

## JUVENILE JUSTICE OVERSIGHT COUNCIL

May 18, 2016

Capitol Annex, Room 171

**Members Present:** Representative Darryl Owens; Secretary John Tilley, Justice & Public Safety Cabinet (JPSC); Acting Commissioner Wendy Morris, Department for Behavioral Health, Developmental and Intellectual Disabilities, Cabinet for Health and Family Services (CHFS); Heather Dearing for Commissioner Adria Johnson, Department for Community Based Services, CHFS; Acting Commissioner LaDonna Koebel, Department for Juvenile Justice (DJJ), JPSC; Laurie Dudgeon, Director, Administrative Office of the Courts (AOC); Christina Weeter, Department of Education; Ed Monahan, Department of Public Advocacy (DPA); Honorable Lisa Jones, Chief District Judge; Major Shara Parks, Louisville Metro Police Department; Steven Gold, Henderson County Attorney; and Dr. John Sivley, Clinical Director, LifeSkills, Inc.

**Members Absent:** Senator Whitney Westerfield and Paula Stafford, Rowan County Public Schools

**Staff Present:** Marlene Mundine

### **I. Welcome/Call to Order and Approval of Minutes**

The meeting was called to order by Representative Darryl Owens who welcomed members and guests. Representative Owens called for a motion to approve minutes from the April 5<sup>th</sup> meeting. Minutes were approved as submitted.

### **II. SB 200 Implementation and Training Update**

Pamela Lachman, Senior Associate with the Crime and Justice Institute (CJI), provided an update on SB 200 implementation and training. (Presentation available upon request.) Ms. Lachman identified CJI's technical assistance priorities which include train the trainer processes; risk assessment implementation and inter-rater reliability with DJJ; FAIR team implementation with AOC; evidence-based practice implementation and model fidelity with DJJ and CHFS; and performance measures and data reporting with all agencies.

Ms. Lachman stated CJI has prioritized the train the trainer process which is focused on three primary areas including principles of effective intervention and cognitive interaction skills, graduated responses in diversion, and effective case management. She noted the principles of effective intervention include risk, need, responsivity and fidelity. She explained that these principles provide who and what to target, how to effectively work with youth, and how to do the work right. Identifying and comprehending cognitive interaction skills and learning to apply those skills in working with youth is part of the process.

Ms. Lachman stated that graduated responses policies are built into a number of different parts of the system. CJI's training in this area has been focused with AOC on how to use graduated responses effectively for youth in diversion. This shifts the focus from monitoring youth for compliance to something more proactive and prosocial-focused which helps to identify opportunities for youth to be successful. Ms. Lachman pointed out that research shows there are ratios to target such as 4 to 1 ratio of positive to negative interactions with youth.

Ms. Lachman stated that effective case management is a training designed to connect things written in policy that may seem broad or unrelated to day to day interactions with young people and includes how to write an effective case plan. This is an area traditionally oriented toward checking boxes of conditions that are not necessarily targeted toward making one less likely to commit another crime or addressing individual needs. Ms. Lachman also identified other stakeholder groups that would benefit from principles of effective intervention training. The list included FAIR teams, county attorneys, judges, defense attorneys, and law enforcement.

In response to a comment by Dr. Sivley, Ms. Lachman agreed that the behavioral health community must be included as a stakeholder. She mentioned that CHFS has been tremendous in identifying opportunities to reach both community mental health and private providers working with justice involved youth.

In response to a question by Judge Jones, Ms. Lachman explained that the trainings vary in length. The principles of effective intervention training is a full day but there is also a half day abbreviated format that is less focused on skills interaction.

Mr. Monahan stated that DPA stands ready to be trained and would prefer the training happen soon. He also commented on training for law enforcement across the state thru existing methods and noted that DCBS is another group that might benefit. In response to his inquiry regarding a timeline for training, Ms. Lachman stated that CJI can identify opportunities for using some of the trainers around the state for other stakeholder groups but the first priority will be training their staff at AOC, DJJ and FAIR teams.

Ms. Weeter agreed that law enforcement should receive training, particularly those in contact with students, and suggested reaching out to the KY Association of School Resource Officers.

