

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 system of care, enhancing inter-agency community collaboration, and promoting effective programming necessary to serve the whole child.

## 2010 ANNUAL REPORT

# Juvenile Justice Advisory Board





## Message to the Governor

Dear Governor Beshear,

It is with great pleasure that the Kentucky Juvenile Justice Advisory Board (JJAB) presents to you and the Kentucky General Assembly our 2010 Annual Report. This is a comprehensive document, which details the efforts of many people who dedicate themselves to bettering the lives of young people across the Commonwealth. Programs and compliance monitoring activities that are included in the report are funded by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention and overseen by the Kentucky Department of Juvenile Justice.

While we recognize there is a lot of work left to do, the JJAB is very proud of the accomplishments made in 2010. The JJAB is excited about the future and looks forward to our continued partnership with the Governor, the legislature and the Kentucky Department of Juvenile Justice as we work side by side to build the very best juvenile justice system for Kentucky. This report includes the following recommendations to help Kentucky move forward in addressing the needs of young people in our juvenile justice system:

- Reduce the use of secure detention for status offenders by identifying and using an array of alternatives to detention.
- Develop standard and consistent race categories across all state data systems and other Kentucky youth serving agencies.
- Develop a state-wide plan to address school engagement for youth and families who are at risk of becoming or are currently involved in the juvenile justice system through the utilization of coordinated services that provide support to students and families and promote student success.
- Develop a state-wide integrated information system for all youth serving agencies, which employs unique identifiers for each Kentucky youth assigned to them at birth.

I invite you to read the Juvenile Justice Advisory Board 2010 Annual Report to learn more about the progress being made for Kentucky's youth in the juvenile justice system.

Sincerely,

Nancy Pfadt Chair

Juvenile Justice Advisory Board

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 believes that an investment in youth today is an investment in the future. It values a system in which youth are held accountable while being provided appropriate and effective prevention, interventions and treatment programs and services. It values the diversity of all youth and believes that youth should be treated justly, respectfully and equitably regardless of age, race, gender, ethnicity, or socioeconomic status.

The JJAB works to ensure that Kentucky's jails, courts, detention and juvenile justice services meet or exceed federal laws and standards for dealing with juveniles. In addition to making recommendations to DJJ on allocating federal grant funds to local communities, the JJAB studies juvenile justice issues such as disproportionate minority confinement and mental health, and makes recommendations on legislation and executive policy to the Governor and General Assembly.

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.

Congress enacted the Juvenile Justice and Delinquency Prevention (JJDP) Act (Pub. L. No. 93-415, 42 U.S.C. § 5601 et seq.) in 1974. This landmark legislation established the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support local and state efforts to prevent delinquency and improve the juvenile justice system. On November 2, 2002, Congress reauthorized the JJDP Act. The reauthorization (the 21st Century Department of Justice Appropriations Authorization Act, Pub. L. No. 107-273, 116 Stat. 1758) supports OJJDP's established mission while introducing important changes that streamline OJJDP's operations and bring sharper focus to its role. The provisions of the reauthorization took effect in FY 2004 (October 2003).

Under the JJDP Act, Kentucky receives Title II federal funding to address the four core requirements which are:

- Deinstitutionalization of Status Offenders
- Sight and Sound Separation
- Jail Removal
- Disproportionate Minority Contact



# Title II

Since 1974, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has been authorized to administer the Formula Grants program to support state and local delinquency prevention and intervention efforts and juvenile justice system improvements. The program is authorized under Title II, Part B, Section 222, of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended (Public Law 93-415, 42 U.S.C. 5601 et seq.)

At least two-thirds of the funds awarded to each state must be used for programs operated by local public and private agencies. These funds must be distributed on a competitive basis.

As the administering agency for the Title II Formula Grants program, the Department of Juvenile Justice is responsible for the development and submission of a three-year State Plan that identifies Kentucky's prioritized juvenile justice needs. The JJDP Act requires that the juvenile Justice Advisory Board (JJAB), Kentucky's State Advisory Group, participate in development of the State Plan.



Program Area	Title II
Alternatives to Secure Detention	\$508,000.00
Disproportionate Minority Contact	\$142,000.00
Juvenile Justice System Improvement	\$20,000.00
Planning and Administration	\$10,000.00
State Advisory Group Allocation	\$30,000.00
Totals	\$710,000.00

## Deinstitutionalization of Status Offenders

Federal guidelines require Kentucky to ensure that juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult (status offenders) and juveniles who are not charged with any offense (non-offenders) are not placed in secure detention or secure correctional facilities, apart from those permitted by statutory and regulatory exceptions as allowed by the JDP Act and Consolidated Regulation 28 CFR Part 31.

