



**ADMINISTRATIVE OFFICE
OF THE COURTS**

**SB 90: Behavioral Health
Conditional Dismissal Program**

Angela Darcy, Executive Officer
Jason Dufeck, Manager
Department of Pretrial Services



**ADMINISTRATIVE OFFICE
OF THE COURTS**

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- Brief Overview
- BHCDP Data
- Contributions to Success
- Strategic Planning

SB 90: Brief Overview

SB 90 provides an alternative to incarceration by allowing eligible defendants to receive treatment for substance use and/or behavioral health disorder.

The program's goal is to divert low level defendants charged with certain **non-violent, non-sexual misdemeanors** and **Class D felonies** away from jail and into treatment for substance-use disorder(s) and/or mental-health issues.

SB 90: Brief Overview

If the defendant is determined to be eligible for the Behavioral Health Conditional Dismissal Program (BHCDP), the prosecutor can enter into an agreement with the defendant to participate.

The program provides an array of services such as outpatient or inpatient treatment, cognitive and behavioral therapies, education, vocational services, and housing assistance provided by approved treatment providers and in partnership with Kentucky Adult Education.

BHCDP is funded as follows:

- Defendant's current health insurance (including Medicaid); or
- If uninsured, the Opioid Abatement Trust Fund - administered by the Department for Behavioral Health, Developmental and Intellectual Disabilities (BHDID).

Eligibility Criteria

- Must be at least 18 years of age, Kentucky resident, and
 - Charged with a qualifying offense. (*Exclusions: violent offender, sex offense, DUI, domestic violence, or protective orders against victim*).
 - Who does not have a previous conviction for Class A, B, or C felony, or a Class D felony or misdemeanor that is not a qualifying offense; and
 - Assessed by Pretrial Services as low-risk for failure to appear, low-risk for new criminal activity.
 - Clinical assessment determines defendant has a substance use and or mental health disorder.
- or
- Attorney for the Commonwealth or defendant's attorney identifies them as a viable participant in the program.

