

Kentucky Court Designated Worker Program

2017 ANNUAL REPORT

Serving Kentucky's Youth





*John D. Minton Jr.
Chief Justice of Kentucky*

Focus on extensive training programs takes juvenile justice reform to new level

Three years into the implementation of juvenile justice reform, I remain impressed with the progress being made by the court system and its partners to improve how Kentucky treats our youth in diversion.

Since Senate Bill 200 passed in 2014, the Court Designated Worker Program of the Administrative Office of the Courts has worked with other state and local agencies to establish Family Accountability, Intervention, and Response Teams statewide.

These teams of professionals review juvenile cases with the goal of keeping youth out of the formal court system by improving access to treatment and diversion programs.

Juvenile justice reform efforts entered a new phase in 2017, when the CDW Program turned its focus to evidence-based practices as a way to apply continuous quality improvement to its processes.

Much of the year was spent training court designated workers and community partners in the Principles of Effective Intervention, Utilizing Graduated Responses in Diversion and Trauma Informed Care.

We believe this ongoing training will result in more positive outcomes for the youth we serve and their families.

I encourage you to read the 2017 Court Designated Worker Annual Report to learn how our committed CDW program staff continue to make a difference in the lives of Kentucky youth.

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Court designated workers apply continuous quality improvement to work with youth

*Rachel Bingham, Executive Officer
Department of Family & Juvenile Services
Administrative Office of the Courts*

Highlights for Calendar Year 2017

I am pleased to present the 2017 Annual Report for the Court Designated Worker Program. In 2017, the CDW Program continued to implement and standardize enhancements to the program that were mandated by the 2014 passage of Senate Bill 200. This included providing ongoing support to the Family Accountability, Intervention, and Response Teams located in every judicial district in Kentucky.

With juvenile justice reform entering its third year in 2017, the CDW Program continued to build on the strong progress made so far. We moved from initial implementation to a more mature phase, which saw us apply continuous quality improvement to our operations. I am pleased we were able to:

- Develop a new Preliminary Inquiry Interview tool that will help staff administer a needs screener and collect information that will be used to create child-centered diversion plans. We sent the Preliminary Inquiry to the Crime & Justice Institute in June 2017 for review and began a pilot for the new tool in September 2017.
- Hold a statewide conference in May 2017 titled “Connections Count: Empowering YOUth and Families in Kentucky.” The three-day program equipped staff with strategies to help them provide early intervention with youth and families.
- Train staff statewide to use evidence-based practices with youth in the juvenile justice system. These practices included the Principles of Effective Intervention, Utilizing Graduated Responses in Diversion and Trauma Informed Care.
- Provide FAIR Team members with booster training on the Principles of Effective Intervention and Utilizing Graduated Responses in Juvenile Justice in collaboration with the Regional Interagency Councils and the Kentucky Department for Behavioral Health, Developmental and Intellectual Disabilities.
- Begin carrying out action plans following implicit bias trainings to reduce disproportionate minority contact in the juvenile justice system.

This report identifies areas that need improvement for us to focus on in the future. It also demonstrates our staff’s dedication to providing high-quality support to the youth and families we serve. Their accomplishments include:

- Conducting 11,037 status offense pre-complaints.
- Entering 21,350 juvenile complaints.
- Closing out 12,673 cases with a diversion agreement.
- Assisting police with the release of 4,365 children taken into custody by law enforcement.

The Department of Family & Juvenile Services of the Administrative Office of the Courts oversees the CDW Program and I am honored to highlight the court designated workers’ commitment to providing effective interventions and improving long-term outcomes for Kentucky youth.

Update on FAIR Team Progress

In 2017, FAIR Teams held 1,151 meetings and reviewed 2,985 new cases, which included:

- 1,406 cases that met high-needs criteria.
- 867 unsuccessful status diversions.
- 556 cases in which the youth failed to appear for an initial intake appointment for a status offense.
- 10 cases in which the youth declined to participate in diversion for a status offense.
- 19 cases that were referred from court.
- 77 cases that were referred to the FAIR Team by the Director of Pupil Personnel for consultation.
- 50 cases that program staff felt would benefit from the FAIR Team process but did not meet any other criteria.

