

COMMISSION ON RACE & ACCESS TO OPPORTUNITY

Minutes of the 5th Meeting of the 2021 Interim

November 23, 2021

Call to Order and Roll Call

The 5th meeting of the Commission on Race & Access to Opportunity was held on Tuesday, November 23, 2021, at 3:00 PM, in Room 149 of the Capitol Annex. Senator David P. Givens, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator David P. Givens, Co-Chair; Representative Samara Heavrin, Co-Chair; Senators Karen Berg, Gerald A. Neal, and Whitney Westerfield; Representatives George Brown Jr., and Nima Kulkarni; OJ Oleka, and Erwin Roberts.

Guests: Terry Brooks, Mahak Kalra, and Cortney Downs, Kentucky Youth Advocates.

LRC Staff: Alisha Miller and Elishea Schweickart

Making EVERY KY Kid Count!

Dr. Terry Brooks, Executive Director of Kentucky Youth Advocates, began the presentation by explaining that the Kids Count Program is nationally recognized as the standard for report cards. This year the program took an in-depth look at racial disparities in Kentucky, which are a result of historical institutional practices.

Dr. Brooks suggested three categories of policy that they hope the General Assembly will examine during the 2022 legislative session. These policy suggestions include:

- Collecting accurate and timely data, and including the collection requirement in statute;
- Focusing on economic well-being and considering a state level earned income tax credit or joining the Federal Relief Package Child Tax Credit, which could reduce child poverty in Kentucky by 49 percent; and
- Considering boundary-spanning policy that focuses on upcoming trends.

Many Kentucky families also struggle with access to quality healthcare, including families with children. Currently, 96 percent of children in Kentucky have health insurance through Kentucky Children's Health Insurance Program (KCHIP) and Medicaid. Even with KCHIP and Medicaid, healthcare disparities still exist, especially with Latinx children who

stand at only 91 percent insured. Mahak Kalra, Chief Policy and Advocacy Officer, suggested ways to help insure more children in Latinx communities include expanding outreach and using culturally relevant messages. Ms. Kalra also suggested Kentucky promote culturally competent care and support of translation services. Minority communities, along with rural communities, also need to have easy access to healthcare providers.

Cortney Downs, Policy and Advocacy Director, spoke about the juvenile justice system in Kentucky. While Kentucky has improved the system, there are still areas of racial disparities that can be improved. The estimated total youth population for black children ages 7 to 12 make up 11 percent of the population and 20 percent of the total complaints that are filed. The estimated total youth population for latinx children ages 7 to 12 make up 7 percent of the population and 5 percent of the complaints filed. The estimated total youth population for white children ages 7 to 12 make up 80 percent of the population and 67 percent of the complaints filed. About 60 percent of complaints that are filed come from law enforcement and about 27 percent come from school officials. The remaining complaints come from family members and/or alleged victims. About 70 percent of these complaints are for minor offenses, 21 percent are for status offenses, 49 percent are for Class A or B misdemeanors, and 22 percent are for Class D misdemeanors. Many of the children in this age range who are involved in the juvenile justice system are most likely enrolled in special education at their school, have experienced several life traumas or have diagnosed mental health challenges, and could have received early intervention. Establishing a minimum age of jurisdiction for children who are 12 years old or younger could help many children get age appropriate services and resources instead of entering the justice system. Ms. Downs also suggested implementing and expanding school-based interventions.

Responding to a question from Co-Chair Givens, Dr. Brooks stated that three decades ago, UPS commissioned the Annie E. Casey foundation to invent a report card for America's kids. Since then, every year the Casey foundation partners with an affiliate in each state to release the Kids Count report. The report covers health, economic wellbeing, education, and family/community. Currently Kentucky is ranked 37th. Kentucky Youth Advocates also take information from the national report and gather data and trends for every county in Kentucky.

Responding to a question from Co-Chair Heavrin, Ms. Kalra stated that outreach and creating a safety net for families who do not qualify for Medicaid are some of the best ways to close the gap in healthcare for children in Kentucky. Responding to a follow-up question from Co-Chair Heavrin, Dr. Brooks stated that the earned income tax credit has been supported by presidents from both political parties and would allow families to support themselves while also supporting local businesses. Mr. Brooks also suggested that Kentucky schools could consider financial literacy courses for student to prepare them for their futures.

Responding to a question from Mr. Oleka, Ms. Downs stated that there has not been an analysis done between complaints filed against children and their socioeconomic backgrounds, but better data collection could help with studies. Responding to a follow-up question from Mr. Oleka, Dr. Brooks stated that their position on establishing a minimum age of jurisdiction is a compromise and came from NCSL and ALEC language. Senator Westerfield stated that each child needs to be assessed to figure the best course of action to take when they receive a complaint, because each child, and their levels of understanding, are different.

Responding to a question from Representative Kulkarni, Ms. Downs stated that the gaps in resources available to children are seen county by county in Kentucky. Even counties that have resources may not have them easily available. She also stated that she believes there is a need to do a deeper study into each county to figure out where the gaps are. Mr. Brooks stated that schools are also a big asset to getting resources and services to children who need them. Senator Westerfield stated that he has recently asked for a list of available resources from various state agencies and will share that information with commission members when he receives it. Responding to a follow-up question from Representative Kulkarni, Ms. Downs stated that they would look into the correlation between the housing situations of children and complaints filed against them.

Responding to a question from Mr. Roberts, Dr. Brooks stated that complaint issues can be seen in individual school districts. Responding to a follow-up question, Ms. Kalra stated that access to coverage and care is the first step to addressing gaps in healthcare.

Responding to a question from Co-Chair Givens, Dr. Brooks stated that he believes the School Safety and Resiliency Act has affected discipline in schools, but believes that changes the General Assembly could make will improve it.

Discussion and Wrap-up of the 2021 Interim

Co-Chair Givens spoke briefly about the work of the commission throughout the interim. He expressed his gratitude for those who have already come before the commission to present and informed the members that three groups have already requested to present next year. He also encouraged members to reach out to individuals and groups in their communities about presenting before the commission. Co-Chair Heavrin also reminded the commission, and those watching, that individuals do not have to be members of the commission to reach about possible presentations.

Mr. Oleka spoke briefly about the work of the commission, stating that the commission has done a good job at considering different views about challenging issues. He also stated that he believed the commission could provide better guidance to presenters and stated that he believes the commission can take a better look into policy related solutions. Mr. Oleka also stated that he hoped more members will attend in the future.

Senator Berg stated that she is grateful to have been assigned to the commission and it has been a great opportunity. She also stated that she hopes to see future discussion on the increased risks of juvenile gun violence. Co-Chair Givens asked her to let the Chairs know if she has a presenter in mind to talk about that issue.

Co-Chair Heavrin stated that she hopes members will also take opportunities and experiences, and if they would like help connecting with groups or organizations, to let her know and she would be happy to help. Co-Chair Heavrin also stated she hopes the commission can get an inventory of policy and opportunities Kentucky may already have in place but are not being implemented.

Co-Chair Givens stated that he is grateful for the commission, and while it has been a good interim and he has been inspired by those who have come to present, he is looking forward to getting more done in the future.

Adjournment

With there being no further business, the meeting was adjourned at 4:34 P.M.