

KENTUCKY 2024-2027 THREE-YEAR PLAN

Introduction: Kentucky Department of Juvenile Justice Development and Administration of the Three-Year Plan

The Kentucky Department of Juvenile Justice (DJJ) is one of the five departments under the Kentucky Justice and Public Safety Cabinet. The DJJ is responsible for prevention programs for at-risk youth, court intake, detention, residential placement and treatment services, probation, community aftercare, and reintegration programs, as well as the confinement of youth awaiting adult placement or court.

In 1996, Kentucky Legislation under Governor Paul E Patton established the Kentucky Department of Juvenile Justice the State Designated Agency (DSA) for the Title II Formula Grant and established the Kentucky Juvenile Justice Advisory Board in KRS 15A.065.

The Kentucky Juvenile Justice Advisory Board (JJAB) serves as the State Advisory Group (SAG), as defined under the Juvenile Justice and Delinquency Prevention Act of 1974, amended as the Juvenile Justice Reform Act of 2018. Kentucky has submitted a current membership roster into JustGrants as a requirement for the FFY 2023 Title II Formula Grant application.

In Kentucky, KRS 15A.065 establishes statutory requirements for the composition of the Kentucky Juvenile Justice Advisory Board's membership. The statutory requirement is much more restrictive than the JJRA, which creates a barrier when it comes to recruitment for membership. Currently, there are efforts to amend KRS 15A.065 to more align with the JJRA to make JJAB recruitment smoother.

Kentucky's strategic plan was developed by the Kentucky Juvenile Justice Advisory Board (JJAB) (SAG) members at a planning retreat and subsequent board and subcommittee meetings. A focus on prevention was maintained by the JJAB moving into the next 3-year plan. The Juvenile Justice Advisory Board (JJAB) is Kentucky's federally mandated State Advisory Group (SAG) on juvenile justice issues. Created in 1997, it has played a pivotal role in reforming Kentucky's juvenile justice system and creating an effective, equitable system to prevent juvenile crime and delinquency.

The Juvenile Justice Advisory Board is committed to enhancing the quality of life for all youth in the Commonwealth by actively advising the Governor, policymakers and the public on matters related to improving systems of care, enhancing interagency and community collaboration, and promoting effective programming necessary to serve the whole child. To

promulgate this plan, JJAB, in conjunction with the Department of Juvenile Justice's dedicated Title II staff, identified inimical conditions, challenges/opportunities, examined local, state, and national analyses and reports, and considered forecasts on the future of juvenile justice issues in Kentucky. Kentucky's overarching plan is to continue expanding and/or maintaining exerted efforts and support for educating, training and skill development for stakeholders throughout the State (including communities, families, and youth) prevention measures to address delinquency prevention.

The DJJ Grants Branch collects the eligible submitted applications and the JJAB will select a grant review committee to review and score the applications. Within the required 45 days, the review committee presents funding recommendations to the full JJAB. The Juvenile Justice Advisory Board votes on the recommendations from the committee and sends the final recommendations to the Governor's office for approval.

The Juvenile Justice Advisory Board collaborates with the DJJ to compile a yearly report containing information vital for support of their recommendations regarding compliance with the core requirements of Title II of the JJDP. This report is voted on by the full board at the June meeting, and then presented to DJJ and KY Justice and Public Safety Cabinet leadership before being sent to the Governor's Office and the Legislative Research Commission. The Juvenile Justice Advisory Board invites juveniles from our facilities to join the regular business meeting via ZOOM and a discussion time is set aside in the agenda. Additionally, the Emerging Leaders subcommittee and the Subcommittee for Justice for All Youth (SEJAY) regularly hold lunch meeting in the facilities with youth in DJJ custody.

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Description of the Issue:

Description of 3-Year Planning Process

The Kentucky State 3-year plan is developed by the Juvenile Justice Advisory Board (JJAB) with assistance of the Kentucky Department of Juvenile Justice and their supporting agencies. The JJAB meets every summer for a two-day immersive retreat to discuss the needs of Kentucky's at-risk youth and examine the most up to date data supplied by DJJ and its state partners and stakeholders. Armed with this information, the JJAB decides the focus of the coming year and develop strategies for the coming three-year plan.

Every three years the data is presented to the full board and each subcommittee is given the tasks to develop goals for the next three years according to the subcommittee focus. Each subcommittee meets every other month to work on those goals and present them to the full board at the retreat.

There are several statewide agencies in Kentucky that interact with and provide services to youth. From the perspective of the justice system and central to the implementation of SB 200 reforms, there are two key agencies that work with youth 1) the Administrative Office of the Courts (AOC) and 2) the Department of Juvenile Justice (DJJ).

The Administrative Office of the Courts (AOC) is the operational arm of the Judicial Branch and supports court facilities and programs in all 120 counties. As part of SB 200, AOC's pre-court diversion process was enhanced in 2014 for low-level offenders. The pre-court diversion is designed to provide community-based services and hold youth accountable for behavior without court action. Court designated workers (CDWs) and their counterparts, court designated specialists (CDSs) are responsible for investigating completion of complaints filed, completing risk and needs assessments, and supervising diversion agreements for youth.

In support of the enhanced pre-court diversion process, and central to SB 200 reform efforts, the Family, Accountability, Intervention and Response (FAIR) teams were also established in 2014 to improve case management and reduce youth's involvement in the justice system. Teams consist of representatives from various youth-serving agencies, including education, AOC, DJJ, and CHFS. The team also includes local representatives from law enforcement, the county attorney's office, public defender's office, and other sectors of the community. These teams are mandated to meet monthly to review referrals for youth that have either failed to appear for an initial intake, declined to enter into a diversion agreement, are considered high needs, or are struggling or have failed to complete terms outlined in their diversion agreement. FAIR team members can determine that no further action be taken on certain status offense cases or continue to brainstorm and recommend resources and services that best support the needs of justice-involved youth and families. A total of 114 FAIR teams have been implemented.

Analysis of Juvenile Delinquency Problems (Youth Crime) and Needs

Kentucky Department of Juvenile Justice

Juvenile Crime Analysis

The Formula Grants Program administered by the Office of Juvenile Justice and Delinquency Prevention provides funding for the implementation of strategies, programs, and policies that support states' adherence to the core requirements of Juvenile Justice and Delinquency Prevention Act. To be eligible for this funding, each state must submit a juvenile crime analysis that reports trends in delinquency, prominent risk factors for delinquency, the number and characteristics of youths involved in the juvenile justice system, and case outcomes. The analysis provides a basis for the development of a data-driven strategic plan for preventing delinquency and improving case outcomes.

Researchers from Eastern Kentucky University's School of Justice Studies conducted the required juvenile crime analysis for the Kentucky Department of Juvenile Justice (DJJ) to aid in the development of their three-year state plan. Data was collected from a variety of state and national agencies to provide a comprehensive examination of the social context for delinquency, individual and social risk factors for delinquent behavior, juvenile arrest trends, and juvenile justice system practices for preventing delinquency in Kentucky. The report concludes with a summary of findings and recommendations for system improvements.

The Broader Social Context for Delinquency

Kentucky is home to 4,502,935 people including 1,013,160 (22.5%) under age 18. According to the 2022 American Community Survey Kentucky's population is relatively homogeneous with 84.8% of Kentucky residents identifying as White and 81.3% identifying as non-Hispanic. The racial and ethnic composition varies across the state with a higher representation of non-Whites and Hispanics in three regions that include an urban core. Other variations across Kentucky's 120 counties are also important to consider when analyzing crime data. According to the Economic Research Service (ERS) within the United States Department of Agriculture, 40.6% of Kentucky residents live in rural areas (ERS, 2024). Although higher crime rates are typically associated with more densely populated urban areas, rural areas experience unique challenges that must be reflected in Kentucky's strategic plan for the prevention of delinquency. To that end, this section of the report examines state-wide data on economic vulnerabilities, physical and mental well-being, and patterns of crime as well as observed differences across rural and urban counties.

Economic vulnerabilities

A significant body of research demonstrates the detrimental impacts of economic strain within families and communities. Low socioeconomic status (SES) limits family's access to quality childcare, educational resources, stable housing, nutrition, and health care, all factors that

increase the risk of youths' victimization, delinquency, and other problem outcomes (Organization of

Economic Cooperation and Development, 2019). For example, a review of studies by Low, Sinclair & Short (2012) suggested that economic strain disrupted effective parenting and increased family conflict, and in turn, that these social processes were linked to developmental problems and higher rates of adolescent aggression and alcohol use.

Economic indicators suggest that Kentuckians might be more vulnerable to economic strain than residents of most other states. Kentucky's median household income of \$59,341 is significantly lower than the national average of \$74,755 ranking 47th in the nation (Figure 1).

2022 data on poverty reveals dire economic circumstances for a significant proportion of Kentucky residents (Figure 2). In 2022, 16.5% of all Kentuckians, 11.7% of families, and 21% of children lived below the poverty line. Even more concerning are the 10% of children who live in deep poverty (households with an income 50% below the federal poverty line). (Source: American Community Survey (2022))

Figure 1: Median Household Income

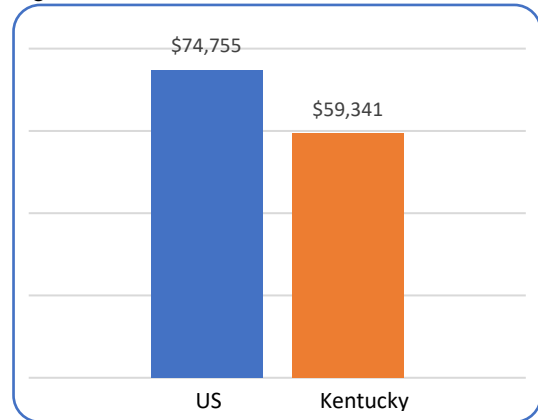


Figure 2: Percent Living in Poverty

A comparison of economic indicators suggests that urban areas in Kentucky fare much better than rural areas with lower poverty rates (13.2% vs. 20.7%), higher per capita income (\$56,507 vs. 43,645), higher levels of educational attainment (31.6% earned a college degree vs. 17.7%), and lower unemployment rates (4.2% vs. 4.8%) (ERS, 2022). However, these county-wide statistics mask the poverty experienced by many youths in densely populated urban neighborhoods in Jefferson, Fayette, and Campbell Counties. Moreover, the highest poverty rates are found in the 52 Appalachian counties in southeastern Kentucky (Figure 3) where a decline in the coal industry and the opioid epidemic have exacerbated the intergenerational poverty characteristic of the area. (Source: American Community Survey (2022))

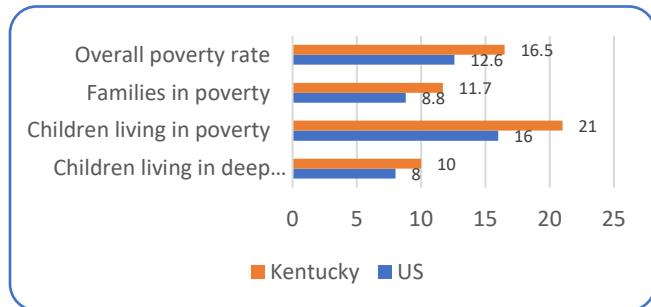
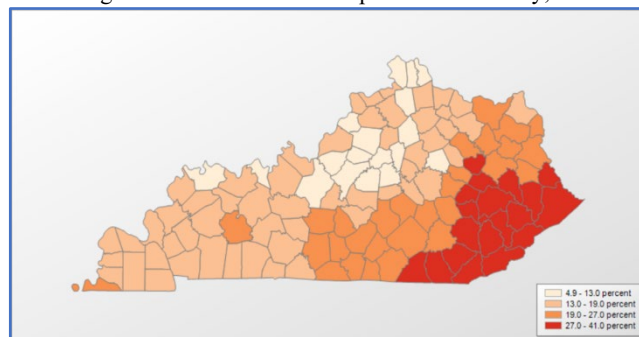


Figure 3: Percent of Total Population in Poverty, 2021



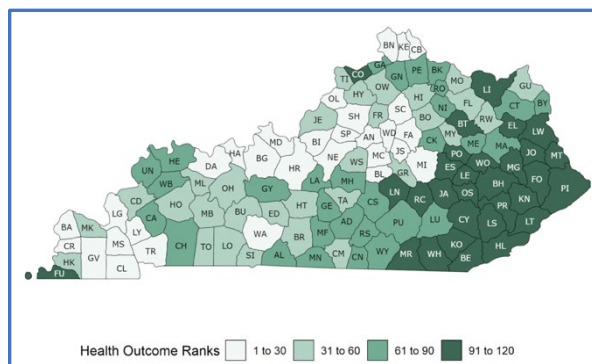
Source: Census Bureau, Small Area Income and Poverty Estimates (2021)

Economic indicators in Kentucky also vary significantly by race and ethnicity (University of Wisconsin Population Health Institute, 2023). The median household income for White families is \$57,542 compared to \$40,335 for Black families and \$50,651 for Hispanic families. Moreover, 19 percent of White children live in poverty compared to 36 percent of Black children and 30 percent of Hispanic children. As discussed below, variation in the amount of economic strain experienced by families significantly impacts physical and mental wellbeing.

Physical and Mental Wellbeing

Economic security enables families to cover basic needs such as housing, education, childcare, food, and medical care which all have an impact on health and wellbeing (United Health Foundation [UHF], 2023). According to 2023 data from UHF, Kentucky is one of the least healthy states in the nation, ranked 41st based on 49 measures of social and economic factors, physical environment, behaviors, clinical care, and health outcomes. The variation in health outcomes follows a similar pattern to that seen in economic indicators where the worst health outcomes are found among the Appalachian counties (Figure 4). Data reported by the University of Wisconsin Population Health Institute also reveals significant variation in health-related variables across Kentucky counties (Table 1). Correlational analysis suggests that all listed measures, except the drug overdose mortality rate, are worse in more rural areas (correlation is significant at the .01 level). Although there is no evident geographic pattern for the drug overdose mortality rate, there is variation across race and ethnicity with a rate of 37.87 for White residents, 30.64 for Black residents and 13.31 for Hispanic residents (UWPHI, 2022).

Figure 4: Health Outcome Rankings across Kentucky



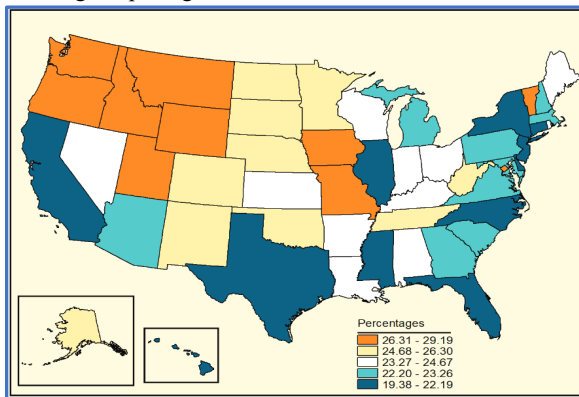
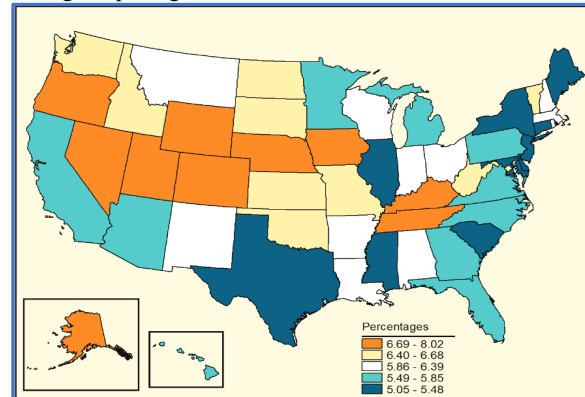
Source: United Health Foundation (2023).

Table 1: Descriptive statistics for health-related variables.