In addition, the FAIR Teams closed 3,145 cases that became inactive with the CDW Program. More than 57 percent of the cases closed were handled outside of the formal court process, with 1,528 cases closed due to the successful completion of diversion and 288 cases referred to the county attorney and subsequently dismissed.

An additional 1,329 cases (42 percent) were referred to the county attorney for formal court processing.

AOC provides training to agencies implementing juvenile justice reform

The successful implementation of juvenile justice reform has depended in large part on the Department of Family & Juvenile Services of the Administrative Office of the Courts providing ongoing training and coaching to court designated workers, judges, school personnel and children's advocates. These efforts continued in 2017 as the AOC worked with court staff and partner agencies on a statewide educational campaign that offered the following programs:

Community Partner Meetings. In July and August 2017, the AOC teamed up with the Department of Juvenile Justice to host community partner meetings in each judicial district. Those who attended learned how Kentucky's juvenile justice reform efforts would affect them locally and how communities could apply for grants to reinvest in community initiatives, resources, and support for youth and families. The grant funds became available in September 2017 from savings realized through changes to the juvenile justice system.

As part of these meetings, staff from the Court Designated Worker Program and the DJJ presented local and statewide data to guide discussions on specific needs for young people in contact with the juvenile justice system and their families.

School Justice Partnership Institute. The School Justice Partnership Institute took place Dec. 19-20, 2017, to educate community leaders on school-justice issues and how to reduce the number of youth who enter the juvenile justice system while increasing public safety.

The Department of Family & Juvenile Services hosted the institute in collaboration with the National Council for Juvenile and Family Court Judges and the Court Improvement Program.

Representatives from the following jurisdictions attended the institute: Bullitt County, Christian County, Daviess County, Franklin County, Hardin County, Jefferson County and Garrard/Jessamine/Lincoln counties.

CDW Trainings. In May 2017, the Department of Family & Juvenile Services hosted a Court Designated Worker Conference at the AOC in Frankfort for all staff of the CDW Program.

The conference offered timely sessions titled Trauma Informed Care, Implicit Bias, The Addiction Epidemic: A Closer Look at How Families and Children are Impacted

by Substance Use, Strategies for Educational Success, Service Provision and Intervention Strategies for Families Impacted by Domestic Violence, and the State of Fairness: Understanding LGBTQ Rights & Identities Among Kentucky's Youth.

Graduated Response Training for CDWs. Members of the AOC Department of Family & Juvenile Services completed a train-the-trainer course with the Crime & Justice Institute so they could train CDW Program staff on graduated responses.

Graduated responses allow a shift from the current supervision model to a proactive, prosocial approach that enhances interaction between staff and youth. All CDW staff received the initial training in August 2017 and Graduated Response Training is offered during the first year of employment for new employees.

Graduated Response Training for RIAC Members and FAIR Teams. The Regional Interagency Council worked with the AOC Department of Family & Juvenile Services and the Department of Behavioral Health, Developmental and Intellectual Disabilities to offer 18 Graduated Response Trainings across the state in 2017. The trainings were provided to RIAC members and Family Accountability, Intervention, and Response Team members.

The Crime & Justice Institute developed this training, which is a shift from monitoring youth on diversion in a traditional manner to prosocial-focused diversion. This model is behavioral-based rather than punishment-based and reinforces the positive instead of sanctioning only the negative.

The model also improves interactions between CDWs and young people by using each contact to promote prosocial behaviors. Understanding how to use graduated responses equips CDWs to provide high-quality, strength-based services for youth in the juvenile justice system.

Professional Conferences. AOC staff shared their expertise at several national conferences in 2017. They presented at the Southern Regional Juvenile Justice Meeting sponsored by the National Center for State Courts, the National Coalition of Juvenile Justice Conference, the National Symposium of Juvenile Justice, the Director of Pupil Personnel Conference and the Juvenile Justice Advisory Board Conference.

About the Court Designated Worker Program

When a young person is in trouble, positive intervention can mean the difference between a bright future and one with challenges. In Kentucky, court designated workers process complaints against juveniles under age 18, giving CDWs the opportunity to help thousands of youth every year.

The Court Designated Worker Program began in 1986 when the Kentucky General Assembly established a statewide pre-court program. The program addresses complaints filed against juveniles prior to any action taken in formal court.