Secretary Tilley remarked that training of law enforcement is critical. He suggested agencies work together to coordinate training that could be provided within the existing training hours. Major Parks was in agreement to discuss this in more detail following the meeting.

Mr. Gold commented that prosecutors will be impacted thru the FAIR teams but also mentioned the prosecutors' conference hosted by the Attorney General's Office in August.

### **III. Shared Responsibility: The Young Adult Offender**

Rebecca DiLoreto, KY Association of Criminal Defense Lawyers, presented information pertaining to young adult offenders. (Presentation materials available upon request.) Ms. DiLoreto provided data on the Kentucky prison population of young adult offenders ages 18-25.

The data did not include youthful offenders who were extended commitment to DJJ. Ms. DiLoreto asked the panel to consider the following information: brain development impacting maturity continues into mid 20's; peer influence continues into young adulthood; identifying adulthood at 18 served a society that focused on physical maturation rather than intellectual and emotional maturation; and a lot of growing up occurs between the ages of 18 and 25. Kristie Stutler, DJJ, commented that there is a statute that allows DJJ to keep youth thru the age of twenty-one. She stated DJJ has started doing that with some and have seen success in extending treatment and providing interventions for them. She noted one issue they have worked on with those extended has been the development of empathy, connection and attachment, as these impact public safety. She also commented that many of those youth have been probated at the end of their extension. Ms. DiLoreto added that public defenders have worked with DCBS to establish independent living for youthful offenders as part of their plan for probation by the court. Ms. Stutler noted that reintegration into the community must also include building educational and vocational skills. The ability to provide these additional services is an additional barrier to increasing the number of youth staying with DJJ thru the age of twenty-one.

Ms. DiLoreto shared national data on the age-crime curve. She stated the curve is higher and wider for young males, especially minorities that grow up in the most disadvantaged neighborhoods. She noted the necessity for effective intervention falls between the ages of 14 to mid-20's. She commented that jails were not meant to be treatment centers and interventions are needed to make our communities safer and economically vibrant as well. She noted that youth failed in foster care today are at greater risk for adult incarceration tomorrow. Ms. Stutler remarked that a large number of youth served by DJJ at the age of 18 or 19 will be served in the adult correctional system. Ms. DiLoreto commented on SB 270 and the need to track data with respect to race and noted that poverty is a component as well.

Ms. DiLoreto spoke about repurposing facilities to serve young adult offenders. Ms. Stutler expressed concerns about doing so. She remarked that savings found as a result of SB 200 are to be reinvested and DJJ is in need of those funds to reinvest in programs in the communities that support youth in day treatment and those that will be supported thru the fiscal incentive program. She also commented about the different requirements for staffing such a facility. Ms. Dudgeon expressed agreement about reinvesting in programs for youth currently being served rather than repurposing facilities at this point. Ms. DiLoreto remarked that it is something to consider in the future.

Ms. DiLoreto also spoke about case processing issues and delays. Ms. Stutler agreed that there are issues with the how DJJ can assist those youth before court or sentencing. Ms. DiLoreto also talked about individual treatment plans for all young adults. Ms. Stutler expressed the need to establish clear criteria and assessment for determining those to include as not every youthful offender will benefit and some will disrupt the process of treatment of other youth.

Ms. DiLoreto also commented on the need to direct resources to programs for young adults as recommended by Roca in Massachusetts. Secretary Tilley spoke in support of Roca and duplicating their work here.

#### **IV. Agency Updates**

Commissioner Koebel, Department of Juvenile Justice, provided data showing a detailed breakdown of the reduction in the DJJ population. As a result of SB 200, overall there has been a 40% reduction in the number of out of home placements since mid-2014. There has been a 73% reduction in YDC placements for low level offenders who were impacted by SB 200.

Mr. Monahan inquired about the two classes of youth excluded. Commissioner Koebel responded that the sex offender population remains consistent. She did not have a specific breakdown of population data related to offenses involving a deadly weapon. Commissioner Koebel also noted that data pertaining to the sex offender treatment program provided shows a recidivism rate of less than 5% three years out.

**V. Adjourn**

The next meeting will be held on Tuesday, June 28<sup>th</sup> at noon. With no other business to discuss, the meeting was adjourned.