Variable	Minimum	Maximum	Mean
% reporting physical distress for 14 or more days per month	9.30	20.90	14.45
% reporting mental distress for 14 or more days per month	15.40	23.30	19.35
% food insecure	5.40	25.90	15.55
Drug overdose mortality rate (per 100,000)	9.59	73.72	36.78
Suicide rate (per 100,000)	9.84	36.49	19.19

Source: UW Population Health Institute (UWPHI, 2022)

According to the 2021-2022 National Survey on Drug Use and Health, 23.77 percent of Kentuckians experienced “any mental illness” based on DSM IV criteria (Figure 5). This is in line with the national average. Of more concern, however, is that of those reporting any mental illness, 7.08 percent were diagnosed with a “serious mental illness” that contributed to significant functional impairment which is among the highest prevalence rate in the nation (Figure 6). The highest prevalence rates for any mental illness and serious mental illness are for the 18-25 age group which corresponds with trends in mental illness observed from pre- to -post COVID 19 epidemic.

Figure 5: Any Mental Illness in the Past Year:
Among People Aged 18 or OlderFigure 6: Serious Mental Illness in the Past Year:
Among People Aged 18 or Older

Source: SAMHSA, Center for Behavioral Health Statistics and Quality, National Survey on Drug Use and Health, 2021 and 2022

An examination of illicit drug use in Kentucky also reveals concerning patterns of use. Among respondents who were 18 and over, 13.03 percent reported any illicit drug use in the past month, a prevalence rate that is below the national average. The highest rates of use (20.7) were reported for the 18-25 age group. The pattern shifts, however, when the use of specific drug types was examined (Table 2). The prevalent rates for methamphetamine, prescription pain reliever misuse, and opioid misuse exceed the national average. Moreover, Kentucky is among the nine states with the highest prevalence rates for methamphetamine and opioid misuse. The rates for the misuse of these drugs are highest among the 26 and over category. Similarly, the rate of any substance abuse disorder in Kentucky falls below the national average while the rates of pain reliever disorder and opioid use disorder are among the highest in the nation.

Table 2: Illicit Drug Use in the Past Year and Substance Abuse Disorders

Drug/Disorder	18 and over (%)	18-25 (%)	26 and over (%)
Any illicit drug	13.03	20.70	11.86
Heroin	1	.26	1.12
Methamphetamine	1.84	.99	1.97
Prescription pain reliever misuse	3.79	3.63	3.81
Opioid misuse	4.28	3.64	4.37
Any substance abuse disorder	17.41	25.61	16.14
Pain reliever disorder	3.83	1.43	4.26
Opioid use disorder	4.15	1.51	4.55

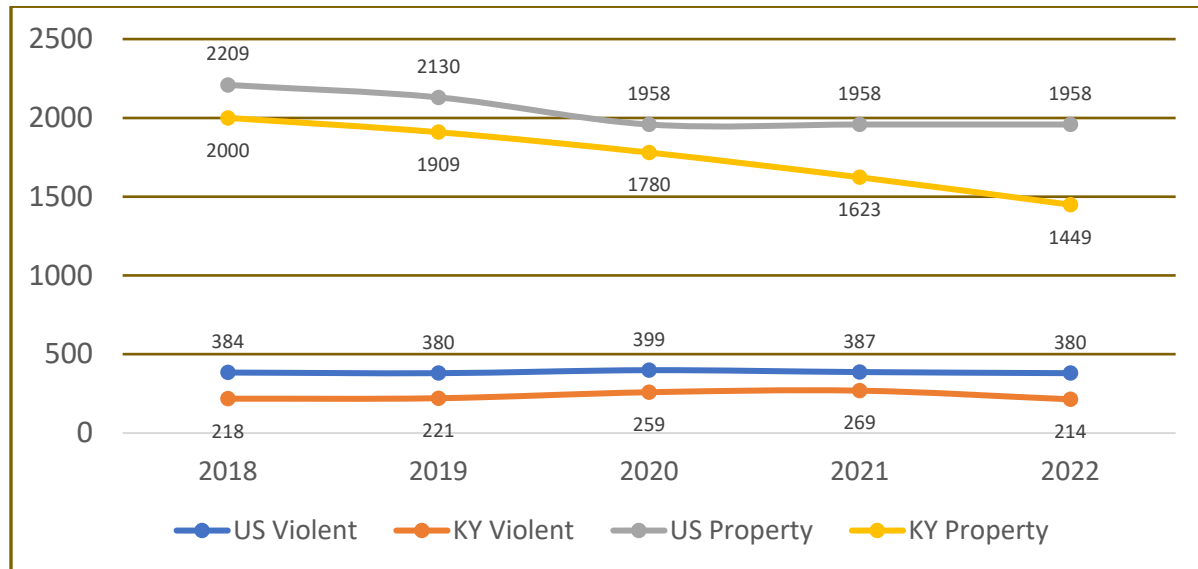
In sum, the data reveals significant physical and mental health challenges for people in the state of Kentucky. These challenges can have a detrimental impact on families' ability to create a safe and nurturing environment for youth and, in turn, are likely to negatively impact their wellbeing and behavior.

Crime rates

Despite the statistics reported above on economic strains and poor health rankings, Kentucky's crime rates fall below the national average. Crime trends in Kentucky from 2018-2022 reflect patterns observed across the nation with continued decline in rates of property crime (Figure 7). As was the case in other states, Kentucky experienced an increase in violent crime in 2020 and 2021. The 2022 rate of violent

crime, however, returned to pre-pandemic levels.

Figure 7: US vs Kentucky crime rates 2018-2022 (# of crimes per 100,000 in the population)



Source: FBI Uniform Crime Report (2022)

UCR data regarding gun violence and homicides reveals observed increases during the pandemic in 2020. Figure 8 presents the geographic variation in homicide rates across Kentucky with the highest rates in large cities. The 2022 data suggests that the increase in homicide rates persisted in large cities and rural areas.

Figure 8: Homicide by Jurisdiction Type

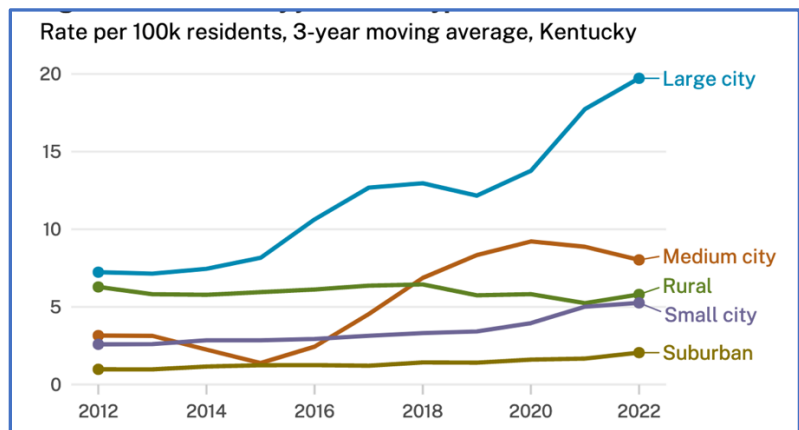


Figure 6: Share of arrests relative to share of total population

According to 2022 UCR data the rate of arrest for violent crime is highest among persons from 18-34 who are 2.2 times more likely to be arrested relative to their share in the total population. There were also significant racial differences in the rate of arrest for violent crimes with black residents being 5.1 times more likely to be arrested than their share in the population.

Overall, black adults are 3.1 times more likely than white adults to be arrested in Kentucky. They are also 2.4 times more likely to be on probation, 2.8 times more likely to be incarcerated, and 2.4 times more likely to be on parole (BJS, 2022). These disparate rates of arrest and correctional control have

detrimental impacts on high-risk urban areas where people cycle in and out of the community contributing to general instability for families and youths.

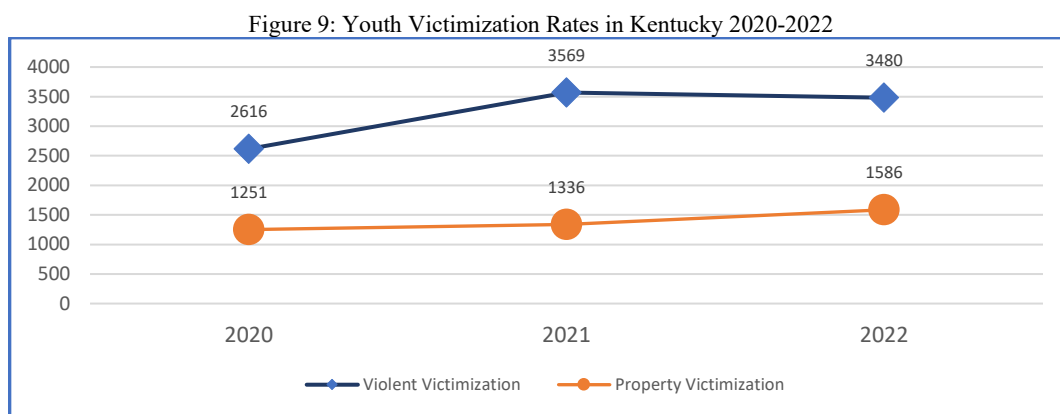
Risk Factors for Delinquency

In addition to understanding the broader social context in which delinquency occurs, it is essential to consider other risk factors known to increase youths' likelihood of delinquency. This section of the report examines statewide data on juvenile victimization, adverse childhood experiences, and mental health and substance abuse.

Juvenile Victimization

Children exposed to traumatic events are at a heightened risk of developing acute and long-term adverse outcomes including school failure, poor mental health, emotional dysregulation, and a range of problem behaviors (Farrell & Zimmerman, 2018). The link between victimization and delinquency is well established with studies showing that 75-90 percent of youth in the juvenile justice system have experienced some type of victimization (Jennings, Piquero, & Reingle, 2012; Widom, 1995). Thus, preventing victimization and providing trauma-informed therapy to victimized youth is a critical component of delinquency prevention strategies.

In concert with national trends, Kentucky youth are about twice as likely to be the victim of violent crime than they are property crime (Figure 9). Significant increases in the rate of violent victimization were observed across the nation during the pandemic. In Kentucky, the rate increased from 2616 per 100,000 youth in 2020 to 3569 in 2021. The rate declined slightly in 2022 and continues to trend downward. A slight increase in the rate of youth victimization for property crimes was observed from 2020 to 2022.

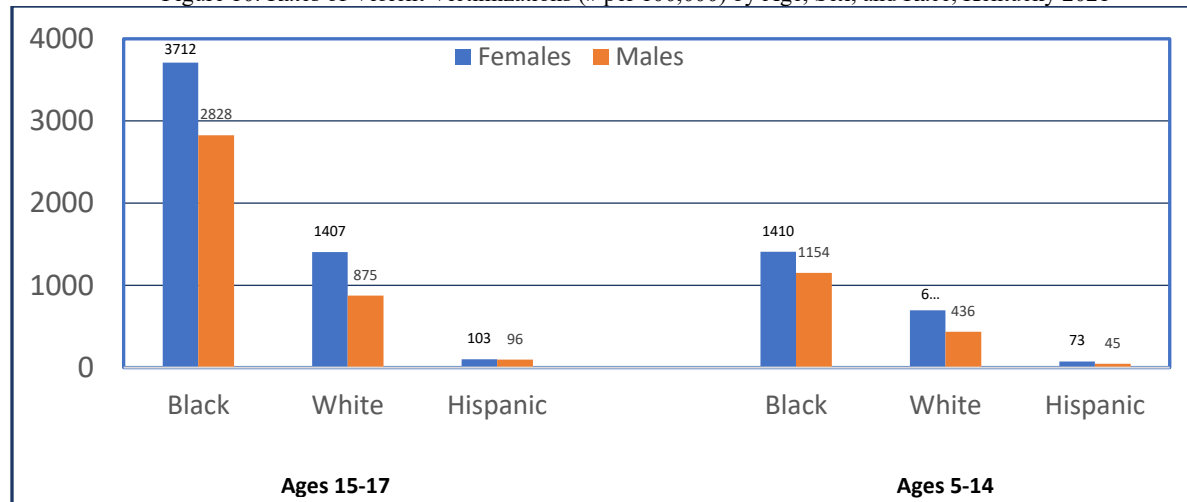


Source: Federal Bureau of Investigation, National Incident-Based Reporting System (NIBRS)

Although the link between being a victim of crime and the perpetration of delinquency is found across all gender, race, and ethnic groups, rates of victimization are not equally distributed across these lines. For example, in 2021, females experienced the highest rates of violent victimization across all race and age groups and Black youth experienced the highest rates of victimization

across all sex and age groups (Figure 10). Overall, Black females experienced the highest rates of victimization. Finally, as might be expected older youth (15-17) with a higher degree of independence were 2.4 times more likely to experience violent victimization than younger youth (5-14).

Figure 10: Rates of Violent Victimization (# per 100,000) by Age, Sex, and Race, Kentucky 2021



Source: Federal Bureau of Investigation, National Incident-Based Reporting System (NIBRS)

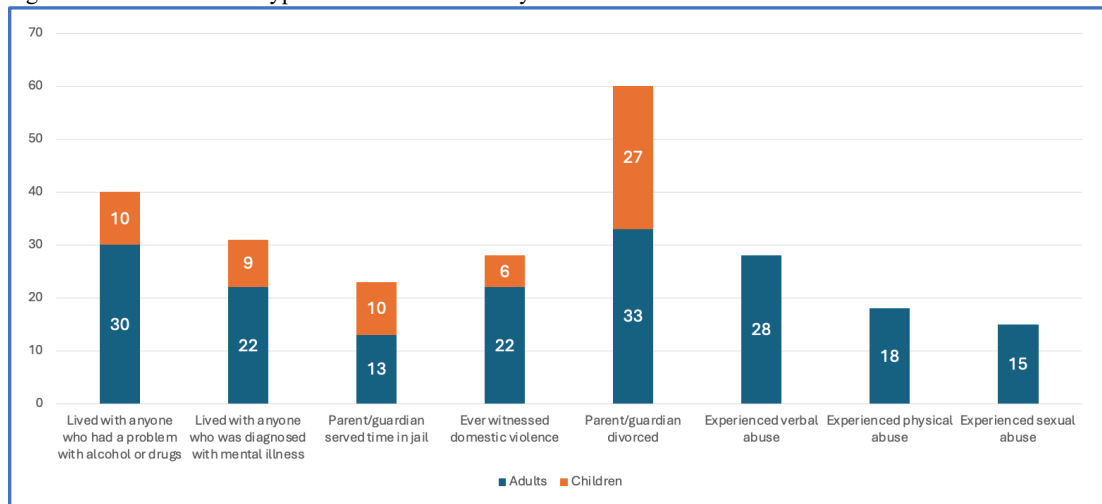
Adverse Childhood Experiences

Research shows that many disorders and problem behaviors have their roots in childhood. A range of Adverse Childhood Experiences (ACES) have been shown to increase the likelihood of future victimization and delinquency (Centers for Disease Control and Prevention [CDC], 2019). ACES are prevalent across the US with 64% of adults reporting experience with one or more types during their childhood. ACES have been found to have negative long-term impacts on physical and mental health, behavior, and life potential. Failure to identify and address ACES through early childhood intervention leads to costly outcomes for individuals, families, and communities.

In 2020, the Bloom Kentucky Initiative ([Bloom], bloomkentucky.org) compiled data on the percentage of adults who experienced one or more ACES when they were children and the percentage of children (0-17) who had experienced one or more ACES at the time of data collection. The most common type of ACE experienced by both groups was divorce followed by living with someone who had a problem with alcohol or drugs (Figure 11).

The more ACES experienced the more detrimental the impact. According to the Bloom, 40% of adults in Kentucky experienced two or more ACES when they were children and 11% experienced five or more. Among Black adults, 20% experienced two ACES compared to 13% of White adults. The data also revealed that one in five children (0-17) had experienced at least two ACES and that females and racial/ethnic minority groups were at a greater risk for experiencing multiple ACES.