Every Kentucky county has the services of a CDW who is available 24 hours a day, seven days a week. The CDW Program operates under the direction of the Department of Family & Juvenile Services of the Administrative Office of the Courts.

The CDW Program ensures due process for juveniles by involving them in the complaint review process and explaining their rights under the law. They are also informed of the options for handling their case, whether informally through a diversion agreement or formally through the court system.

When appropriate, juveniles are diverted from the formal court system. Those who are eligible for diversion will not have a formal court record if they successfully complete the supervised educational and treatment-based program agreed upon in a pre-court contract, called a diversion agreement.

Duties of a Court Designated Worker

CDWs are responsible for:

- Processing all public and status complaints on children under age 18.
- Assisting law enforcement in the custody process.
- Conducting preliminary investigations and interviews.
- Developing and supervising diversion agreements.

The CDW receives all complaints, which fall into two categories, status offenses and public offenses. Status offenses are non-criminal forms of juvenile behavior, such as running away from home, not attending school, tobacco and alcohol offenses, and exhibiting beyond-control behavior at home or at school. Public offenses are defined in the same terms as adult charges.

Anyone can file a complaint against a juvenile, including a police officer, victim, parent or school official. Juveniles who have a complaint filed against them are given the opportunity to meet with a CDW.

Custody Instead of Arrest

Under Kentucky's juvenile justice system, children under age 18 are taken into custody instead of being arrested. CDWs assist law enforcement officials in finding appropriate placements, such as with parents or guardians, relatives or an emergency shelter. Detention may be authorized by a judge if there are concerns that a juvenile may reoffend, fail to appear for court or be a safety risk.

Appropriate Placements

It is always the intent of the CDW to find the least-restrictive placement option. CDWs have five least-restrictive alternatives to consider when making placement decisions:

- Parent or custodial guardian, unless prohibited by the court for alleged abuse.
- Responsible adult, such as a relative, neighbor or friend of family.
- Emergency shelter.
- Crisis stabilization units, if applicable.
- Inpatient mental health assessment, if applicable.

Diversion Agreements

The goal of diversion is to reduce further involvement in the court system. CDWs follow established criteria to determine if a juvenile is eligible to participate in a diversion agreement or if the case, by law, must be referred to formal court. If the juvenile is eligible and agrees to the informal process, he or she enters into a diversion agreement with the CDW.

The diversion agreement holds juveniles accountable for past actions and provides tools to manage current behavioral issues. These tools include:

- Prevention and education programs
- Service learning projects
- Community service
- Restitution
- Curfew
- School attendance
- Counseling
- Treatment

The CDW monitors juveniles throughout the diversion program, which helps ensure they are given the tools and skills necessary to make better decisions in the future.

When the juvenile successfully completes a diversion program, the case is closed and no formal court record is created.

CDW Program by the Numbers

Pre-Complaints

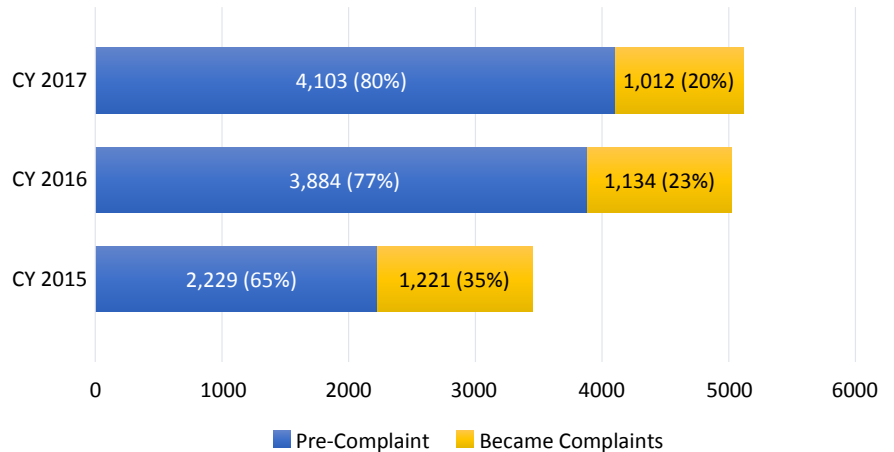
Court designated workers use the pre-complaint conference to coordinate a young person's case management and any prevention services prior to a complaint being filed.