Under the juvenile justice and Delinquency Prevention (JDP) Act of 2002, the Commonwealth of Kentucky is awarded Title II Formula Grant funds through the Office of Juvenile Justice and Delinquency Prevention (OJJDP). In 2010, Kentucky utilized Title II funds in the following areas: Alternatives to Secure Detention, Disproportionate Minority Confinement and Juvenile Justice Systems Improvement.

Through the use of Title II formula grant funds Kentucky has implemented a state-wide alternative to secure detention program which provides electronic monitoring for status offenders and low level public offenders. Additionally, foster care and emergency shelter services are available in some areas.

### Title II Electronic Monitoring ATD Federal Funding

Detention Catchment Area	Service Provider	Total Funding	Number of Youth Served
Adair	Methodist Home	\$69,000.00	100
Boyd	Gateway Children's Services	\$27,600.00	40
Breathitt	Methodist Home	\$69,000.00	100
Campbell	Necco	\$48,300.00	70
Fayette	Methodist Home	\$69,000.00	100
Lincoln Village	Methodist Home	\$55,200.00	80
McCracken	Methodist Home	\$69,000.00	100
Warren	Mary Kendall	\$48,300.00	70

**Total Title II ATD Electronic Monitoring Federal Funds = \$455,400.**

## Sight and Sound Separation

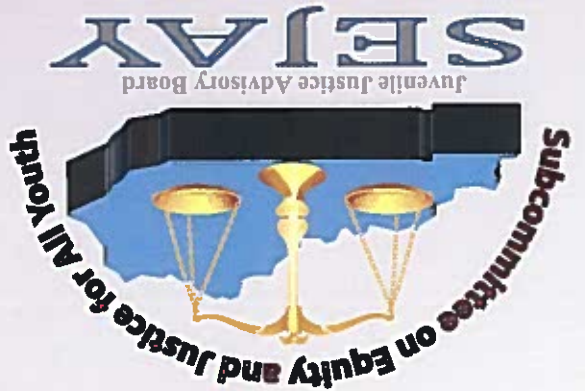
Both Federal regulations and Kentucky law prohibit the placement of any juvenile in an adult jail or prison. Kentucky Revised Statutes state: Any child held in custody shall be sight and sound separated from any adult prisoners held in secure custody at the same location [KRS 610.220].

## Jail Removal

Kentucky law prohibits the placement of any juvenile offender into adult jail facilities [KRS 640.030] and also imposes a stricter time limit than that of the JDP Act for the holding of a juvenile in adult lockup facilities (police and sheriff's departments), regardless of custody level [KRS 610.220].

## Disproportionate Minority Contact (DMC)

Federal guidelines require that states address specific delinquency prevention and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile numbers of minority groups, who come into contact with the juvenile justice system.



The Subcommittee on Equity and Justice for All Youth (SEJAY) is the delegated DMC subcommittee for the JJAB. The SEJAY is comprised of twenty (20) mandatory voting members from various disciplines and roles, in addition to each local DMC coordinator from targeted communities that are non-voting members of the subcommittee. The primary focus for the SEJAY is on disparities among minority youth groups which may include, but are not limited to: race, sex, national origin, religion, income, and mental or physical abilities. The SEJAY is responsible for advising and making recommendations to the JJAB and the Commonwealth of Kentucky on DMC, including causes and remedies.

In 2010, utilizing the \*DMC Reduction Model, the SEJAY continues to support efforts in local targeted DMC communities to address the necessary needs of their work towards addressing DMC. Among the current four identified targeted DMC communities are Christian, Lexington-Fayette, Louisville-Jefferson, and Madison Counties. Each of these locations is at a varied level of functioning within the DMC Reduction Model and has different needs in relation to addressing DMC within their communities. The following projects have been supported through the SEJAY during 2010 for the local targeted DMC communities: 1) piloting and assessment efforts for a new juvenile detention risk assessment tool; 2) restorative justice training and technical assistance; 3) acquisition of the Community and Strategic Planning (CASP) demonstration project

federal funding, 4) Study Circles on Race Relations community intervention, 5) data collection and analysis training and support, 6) local DMC coordination and committee support, 6) local representation at the national DMC conference, and the 7) preliminary development and assessment of a local integration information system pilot.

The mission of the SEJAY is "to be the primary authority and support for Kentucky regarding all youth-related disparity and disproportionate minority contact." In an effort to accomplish this task, the SEJAY continues to work diligently to develop the necessary protocols, to develop an easily accessible DMC specific website, to acquire the necessary equipment, materials and resources that would support all current and future efforts for accomplishing this goal.