Figure 11: Prevalence and types of ACES in Kentucky



Note: Data on children who had experienced verbal, physical, and sexual abuse was not reported.

Finally, Bloom compiled data on the prevalence and type of ACES experienced within each service region of the Department for Community Based Services (Table 3). Only minor variations across the regions were observed. The data, however, may be useful to the strategic planning process and the development of targeted trauma-informed prevention services.

Table 3: ACES experienced by adults when they were children by DCBS service region

	Cumberland	Eastern Mountain	Jefferson	North eastern	Northern Bluegrass	Salt River Trail	Southern Bluegrass	The Lakes
Lived with anyone who had a problem with alcohol or drugs	27%	28%	26%	26%	27%	26%	26%	28%
Parent/Guardian served time in jail	9%	8%	5%	7%	8%	7%	7%	9%
Lived with anyone who was diagnosed with a mental illness	15%	17%	16%	16%	18%	14%	17%	19%
Ever witnessed domestic violence	18%	21%	17%	16%	15%	15%	14%	17%
Parent/Guardian divorced	26%	25%	31%	23%	25%	27%	27%	28%
Experienced physical abuse	14%	15%	12%	15%	17%	14%	14%	14%
Experienced verbal abuse	23%	23%	20%	23%	23%	25%	23%	24%
Experienced sexual abuse	14%	9%	11%	14%	11%	13%	11%	14%

Child Abuse and Neglect

Child abuse or neglect have been shown to increase the likelihood of arrest as a juvenile by as much as 59 percent (SAMHSA). In 2021, Kentucky's rate for the investigation of maltreatment (54/1000) exceeded the national average (40/1000) as did the rate of substantiation (Figure 12). Of the substantiated cases, 27% were for child neglect, 13% for physical abuse, and 31% for sexual abuse. Females were slightly more likely to be the victims of substantiated cases than males (51 vs 49%) and the highest rates were for the youngest children (Figure 13).

Figure 12: Childhood Maltreatment, Rates of Investigation and Substantiation (#/1000), US vs Kentucky (Kids Count, 2021)

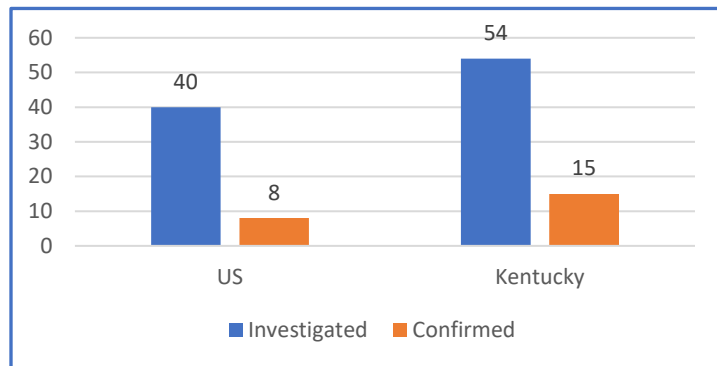


Figure 13: Age and Gender of Substantiated Cases in Kentucky, (Kids Count, 2021)

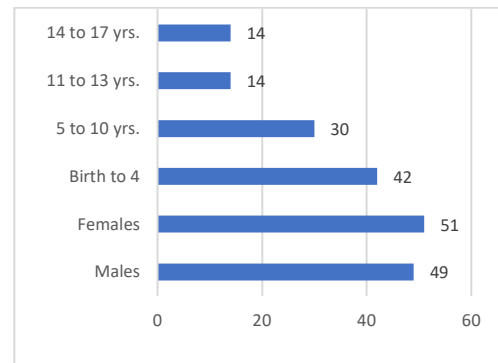
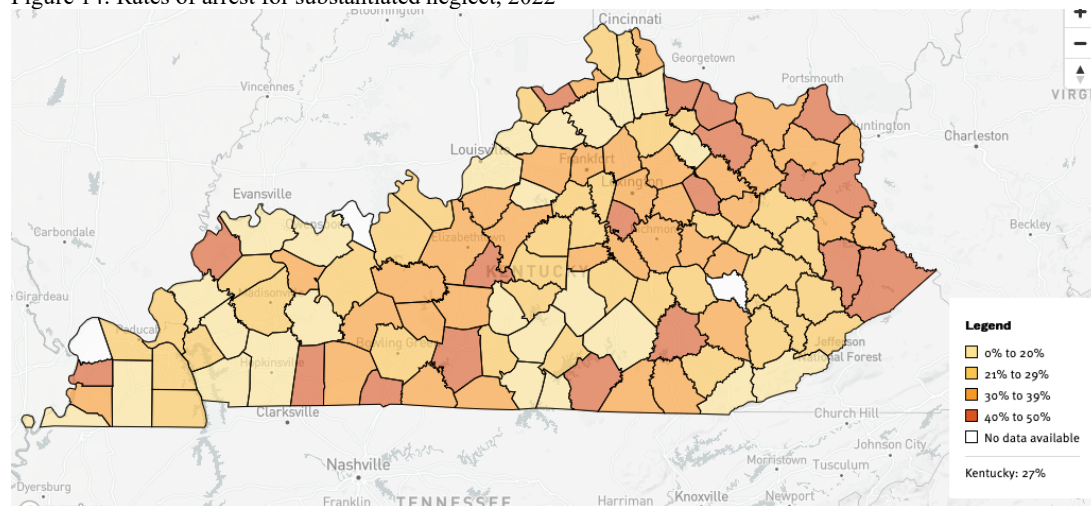


Figure 14: Rates of arrest for substantiated neglect, 2022



Kids Count, 2022

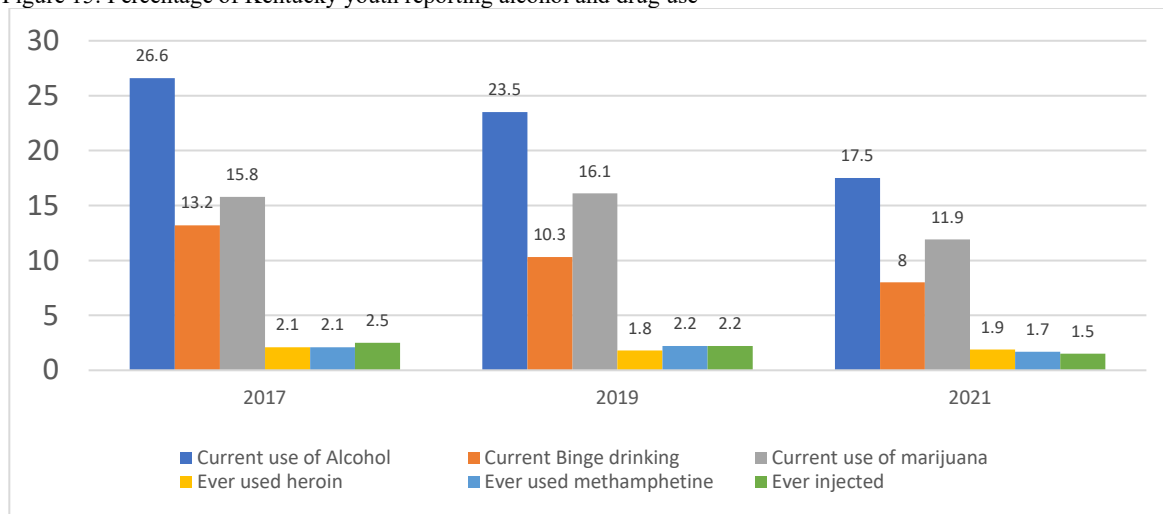
As with other variables, there was significant variation in the rates of substantiated maltreatment across Kentucky. The highest rates of neglect in 2022 were concentrated in the eastern region of the state (Figure 14). Geographic patterns of substantiated physical and sexual abuse could not be discerned due to

missing data. Given the strong correlation between child maltreatment and delinquency, an efficient use of resources would involve enhancing services aimed at reducing maltreatment in those areas with the highest prevalence rates.

Substance Abuse

In 2021, the percentage of 12 to 17 year-olds in the US who reported using illicit drugs ranged from a low of 6% in Utah to 14.6% in Vermont (National Center for Drug Abuse Statistics [NIDA], 2021). The overall percentage in Kentucky was 7%. According to NIDA, Kentucky youth are 5.65% more likely to use alcohol and 15.60% less likely to have used drugs in the last month than the average American teen. Data collected by CDC through the Youth Risk Behavior Surveillance System (YRBSS) shows that reported alcohol and drug use among Kentucky youth continues to decline with the highest rates of use for alcohol and marijuana (Figure 15). In 2021, White youth were more likely to report currently drinking alcohol and binge drinking and Black youth were more likely to report currently using marijuana. Black and Hispanic youth were likely to report ever using heroin and methamphetamine and injection of illicit drugs. There was little variation across sex.

Figure 15: Percentage of Kentucky youth reporting alcohol and drug use



Source: CDC, Youth Risk Behavior Surveillance System, 2021

Despite the low rates of substance abuse among Kentucky youth they are still cause for concern. According to the CDC, adolescent drug use contributes to mental health problems, poor academic performance, impaired memory, relational problems with parents and others, loss of interest in activities that don't involve drug use, an increased likelihood of contracting an infectious disease, and higher risk of overdose or death. Moreover, drug use is indisputably related to delinquency. The odds of offending are 2.8-3.8 times greater for drug users than nonusers and the more problematic forms of substance abuse increase the odds of being involved in more serious delinquency.

The causal relationship between drug use and delinquency is unclear. Most research suggests that the

relationship is reciprocal with each behavior contributing to the other or that the relationship is spurious with a third variable contributing to both behaviors. For example, common risk factors for drug use and delinquency include parental drug use and antisocial attitudes toward laws/authority figures. What this means is that drug abuse prevention programs may reduce both behaviors and a range of evidence-based treatment options should be available for youth already engaged in drug use and delinquency.

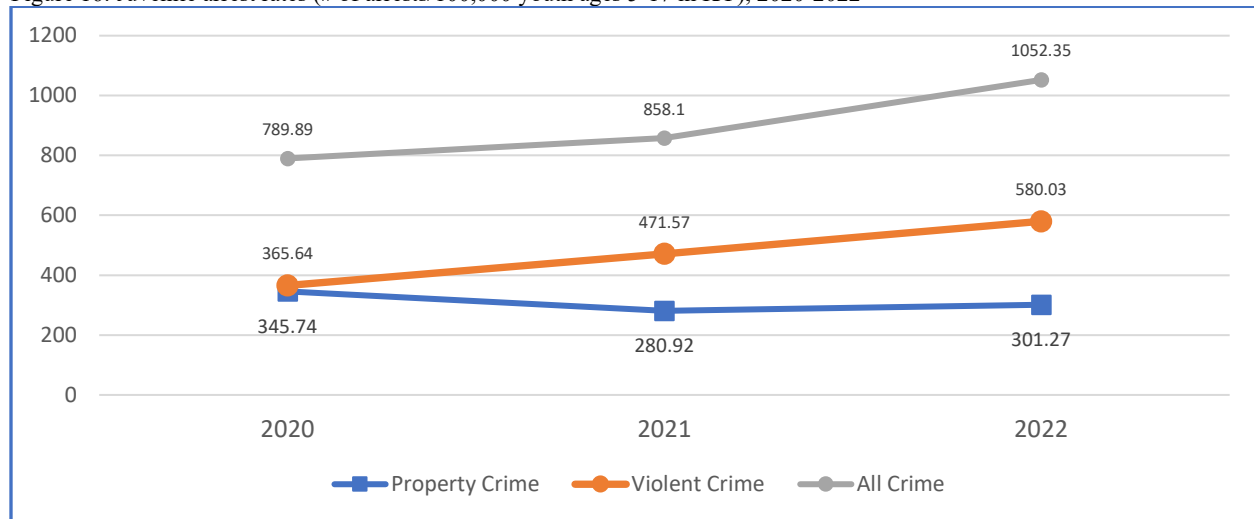
The Juvenile Justice System

Complaints from law enforcement and non-law enforcement sources trigger the juvenile justice process in Kentucky. Characteristics of the youth (e.g., history of delinquency, risk factors) and the charges determine how the case moves through the system. This section of the report summarized three-year trends (2020-2022) and examined patterns in how cases move through the system from arrest/complaints to case termination. The 2022 data was examined in more depth to identify patterns in youth demographics (i.e., age, race, and gender) at various decision points. A supplemental analysis was conducted on the designated as R/ED areas with particularly high rates of racial and ethnic disparities (Appendix A).

Juvenile Arrests

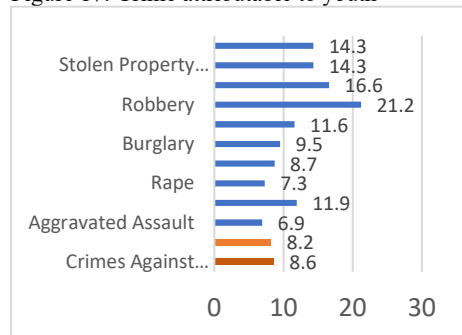
Across the US and Kentucky, the rate of juvenile arrest hit its peak in 1996 and steadily declined ever since. Although still well below the 1996 rates, the rates of juvenile arrests increased from 2020 to 2021 and again from 2021-2022 (Figure 16). The increase in the arrest rate was primarily driven by an increase in juvenile involvement in violent crime.

Figure 16: Juvenile arrest rates (# of arrests/100,000 youth ages 5-17 in KY), 2020-2022



Source: FBI NIBRS, 2020-2022

Figure 17: Crime attributable to youth



Consistent with national data, 5.7% of all crime, 8.2 of violent crime and 8.6% of property crime in 2022 was attributable to youth (Figure 17). Youths' involvement in select crimes ranged from 6.2% for aggravated assault and 21.2% for robbery.

An analysis of arrests by offense, race, sex, and age is useful for uncovering different patterns across subgroups of youth.

Consistent with prior years, the 2022 arrest data reveals the first decision point when disproportionate minority contact is observed. Although only six percent of the youth population is

Black, 31.11% of arrests for crimes against society, 31.03% for fraud and other financial crime, 43.02% for property crime, and 37.59% for violent crime are of Black youth (Table 4).

Table 4: Arrests for crime types by race for ages 5-17

Crime Type	Count	Percentage
Crimes Against Society	1874	
White	1218	65.09
Black	583	31.11
Other races	19	1.01
Unknown	54	2.88
Fraud and Other Financial Crimes	116	
White	69	59.48
Black	36	31.03
Other races	2	1.70
Unknown	9	7.76
Property Crime	2415	
White	1241	51.39
Black	1039	43.02
Other races	18	.74
Unknown	117	4.84
Violent Crime	4435	
White	2558	57.68
Black	1667	37.59
Other races	47	1.06
Unknown	163	3.68

Source: Bureau of Justice Statistics analysis of the FBI's National Incident-Based Reporting System (NIBRS), 2022

Table 5 reports the number of arrests in 2022 for selected offenses by sex and age. Only the most serious charges for the arrest incident are included. Females were arrested for 2715 incidents (26% of total arrests) and males were arrested 7550 incidents (74% of total arrests). The percentage of male arrests exceeded female arrests for every offense. In contrast with earlier studies on patterns of female and male delinquency, the highest number of arrests for females and males by offense were strikingly similar. For females, the highest number of arrests were for drug equipment violations (123), destruction/damage/vandalism of property (220), intimidation (278), drug/narcotic violations (407), and simple assault (1009). For males, the highest number of arrests were for weapon law violations (397), destruction/damage/vandalism of property (830), drug/narcotic violations (958), intimidation (967), and simple assault (1389).