2024 Annual Report

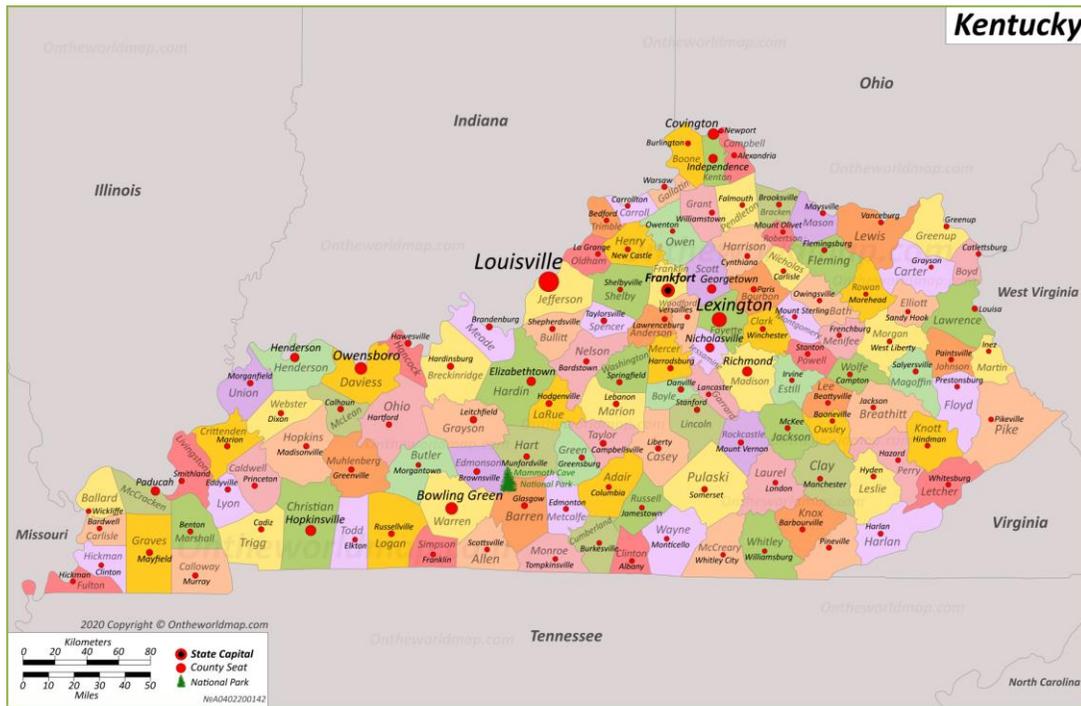
2024 ANNUAL REPORT

Senate Bill 90: Behavioral Health
Conditional Dismissal Program



Administrative Office of the Courts
Pretrial Services

Locations



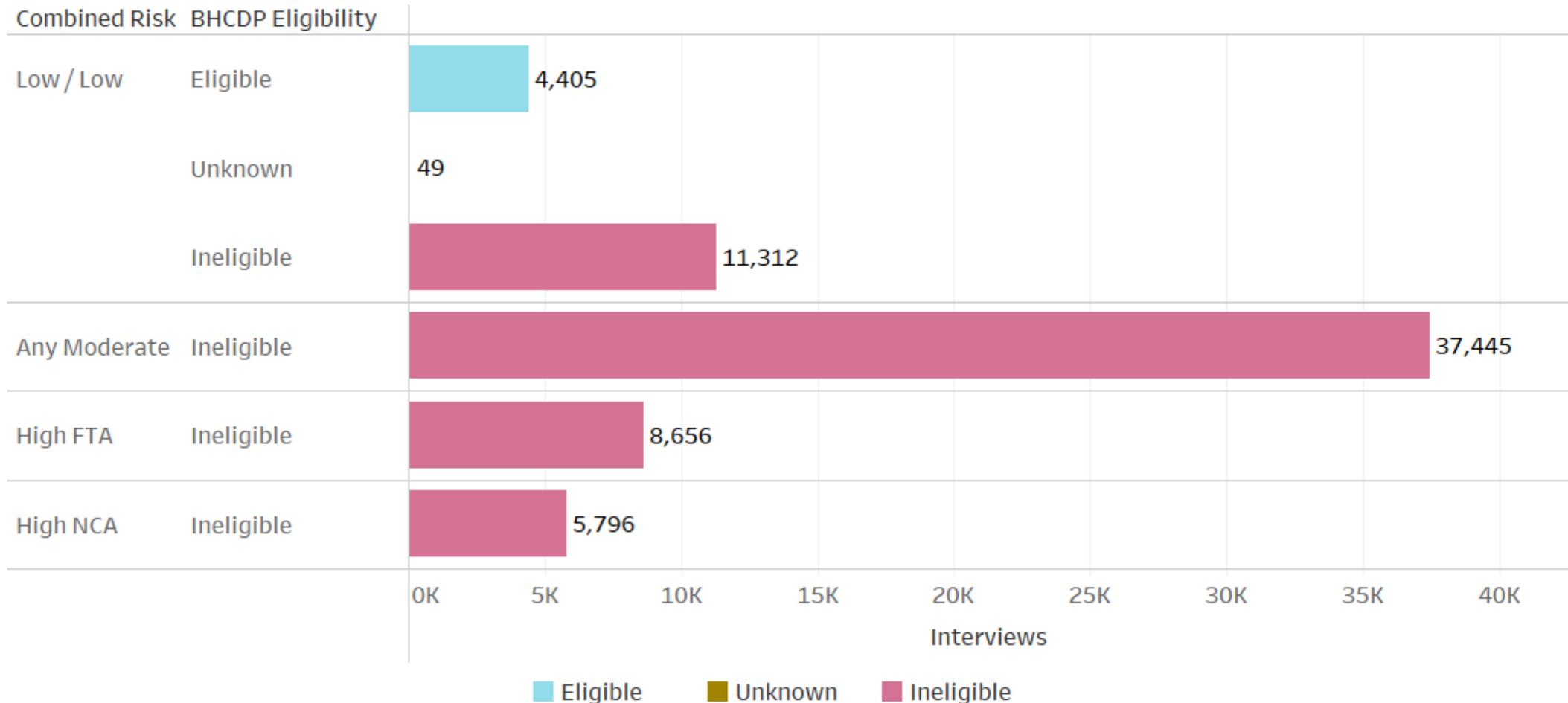
- Letcher
- Madison
- Clark
- Pulaski
- Christian
- Hopkins
- Oldham
- Henry
- Daviess
- McCracken
- Greenup
- Lewis
- Wayne
- Russell
- Warren
- Johnson
- Pike
- Kenton
- Powell (by Jan 2026)