During the pre-complaint conference, CDWs gather information that includes family history, behavioral issues, previous assessments or services, and assessments or services that may be beneficial moving forward.

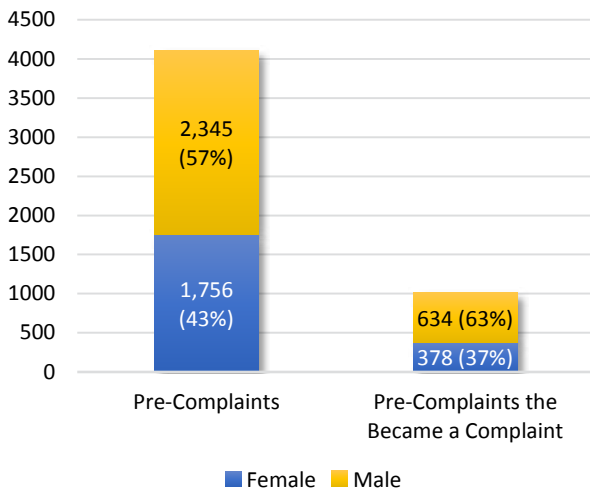
At the pre-complaint stage, youth alleged to be beyond control of their parents will participate in the Diversion Short Screener, a tool to help determine potential needs. The pre-complaint conference is also a good opportunity to help families who simply need assistance connecting to a particular resource.

After the pre-complaint conference, the complainant will have the option to file a formal complaint or charge. That allows CDWs to provide more intense case management over an extended period of time to families who need a more formal intervention.

Pre-Complaints That Became a Formal Complaint CY 2017

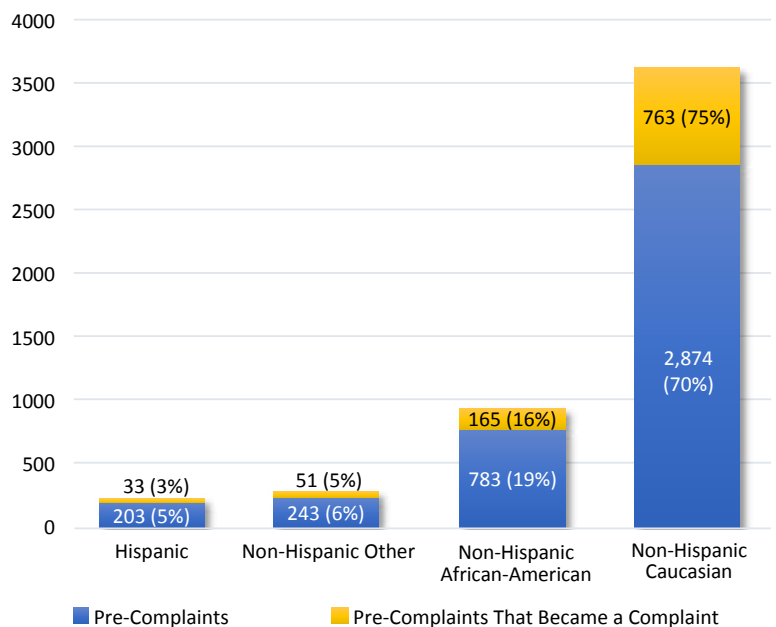


Pre-Complaints by Gender CY 2017



Note: Two youth of unknown gender are excluded.

