

JUVENILE JUSTICE OVERSIGHT COUNCIL

May 12, 2015

Capitol Annex, Room 125

Members Present: Representative John Tilley; Secretary J. Michael Brown, Justice & Public Safety Cabinet (JPSC); Commissioner Mary Begley, Department for Behavioral Health, Developmental and Intellectual Disabilities, Cabinet for Health and Family Services (CHFS); Commissioner Teresa James, Department for Community Based Services, CHFS; Commissioner Bob Hayter, Department for Juvenile Justice (DJJ), JPSC; David Wickersham, designee for Commissioner Terry Holliday, Department of Education; Laurie Dudgeon, Director, Administrative Office of the Courts (AOC); Ed Monahan, Department of Public Advocacy (DPA); Paula Stafford, Rowan County Schools; Honorable Lisa Jones, Chief District Judge; Lieutenant Shara Parks, Louisville Metro Police Department; Steven Gold, Henderson County Attorney; and Dr. John Sivley, Clinical Director, LifeSkills, Inc.

Members Absent: Senator Whitney Westerfield

Staff Present: Yvonne Board and Marlene Mundine

I. Welcome/Call to Order and Approval of Minutes

The meeting was called to order by Representative Tilley. A motion was made and seconded to approve the previous meeting minutes as submitted.

II. Presentation by Ryan Thornell, Crime & Justice Institute

Representative Tilley introduced Ryan Thornell from the Crime and Justice Institute (CJI). Mr. Thornell gave an update on the statewide implementation and performance measures of SB 200. (Presentation materials available upon request.)

III. Updates

A. Department of Juvenile Justice

Commissioner Hayter gave an update on the progress at the Department of Juvenile Justice. He noted that revision of policies has been the primary focus. He stated that they are also working with DPA regarding some of those revisions. He stated that there will not be an additional pilot of the risk and needs assessment tool. He noted that various trainings have been completed, trauma training has started for staff and policy trainings are ongoing. He commented that they are looking at youth that have been under supervision or in out of home placement beyond the prohibitive timeframes contained in SB 200 individually. He stated they are developing a plan to address youth that were under supervision prior to 2016, as the bill is basically silent on retroactivity. He commented, where public safety allows, they will be attempting to put services

in place to move youth back to the community and will be petitioning courts for individual cases. He noted they also expect DPA to do the same. He commented the fiscal impact of SB 200 for DJJ is close to \$1 million in training costs, salaries, information technology, and tool validation. Ms. Dudgeon remarked that the permanent ongoing cost to AOC in staff is \$500,000-\$750,000 per year including benefits. Representative Tilley noted these figures do not take into account any savings based on population. Commissioner Hayter agreed that the savings in the long run will make up for these costs.

B. Department of Education

Mr. Wickersham stated that he attended the Juvenile Rules Standing Committee meeting on May 6th and will continue participation with a follow-up meeting on May 14th and will be attending the KBA Convention on June 17th for the public hearing on the proposed rules. He also attended the Juvenile Justice Advisory Board meeting on April 16th and will be attending a meeting today of one of their subcommittees. He noted he made a presentation to the Youth Bullying Task Force on April 24th and gave them information on SB 200. He remarked that they have continued to work with the Administrative Office of the Courts and Counsel on Postsecondary Education on guidance that they have issued regarding the implementation of SB 97. He noted the department is also currently in the process of revising model policies.

C. Administrative Office of the Courts

Ms. Dudgeon reported that AOC has implemented and established in fifty-four jurisdictions. They are fully implemented in forty-one districts and will be hearing cases in thirteen additional judicial districts. She stated they will be established by July 1st in every judicial district but will not be actively hearing cases in each one. She noted there are five more regional training to complete in the next couple of weeks. She noted the draft juvenile rules will be posted for review on AOC's website. She noted there will be an email address posted for any comments. She stated the goal is to have rules finalized and adopted by the court in August, 2015.

D. Department of Behavioral Health, Developmental and Intellectual Disabilities, CHFS

Commissioner Begley stated her department has been working with school systems to do school based behavioral health screening. She noted at the end of the year, they will have thirty-three schools participating in screenings. She noted there is a lack of parental involvement when children are identified as potential behavioral health or substance use issues to get consent to have the actual screening occur. She noted another hurdle that occurs after screening, there is a lack of involvement when children are referred for services. She stated they are hoping to find more involvement at the local level to assist with coordinating services. She stated that the numbers will continue to go down for children placed in out of home care.

E. Department for Community Based Services, CHFS

Commissioner James reported that DCBS now has a policy in place to get Medicaid services for children who were previously in the care of DJJ. She noted that data tracking for DCBS has been developed and they are moving into the new website system. She noted that she is still concerned about shifting of children within the system from one agency to the other. She noted that it is important to be able to have the data available. She commented that they had one school bring twenty-eight new truancy referrals. She noted that they will have to work with the schools to have some type of cooperative agreement on how to work together on the local level to stop this issue before it gets into the courts. She commented that DCBS numbers are not down; they are steadily growing. She stated there is a substance abuse problem in this state that is killing our families and their children.

F. Department of Public Advocacy

Mr. Monahan noted that DPA has had lengthy conversation with DJJ regarding their development of regulations and it has been very useful. He noted they have been very active in the development of the juvenile rules and have been training new litigators on this new bill. He commented that he would like to see data regarding racial disparity and that the council has an obligation to do so. Representative Tilley agreed. Mr. Monahan noted that he has contacted Thomas Grisso and Kimberly Larson regarding their availability to meet with the council. He noted that Ms. Larson is available to present to the council and has funding to do so. He noted that she is also willing to come back and work with a subcommittee if needed.

IV. Subcommittees on Competency & Age of Criminal Responsibility

Representative Tilley noted that he planned to meet with Senator Westerfield to discuss the structure of subcommittees. Mr. Monahan suggested having one subcommittee for both topics as they are related. Ms. Dudgeon agreed. Representative Tilley agreed that there is overlap and asked to table the discussion for the next meeting.

V. Adjourn

The next meeting will be held on June 8th or 15th depending on the availability of Ms. Larson. Members will be notified by email. With no further business to discuss, the meeting was adjourned.