Current Data

Eligibility for Program

Interviews Receiving BHCDP Eligibility Assessment 1/1/2023 - 9/30/25



Low/Low Eligible/Excluded

Interviews Assessed PSA Low/Low Receiving BHCDP Eligibility Assessment 1/1/2023 - 9/30/25

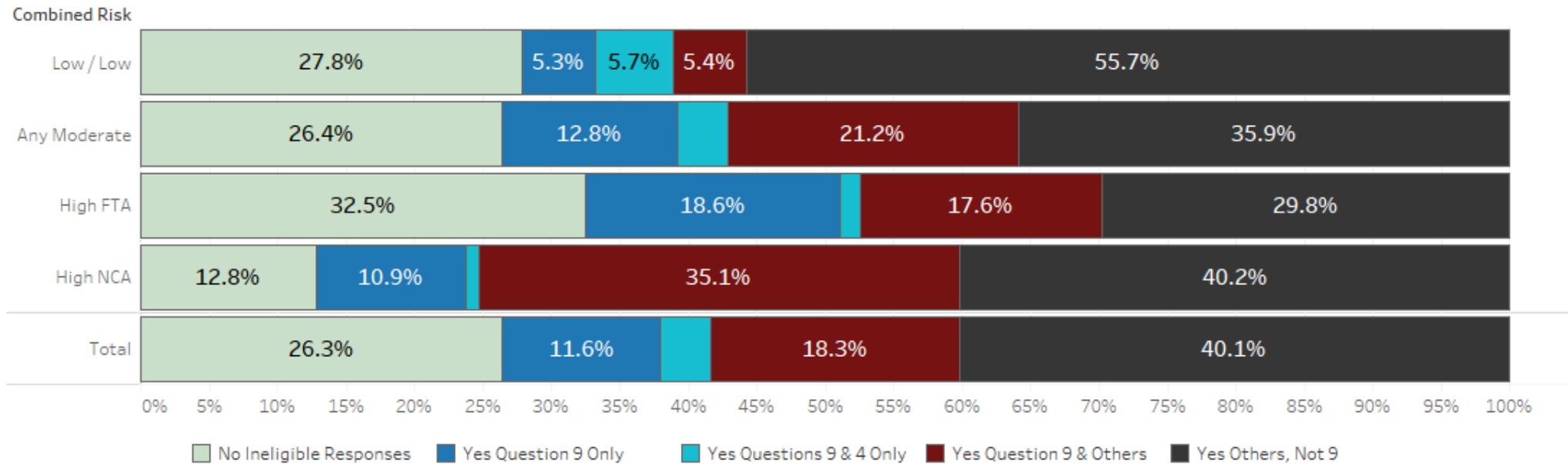
| | | | |
|----|-----------------------------------|-------|--------|
| 1 | Kentucky Resident | 14.5% | 85.1% |
| 2 | A/B/C Felony | 14.0% | 86.0% |
| 3 | Violent Offense | 3.9% | 96.1% |
| 4 | DUI | 31.1% | 68.9% |
| 5 | DV/IPV | 14.6% | 85.3% |
| 6 | a Sexual Offense | 1.6% | 98.4% |
| | b Attempt Sexual Offense | 0.3% | 99.7% |
| 7 | Conviction A/B/C Fel. | 0.8% | 98.9% |
| 8 | Conviction - Violent | 0.1% | 99.8% |
| 9 | Conviction - DUI | 16.5% | 83.4% |
| 10 | Conviction - DV/IPV | 3.8% | 96.1% |
| 11 | a Conviction - Sex Offense | 0.1% | 99.8% |
| | b Conviction - Att. Sex Off. | | 100.0% |
| | c Convict. - Fed/OoS/Mil Sex Off. | 0.0% | 99.9% |

