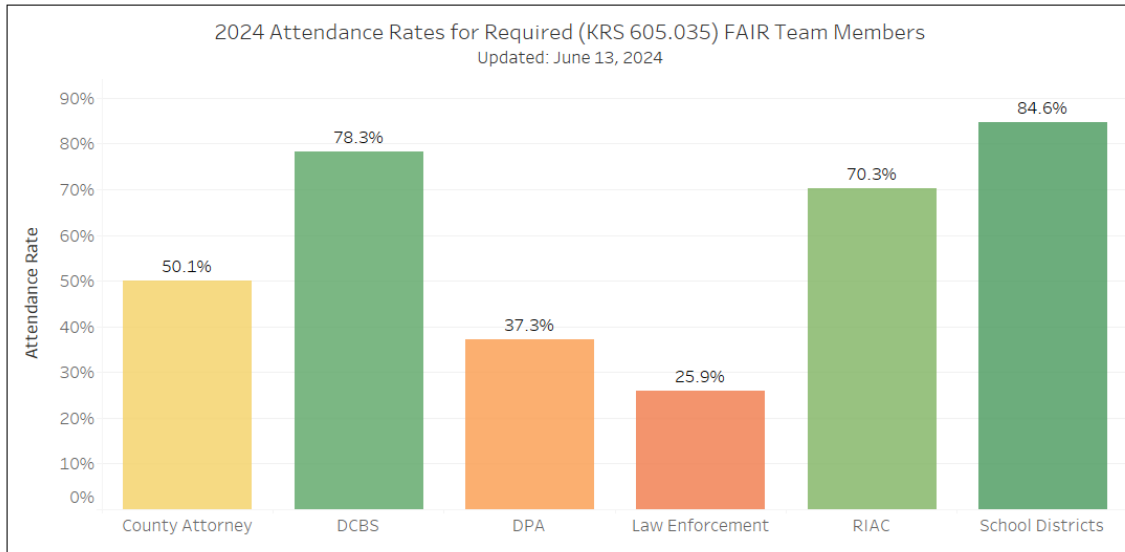
Management from the Department of Family and Juvenile Services (FJS) has met with the Kentucky Department of Education, Kentucky Directors of Pupil Personnel, Kentucky County Attorneys Association, and the Department of Juvenile Justice to discuss legislative changes and the impact on the CDW program. To ensure that local stakeholders are informed of changes to forms, and policy and procedures, CDW regional supervisors will conduct meetings with members of the judiciary, county attorneys, school districts, and FAIR Team members.

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 June 12, 2024, 1,606 in 2024.

- Of the 1,277 complaints closed thus far in 2024 that had been referred to FAIR Teams, 51% of the cases were resolved outside of court while 49% were referred to court.
- FAIR attendance rates are noted in the chart below. Attendance data was generated on June 13, 2024.
- Attendance rates are generally on par or above rates in 2023. DCBS has seen the largest attendance rate increase, with an increase of more than 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.

Similar to 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 June 12, 2024, there have been 667 complaints detained at intake in 2024. Additional data points comparing detentions for the first 5 months (January – May) of 2023 and 2024 below:

- Detentions in the first five months of the year went from 639 to 608 (a decrease of 5%).
- When comparing Jefferson County to the rest of the state, Jefferson County saw a 48% decrease in detentions at intake through the first five months of the year while the rest of the state had a 19% 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 21% of all detained complaints in 2023 down to 14% 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 five months of 2024 was 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

Retirement of Rachel Bingham

Rachel Bingham, AOC's Director of the Office of Statewide Programs, is retiring effective August 1st. In her current role, she oversees the court designated worker program, pretrial program, specialty courts program, citizens foster care review board program, and related projects. In her 27 years with AOC, she has led countless initiatives and improvements. She will be missed.

Conclusion

This report provides a comprehensive overview of the progress made since AOC's last report. Moving forward, it is crucial to maintain momentum and continue collaborative efforts to improve outcomes for youth and families in Kentucky's juvenile justice system. AOC will continue to update the JJOC regarding continued initiatives.