Table 5: Arrests for offenses by sex and age, 2022

Crime Type	Female		Female Total	Female Percent	Male		Male Total	Male Percent
	15-17	5-14			15-17	5-14		
Aggravated Assault	47	32	79	24	156	96	252	76
All Other Larceny	49	30	79	18	235	133	368	82
Animal Cruelty	3	2	5	50	4	1	5	50
Arson	5	7	12	31	14	13	27	69
Burglary/Breaking & Entering	31	20	51	15	166	124	290	85
Counterfeiting/Forgery	1	1	2	14	11	1	12	86
Credit Card/ATM Fraud	12	3	15	28	22	16	38	72
Destruction/Damage/Vandalism	126	94	220	21	452	378	830	79
Drug Equipment Violations	98	25	123	29	245	51	296	71
Drug/Narcotic Violations	266	141	407	30	749	209	958	70
Embezzlement	9	0	9	31	19	1	20	69
False Pretenses/Swindle/ Confidence Game	0	1	1	10	7	2	9	90
Fondling	8	14	22	9	81	133	214	91
Hacking/Computer Invasion	1	0	1	17	5	0	5	83
Identity Theft	4	0	4	40	3	3	6	60
Incest	2	2	4	36	2	5	7	64
Intimidation	131	147	278	22	465	502	967	78
Kidnapping/Abduction	4	2	6	20	15	9	24	80
Motor Vehicle Theft	45	24	69	17	241	99	340	83
Murder/Nonnegligent Manslaughter	3	0	3	19	13	0	13	81
Negligent Manslaughter	0	0	0	0	4	0	4	100
Pornography/Obscene Material	21	44	65	36	55	62	117	64
Rape	5	8	13	6	100	99	199	94

Robbery	19	6	25	13	112	53	165	87
Shoplifting	63	26	89	39	90	50	140	61
Simple Assault	543	466	1009	42	702	687	1389	58
Stolen Property Offenses	39	18	57	15	235	85	320	85
Theft From Building	5	5	10	28	20	6	26	72
Theft From Motor Vehicle	6	4	10	9	78	24	102	91
Weapon Law Violations	24	20	44	10	303	94	397	90
Grand Total	1573	1142	2715	26	4608	2942	7550	74

Source: Bureau of Justice Statistics analysis of the FBI's National Incident-Based Reporting System (NIBRS), 2022

Table 5 also reports the number of arrests for ages 5-14 and 15-17 by gender. In concert with historical delinquency data the frequency and seriousness of delinquency generally increased with age in 2022. Overall, older youth (15-17) were 1.5 times more likely to be arrested. The distribution of arrests by age and sex are similar with older males and females accounting for 61% and 58% of arrests, respectively. Similarly, the percentage of arrests for 5-14 year-olds was 39% for males and 42% for females. The exceptions to this pattern were higher numbers of arrests for both male and female 5-14 year-olds for fondling, intimidation, and pornography. There were also a higher number of male 5-14 year-olds (5 vs. 2) arrested for incest but the differences could be due to data errors given the low base rate. Of note, however, are almost equal numbers of arrests for rape among males in both age groups (99 vs. 100).

The patterns noted among the 5-14 year-old age group may be indicative of their developmental stage. During early adolescence youth are experiencing significant physical changes including puberty and the appearance of secondary sexual characteristics (U.S. Department of Health and Human Services, Office of Population Affairs, 2018). They are often preoccupied with physical changes and critical of their appearance comparing themselves to peers. They are typically engaged in intense friendships with same sex peers and having more contact with opposite sex in groups. Emerging sexual feelings during this time often lead to sexual exploration as they struggle with finding their identity. The culmination of these changes might contribute to inappropriate sexual activity with family members and peers. Moreover, a history of trauma, mental health disorders, and substance abuse, all common factors among delinquent populations, are likely to interfere with healthy adolescent development and heighten the likelihood of risky sexual behaviors.

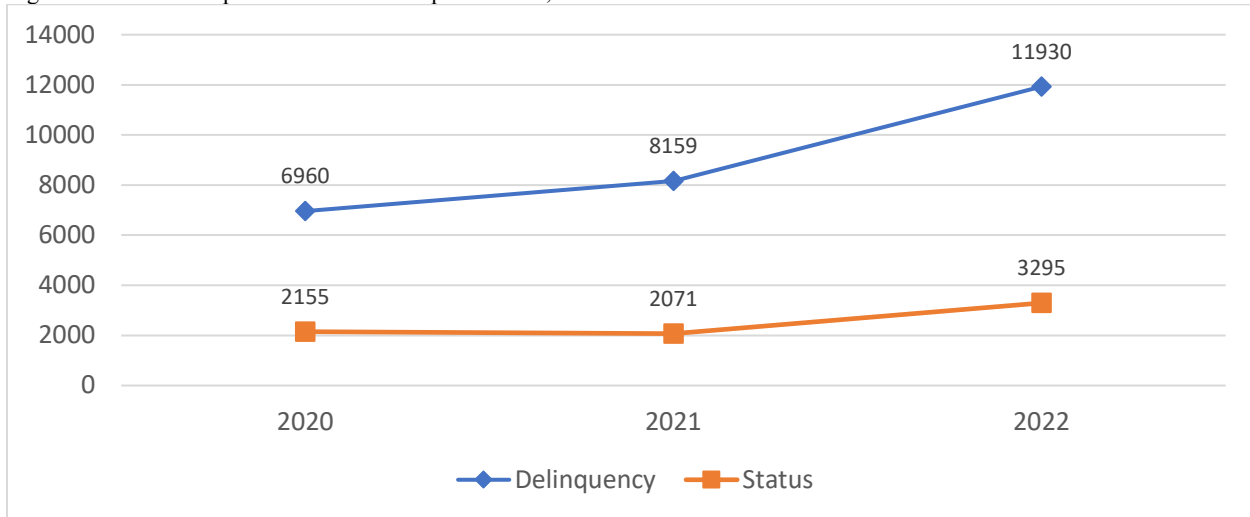
Although patterns of arrest by race, sex, and age may be a product of systemic bias in how we respond to the behavior of different subgroups, they are clearly the product of variations in developmental and environmental factors. Examining patterns of juvenile arrests provides a basis for targeted interventions designed to promote healthy development.

Juvenile Complaints

In Kentucky, police officers, victims, parents, or school officials can file public and status complaints against youth. Court Designated Workers (CDWs) located in each county process complaints prior to any formal court action being taken to assist law enforcement in the custody process and identify cases for diversion. Due to a lack of data on the source of complaints the numbers reported here overlap with the arrests reported in the earlier section.

The number of public complaints almost doubled from 2020 (6960) to 2022 (11930) and the number of status complaints increased by 1,224 from 2021-2022 (Figure 18).

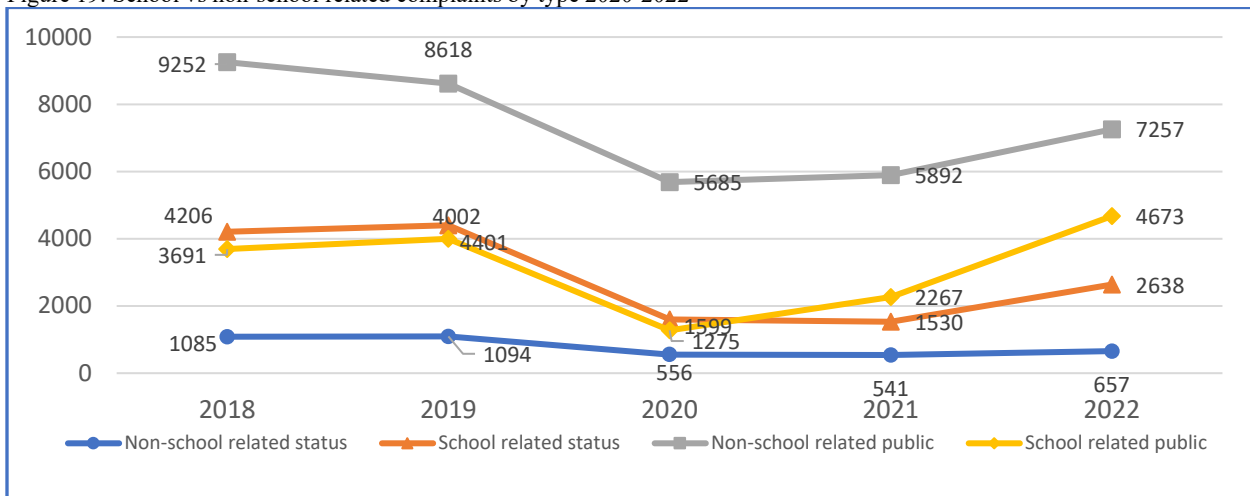
Figure 18: Number of public and status complaints filed, 2020-2022



Source: CDW Performance Measures Dashboard, retrieved May 202

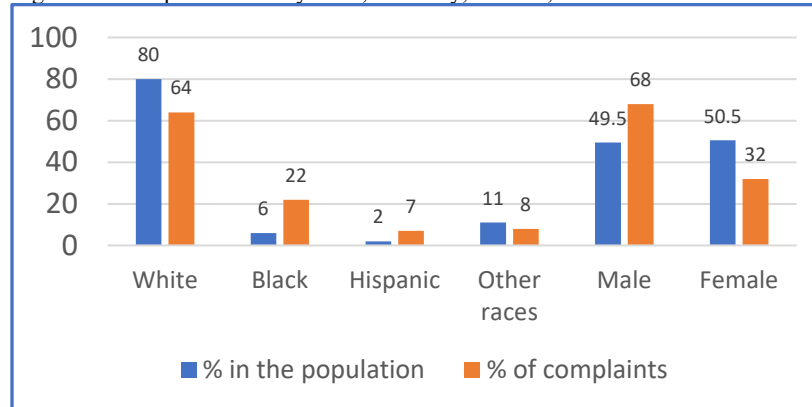
The primary driver of these trends was an increase in school-related complaints filed from 2021 to 2022 (Figure 19). School-related public complaints increased by 2,406 and school-related status complaints increased by 1,108. Non-school related public complaints also increased from 2020-2022 but to a lesser degree (1572 vs. 2406) and non-school status complaints were relatively stable over the three-year period. Please see the next section in this report for a discussion of school crime.

Figure 19: School vs non-school related complaints by type 2020-2022



Source: CDW Performance Measures Dashboard, 2023

Figure 20: Complaints filed by Race, Ethnicity, and sex, 2022



Consistent with prior years, the data show that Black and Hispanic youth were overrepresented in 2022 complaints filed compared to their proportion in the population (Figure 20). Black youth were over three times more likely to have a complaint filed against them than White youth.

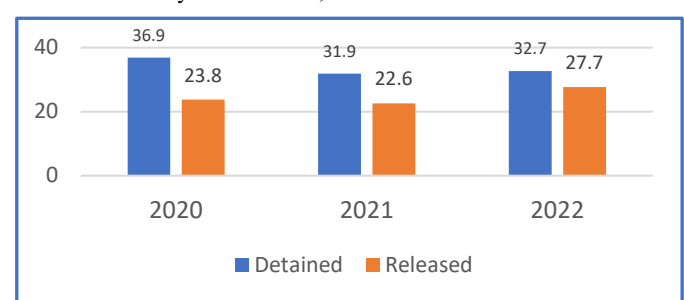
Source: CDW Performance Measures Dashboard, 2023

2022 data demonstrates the variation in decision-making by race at three key decision points: 1) the decision to arrest/file a complaint; 2) the decision to place a youth in secure detention; and 3) the decision to override diversion decisions (Table 6). To clarify, after a CDW has deemed a youth to be eligible for diversion, the county attorney or judge can override that decision and require the youth to undergo the formal court process. As can be seen, Black youth are overrepresented at each decision point. Regardless of the factors that contribute to this overrepresentation, the importance of this cannot be understated. Each decision made impacts the next and contributes to cumulative disadvantage for youth that can be difficult to overcome due to stigma, lost pro-social opportunities, and educational disruption. The data reported in Figure 21 provides a perfect example of how disparate case decisions can have real ramifications for youth: Those youth placed in secure detention upon intake for a violent offense had higher rates of recidivism than those released. Prior research supports this outcome showing that pre-adjudication detainment contributes to harsher sanctions being imposed, depression, increased likelihood of dropping out of school, and ultimately, higher rates of recidivism (Griggs, 2014; Justice Policy Institute, 2006).

Table 6: Delinquency Complaints, Detention Decisions, and Diversion Overrides, 2022

	Delinquency Complaints N (%)	Secure Detention N (%)	Diversion Overrides (no. and % of eligibles)
Total	4427 (100)	3585.87 (81)	2851 (100)
White	2146 (48)	987.16 (46)	1682 (59)
Black	1448 (33)	521 (36)	766 (27)
Hispanic	145 (3.3)	8.70 (6)	161 (6)
Other races	18 (.40)	1.44 (8)	242 (8)
Unknown race	670 (15)		

Figure 21: Percent Recidivism for youth charged with a violent offense by intake action, 2020-2022



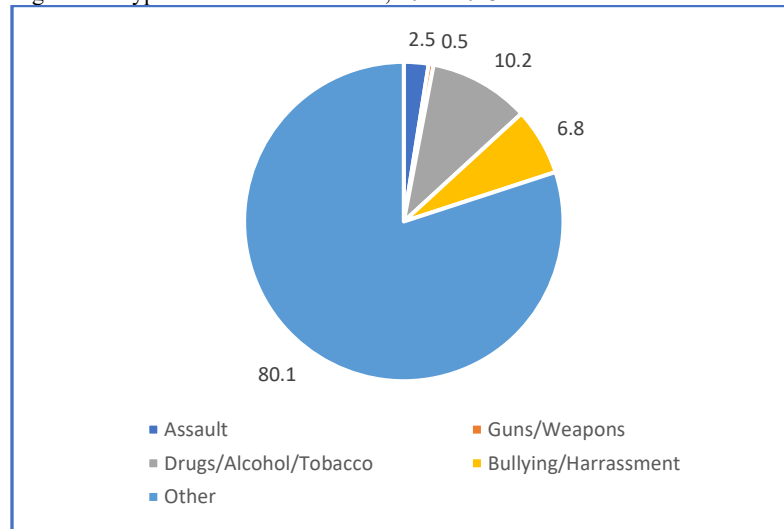
Source: CDW Performance Measures Dashboard, 2023

School Crime

According to a recent report only 11.9-14.6% of youth enrolled in Kentucky Schools were involved in behavioral events from 2018-2023 (Kentucky Department of Education [KDE], 2023). In the 2022-2023 school year, 80.1% of events were classified as “other” which were not required to be reported to the state (Figure 22). The next most common type of events (10.2%) were those that involved the possession, use,

or distribution of drug, alcohol or tobacco.

Figure 22: Types of Behavioral Events, 2022-2023 SY

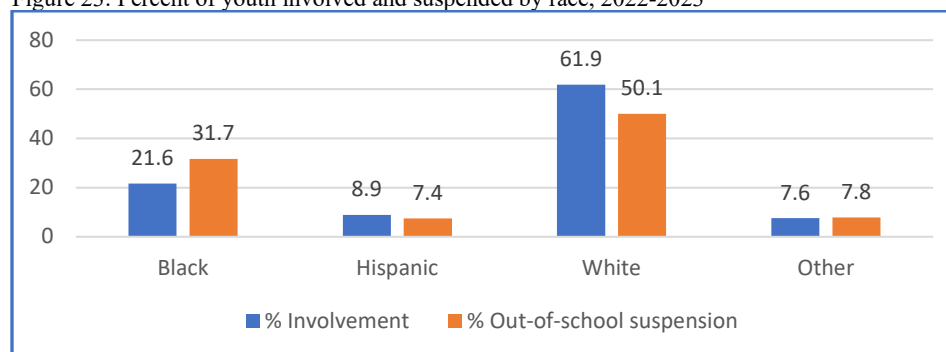


Source: KDE, 2023

The number of events involving assault/violence increased from 1337 in the 2018-19 school year to 2085 in 2022-23. Although those events only accounted for 2.5% of the events in the 2022-2023 school year, they are likely to be of most concern to school administrators, students, and parents. A demographic breakdown of students involved in assaultive/violent events suggested that White youth (53.3), males (73.6%), youth on free/reduced lunch, and youth in the 6th-9th grades accounted for the highest percentage of assaults.