As with the local communities, the SEJAY utilizes the DMC Reduction Model to direct their processes as well. Annually, it is a requirement through the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to utilize the Relative Rate Index (RRI) to establish the rate in which DMC exist at nine (9) contact points within the juvenile justice continuum, from arrest to transfer to adult court; identifying where DMC exists. In the past, the RRI's have been conducted only on local targeted DMC communities, along with a state-wide RRI. In 2010, the SEJAY requested and supported funding for an expanded collection which provides the RRI data on all 120 counties. In addition, OJJDP has mandated that all states initiate a new or updated State DMC Assessment by 2012, to determine why DMC exists. In 2010, the SEJAY began their processes for acquiring this updated study, which will be completed in totality by Fall 2013. This subcommittee continually advocates for funding of projects that promote systemic improvements that will provide changes that can best address the needs related to the reduction and/or mitigation of DMC throughout the State. The expanded RRI collection and the updated state DMC assessment will assist in supporting the SEJAY in identifying the manner in which future DMC funding can be best utilized to best address the needs related to DMC in the State of Kentucky.

# Title V

Title V of the JDP Act of 1974 was created by Congress to provide funds to local communities to prevent delinquency and provide early intervention efforts. The funding through OJJDP is currently allocated in equal values to each state.

**The City of Richmond – Multi Component Truancy Intervention Program (MCTIP)** is a third-year continuation project. MCTIP is a cooperative venture between three agencies: the Madison County Public Schools, the City of Richmond, and the Madison County Delinquency Prevention Council (MCDPC or PPB). The project was established to reduce delinquency and truancy among program youths, with the ultimate goal of transitioning these youth back into their home-schools. This program provides intensive case management services, transition coordination, and mentoring and social skill





development components which are supported by students and staff from Eastern Kentucky University [EKU]. The majority of these youth are at the alternative school because of chronic discipline, academic, and/or school attendance problems. The Title V funding provided to the City of Richmond supported a full-time director/transitional coordinator and half-time transitional coordinator contractual positions. Total Title V funding was \$47,220.00.

**The Livingston County – CASASTART<sup>SM</sup>** is a third-year continuation project. This project was established to reduce truancy and address adverse effects of substance use with identified youth, assessed to be high risk. The CASASTART<sup>SM</sup> model, recognized by OJJDP as a promising program, was adopted and fully implemented in Livingston County. CASASTART<sup>SM</sup> is a two-year, intensive case management model which incorporates eight (8) core components, three (3) mandatory meetings and a one-to-fifteen (1/15) ratio of case manager to youth/family. Title V funding supported a full-time CASASTART Director/ half-time Case Manager and another full-time Case Manager. All the funding this past year went to salaries and benefits of these positions. Total Title V funding was \$71,129.00.







Congress authorized the Juvenile Accountability Block Grants (JABG) program in 1997. Through the JABG program, funds are provided as block grants to states for programs promoting greater accountability in the juvenile justice system. In 2010, the Department of Juvenile Justice was awarded \$684,400.00 in federal funds through the JABG project.

**Program Title Federal Share Match Established Total Funds**

Administration (Not to exceed 5%)	\$34,220	\$3,802	\$38,022
Pass Through (Required)	\$47,908	\$5,323	\$53,231
2 –State Agencies Grants \$50,000 per agency	\$100,000	\$11,111	\$111,111
D)) Projects	\$502,272	\$55,809	\$558,081

JABG grant funding guidelines require D)) to pass through a percent of funds to local jurisdictions to implement accountability-based programs and services. Pass through allocations are based on the localities law enforcement expenditures and the number of violent crimes.

**Summary of State Agency Project & Pass Through Awards**

**Administrative Office of the Courts** — Funds were used to operate a juvenile drug court in Henderson County, KY. Because of changes, this project ended 9/30/10.

**Prosecutors Advisory Council** — Funds were used to pay portions of local juvenile court prosecutors.

**Louisville Metro Government** — Funds supported the Juvenile Intensive Supervision Team. This overtime initiative partners experienced Louisville Metro Police Department officers and Department of Juvenile Justice staff to provide enhanced supervision to juveniles on probation, thereby increasing community and victim safety.

**Lexington Fayette Urban County Government** — Funding provided support for a program offered to youth currently suspended from local schools. Youth are court ordered to come to the program in lieu of being on the streets or unsupervised while suspended from school.



## Continuing to Move Forward

### **Status Offenders:**

The Juvenile Justice Advisory Board has taken steps to reduce the use of detention for status offenders over the last year. The board has established an ad hoc workgroup to review the history of alternatives to detention and begin exploring funds for additional alternatives. The board has also partnered with the Department of Juvenile Justice and the Administrative Office of the Courts to host the Best Practices for Addressing Status Offenders conference in 2011.