Pre-Complaint Comparison CY 2017

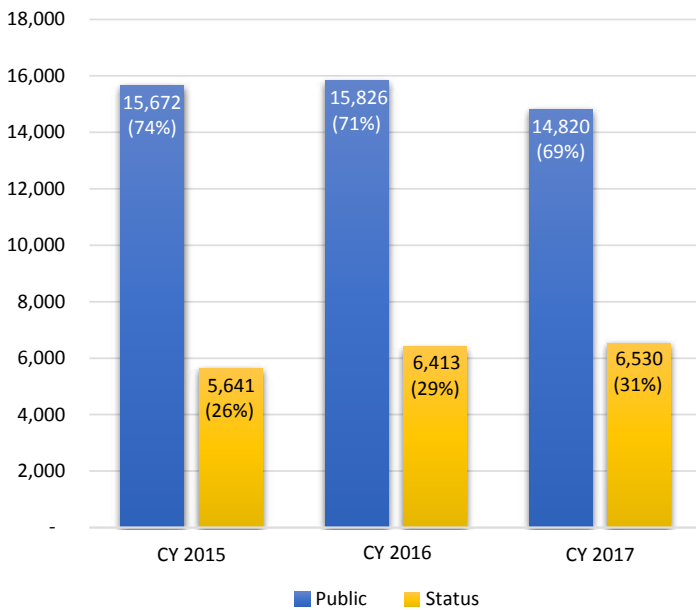


CDW Program by the Numbers

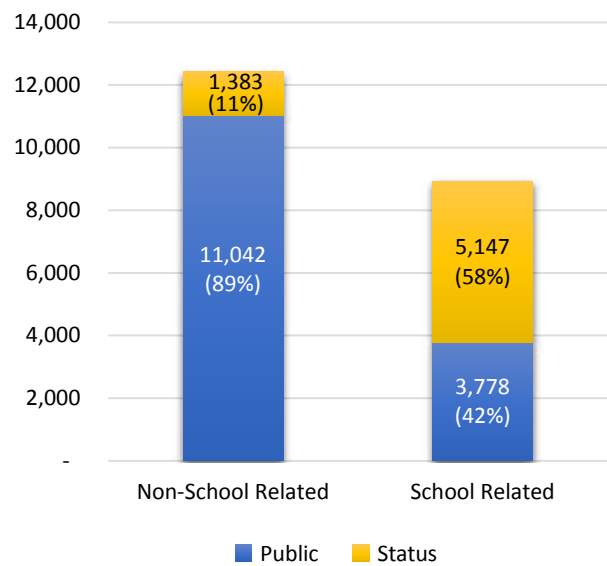
Public & Status Complaints

Of the 21,350 complaints filed against juveniles in 2017, 69 percent were for public offenses and 31 percent were for status offenses. Forty-two percent of the complaints were school related and 58 percent were non-school related. Status offenses comprise 58 percent of school-related complaints. School-related complaints are those initiated by the school.

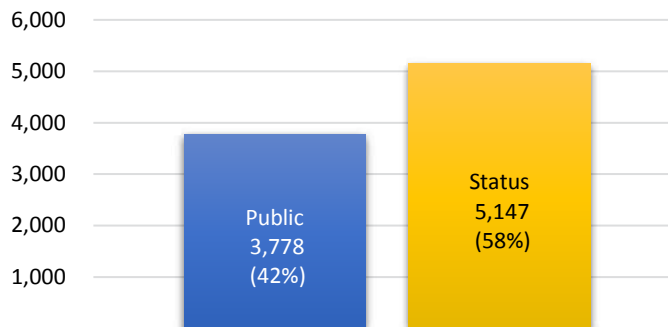
Complaints Filed by Type: Public vs. Status Offenses CY 2017



