

# JUVENILE JUSTICE OVERSIGHT COUNCIL

## Minutes

October 4, 2024

### Call to Order and Roll Call

The fourth meeting of the Juvenile Justice Oversight Council was held on October 4, 2024, at 12:00 p.m. in Room 154 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, Co-Chair; Representative Daniel Elliott, Co-Chair; Senator Danny Carroll; Representatives Kevin D. Bratcher and Keturah Herron; Ashley Clark for Jason McGinnis, Lesa Dennis, Christina Weeter for Robbie Fletcher, Mona Womack for Keith Jackson, Dr. Katie Marks, Damon Preston, Randy White, John Adams, Paula Garner, Steven Gold, and Tyra Walker.

Guests: Randy White, Commissioner, Department of Juvenile Justice; Elzie Burgher, Executive Director, Office of Support Services, Department of Juvenile Justice; Beth McMahon, Post-Trial Division Director, Department of Public Advocacy; Laura Karem, Juvenile Post-Disposition Branch Supervisor, Department of Public Advocacy; and LeAnn Jones, Juvenile Specialist, Richmond Trial Office, Department of Public Advocacy.

LRC Staff: Joshua Shelepak, Matt Trebelhorn, and Robert Wright.

### Approval of Minutes of the August 23, 2024 Meeting

A motion was made by Mr. Gold and seconded by Dr. Marks to approve the minutes of the August 23, 2024, meeting. Minutes were approved by voice vote without objection.

### Agency Updates

Representative Elliott examined a report provided by the Administrative Office of the Courts regarding Chief Justice-elect Debra Hembree Lambert, implementation of legislation from the 2023 and 2024 sessions, FAIR Team outcomes and mandated member attendance, and trends in detentions.

### Department of Juvenile Justice

Randy White, Commissioner, Department of Juvenile Justice, and Elzie Burgher, Executive Director, Office of Support Services, Department of Juvenile Justice, provided an update on the Department of Juvenile Justice (DJJ). Mr. White and Mr. Burgher discussed DJJ staffing, including total vacant and filled positions; DJJ Juvenile Detention Center (JDC) populations;

Committee meeting materials may be accessed online at <https://apps.legislature.ky.gov/CommitteeDocuments/373>

and JDC populations from August 2022 to August 2024. Mr. White and Mr. Burgher also provided an overview of DJJ facilities and construction projects.

In response to questions from Senator Westerfield, Mr. White stated DJJ is able to maintain safe staff to juvenile ratios and overtime hours have been required to maintain a safe ratio in certain facilities. Mr. White discussed the need for continued advertisement and filling of DJJ entry-level correctional officer positions and discussed additional compensation methods for DJJ employees in specific localities. He voiced appreciation for recent base pay bumps for entry-level staff. Mr. Burgher clarified the requirements for a DJJ position with higher turnover and agreed to provide information regarding DJJ staff who received pay increases with recent appropriation bills. Mr. Burgher clarified the meaning of DJJ construction phase descriptors and the number of DJJ qualified mental health professionals. Mr. White agreed to provide information regarding the cost per bed per juvenile across facilities.

In response to a question from Representative Herron, Mr. Burgher stated DJJ employs state workers and contracts for DJJ facility nurses. Mr. Burgher agreed to provide information regarding wage differences between DJJ employees and contractors.

In response to questions from Mr. Preston, Mr. White stated he was unable to publicly discuss if any specific DJJ facilities are struggling to maintain safe staff to juvenile ratios, and clarified the risk classification for three DJJ facilities. Mr. Burgher provided a construction update for these facilities.

In response to questions from Representative Bratcher, Mr. White clarified why he is reluctant to discuss specific DJJ safe staff to juvenile ratios in public but stated he could discuss in private. He provided an update on Jefferson County DJJ construction projects.

In response to a question from Senator Carroll, Mr. White clarified the progress of DJJ facilities construction projects and voiced support for the construction of a DJJ facility for female juveniles.

In response to questions from Representative Elliott, Mr. White and Mr. Burgher clarified the status of an Elizabethtown JDC. Mr. White discussed disciplinary actions taken regarding DJJ employees involved in an altercation with a juvenile.

In response to a question from Mr. Gold, Mr. White stated DJJ's interest in high acuity mental health facilities.

## **Juvenile Probation**

Beth McMahan, Post-Trial Division Director, Department of Public Advocacy; Laura Kareem,

Juvenile Post-Disposition Branch Supervisor, Department of Public Advocacy; and LeAnn Jones, Juvenile Specialist, Richmond Trial Office, Department of Public Advocacy, presented on juvenile probation and effects of broad juvenile probation on families and children.

In response to a question from Senator Westerfield, Ms. Jones stated it varies how family court judges listen to probation officers and social services clinicians.

In response to a question from Representative Herron, Ms. Jones confirmed DJJ has a standard probation contract.

In response to questions from Mr. Gold, Ms. Karem discussed the application of graduated sanctions. Ms. Jones discussed barriers to participation in detention aversion programs.

### **Adjournment**

There being no further business, the meeting adjourned at 1:55 PM.