### **Disproportionate Minority Contact:**

Consultation for developing the parameters of the statewide DMC Assessment study occurred in November, 2010 and Notification of Funding Availability for a researcher has been instituted and application processes proceeding. Research is currently projected to begin on July 1, 2011 and will conclude in September, 2013; SEJAY also hosted the Kentucky DMC Summit in August to assist in expanding the DMC knowledge for key communities and state level stakeholders. Other accomplishments in 2010 include the Administrative Office of the Courts internal review of the Court Designated Worker (CDW) program. Through this review race categories were adjusted to become more consistent. The CDW program also worked with SEJAY to continue efforts to implement the Juvenile Detention Risk Assessment Instrument pilot project in counties where DMC initiatives exist.

### **School Engagement:**

The Subcommittee of Kentucky Youth, the JJAB's youth led subcommittee, began work in Lexington area schools in calendar year 2010. School engagement projects focus on meeting the needs of young people and allowing active youth participation in project planning. The subcommittee also provided technical assistance to the CDW program and continues to work with their staff to enhance youth involvement in CDW programming.

### **Data Collection/Sharing:**

In 2010, the Department of Juvenile Justice and the Administrative Office of the Courts entered into a Memorandum of Understanding (MOU) to improve data sharing. This MOU allowed staff from both agencies to understand data needs and restrictions in order to better reflect juvenile crime in Kentucky. The JJAB also continued to support the production of the Kentucky Juvenile Crime Analysis report and continues to facilitate discussions with state agencies to improve data collection and sharing.

# Membership

Members of the board are appointed by the Governor. The Board must contain no fewer than 15 members and no more than 35 members. A majority of the members cannot be full-time employees of any federal, state, or local government and at least one-fifth are under the age of twenty-four when appointed. The juvenile justice Advisory Board is chaired by a non-governmental employee elected by the Board.

## Member

Nancy Pfadt, Chair  
 Kaye Jones Templin, Vice Chair  
 Jeanne Anderson  
 Rendell Butler  
 Kart Collins  
 Adam Cummings  
 Benjamin A. Deaton  
 Cherie Dawson-Edwards  
 Ann Ferrell  
 J. Ronald Haws  
 Randy Hensley  
 Rebecca Hobbs  
 Elizabeth Jenkins  
 Amanda Jewell  
 Sayd Joyce  
 Marty Lanus  
 Britt Mahan  
 Hon. Beth Lewis Maze  
 Amy Hale Milliken  
 Candace Moberly  
 Lana Mullins  
 Mark Neblett  
 Edward Palmer  
 Trina Patty  
 Nancy Pfadt  
 Hon. Cathy Prewitt  
 Racyonio Rankin  
 Wayne Rutherford  
 Elizabeth Sames  
 Elizabeth Taylor  
 Patrick Yewell  
 Rep. Susan Westrom  
 Patricia R. Wilson

## Board Representation

Youth Advocate  
 Gateway Children's Services  
 Attorney General's Office  
 Non Profit Representative  
 Division of Behavioral Health  
 Youth  
 Youth  
 Kentucky State University  
 Jefferson County Schools  
 Department of Juvenile Justice  
 Bera Police Department  
 Department of Public Advocacy  
 Youth  
 Community Volunteer  
 Youth Advocate  
 Youth  
 Community Volunteer  
 Youth Advocate  
 Circuit Judge  
 Warren County Attorney  
 Youth  
 Trig County Schools  
 Community Volunteer  
 Sign of The Dove Church  
 Community Volunteer  
 Youth Advocate  
 District Judge  
 Community Volunteer  
 Pike County Judge Executive  
 Youth  
 Department of Education  
 Administrative Office of the Courts  
 State Representative  
 Department of Community Based Services

## Residence City

Louisville  
 Owensville  
 Statewide  
 Frankfort  
 Statewide  
 Louisville  
 Lexington  
 Louisville  
 Louisville  
 Louisville  
 Louisville  
 Lexington  
 Statewide  
 Statewide  
 Statewide  
 Paris  
 Salt Lick  
 Lexington  
 Shelbyville  
 Shelbyville  
 Shelbyville  
 Owensville  
 Bowling Green  
 Bera  
 Cadiz  
 Mt. Washington  
 Radcliff  
 Brandenburg  
 Louisville  
 Corbin  
 Louisville  
 Pikeville  
 Shelbyville  
 Statewide  
 Lexington  
 Statewide



# Recommendations

**The Juvenile Justice Advisory Board makes the following recommendations for 2011:**

**Status Offenders:**

Reduce the use of secure detention for status offenders by identifying and using an array of alternatives to detention.

**Disproportionate Minority Contact:**

Development of standard and consistent race categories across all state data systems and other Kentucky youth serving agencies.

**School Engagement:**

Develop a statewide plan to address school engagement for youth and families who are at risk of becoming or are currently involved in the juvenile justice system through the utilization of coordinated services that provide support to students and families and promote student success.

**Data Collection/Sharing:**

Develop a state-wide integrated information system for all youth serving agencies, which employs unique identifiers for each Kentucky youth assigned to them at birth.