School-Related vs. Non-School Related Complaints CY 2017



School-Related Complaints CY 2017

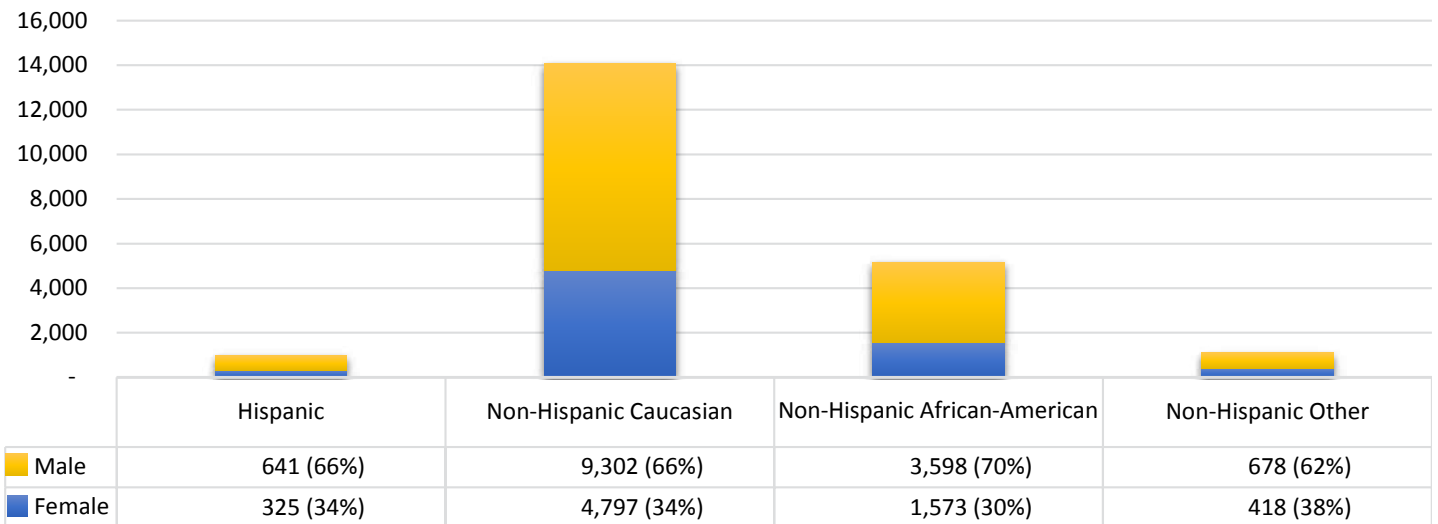


CDW Program by the Numbers

Complaints by Race & Gender

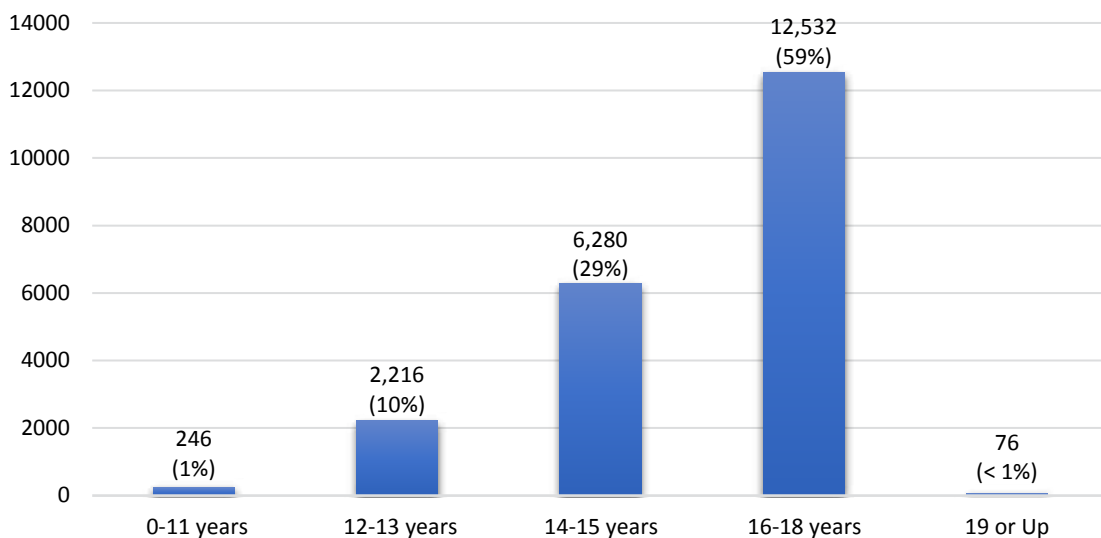
Of the 21,350 complaints in 2017, 66 percent were filed against Caucasian juveniles and 24 percent against African-American juveniles. The remaining 10 percent of complaints were filed against juveniles who were Native American, Asian, Hispanic or another racial group not captured individually.

Public & Status Complaints Filed by Race & Gender CY 2017



Note: 18 complaints with unknown gender are excluded.

