

INTERIM JOINT COMMITTEE ON APPROPRIATIONS AND REVENUE

Budget Review Subcommittee on Justice and Judiciary

Minutes of the 2nd Meeting of the 2019 Interim

August 20, 2019

Call to Order and Roll Call

The 2nd meeting of the Budget Review Subcommittee on Justice and Judiciary of the Interim Joint Committee on Appropriations and Revenue was held on Tuesday, August 20, 2019, at 8:00 AM, in Room 129 of the Capitol Annex. Representative Jason Nemes, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Representative Jason Nemes, Co-Chair; Senators John Schickel and Whitney Westerfield; Representatives Angie Hatton, Nima Kulkarni, Jason Petrie, and Brandon Reed.

Guests: John Tilley, Secretary, Justice and Public Safety Cabinet (JPSC); Denver Butler, Commissioner, Department for Juvenile Justice (DJJ), JPSC; Ellen Heslen, Deputy Mayor, Louisville Metro Government; Ursula Mullins, Director, Youth Detention Services, Louisville Metro Government; Eric Haner, Judge, 30th District Court, 12th Division; David P. Bowles, Judge, 30th District Court, 8th Division; Annie O'Connell, Judge, 30th Circuit Court, 2nd Division; Jasmine Heiss, Campaign Director, In Our Back Yards, Vera Institute of Justice; Demontez Campbell, Concerned Citizen; and Representative Jerry Miller.

LRC Staff: Zachary Ireland, Savannah Wiley, and Benjamin Thompson

Approval of Minutes

Senator Schickel made the motion to approve the minutes from the June 4, 2019 meeting, Seconded by Representative Reed, and the minutes were approved without objection.

Update on Jefferson County Youth Detention Center

Secretary Tilley, Commissioner Butler, and Deputy Mayor Heslen provided a brief presentation on the status of the Jefferson County Youth Detention Center (YDC) as it begins the process of transitioning from Louisville Metro Government to the state.

In response to questions from Chair Nemes, Secretary Tilley stated that Louisville Metro Government only funded the Jefferson County YDC through December 31, 2019. Secretary Tilley said that JPSC paid only \$1.8 million out of a possible maximum of \$3.2 million because the cabinet only pays for beds filled in a given day. Deputy Mayor Heslen noted that fixed costs continue, but when beds aren't filled the per-diems from the JPSC decrease. Deputy Mayor Heslen stated that the city/state relationship will flip, with the Louisville Metro Government owing the JPSC a per-diem rate. Deputy Mayor Heslen said that one option moving forward is maintaining the system as-is with JPSC making up the difference in funding.

In response to questions from Representative Miller, Secretary Tilley noted that youth home incarceration costs are greater in Louisville partly because Louisville uses a different home monitoring system than the state. Deputy Mayor Heslen stated that labor costs are greater in Louisville than elsewhere in the state.

In response to a question from Chair Nemes, Secretary Tilley said that the utmost priority in negotiations for the Jefferson County YDC is to keep juveniles close to home.

In response to questions from Senator Westerfield, Ms. Mullins stated that the average daily population for the Jefferson County YDC is 44. Ms. Mullins noted that prior to the current juvenile judges, the average daily population was 65. Judge Bowles noted that juveniles housed at Jefferson County YDC appear in court roughly once per month. Ms. Mullins noted that the average stay for juveniles with cases in district court is 19 days, while juveniles with cases in circuit court stay much longer. Ms. Mullins noted one juvenile whose case was in circuit court was housed at the facility for two years. Ms. Mullins said that 94 to 95 percent of the juveniles housed in the Jefferson County YDC were African-American.

In response to a question from Representative Petrie, Ms. Mullins stated that there were 3 female inmates of the 36 housed in the Jefferson County YDC. Ms. Mullins noted that the female inmates are housed in a separate area from the male inmates.

Discussion on Kentucky Jail Populations

Ms. Heiss discussed the bail bond system in Kentucky and overpopulation in Kentucky jails.

In response to a question from Representative Hatton, Ms. Heiss noted that increased incarceration correlates with increased drug overdose mortality.

In response to questions from Representative Petrie, Ms. Heiss stated an increase in access to pretrial diversion and mental health services would be an important aspect of bail reform. Ms. Heiss noted that one option for an alternative to cash bail would be to set drug treatment as a condition of release for drug offenders.

There being no further business before the subcommittee, the meeting was adjourned at 9:42 AM.