■ Ineligible Response
 ■ Unknown
 ■ Eligible Response

DUI & DV Convictions Eligibility Exclusion

Question 9 Eligibility

Does the defendant have a prior DUI conviction under KRS 189A.010?

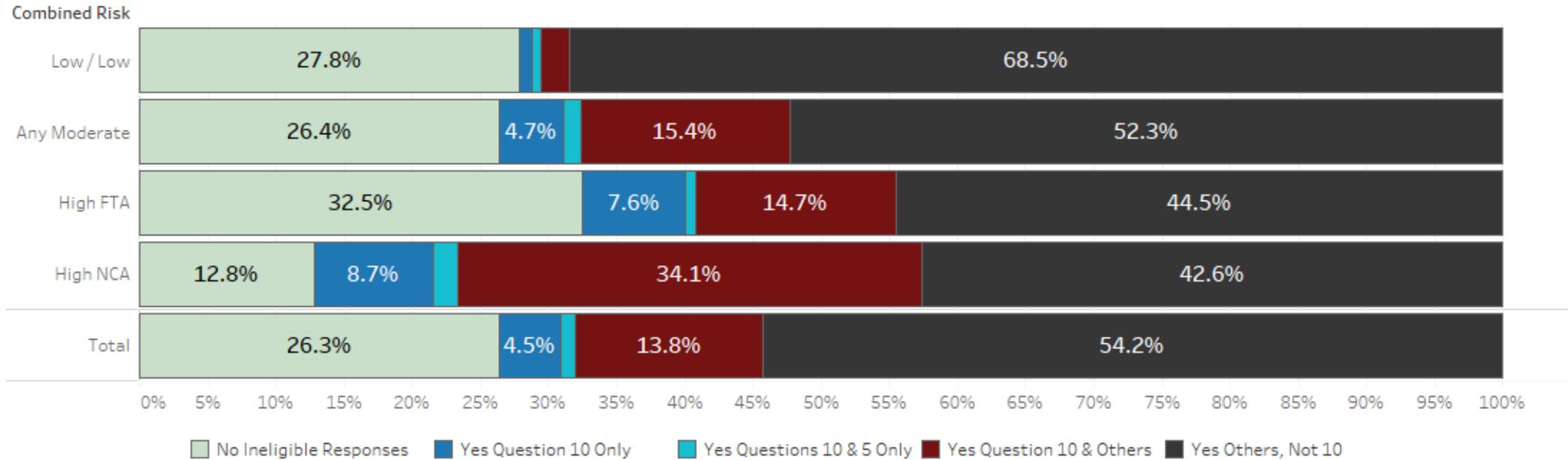


| Combined Risk | No Ineligible Responses | Yes Question 9 Only | Yes Question 9 & Others | Yes Questions 9 & 4 Only | Yes Others, Not 9 | Grand Total |
|---------------|-------------------------|---------------------|-------------------------|--------------------------|-------------------|-------------|
| Low / Low | 3,932 | 753 | 759 | 810 | 7,868 | 14,122 |
| Any Moderate | 8,779 | 4,253 | 7,030 | 1,213 | 11,932 | 33,207 |
| High FTA | 2,509 | 1,436 | 1,363 | 117 | 2,298 | 7,723 |
| High NCA | 680 | 582 | 1,867 | 51 | 2,141 | 5,321 |
| Grand Total | 15,900 | 7,024 | 11,019 | 2,191 | 24,239 | 60,373 |

