

15A.063 Juvenile Justice Oversight Council -- Purpose -- Membership -- Duties -- Attachment to Legislative Research Commission.

- (1) The Juvenile Justice Oversight Council is created for the purpose of providing independent review of the state juvenile justice system and providing recommendations to the General Assembly. The council shall actively review the implementation of all juvenile justice reforms enacted by the General Assembly, collect and review performance measurement data, and continue to review the juvenile justice system for changes that improve public safety, hold youth accountable, provide better outcomes for children and families, and control juvenile justice costs.
- (2) (a) The membership of the council shall include the following:
 1. The secretary of the Justice and Public Safety Cabinet, ex officio;
 2. The commissioner of the Department for Behavioral Health, Developmental and Intellectual Disabilities, ex officio;
 3. The commissioner of the Department for Community Based Services, ex officio;
 4. The commissioner of the Department of Juvenile Justice, ex officio;
 5. The commissioner of the Department of Education, ex officio;
 6. The director of the Administrative Office of the Courts, ex officio;
 7. The Public Advocate, ex officio;
 8. The Senate chair of the Committee on Judiciary, nonvoting ex officio;
 9. The House chair of the Committee on Judiciary, nonvoting ex officio;
 10. One (1) member of the Senate appointed by the President of the Senate, and one (1) member of the minority party in the Senate appointed by the Minority Floor Leader in the Senate, who shall serve as ex officio, nonvoting members for the duration of the terms for which they were elected;
 11. One (1) member of the House of Representatives appointed by the Speaker of the House of Representatives, and one (1) member of the minority party in the House of Representatives appointed by the Minority Floor Leader in the House of Representatives, who shall serve as ex officio, nonvoting members for the duration of the terms for which they were elected; and
 12. Five (5) at-large members appointed by the Governor, as follows:
 - a. One (1) member representing public schools or an education group or organization;
 - b. One (1) District Judge nominated by the Chief Justice of the Kentucky Supreme Court;
 - c. One (1) member representing law enforcement;
 - d. One (1) member of the County Attorneys' Association nominated by the Attorney General; and
 - e. One (1) member representing community-based organizations,

whether for-profit or nonprofit, with experience in programs for juveniles, including substance abuse prevention and treatment, case management, mental health, or counseling.

- (b) The chairs of the House and Senate Judiciary Committees shall serve as co-chairs.
 - (c) At-large members shall be appointed by August 1, 2022, shall serve a term of two (2) years, and may be reappointed.
 - (d) Each ex officio member, except for legislative members, may designate a proxy by written notice to the council prior to call of order of each meeting, and the proxy shall be entitled to participate as a full voting member.
 - (e) Except as otherwise provided by law, members shall not be compensated for being members of the council but shall be reimbursed for ordinary travel expenses, including meals and lodging, incurred while performing council business.
 - (f) The council shall meet at least quarterly. A quorum, consisting of a majority of the membership of the council, shall be required for the transaction of business. Meetings shall be held at the call of the chair, or upon the written request of two (2) members to the chair.
- (3) The council shall:
- (a) Review the implementation of the reforms enacted by the General Assembly;
 - (b) Review performance measures and recommend modifications;
 - (c) Review all policies to confirm implementation as established by legislation enacted by the General Assembly and administrative regulations promulgated thereunder;
 - (d) Review the fiscal incentive program established pursuant to KRS 15A.062;
 - (e) Collect and review performance data and recommend any additional performance measures needed to identify outcomes in the juvenile justice system;
 - (f) Review the information received from the Department of Education pursuant to KRS 156.095, and determine whether any action is necessary, including additional performance measures, funding, or legislation;
 - (g) Continue review of juvenile justice areas determined appropriate by the council, including:
 - 1. Status offense reform;
 - 2. Necessary training for school resource officers as defined in KRS 158.441, in juvenile justice best practices, research, and impacts on recidivism and long-term outcomes;
 - 3. Graduated sanctions protocols in public schools, including their current use and their development statewide;
 - 4. A minimum age of criminal responsibility;
 - 5. Competency;
 - 6. Reforms to the family resource and youth service centers in the Cabinet

- for Health and Family Services;
7. Population levels in Department of Juvenile Justice facilities, and the potential for closure of facilities while maintaining staffing ratios necessary to comply with applicable accreditation standards; and
 8. Whether juvenile court hearings should be open to the public;
- (h) Review and make recommendations regarding:
1. The structure and staffing of the Department of Juvenile Justice;
 2. Training of juvenile justice staff;
 3. The adequacy of current programs and facilities operated by the Department of Juvenile Justice;
 4. Best practices in juvenile justice programs and facilities; and
 5. Other topics as determined by the council; and
- (i) Report by December 1, 2023, and by December 1 of each year thereafter, to the Interim Joint Committee on Judiciary and the Governor and make recommendations to the General Assembly for any additional legislative changes the council determines appropriate.
- (4) The council shall be attached to the Legislative Research Commission for administrative purposes.
- (5) The council shall terminate on July 1, 2030, unless the General Assembly extends the term of the council.

Effective: March 27, 2023

History: Amended 2023 Ky. Acts ch. 106, sec. 3, effective March 27, 2023. -- Amended 2022 Ky. Acts ch. 136, sec. 1, effective April 8, 2022. -- Amended 2019 Ky. Acts ch. 5, sec. 11, effective March 11, 2019. -- Created 2014 Ky. Acts ch. 132, sec. 3, effective July 15, 2014.