School disciplinary options for the above referenced behavioral events (Figure 21) include in-school suspension, out-of-school suspension, and expulsion. In-school suspension is used most often with events involving drugs/alcohol and bullying/harassment and out-of-school suspension is used most often with events involving assault/violence and guns/weapons. Overall, the use of out-of-school suspensions increased from 61,675 in 2021-22 to 75,620 in 2022-23. Although few students are expelled there was about a 61% (n=165-266) increase in expulsions from 2021-22 to 2022-23. The 2022-23 KDE data demonstrated that Black youth were more likely to get out-of-school suspension for their involvement in events than White youth (Figure 23).

Figure 23: Percent of youth involved and suspended by race, 2022-2023



KDE data reveals an increase in legal sanctions for school-based behavioral events from 2018-19 (n=6,363) to 2022-23 (n=7,588) with the involvement of a school resource officer (SRO) being most common. Additionally in 2022-23 there were 203 arrests and 1654 charges filed. This data aligns with the increased number of school-related public complaints filed in 2022. The increase in complaints is likely to be driven by an increase in the number of school resource officers (SROs) in Kentucky's schools. According to the 2022 Annual School Safety Risk Assessment Report, 758 (57%) of Kentucky schools reported having an SRO reflecting a 33% increase in 2022 alone.

Proponents of SROs argue that their presence increases school safety by improving bonds between SROs and students that encourage information sharing about threats to school safety and providing a ready first responder in school shootings. The most rigorous studies of SROs to date, however, found that SRO presence was related to increased recording of drug crimes, crimes involving weapons, and serious violent crimes (Gottfredson, 2020; Na & Gottfredson, 2013; Owens, 2016; Swartz et al., 2016). It has been suggested that the presence of SROs contributes to a "school-to-prison" pipeline, a phenomenon in which students are pushed out of school and into the criminal legal system due to: an increased likelihood of arrest and referral to juvenile court (e.g., Brown, 2018; Devlin & Gottfredson, 2018b; Gottfredson et al., 2020); higher rates of arrest for minor offenses (e.g., Theriot, 2009; Gottfredson et al., 2020); and an increase in exclusionary responses to school discipline incidents (e.g., Fisher & Hennessy, 2016; Hirschfield, 2018; Mowen & Brent, 2016). Additionally, an analysis of US Department of Education data from all 50 states reveals that the increased presence of SROs in schools has had a disproportionate impact on students of color and students with disabilities (Mitchell, Yerardi, Ferriss, 2021).

Another Kentucky initiative may bear more fruit in terms of school safety and student wellbeing. As of 2022, 688 (52%) school districts reported having at least one counselor/school-based mental health provider. The current statewide ratio of mental health providers to students is 1:306; the goal is 1:250 (Office of the State School Security Marshal, 2023).

One final issue regarding school-based behaviors is the fluctuation in complaints for truancy due to COVID 19 (2660 in 2020; 782 in 2021; 1373 in 2022). Although complaints increased from 2021-2022, the number of school-related status complaints remained well below pre-pandemic numbers. The concern now is the recent legislation passed (House Bill 611) that requires school administrators to report habitual truancy to the county attorney. Youth will be required to enter into a diversion agreement and subsequent truancy will be referred to the county attorney for formal court action. The law also allows for parents to be fined or jailed for their child's habitual truancy.

Juvenile Detention

During the initial case review the Court Designated Worker assesses the youth's risk level and circumstances to guide decisions about which youth can be safely managed within the community while awaiting case resolution and which youth should be detained in one of Kentucky's eight Regional Detention Centers. The number of new admissions to detention has fluctuated over the past 3 years with a significant decrease in the number of youths detained from 2020 to 2021, in part, due to the COVID 19 pandemic (Figure 24). Although the number of youths admitted to detention centers increased again in 2022, it did not reach the level of detainment in prior years.

Figure 24: New detention admissions

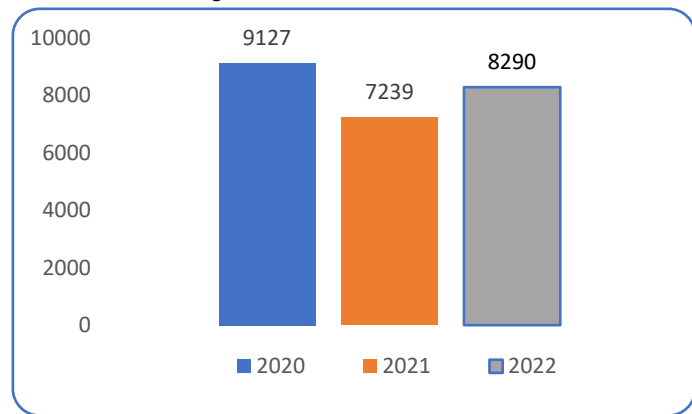


Table 7: 2022 New Admissions – Offense Types/Classifications

	Number	Percent
Crime Class		
Serious violence	91	1.1
Felony	3264	39.7
Misdemeanor	2956	36.0
Other	1902	23.2
Unknown	117	1.4
Crime Type		
Public	6844	83.4
Status	299	3.6
Other	19	.2
Non-DJJ	40	.5

Similar patterns were observed in the offense types and classifications for which youth were detained across the three-year period. In 2022, most new admissions were the result of arrests for public crimes (83.4%). About half of these (48%) were classified as felonies (Table 7). Only 3.1% of new admissions were for status offenses reflecting Kentucky's continuing adherence to the Juvenile Justice and Delinquency Prevention Act.

What can't be discerned from the data provided is the case status for detained youth. Given the harms Source: KY DJJ Detention Booking Data of detention discussed in the previous section, it is paramount that pre-adjudication detention be minimized.

Table 8: 2022 New Detention Admissions – Demographic Characteristics

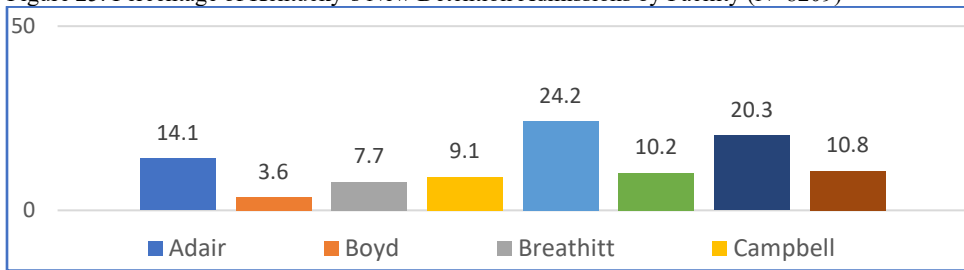
	Number	Percent
Gender		
Male	7044	85.8
Female	1165	14.2
Race		
Black	2639	32.1
White	4122	50.2
Hispanic	773	9.4
Biracial	611	7.4
Other	41	0.5

Data also revealed similar patterns across the three years in the demographic characteristics of detained youth with majority of the population being male (85.8%), White (50.2%) and age 17-18 (58.9%) (Table 8). Again, the data reflects the disproportionate confinement of Black youth.

The 2022 new admissions were distributed across Kentucky's eight regional detention centers. (Figure 25). Until recently detention centers housed youth from their own and surrounding counties. In late 2022 DJJ changed how they assigned youths to detention centers to

improve the safety of the institutions for youth and staff. Three of these youth detention centers now house male juveniles aged 14 or older who have been charged with a violent or serious offense (Capital, Class A, B or C felony). Four house male juveniles younger than 14 or who have been charged with a lower-level offense (Class D felony or lesser offense). The remaining center is a female-only detention center.

Figure 25: Percentage of Kentucky's New Detention Admissions by Facility (N=8209)



Source: KY DJJ 2022 Detention Booking Data

Youth are released from detention centers through a variety of channels (Table 9). Releases for intra-system transfers, medical furloughs, and court (34.3%) are likely to be temporary releases. A normal release (41.6%) indicates that a youth has either completed the sentence imposed or been released to some type of community supervision. Some youths are released to an alternative to detention (3.4%; e.g., electronic monitoring) after a review suggests that they can be safely monitored in the community, and others are released following adjudication for movement to a DJJ Youth Development Center or to interstate transfer.

Table 9: Release from Detention by Type

Release type	Number	Percent	Mean # of Days Detained
Intra-System Transfer	1333	16.2	36.63
Medical Furlough	18	.2	3.03
Release to Court	1473	17.9	35.82
Normal Release	3412	41.6	35.81
Release to ATD	282	3.4	22.74
Release to DJJ Facility	1076	13.1	91.46
Release to Interstate	57	.7	17.99
Release to Other	494	6.0	58.90
Missing data	64	.8	121.87
Total	8209	100.0	31.95

Source: DJJ 2022 Detention Booking Data

The mean number of days youth spent in detention in 2022 was 31.95 days. Time spent in detention varied based on several factors including charge type, release type, sex, and race. Of note is the length of time (91.46 days) youth are remaining in detention until placement in another DJJ facility (Table 9). Detention centers typically provide fewer treatment services than YDC's and other types of DJJ facilities.

Table 10: Days in detention by sex, race, and facility, 2022

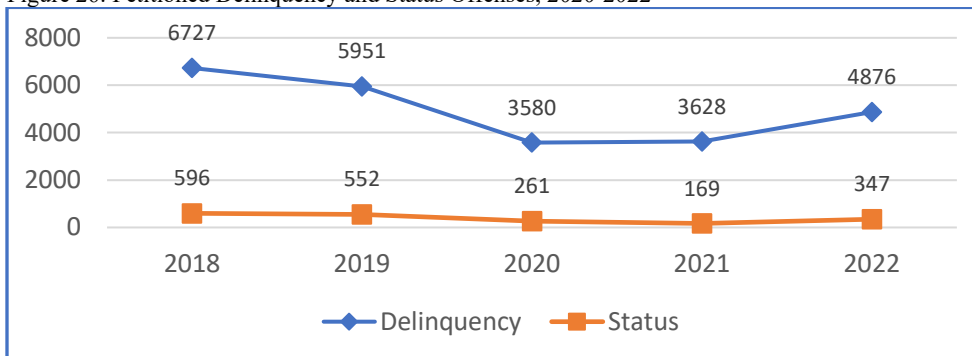
	Maximum	Mean
Male	851	52.47
Female	322	18.98
Black	851	50.50
White	810	37.80
Hispanic	333	79.24
Adair	810	56.76
Boyd	216	36.36
Breathitt	211	36.14
Campbell	201	12.94
Fayette	851	75.26
Jefferson	322	14.92
McCracken	306	46.21
Warren	333	32.02

Males spent significantly more days in detention compared to females and Hispanic youth served the longest time in detention by race (Table 10). The variation in the mean number of days served in the eight detention centers may be a function of the type of youth each serves.

Court Processes and Outcomes

The formal court process for youth in Kentucky is triggered by the filing of a petition for those who were not deemed eligible for diversion or other alternative programs. The trends from 2018-2022 are reflective of the pandemic's impact on both youth behavior and system operations. After significant declines in the number of petitions from 2018-2021, there was a 1248 (34%) increase in the filing of delinquency petitions and a 178 (105%) increase in the filing of status petitions (Figure 26). It should be noted, however, that the number of 2022 petitions are still well below the number of petitions filed pre-pandemic.

Figure 26: Petitioned Delinquency and Status Offenses, 2020-2022



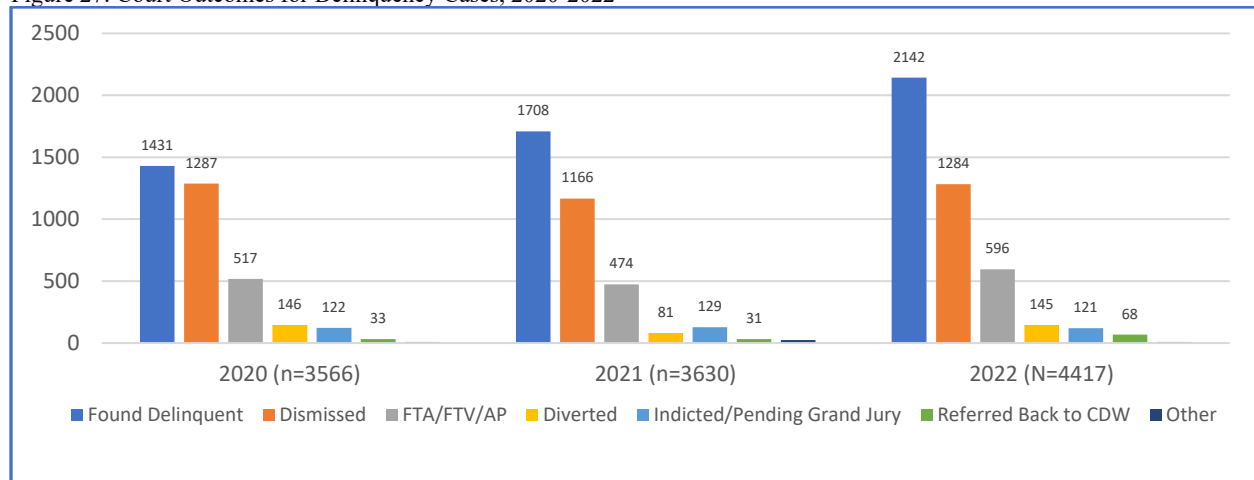
Source: Administrative Office of the Courts, CourtNet

In Kentucky, juvenile status offenses are handled in Family Court. Data regarding the types of status offenses and the outcomes of those charges was not available for analysis. The remainder of this section of the report provides an overview of case outcomes for public offenses that are handled in District Court, a court of limited jurisdiction that oversees juvenile delinquency cases. The dispositions for adjudicated youth are also reported.

Adjudication Hearings

Case outcomes are reported in Figure 27. Although the number of petitions reported in Figure 25 and the number of dispositions reported in Figure 26 could not be reconciled, they follow similar patterns and provide an adequate representation of case flow and trends. Each year, most of the petitions (40-48%) were resolved with a finding of delinquency and a significant number (29-36%) were dismissed. Data regarding circumstances surrounding the dismissals was not available but could provide insights about the youth, reasons underlying the decisions, and ways to reduce the caseloads for CDWs and/or Courts handling the cases.

Figure 27: Court Outcomes for Delinquency Cases, 2020-2022



Source: Administrative Office of the Courts, CourtNet

No data on the sex and age of delinquency cases was available for analysis. Table 11 reports the information on case outcomes of petitioned delinquency cases by race. The data suggested several important patterns in case outcomes over the three-year period:

- Black youth were overrepresented in court statistics, accounting for 33-36% of cases.
- Few (2-3%) Hispanic youth were represented in court statistics.
- Each year, race was unknown for 14%-23% of cases. Although 44-56% of these cases were dismissed, this missing information makes it difficult to provide accurate estimates for the representation of racial groups across case outcomes.
- Similar patterns of case outcomes were observed *within* racial groups (White, Black, and Hispanic) with the majority (47-70%) found delinquent in each group.
- In 2020-2021, no significant differences were observed *across* racial groups in the percentage of youth found delinquent. In 2022, however, a significantly higher

percentage of Black (64%) and Hispanic (70%) youth were found delinquent compared to White (52%) youth.