DUI & DV Convictions Eligibility Exclusion

Question 10 Eligibility

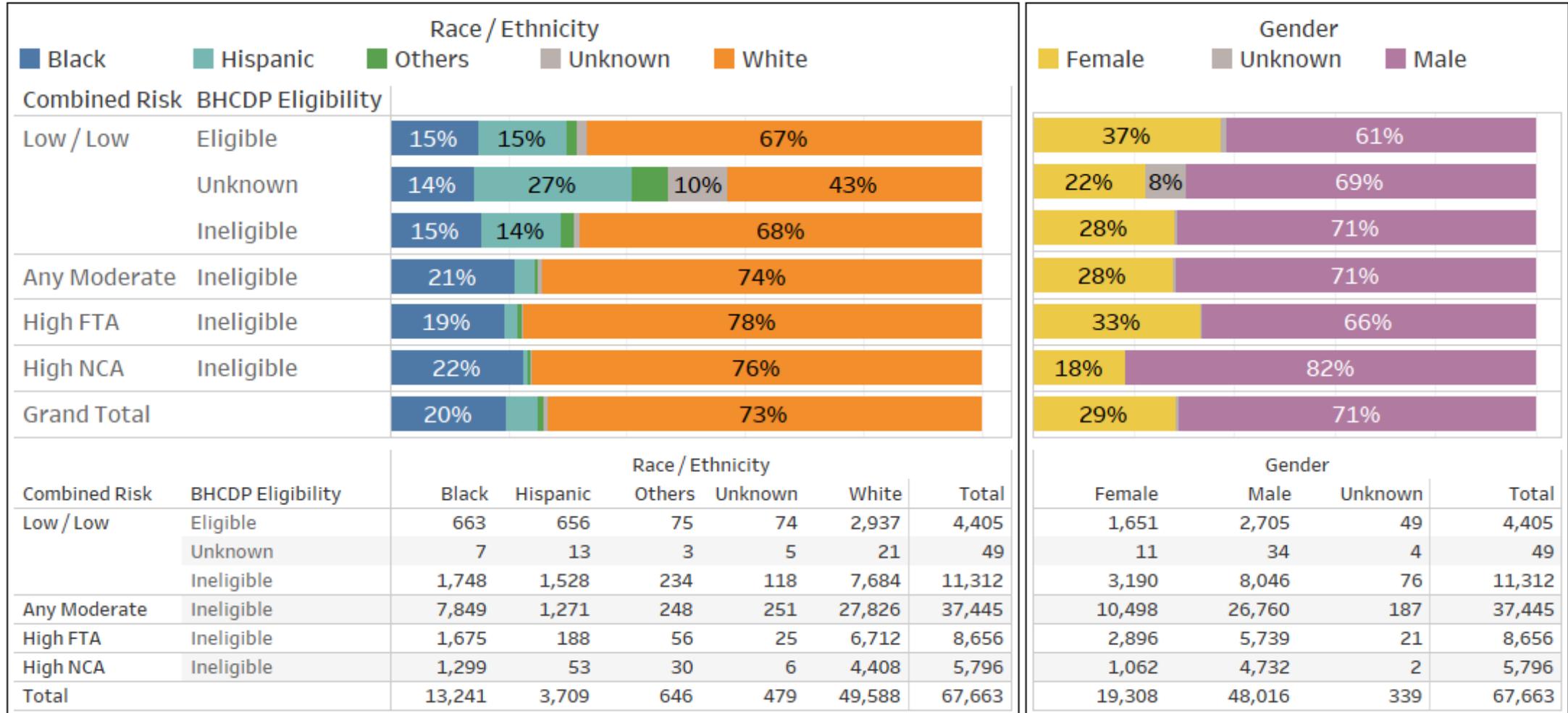
Does the defendant have a conviction of an act of domestic violence or abuse under KRS 403.720 or an act of dating violence and abuse as defined in KRS 456.010?