Complaints Filed by Age CY 2017

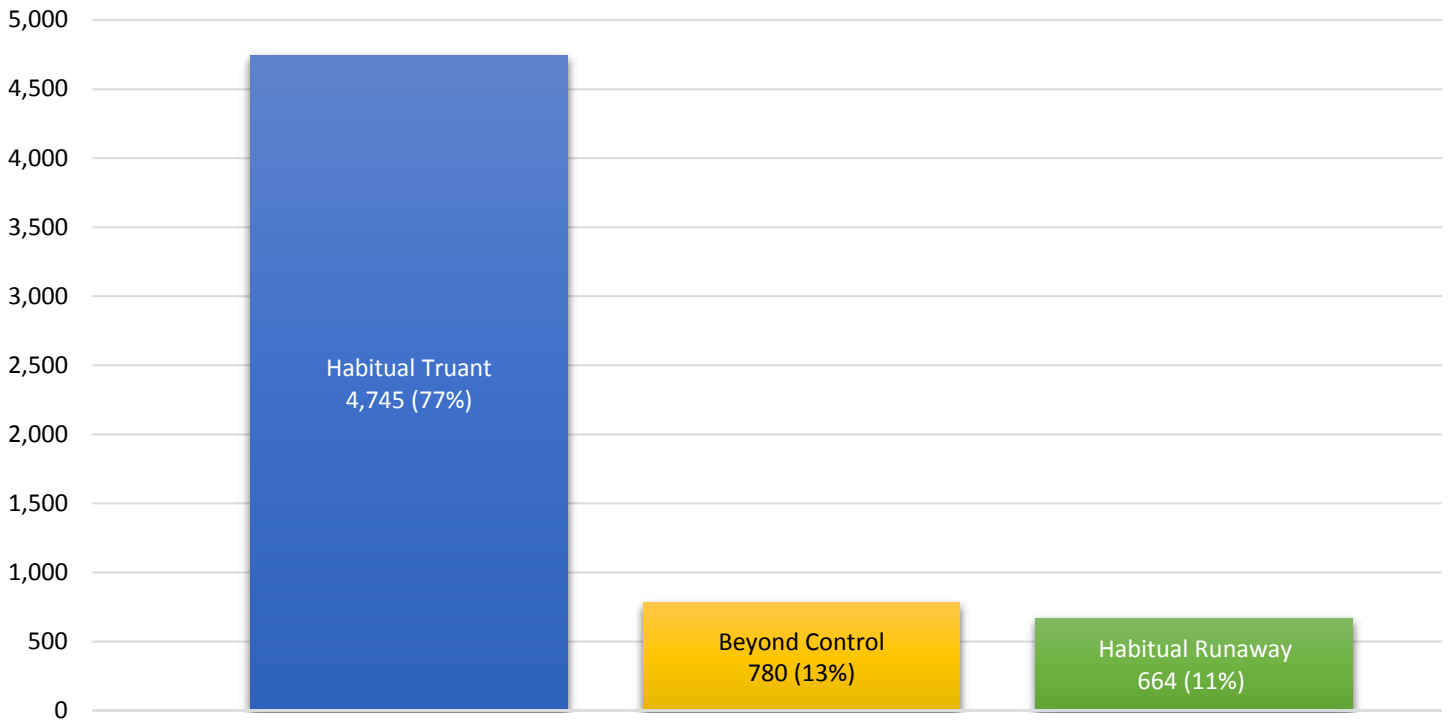


CDW Program by the Numbers

Status Complaints Filed

There were 6,530 status complaints filed in 2017. Of the three most common status complaints, 77 percent were for habitual truancy, 13 percent were for beyond control and 11 percent were for habitual runaway.