Table 11: Outcomes of Delinquency Petitions by race, 2020-2022

	White n(%)		Black n(%)		Hispanic n(%)		Other/Unknown n(%)*	
2020								
Found Delinquent	858	(47)	521	(51)	52	(50)	--	--
Dismissed	628	(35)	335	(33)	28	(30)	296	(46)
FTA/FTV/AP	213	(12)	98	(10)	7	(8)	199	(31)
Diverted	53	(3)	14	(1)	--	--	79	(12)
Indicted/Pending GJ	37	(2)	51	(5)	--	--	34	(5)
Referred Back to CDW	10	(1)	7	(1)	--	--	16	(3)
Other	9	(.9)	--	--	--	--	--	--
# and % of Total Cases (n=3566)	1808	(51)	1026	(28)	92	(2)	640	(17)
2021								
Found Delinquent	955	(53)	714	(57)	39	(50)	--	--
Dismissed	563	(31)	353	(28)	27	(35)	223	(44)
FTA/FTV/AP	189	(11)	107	(8)	9	(12)	169	(34)
Diverted	28	(2)	13	(1)	--	--	40	(8)
Indicted/Pending GJ	32	(2)	67	(5)	--	--	30	(6)
Referred Back to CDW	8	(4)	--	--	--	--	23	(5)
Other	13	(7)	6	(.4)	--	--	6	(1)
# and % of Total Cases (n=3630)	1788	(49)	1261	(35)	78	(2)	503	(14)
2022								
Found Delinquent	1117	(52)	921	(64)	94	(70)	10	(01)
Dismissed	620	(29)	246	(17)	35	(26)	383	(56)
FTA/FTV/AP	235	(11)	164	(11)	11	(8)	186	(27)
Diverted	49	(2)	28	(2)	--	--	68	(10)
Indicted/Pending GJ	28	(1)	69	(5)	--	--	24	(3)
Referred Back to CDW	34	(2)	18	(1)	--	--	16	(2)
Other	--	--	--	--	--	--	8	(1)
# and % of Total Cases (n=4417)	2146	(49)	1448	(33)	135	(3)	688	(15)

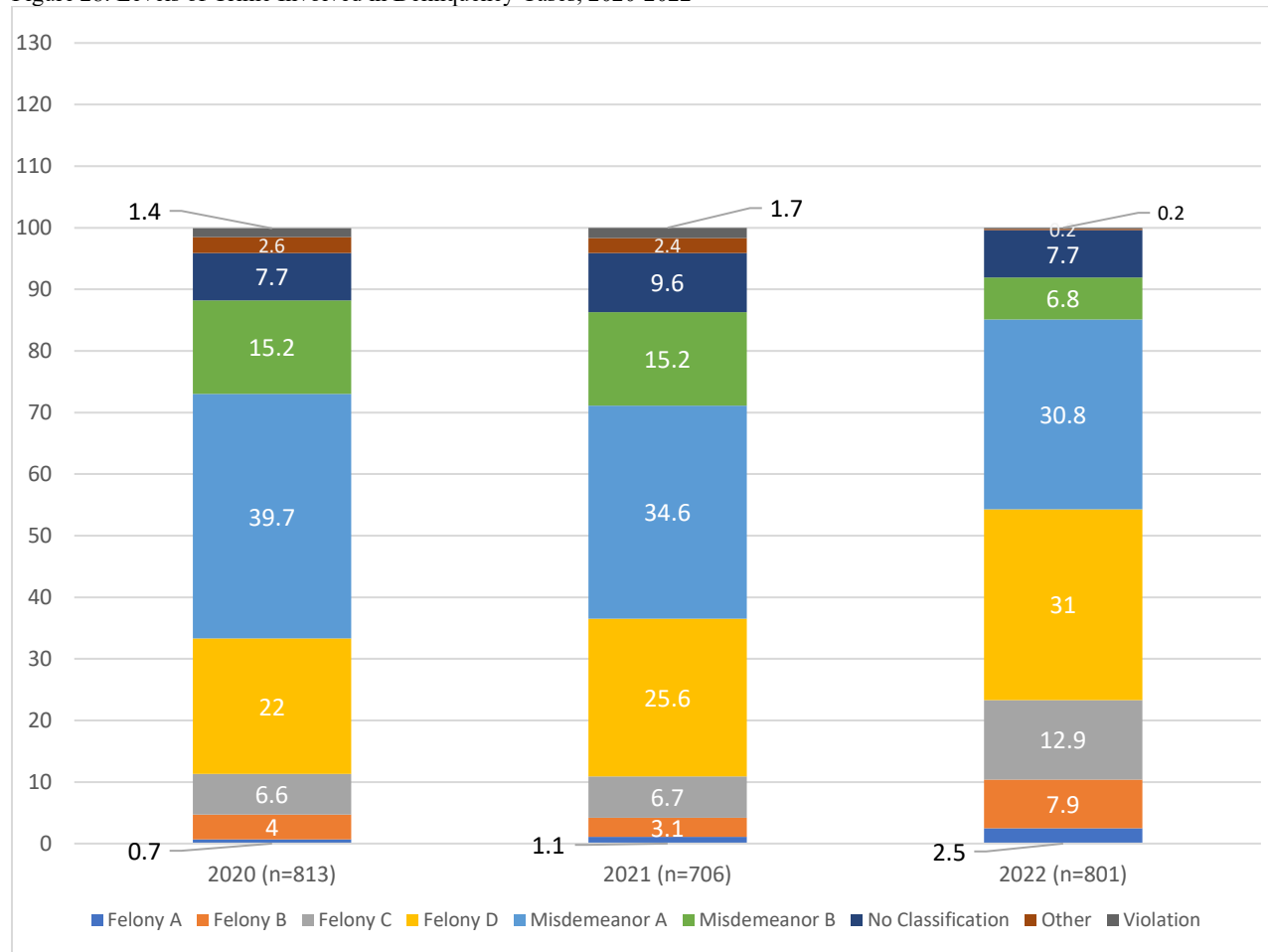
Source: Administrative Office of the Courts, CourtNet

*Approximately 90-95% of the cases included as other/unknown race are unknown.

Dispositions for adjudicated youth

When thinking about how we respond to youth crime, it is important to understand that most youth are engaged in low-level crimes. Although many youths had multiple charges, only data on the most serious charges are reported. Across each year, misdemeanors accounted for 37.6-55% of adjudications and very low percentages (4.2-10.5) of the most serious felonies (Figure 28). As can be seen there was consistency in the levels of crime from 2020-2021. In 2022, however, there was an increase in all percentages of felonies, primarily felony Ds.

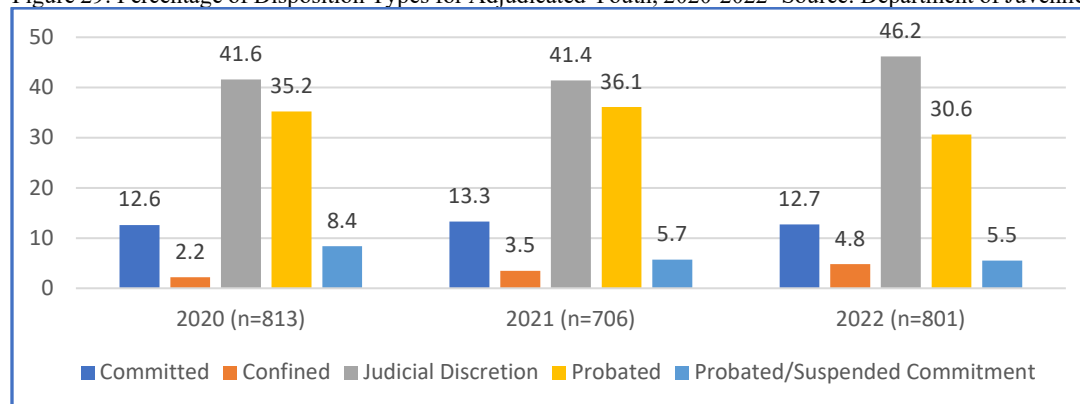
Figure 28: Levels of Crime Involved in Delinquency Cases, 2020-2022



Source: Department of Juvenile Justice

The percentage of dispositional types for adjudicated youth were consistent across all three years (Figure 29). The most common court dispositions were judicial discretion (41.4-46.2) and probated (30.6-36.1) which aligns with the low-level offenses that predominate delinquency caseloads.

Figure 29: Percentage of Disposition Types for Adjudicated Youth, 2020-2022- Source: Department of Juvenile Justice, JORI



A more detailed examination of legal factors for the 2022 cases provided further evidence of this alignment with most of the youth receiving judicial discretion, probation or probation/suspended commitment for misdemeanor or low-level felony adjudications (Table 12). Additionally, based on a risk assessment conducted by DJJ (i.e., the RCNA), these youth presented a low or moderate risk of recidivism. An important caveat is that RCNA and crime level data were only available for a small proportion of cases suggesting that this information should be interpreted with caution.

Of note is that of the youth receiving a disposition of committed or confined, 32.4% were classified as low risk and 46.6% as moderate risk and 10% had been adjudicated for a misdemeanor as their most serious charge. Research is clear that over-intervening in the lives of low-risk youth contributes to negative outcomes including an increased level of recidivism upon their release. For these reasons, confinement should be reserved for high-risk youth. There may be circumstances not considered here that justify this high level of intervention, but data of this sort should encourage further investigation. Efforts should be made to gather additional RCNA and crime level data for each of the disposition types.

Table 12: 2022 Court dispositions by Legal and Non-Legal Factors

	Committed (n=103)	Confined (n=39)	Judicial Discretion (n=376)	Probated (n=249)	Probated/Suspended Commitment (n=45)
LEGAL FACTORS					
Risk Level					
Low	7(6.8)	10(25.6)	201(53.5)	53(21.3)	7(15.6)
Moderate	19(18.4)	11(28.2)	91(24.2)	64(25.7)	16(35.6)
High	8(7.8)	5(12.8)	8(2.1)	10(4.0)	2(4.4)
Missing	69(67.0)	13(33.3)	76(20.2)	122(49.0)	20(44.4)
Crime level					
Felony	27(26.2)	24(61.5)	96(25.6)	45(18.1)	9(20.0)
Misdemeanor	5(4.9)	2(5.1)	193(51.3)	55(22.1)	15(33.3)
Missing	71(68.9)	13(33.3)	87(23.1)	149(59.8)	21(46.7)
NON-LEGAL FACTORS					
Race					
Biracial	9(8.7)	5(12.8)	52(13.8)	20(8.0)	8(17.8)
Black	26(25.2)	20(51.3)	61(16.2)	48(19.3)	18(40.0)
Hispanic	4(3.9)	2(5.1)	16(4.3)	11(4.4)	2(4.4)
White	63(61.2)	12 (30.8)	242(64.4)	169(67.9)	17(37.8)
Other	1(1.0)	--	5(1.3)	1(0.4)	--
Sex					
Female	8(7.8)	1(2.6)	72(19.1)	42(16.9)	3(6.7)
Male	95(92.2)	38(97.4)	304(80.9)	207 (83.1)	42(93.3)
Age					
<15	12(11.6)	--	110(29.3)	60(24.1)	6(13.3)
15+	86(83.5)	37(94.9)	269(71.5)	173(69.5)	38(84.4)
Missing	5(4.9)	2(5.1)	9(0.2)	16(6.4)	1(2.2)

Source: Department of Juvenile Justice, JORI

An examination of non-legal factors (i.e., race, gender, age) provides additional insights into the distribution of dispositional outcomes. Comparisons across racial groups suggest that Black youth are over-represented in the most severe dispositions (i.e., commitment, 25.2%; confinement, 51.3%) and probated/suspended commitment (40%). Of the 173 Black youth included in this analysis, 26.6% were either committed or confined, a rate that is 1.8 times higher than the rate for White youth (14.9% of the

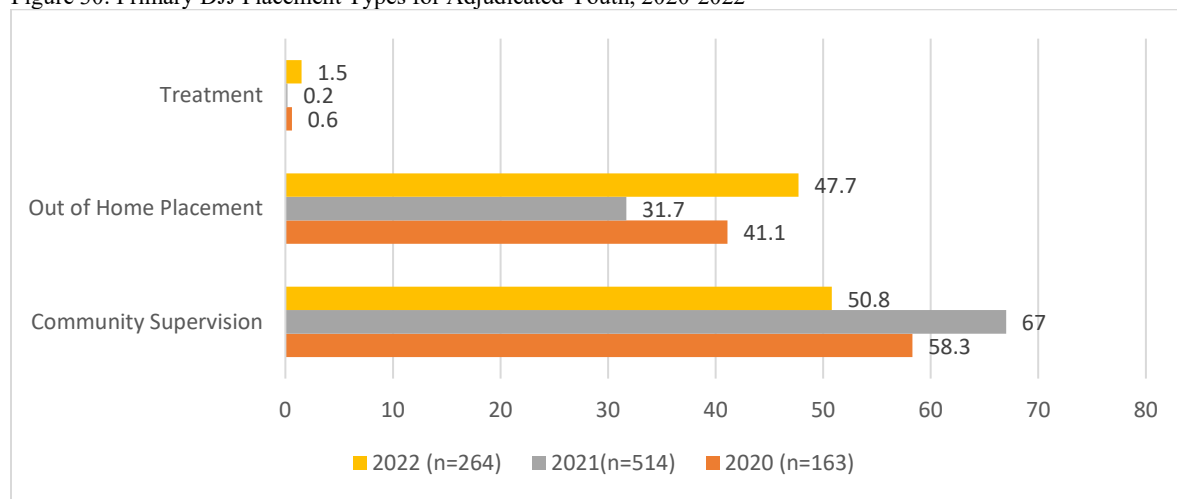
503 White youth) who were committed or confined. What also needs to be considered, however, is the way that race intersects with risk and crime levels. This should be explored with a more complete dataset to better understand the circumstances underlying the disproportionate representation of Black youth in these more severe dispositional options.

Females accounted for a small percentage (2.6-19.1) of all dispositional options, reflective of their lower level of involvement in delinquency. Most females and males received dispositions of judicial discretion or probation. Youth under the age of 15 accounted for 0 (confinement) to 29.3% (judicial discretion). Given that the seriousness of delinquency tends to increase in the late teens, it is not a surprise that youth ages 15 and over account for 83.4% of youth committed and 94.0% of youth confined.

Juvenile Corrections

In all three years examined, more youth were placed on community supervision (50.8-67%) than out of home placements (31.7-47.7%) and only .2-1.5 of the youth were placed in a facility for mental health or substance abuse treatment (Figure 30). Out of home placements include youth development centers, detention, group homes, foster homes, and private child care. The pandemic contributed to the reduction in out of home placements from 2020-2021. The increased number of out of home placements in 2022 are likely to be the result of two factors: the increased rate of arrest for violent crimes and a return to more normal operations post-pandemic.