| Combined Risk | No Ineligible Responses | Yes Question 10 Only | Yes Questions 10 & 5 Only | Yes Question 10 & Others | Yes Others, Not 10 | Grand Total |
|---------------|-------------------------|----------------------|---------------------------|--------------------------|--------------------|-------------|
| Low / Low | 3,932 | 136 | 82 | 296 | 9,676 | 14,122 |
| Any Moderate | 8,779 | 1,556 | 404 | 5,108 | 17,360 | 33,207 |
| High FTA | 2,509 | 586 | 55 | 1,133 | 3,440 | 7,723 |
| High NCA | 680 | 464 | 95 | 1,814 | 2,268 | 5,321 |
| Grand Total | 15,900 | 2,742 | 636 | 8,351 | 32,744 | 60,373 |

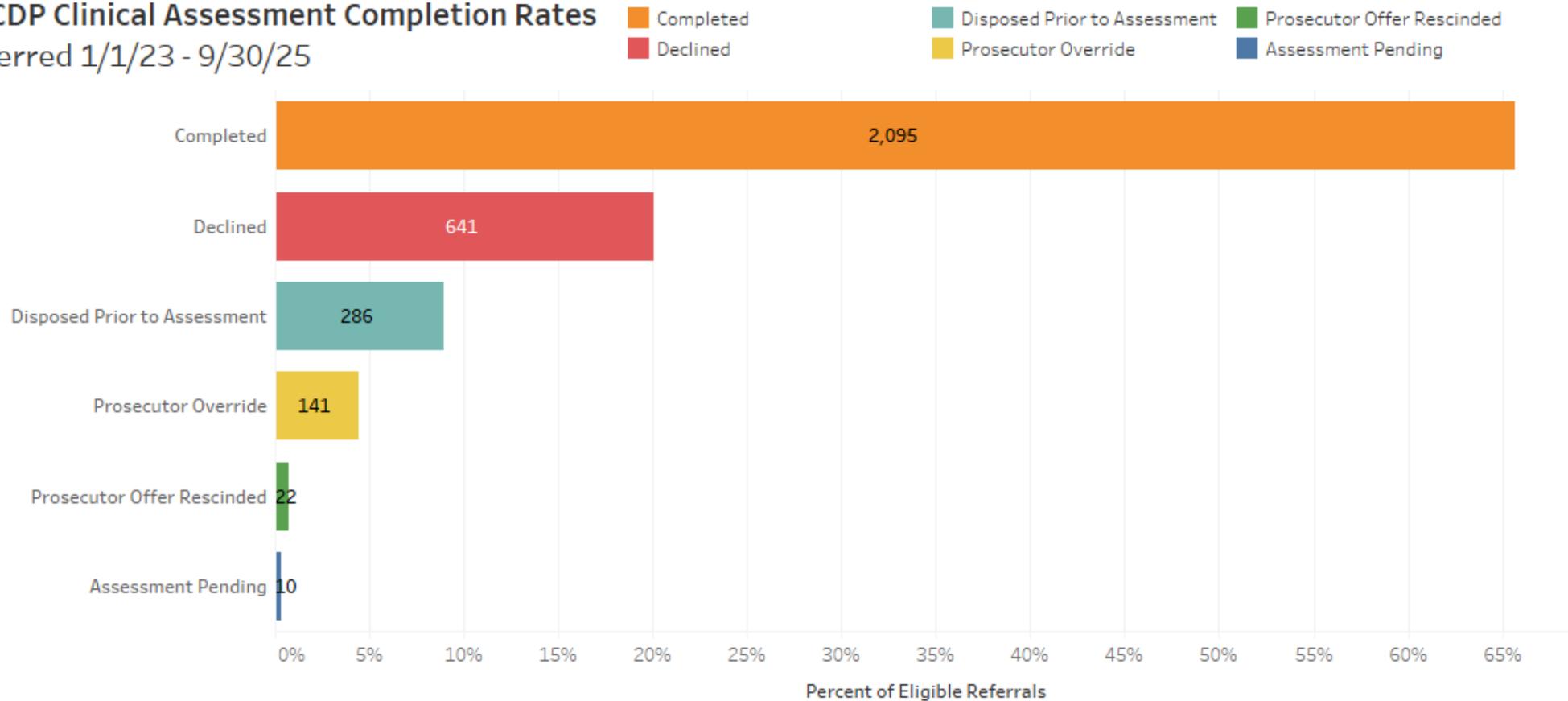
Demographic Information

Interviews Receiving BHCDP Eligibility Assessment 1/1/2023 - 9/30/25



Completion Rates of Clinical Assessments

BHCDP Clinical Assessment Completion Rates
Referred 1/1/23 - 9/30/25

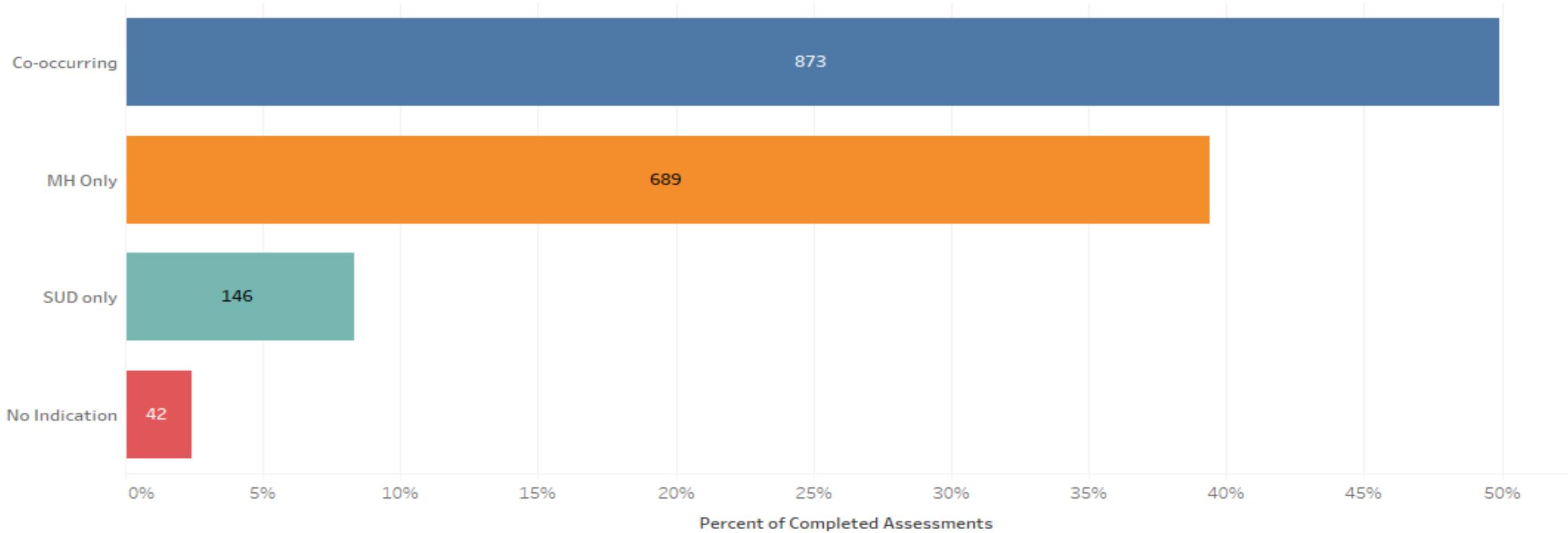


Eligible referrals include those in which an individual has been referred to BHCDP by either Pretrial Services or the Prosecutor and the Case Navigator has been able to make contact with the individual to offer the program.

