

# JUVENILE JUSTICE OVERSIGHT COUNCIL

## Minutes of the 4th Meeting of the 2023 Interim

August 25, 2023

### Call to Order and Roll Call

The 4th meeting of the Juvenile Justice Oversight Council was held on Friday, August 25, 2023, at 11:00 AM, in Room 171 of the Capitol Annex. Senator Whitney Westerfield, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Whitney Westerfield, non-voting Co-Chair; Representative Daniel Elliott, non-voting Co-Chair; Senator Danny Carroll; Representatives Kevin D. Bratcher, and Keturah Herron; Katie Comstock, Paula Garner, Christina Weeter for Jason Glass, Steve Gold, Lesa Dennis, Kerry Harvey, Tina Robbins for Katie Marks, Laura Karem for Damon Preston, Vicki Reed, and John Ward.

Guests: Margo Figg, Director, Division of Classification and Placement, Department of Juvenile Justice; Desmond E. Bryant-White, Program Manager, Destination Innovation.

LRC Staff: Roberta Kiser, Matt Trebelhorn, and Robert Wright.

### Approval of Minutes

A motion was made by Chairman Elliot and seconded by Steve Gold to approve the minutes of the July 21, 2023 meetings. Minutes were approved by voice vote without objection.

### Agency Updates

Senator Westerfield examined a report provided by the Administrative Office of the Courts, regarding FAIR Team outcomes and attendance by mandated members, FAIR Team attendance improvement strategies, racial, ethnic, and equity disparities, and HB 3 implementation.

In response to a question from Senator Westerfield, Ms. Reed stated the Department of Juvenile Justice's efforts to recruit new staff is progressing favorably.

In response to a question from Senator Westerfield, Mr. Harvey stated that there is no pay differential for DJJ employees working in different facilities across the state.

In response to a question from Senator Carroll, Mr. Harvey stated that a pay differential may help recruit new staff in understaffed areas, such as Campbell County.

In response to a question from Senator Carroll, Ms. Reed stated that there have been instances in which employees in facilities and in communities have been through the juvenile justice system.

In response to a question from Senator Westerfield, Ms. Reed stated that DJJ uses many different approaches to attracting new staff, including the use of radio ads, physical advertising, and a full-time recruiter.

In response to a question from Representative Elliot, Mr. Harvey stated that the 190 current vacancies are spread across multiple facilities and not centered in one or two facilities.

### **Alternatives to Detention**

Margo Figg, Director, Division of Classification and Placement, Department of Juvenile Justice discussed the DJJ's Alternatives to Detention (ATD) Program. Ms. Figg stated that ATDs are short-term less restrictive placements in which youth who meet the criteria are placed. Ms. Figg also outlined seven types of ATDs. Ms. Figg detailed when ATDs are used and explained pre-detention processes for placing youth in ATDs.

Ms. Figg described the Detention Alternatives Coordinator (DAC). A DAC is a DJJ employee assigned to a geographic area to provide least restrictive placements for youth who otherwise would be in secure detention. Ms. Figg stated that there are DACs employed across all 120 counties. Ms. Figg explained that case managers, foster care providers, and private child counselors are the first line of contact for the youth, but that DACs are also on-call and are expected to provide case management when necessary, making sure the youth have what is needed to be successful in their ATD placement. DACs use an ATD placement tool to appropriately place them in ATDs.

In response to a question from Senator Westerfield, Ms. Figg confirmed that ATDs are pre-adjudication placements.

In response to a question from Senator Westerfield, Ms. Figg stated that the DJJ Frankfort Group Home and Morehead Alternative Program can only house eight youth at a time.

In response to a question from Senator Westerfield, Ms. Figg stated that DACs will consult with FAIR Teams to not duplicate unsuccessful services.

In response to a question from Representative Bratcher, Ms. Figg stated that the cost of the home incarceration programs is \$50 a day.

In response to a question from Senator Westerfield, Ms. Figg agreed to provide information on the percentage of youth in ATDs who are eventually detained.

In response to a question from Senator Carroll, Ms. Figg stated that ATDs are available in Jefferson County.

In response to a question from Representative Bratcher, Ms. Figg stated that there are four DACs currently working in Jefferson County, with two more currently being hired. Ms. Figg also stated that a supervisor is also being hired.

In response to a question from Representative Herron, Ms. Figg agreed to provide information on the state-wide cost of ATDs and ATD facilities where youth are referred.

In response to a question from Senator Westerfield, Ms. Figg stated that DJJ has served 726 youth from January 1 to August of 2023.

In response to a question from Senator Westerfield, Ms. Figg stated that the ATD program is available in all 120 Kentucky counties, but it is not utilized in every county. Ms. Reed agreed to provide information on counties where there were ATD eligible youth but the program was not utilized.

In response to a question from Senator Westerfield, Ms. Figg stated that the ATD placement tool was developed by DJJ.

In response to a question from Mr. Gold, Ms. Figg stated that the ATD placement tool is continuously reviewed and refined.

In response to a question from Representative Bratcher, Ms. Figg stated that court designated workers can recommend referral to an ATD to a judge.

In response to a question from Ms. Robbins, Ms. Figg stated that DACs are not qualified to conduct behavioral health screenings.

### **Destination Innovation / Progeny Kansas**

Desmond E. Bryant-White, Program Manager, Destination Innovation discussed Progeny, which is a youth/adult partnership program focused on reimagining the juvenile justice system and reinvestment into community-based alternatives in Kansas.

In response to a question from Senator Westerfield, Mr. Bryant-White stated that he believes safe spaces and ample resources are what policy makers in Kentucky should focus on for juveniles in the system.

In response to a question from Representative Herron, Mr. Harvey provided an update on the construction of the youth detention facility in Jefferson County.

**Adjournment**

There being no further business, the Juvenile Justice Oversight Council adjourned at 12:37 pm.