Figure 30: Primary DJJ Placement Types for Adjudicated Youth, 2020-2022



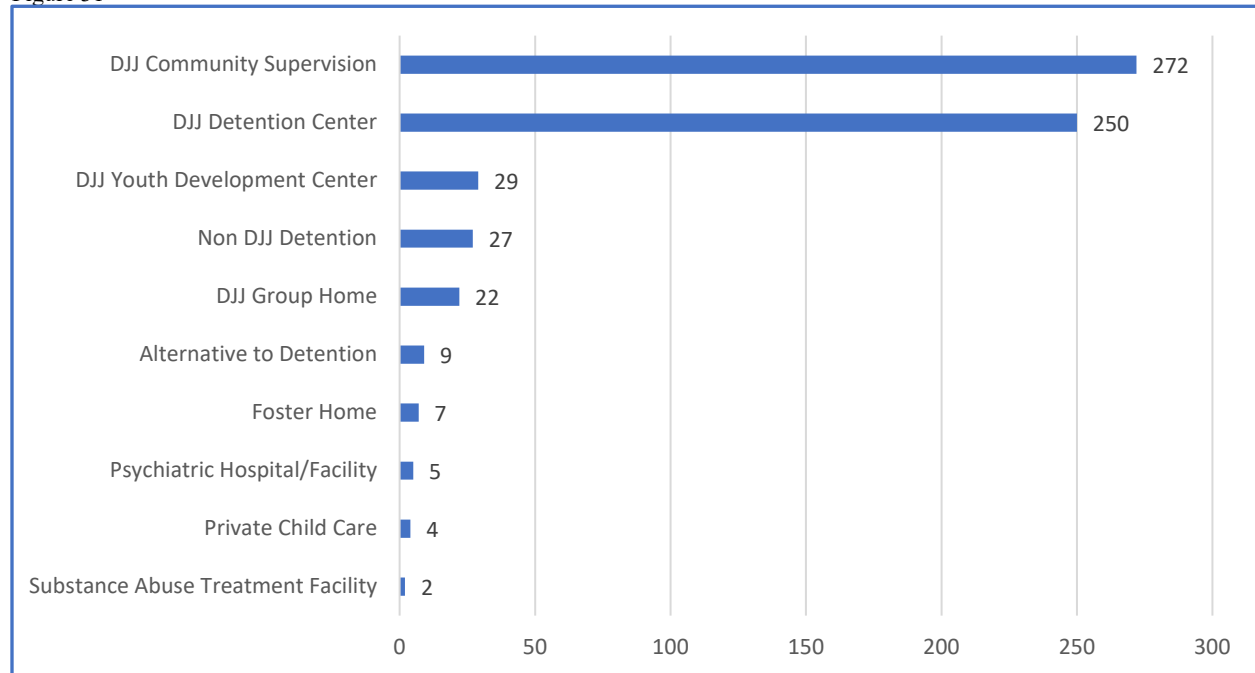
Source: Department of Juvenile Justice, JORI

A closer look at 2022 placement data provides a more complete picture of youth's movement through the system. Youth often shift from one type of placement to another based on their behavior and Court/DJJ decisions. For example, 32 youth stepped up from their initial placement to a more secure placement type (e.g., YDC, detention), 84 stepped down to a less restrictive placement (e.g., probation, release from detention), and 10 went AWOL. Eighty-nine cases were closed during 2022, most commonly for program completion (52.8%), expiration of time (20.2%), and aging out (15.7).

The data presented in Figure 31 depict the number of youths in the each type of placement over the

course of 2022. It includes 627 placements for 163 youth including their initial placement and any placement changes.

Figure 31

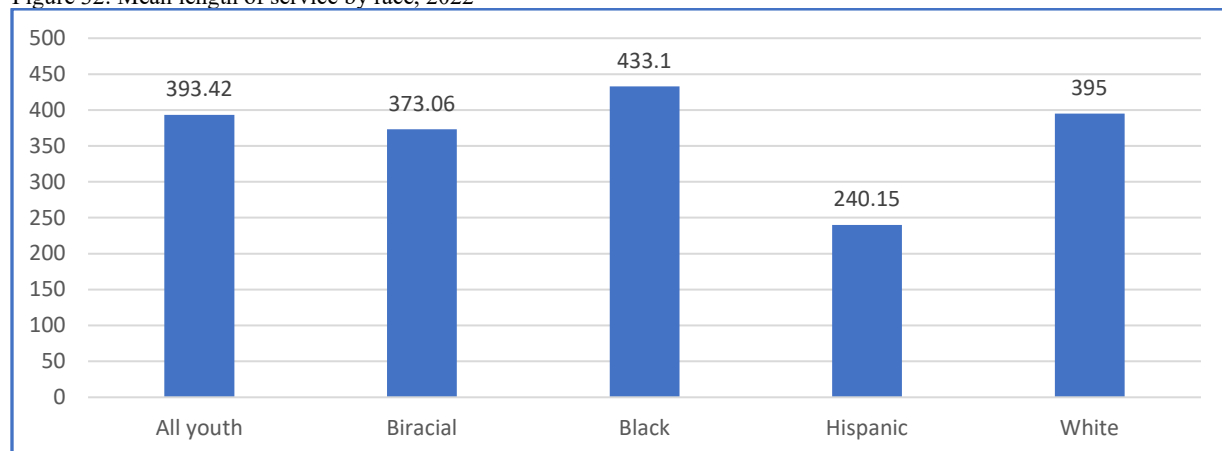


: Number of youths in the each type of placement over the course of 2022

Source: Department of Juvenile Justice, JORI

The mean length of service for all youth was 393.42 days (Figure 31). Although the mean ranged from 240.15 days for Hispanic youth to 433.1 for Black youth, the differences were not significantly different. Similarly, no significant differences in the mean length of service were found across gender or age group.

Figure 32: Mean length of service by race, 2022



Source: Department of Juvenile Justice, JOR

Summary and Recommendations

The crime data analysis drew on national databases (e.g., US Census, FBI NIBRS) and state data sources (KY Youth Advocates, Administrative Office of the Courts, Department of Juvenile Justice). The compiled data was sufficient for identifying patterns in risk factors, delinquency, and system processes/decisions. The amount of data collected by these state agencies is impressive and reflects an ongoing effort to participate in data-driven strategic planning. The analysis was limited, however, by varied definitions (e.g., cases, charges, youths), missing data, and fractured information. It would be beneficial if the AOC and DJJ databases were more compatible to allow for tracking youth through the system from arrest/complaints to court and correctional outcomes. Additionally, the data should be easier to retrieve to allow for more data-driven decisions in real time.

Recommendation 1: *Continue agency collaboration on developing compatible databases to include: a) common definitions of key variables, b) common codebooks for all users, c) clear expectations for the accuracy and timeliness of data entry, and d) relational databases that include the youth as the primary variable of interest.*

The data highlighted critical concerns when it comes to the health and wellbeing of Kentucky's children. A significant proportion of children live in poverty, particularly in the Appalachian counties and urban cores of Jefferson and Fayette Counties. These economic challenges contribute to mental and physical health problems that further impact families' ability to create a safe and nurturing environment for youth. Within this context, youth experience a significant level of victimization in the form of violent crime and child abuse and neglect. The level of victimization is highest for Black youth who are most likely to live in marginalized, high-crime neighborhoods.

Another youth risk factor for Kentucky youth is the prevalence of Adverse Childhood Experiences. ACES are linked to many problem outcomes for youth including poor mental health, drug use, and delinquency. Overall, the reported use of illicit drugs by Kentucky youth was lower than the national average, but their reported use of alcohol and binge drinking is about 5% higher which is a cause for concern given its availability and association with injury and problem behaviors.

Recommendation 2: *Understanding the risk factors for youth is a critical step for prevention planning. Data on risk factors should be readily available and monitored routinely. Although there are likely to be a core set of risk factors for all youth, some may be more important to certain subgroups than others (e.g., males and females, youth in rural vs. urban locations) and additional risk factors may be identified through a more comprehensive analysis made possible with a comprehensive and reliable set of data. The Gain-SS is a reliable measure of risk factors that could be used for this purpose assuming that the data is accurate, complete, and accessible.*

Recommendation 3: *Given the heightened risk of delinquency for youth who live in poverty and for whom ACES are more prevalent, a significant level of resources should be allocated to early childhood intervention that addresses the root causes of delinquency and other problem outcomes. For example, family-based interventions are among the most effective at building resiliency and reducing delinquency and other problem outcomes. Additionally, studies have shown that early intervention produces significant cost savings by averting costs for courts and correctional systems (Washington Institute for Public Policy). Early childhood intervention is especially important for the designated R/Ed sites.*

Data on juvenile justice processes and outcomes highlights two age-old patterns. The first is the persistence of racial disparities. The Kentucky Juvenile Justice Advisory Board has worked diligently to identify and address racial and ethnic disparities. As is the case in many states, it is an incredibly stubborn problem. This data analysis revealed the disproportionate representation of Black youth at all decision points and demonstrated the cumulative disadvantage that begins in marginalized neighborhoods and builds as the youth moves through the justice process. Of grave concern is missing or mislabeled data that likely leads to an underestimation of racial disparities. This is first evident in the AOC data wherein a category of “unknown” exists as a racial category that includes a substantial number of cases. Second, the fact that 80% of behavioral events in schools are not required to be reported or tracked may mask disparate decisions and a pathway to the juvenile justice system for minor school misbehavior that is often elevated to an arrestable event with SRO intervention.

Recommendation 4: *Determine why the racial identities of this category of youth are unknown and begin classifying them correctly to achieve more accurate understanding of racial disparities.*

Recommendation 5: *Collaborate with KDE or the Center for School Safety to learn more about this 80% of behavioral events to improve our understanding of behavioral issues and outcomes.*

Recommendation 6: *Engage citizens in a grass roots effort to address the root causes of delinquency, establish behavioral standards, and hold youth accountable through a model of positive youth development and restorative justice. One Lexington provides a comprehensive model of intervention that works to disrupt violent networks and enhance the safety of residents in high-risk neighborhoods.*

The second long-standing pattern is the cycle of reform that reflects an overreaction to upticks in violent delinquency. The observed increase in violent public offenses is cause for concern, particularly for those most impacted by it. A better understanding of its sources needs to be developed. Anecdotally, there are neighborhood residents, youth advocates, and law enforcement officers who believe that policies emphasizing diversion and decarceration have sacrificed public safety. Recent legislation reflects an overcorrection that is reminiscent of tough on crime policies and is likely to undo any progress made to minimize a youths’ involvement in the formal juvenile justice system. There needs to be a collaborative and reasoned approach to minimize the likely impact of these policies—more youth involved in the juvenile justice system, family and community strain, a reduction in social services due to the greater costs associated with these new laws, and higher rates of delinquency.

Recommendation #7: *No recidivism data was readily available to analyze the efficacy of current practices. Without this, it is hard to garner support for a particular approach. It is recommended that a workgroup be established to devise a mechanism for tracking recidivism. This requires a common definition for recidivism and an entity who will be accountable for collecting recidivism data and disseminating the results.*

Recommendation #7: *Work proactively to anticipate challenges associated with new legislative requirements. Collaborate with key stakeholders in local jurisdictions to develop alternative strategies for increasing school attendance and reducing youth violence. Work with national juvenile justice coalitions and advocacy groups to learn more about strategies that work. Finally, track the results and engage in continuous quality improvement.*

In sum, a more streamlined data management system is needed to enhance the State’s capacity for

understanding and targeting the driving forces for this latest spate of youth violence, significant allocations should be put toward early childhood intervention, and continued efforts are needed to identify and address factors that contribute to disproportionate contact in Kentucky's juvenile justice system.

Project Goals and Objectives & Project Design and Implementation

The 2024–2027 JJAB Strategic Plan goals and objectives, in order of priority ranking, are as follows:

PRIORITY #1 PROGRAM AREA: SAG

Anticipated amount of funding to be used toward this program area: \$75,000

Goal 1: Develop and sustain a viable, accountable, and well-functioning advisory board.

Objective 1A: Undergo internal assessment of board functioning, structure, and needs/areas for growth.

- Primary/Initial Task: Launch and analyze Board Assessment Survey

Objective 1B: Implement training/development opportunity for JJAB Members

- Primary/Initial Task: Develop board training, based on Board Assessment Survey findings.
 - Develop updated training for new members.
 - Develop training for youth members (x Emerging Leaders subcommittee)

Objective 1C: Ensure key stakeholders (e.g. youth, parents etc.) perspectives are integrated into all aspects of JJAB

- Primary/Initial Task: Develop partnerships with stakeholders by:
 - Planning Juvenile Justice Youth Summit linked to the delinquency problem, delinquency prevention, mental health, drug offenses, human trafficking, and overall system response.
 - Developing Listen Sessions/Town Hall for partnerships with community providers
 - Developing partnerships as a pass-through for youth honorarium payments

Anticipated outputs and outcomes of this goal and the associated objectives is a stronger more connected advisory board. A board that is working together to improve the future of at-risk youth

PRIORITY #2 PROGRAM AREA: Racial and Ethnic Disparities

Anticipated amount of funding to be used toward this program area: \$150,000

GOAL #2: To advance equity for minority youth groups, relating to juvenile justice systems involvement and service provision.

Objective 2A: Encourage Community Input

- Create Community Forums (Listen Sessions)
 - Hold Listen Sessions in the areas of the state shown to have the highest rates of Racial and Ethnic Disparity
 - The Listen Session will provide a safe place for community members to come and have a stake in the programing for their youth.
 - Develop community partnerships.

Objective 2B: Reduce Racial and Ethnic Disparities Complaints

- Restorative Practice
 - Using the provided data, determine the schools with the most complaints (arrests)- Community partnership with the upcoming RJ regional committee.
 - Encourage the school districts with the help of the community partners to develop and implement restorative practices.

Objective 2C: Increase Diversion for minority youth

- Changing Mindsets
 - Encourage implementing Implicit Bias training and other self-awareness trainings for local school officials and law enforcement. (judicial, county attorney)

Anticipated outcomes of this goal would be a better understanding of the needs of the minority youth population both in the justice systems and those at-risk. Also, to build a stronger partnership with the community and the schools to better assist those at-risk minority youth with training and restorative justice practices.

PRIORITY #3 PROGRAM AREA: Community Based Program & Services (Aftercare/ Reentry)

Anticipated amount of funding to be used toward this program area: \$75,000

GOAL #3: Build impactful capacity for individuals, families, groups, and communities.

Objective 3A: Serving as a resource for best practices in community-based prevention and intervention models.

- Offer technical assistance to fund initiatives in identified communities.

Objective 3B: Collect data and evaluate outcomes and impacts within, between, and among JJAB funded initiatives.

- Using outcomes from the submitted quarterly reports, follow up with funded initiatives.

Objective 3C: Champion evidence-informed and evidence-based practices as well as initiatives that hold promise for impact.

- Designate funding for projects that utilize evidence-informed, evidence-based and initiatives deemed ‘promising ‘

Using the data, the focus will be in communities that have the highest number of delinquency and disparity. Placing priority on promising, evidence informed and evidence- based programs in the community, there is an anticipated measurable impact on disparities.

PRIORITY #4 PROGRAM AREA: Community Based Program & Services

Anticipated amount of funding to be used toward this program area: \$300,000

GOAL #4: Build impactful capacity for individuals, families, groups, and communities.

Objective 4A: Serving as a resource for best practices in community-based prevention and intervention models.

- Offer technical assistance to fund initiatives in identified communities.

Objective 4B: Collect data and evaluate outcomes and impacts within, between, and among JJAB funded initiatives.

- Using outcomes from the submitted quarterly reports, follow up with funded initiatives.

Objective 4C: Champion evidence-informed and evidence-based practices as well as initiatives that hold promise for impact.

- Designate funding for projects that utilize evidence-informed, evidence-based and initiatives deemed ‘promising’.

Using the data, the focus will be in communities that have the highest number of delinquency and disparity. Placing priority on promising, evidence informed and evidence-based programs in the community, there is an anticipated measurable impact on disparities.

PRIORITY #5 PROGRAM AREA: Delinquency Prevention

Anticipated amount of funding to be used toward this program area: \$1,377,840

GOAL #5: Build impactful programs for Delinquency Prevention

Objective 5A: Serving as a resource for best practices in delinquency prevention and intervention models.

- Offer technical assistance to fund initiatives in identified communities.

Objective 5B: Collect data and evaluate outcomes and impacts within, between, and among JJAB funded initiatives.

- Using outcomes from the submitted quarterly reports, follow up with funded initiatives.

Objective 5C: Champion evidence-informed and evidence-based practices as well as initiatives that hold promise for impact.

- Designate funding for projects that utilize evidence-informed, evidence-based and initiatives deemed ‘promising ‘

Using the data, the focus will be in communities that have the highest number of delinquency and disparity. Placing priority on promising, evidence informed and evidence-based programs in the community, there is an anticipated measurable impact on disparities.