Clinical Assessment Results

BHCDP Clinical Assessment Results Assessed 1/1/23 - 9/30/25

■ Co-occurring ■ MH Only ■ SUD Only ■ No Indication



Excludes those assessments which have been completed, but for which Pretrial has not yet received results.

Statewide Numbers

Statewide BHCDP Referrals, Completed Assessments, and Signed Agreements by Year
Referred 1/1/2023 - 9/30/25

| Year of Referral Date | | Referred to Program | Completed Assessment | Signed Agreement |
|-----------------------|--------------|---------------------|----------------------|------------------|
| 2023 | Referrals | 952 | 384 | 307 |
| | Cases | 950 | 381 | 305 |
| | Participants | 878 | 329 | 258 |
| 2024 | Referrals | 1,992 | 995 | 632 |
| | Cases | 1,989 | 993 | 630 |
| | Participants | 1,780 | 858 | 545 |
| 2025 | Referrals | 1,674 | 732 | 512 |
| | Cases | 1,667 | 727 | 510 |
| | Participants | 1,543 | 654 | 452 |
| Grand Total | Referrals | 4,618 | 2,111 | 1,451 |
| | Cases | 4,594 | 2,089 | 1,435 |
| | Participants | 4,085 | 1,775 | 1,212 |

Completion of Program by Year

Statewide BHCDP Program Completion Status by Referral Year

Referred 1/1/2023 - 9/30/25

| Year of Referral Date | | Participant Deceased | Unsuccessful | Successfully Completed | Treatment In Progress | Grand Total |
|-----------------------|--------------|----------------------|--------------|------------------------|-----------------------|-------------|
| 2023 | Referrals | 1 | 74 | 185 | 47 | 307 |
| | Cases | 1 | 75 | 185 | 47 | 305 |
| | Participants | 1 | 64 | 162 | 42 | 258 |
| 2024 | Referrals | 2 | 129 | 250 | 251 | 632 |
| | Cases | 2 | 129 | 250 | 250 | 630 |
| | Participants | 2 | 107 | 232 | 217 | 545 |
| 2025 | Referrals | | 63 | 56 | 393 | 512 |
| | Cases | | 63 | 56 | 391 | 510 |
| | Participants | | 55 | 53 | 348 | 452 |
| Grand Total | Referrals | 3 | 266 | 491 | 691 | 1,451 |
| | Cases | 3 | 267 | 491 | 687 | 1,435 |
| | Participants | 3 | 224 | 436 | 593 | 1,212 |



Contributions to Participant Successes

Barrier Relief Funding and Kentucky Adult Education

BHCDP Barrier Relief

The BHCDP also provides wrap-around barrier relief services to provide for needs not covered by treatment expenses and/or insurance. Recent referrals for barrier relief include:

BHCDP Barrier Relief Services



| Service | April 1, 2024- August 31, 2025 | July 1, 2025-August 31, 2025 |
|----------------------------------|--------------------------------|------------------------------|
| Basic needs/Birth certificate/ID | \$195,706 | \$45,640 |
| Medical | \$1,623 | \$1,493 |
| Transportation | \$139,316 | \$29,008 |
| Housing/Utility | \$166,760 | \$36,478 |
| TOTAL | \$503,405 | \$112,619 |

Kentucky Adult Education (KYAE)

- Referrals: 1136
- Enrollments: – 820 (72%)
- KYAE assessments: 819 (71%)
 - 99% of enrollments have completed assessments
- Accepting additional adult education services from the local provider network: 99 (12% of enrollments)
- Employed: **209** (25% of enrollments) **
- Receiving supportive services: 49

Strategic Planning

- Extending BHCDP past 2026
 - More data on outcomes
- Expansion
 - Case Navigators
 - Education
- Collaboration
 - Achieving similar goals
 - University of Kentucky's Center for Drug and Alcohol Research (CDAR) evaluation results on BHCDP efficacy



Questions?

Angela Darcy

AngelaDarcy@kycourts.net

Jason Dufeck

JasonDufeck@kycourts.net