PRIORITY #6 PROGRAM AREA: Substance and Alcohol Use

Anticipated amount of funding to be used toward this program area: \$60,000

GOAL #6: Build impactful programming for Substance and Alcohol Use recovery

Objective 6A: Serving as a resource for best practices in community-based prevention and intervention models.

- Offer technical assistance to fund initiatives in identified communities.

Objective 6B: Collect data and evaluate outcomes and impacts within, between, and among JJAB funded initiatives.

- Using outcomes from the submitted quarterly reports, follow up with funded initiatives.

Objective 6C: Champion evidence-informed and evidence-based practices as well as initiatives that hold promise for impact.

- Designate funding for projects that utilize evidence-informed, evidence-based and initiatives deemed ‘promising ‘

Using the data, the focus will be in communities that have the highest number of delinquency and disparity. Placing priority on promising, evidence informed and evidence- based programs in the community, there is an anticipated measurable impact on disparities.

Plan for Collecting Required Data Performance Measures

DJJ currently uses the Detention Booking system and Juvenile Offender Resource Information (JORI), the agency’s case management system, provide data elements that comprise part of the Racial and Ethnic Disparities report for Title II funds. DJJ is currently working to improve these systems with the COMMS System set to go statewide next year. This system will streamline the data collection by creating communications across all DJJ and Department of Correction data systems.

Additional data is provided by the state’s Administrative Office of the Courts’ (AOC) Court Designated Worker Program with a Memorandum of Understanding between the Judicial Branch and the Executive Branch of Kentucky Government.

For subrecipient agencies, information about how the agency plans to collect and report performance measurement data is collected at application. Subrecipient entities upload copies of their performance measurement data on a quarterly basis and staff at DJJ enter those into the performance measures platform. As well as scheduled visits to offer Training and Technical assistance by the DJJ Grants branch to new and at-risk programs.

Additional Required Information in 3-Year Plan

SAG Funding Decisions [34 U.S.C §11133(a)(5)(6)(9)]

The JJAB, facilitated by the Grants branch, will develop a three-year plan that indicates which of the 23 purpose areas to focus on for the upcoming three years of Title II grant funds. These funding guidelines and purpose areas are set forth by the OJJDP in 34 U.S. Code §11133(a)(8) and (9)(A-W). Each year the Grants branch opens an application period for programming within the set purpose areas.

Statutes and published program guidelines dictate the types of programs and projects that can be funded and types of projects which may be given priority in the awarding of grants and subgrants by the DJJ. Within the scope allowed by the funding source, the DJJ incorporates the purpose areas in scoring and awarding competitive grants and subgrants.

Applications are reviewed by appropriate Grants branch staff and by the JJAB Grants subcommittee using set review criteria specific to the program with emphasis on allowability of costs under the federal program, the location where services will be provided, and financial equity within the proposal budget. Priority is given to those programs addressing locations within Kentucky identified as underserved and applications whose budgets show a healthy ratio of costs between programming and overhead (low overhead and strong focus on programming).

Since Kentucky does not use Title II funds for staff, 75% of all Title II money is allocated to the established purpose areas and is distributed by sub award to state and local nonprofit and is used only for, with priority in funding given to entities meeting the criteria for evidence-based or promising programs.

Community Service Alternatives Plan [34 U.S.C §11133(a)(7)(B)]

Kentucky Administrative office of the Courts (AOC) Court Designated Worker Program is responsible for offering Diversion Program placement recommendations. Eligible juveniles who agree to the informal process enter into a diversion agreement that holds them accountable for past actions and provides tools to manage current behavioral issues. These tools include:

- Prevention and Educational programs
- Service-Learning projects
- Community Service
- Restitution
- Curfew
- Counseling and treatment

CDWs provide case management and monitoring throughout the diversion program, which can last up to six months. When the juvenile successfully completes diversion, the case is closed and no formal court record is created. CDWs host programs such as Girl Power and Making a Gentleman as possible Diversionary Programs across the state.

The Juvenile Justice Advisory board has awarded Title II funds to Spalding University for a female specific diversionary and mentoring program in Louisville/Jefferson County area and is looking to expand to Lexington area. The JJAB plans to focus on gender-specific programming in the coming years by giving priority to sub-award applications offering gender-specific programming.

Kentucky is primarily a rural state, with only 33 of the state's 120 counties, or 27.5%, being classified as metropolitan by the U.S Census Bureau. Based on this research, the JJAB has decided that in the coming years it will host several regional symposiums to reach the more rural areas of KY. These symposiums will highlight local programs as well as share the availability of Title II support for programming in prevention and other related purpose areas. Also, SEJAY is holding listening sessions to allow communities to share their unique circumstances in order to inform JJAB's path forward with Delinquency Prevention. This will engage the community, family and other stakeholders in the development of community-based programming that address the needs of at risk youth, after care for youth returning to the community and youth that have come in contact with the juvenile justice system.

Kentucky Department of Juvenile Justice not currently involved in any initiatives with Human Trafficking and alternative to detentions. DJJ monitors the Human Trafficking screening tool but that is the extent of our involvement. Frenchburg and Frankfort have recently been trained on a prevention curriculum and Morehead is training in a prevention curriculum for females. However, these are not solely for survivors but for all youth. Although there are no specific plans to implement any survivor programming, DJJ is working on that piece for group homes that house committed youth by working to hire Qualified Mental Health Professionals. At this time the policy is to refer to DCBS if we believe that a youth has been trafficked. KRS 15A.068 ([statute.aspx\(ky.gov\)](https://statute.aspx(ky.gov))) states that DCBS is to then provide services related to the trafficking to youth when it has been substantiated.

All youth with filed complaints are screened and provided with appropriate services by AOC's CDW. Youth are placed in the lowest level of custody possible. Many youth and families that engage with DJJ are concurrently involved with the state's Cabinet for Health and Family Services (CHFS) and may be currently involved with the court's Dependency, Neglect, and Abuse docket. Whenever possible, youth are housed outside of secure detention facilities, and at the least restrictive level. This is also true for those who are awaiting placement, and DJJ incorporates a variety of residential placements, including group homes, and community or day treatment programs.

In KY the Family Accountability, Intervention, and Response Teams work in conjunction with court designated workers to keep status offenders and juveniles out of the formal court system by providing greater access to treatment services and diversion programs. Members of the multidisciplinary FAIR Teams represent the legal system, schools, treatment providers and juvenile justice agencies. Their purpose is to promote better outcomes for youth by providing an alternative to formal court through enhanced case management plans.

FAIR Team members review diversion agreements and service referrals to ensure young people are receiving effective, community-based interventions to reduce their risk factors and address their needs. As a result of the screening, assessment and case management processes applied by the FAIR Teams, more juvenile cases are being handled out of court through successful diversion or dismissal. FAIR Teams operate in all 60 judicial districts and were created as a result of Senate Bill 200, which reformed the state's juvenile code in 2014.

The Kentucky Department of Juvenile Justice (DJJ) has hired a dedicated Evidence Based Treatment Coordinator and uses a validated risk and needs assessment tool, the YASI with all youth that come into contact with the DJJ system, and also screen for other factors including suicidality/self-harm, and substance abuse needs. These tools are administered and interpreted by trained professionals, and clinical/treatment services are provided based on the results of these assessment tools. Additionally, DJJ utilizes evidence-based and evidence-informed programming/interventions and evaluates the impact through the use of pre and post testing as well as the examination of other sources of information, e.g. behavioral incidents. DJJ staff receive specialized training and have access to programs which focus on adolescent development as well as general behavioral strategies that are specific to adolescents.

Youth that are known to be pregnant are typically referred to appropriate community-based services, including residential placements for teen mothers. In the extremely rare circumstance that a pregnant juvenile is placed within a DJJ facility, the agency attests that she will not be restrained unless credible, reasonable grounds exist to believe that she will be a serious and immediate threat to herself, staff, or others, or that she is an immediate escape risk. The restraint policy regarding pregnant juveniles was last updated in April, 2019 and includes the following language: "Except in an extraordinary circumstance, no youth who is known to be pregnant shall be restrained during labor, during transport to a medical facility or birthing center for delivery, or during postpartum recovery."

[Evidence Based and Promising Practice Programs \[34 U.S.C §11133\(a\)\(8\)\]](#)

Kentucky provides for the coordination and maximum utilization of juvenile delinquency programs, programs operated by public and provide agencies and organizations, and other related programs in the state. This occurs through quarterly meetings with stakeholders, as well as the involvement of SAG members who have connections to various programs throughout the state. SAG subcommittees involve representation spanning multiple departments and sectors across the state. There are cross-system collaborations in place that allow for planning and coordination

through committee meetings and regional collaboration groups. Information gathered from regional and subcommittee groups is shared at the SAG meeting to consider how to incorporate into the state plan.

Statements of Assurances [34 U.S.C §11133(a)(10)(16)(17)(18)(19)]

Kentucky has developed an adequate research, training, and evaluation capacity within the state through the Criminal Justice Statistical Analysis Center, KY STATS, and partnerships with various academic researchers. KY DJJ is currently developing a new reporting system for the KY juvenile facilities that will streamline data collection. Additionally, the state makes use of training and technical assistance providers, when possible, to further develop this capacity.

DJJ and the JJAB commissioned Eastern Kentucky University to conduct a Crime Analysis report with a focus racial and ethnic disparity. The information was collected from DJJ and Administrative Office of the courts and was used to guide the JJAB in the development of this three-year plan. As a result of this analysis, the JJAB is creating community symposiums to create programming to strengthen communities and families of at-risk youth.

Per DJJ Policy 205, the confidentiality of youth records shall be maintained as provided by statutes and department policy including KRS 610.320, 610.340, and 635.120. Kentucky affirms that it has established procedures to protect the rights of recipients of services and for ensuring appropriate privacy with regard to records relating to such services provided to any individual under the state plan. All agencies that contract with Kentucky are compliant with HIPAA and other relevant laws related to information sharing and privacy concerns. DJJ collects and has access to a variety of records that document health status information, previous victimizations, and issues with family functioning, among others. All records are marked confidential stored in secure locations to which access can be controlled. All electronic or computer-based state systems are maintained by the Commonwealth's Office of Technology, who is responsible for ongoing management of the information's security and privacy. For those times when data sharing occurs, there are formal agreements between the parties, and those with access are required to sign confidentiality and data access agreements, as well as to undergo the annual COT training module(s).

Kentucky affirms that any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of non- overtime work, wages, or employment benefits) of any currently employed employee; activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved.

Kentucky has strong internal fiscal controls and fund accounting procedures necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this

title. The Financial Management and Internal Controls questionnaire has been completed and signed by the Financial Point of Contact.

Kentucky assures that federal funds made available under this part will be used to supplement and increase (but not supplant) the level of the state, local, and other nonfederal funds that would be used in the absence of such federal funds made available for these programs, and will in no event replace such state, local, and other nonfederal funds.

Kentucky's crime data section provides an analysis of juvenile crime for the years 2018-2021, showing declines in indicators of delinquent activity among juveniles at state and local levels. Effectiveness of funded programs is reviewed annually by the SAG and used to inform continuation funding decisions.

Kentucky affirms that if the state receives an amount that exceeds 105 percent of the amount received under this section in FY 2000, all such excess would be expended through or for programs as part of a comprehensive and coordinated community system of services. DJJ works to enhance and expand the available continuum of care for prevention of youth delinquency and appropriate intervention for justice-involved youth, and Title II funds are a vital part of this effort.

Kentucky affirms that, to the maximum extent practicable, a system has been implemented to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to that juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court. TWIST, the CHFS case management database, is viewable by the Court Designated Worker Program staff. Screeners at local detention facilities are also able to query the database and determine whether the juvenile or the family is involved in a child welfare case and provide relevant information to the court for establishing a pre-trial release and treatment plan. A second database which contains all court records is housed in the Judicial Department and is accessible to all judges, magistrates, and community services offices.

The expectations regarding the establishment of case management services and payment in sections 472, 471, and 475 of the Social Security Act are addressed throughout Kentucky Administrative Regulations chapter 922 section 1, which establishes compensation rates, outlines the expectations related to the provision of case management services and the composition of case plans, protection and permanency plans and review, and appropriate placements as well as the criteria that should be used for assessment. These regulations are applicable to all children in Kentucky, including juvenile offenders. Kentucky affirms that all justice-involved youth receive a comprehensive case plan and case plan review, as well as all necessary resources and services to support the child's success. In circumstances where a return to the previous living arrangement is not possible, DJJ works with the state's Department for Community-Based Services to identify an appropriate placement, and to ensure that the child's ongoing physical, mental, and emotional well-being needs can be met.

Kentucky agrees that Title II funds with other available state and local resources that support juvenile delinquency prevention and intervention programs, and that the available funds are not used to supplant or replace existing resources. DJJ works to enhance the availability of appropriate and coordinated prevention programming and resources and the continuum of care for justice-involved youth.

DJJ has two overriding policies outlining the appropriate use of restraint and/or isolation, which include expectations for staff training, as well as the specific circumstances in which youth may be restrained or placed in isolation. As an agency, the Kentucky DJJ is working to reduce the amount of time that youth spend in isolation. The agency focuses on appropriate de-escalation, behavioral interventions, and management strategies and techniques. In April 2019, a policy (DJJ 323) was promulgated that required approval from administrative staff prior to a youth's placement in isolation, limited the amount of time for an isolation placement to 4 hours, and required an assessment of the youth by medical staff. Any use of isolation for longer than 4 hours requires the approval of executive level staff, and, in all cases, staff are required to immediately develop a plan for the release of youth from isolation which includes the reason for the placement and the behavioral expectations that they youth must meet to obtain release. Any such plans must be explained to the youth and receipt of the plan must be documented. As above, staff receive training on adolescent development, appropriate behavioral strategies for youth, and the DJJ has clear and well-communicated policies and procedures designed to limit the use of restraint, isolation, and other potentially dangerous practices. Additionally, the agency has increased the involvement of mental health practitioners and clinicians in the youth's treatment planning and behavioral management.

Any youth who comes into contact with the DJJ is automatically screened for mental health and substance abuse issues using a validated screening tool. For those that are identified through this procedure, a more thorough assessment is provided, and the resulting information is used to help guide the youth's treatment planning. DJJ is currently working to identify best practices for mental health and substance abuse screening, assessment, and intervention that can be implemented in all DJJ facilities. As a result of a federal grant, DJJ is also working to expand the capacity of DJJ staff to provide appropriate substance abuse related interventions, and participating staff will attain their Certified Alcohol and Drug Counselor (CADC) credential. Additionally, the project included an identification of gaps in the current continuum of care for mental health and substance abuse-related services. DJJ contracts with the University of Kentucky for a Chief of Mental Health to oversee mental health services within the Department and employs other staff with appropriate clinical experience and training as well as staff tasked with an internal compliance/fidelity monitoring. To further expand capacity and reduce the time to access needed services, DJJ contracts with mental health professionals with specific expertise in the provision of appropriate youth and family services and clinical interventions for mental health and substance use/abuse-related needs.

At present, DJJ's treatment and discharge planning takes into account the needs of all

youth, which necessarily includes their pre- and post-release plans, future living arrangements, and other aspects of community living. The treatment team focuses on providing support in all necessary domains of functioning. All plans are reviewed and approved by DJJ staff and the clinical treatment team.

Youth housed in DJJ secure placements are provided with appropriate educational placements and services throughout their stay to ensure educational progress. DJJ works both with the state's Department of Education, who receives Title I Part A funds and the local educational institutions/school districts at each facility site to ensure that high-quality educational opportunities are afforded to these youth. DJJ Policy 334 provides that juveniles may receive credit for education that can be transferred to schools. DJJ Policy 335 governs the transfer of youth vocational records within fourteen days of transfer. This is monitored by the DJJ Education Branch on a yearly basis. Additionally, many DJJ youth are also receiving services from the state's Department for Community Based Services, and through this placement have access to a FAIR team that facilitates services and includes representation from local schools.