Status Offenses Within Complaints Filed CY 2017

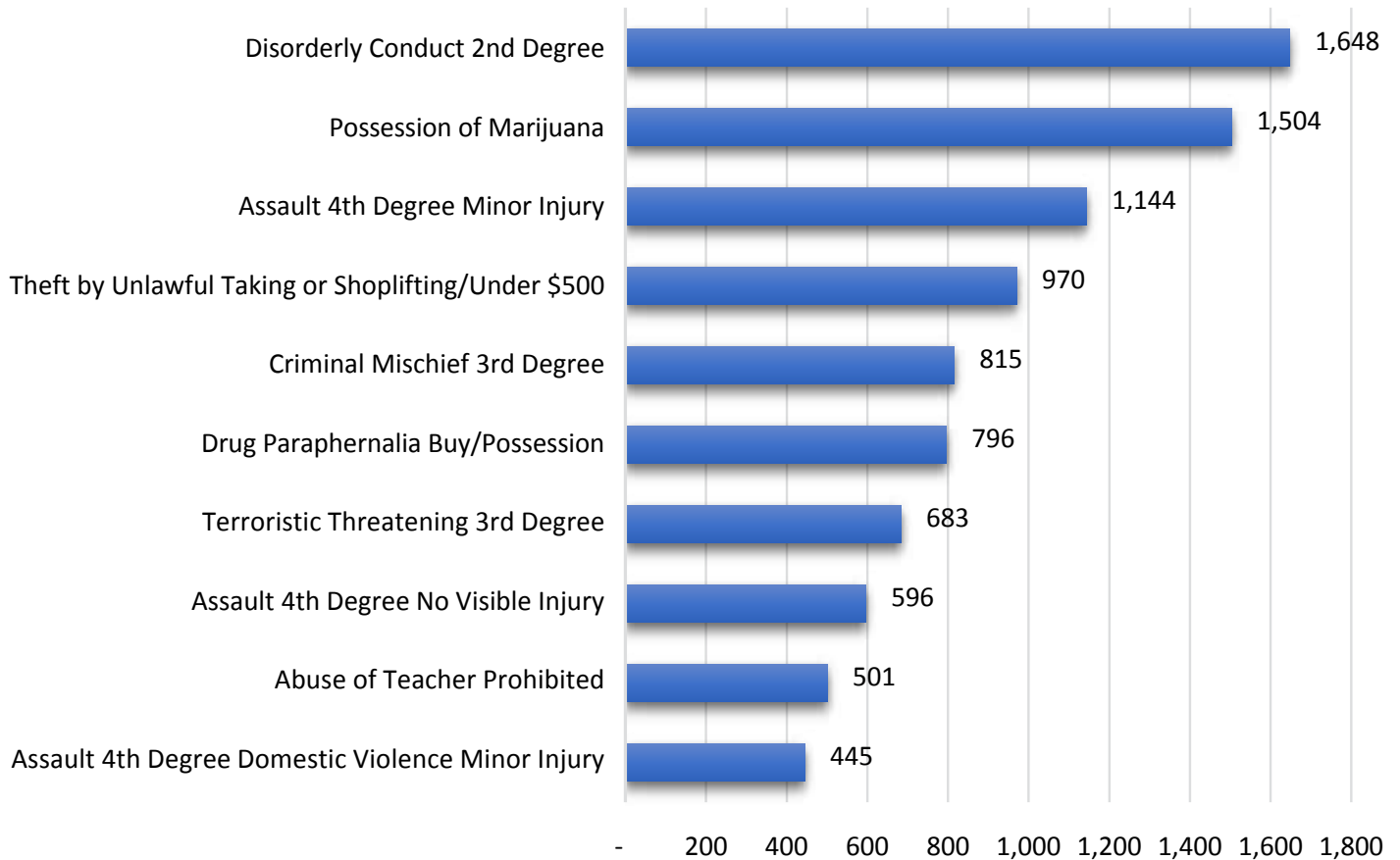


CDW Program by the Numbers

Public Complaints Filed

There were 14,820 public complaints filed on juveniles in 2017. Of the 10 most common charges, 18 percent were for disorderly conduct 2nd, 17 percent were for possession of marijuana, 13 percent were for assault 4th minor injury, 11 percent were for theft under \$500 and 9 percent were for criminal mischief 3rd.

10 Most Common Public Offenses Filed With Statewide CDW Program CY 2017



CDW Program by the Numbers

Custody Outcomes for Public & Status Complaints

A juvenile can be taken into custody by a law enforcement officer who has probable cause to believe the child has committed an offense. The law enforcement officer may release the youth to a parent, relative, guardian or custodian upon his or her written promise to appear with the child in juvenile court. However, youth meet the criteria for detention if:

- There is reasonable belief the young person is unlikely to appear in court.
- Detention is essential to protect the youth or the community.
- The youth is charged with a serious offense.
- A parent, guardian or custodian cannot be located or is unwilling to take custody.
- The youth has a reasonable basis for requesting detention.

Once a young person has been taken into custody, a court designated worker will respond to the custody site and determine if the child meets the criteria for detention. The CDW program staff will contact a judge if the youth is eligible to be detained.

If the young person is held in a juvenile detention center, a detention hearing must be held after he or she is taken into custody. At the detention hearing, the judge:

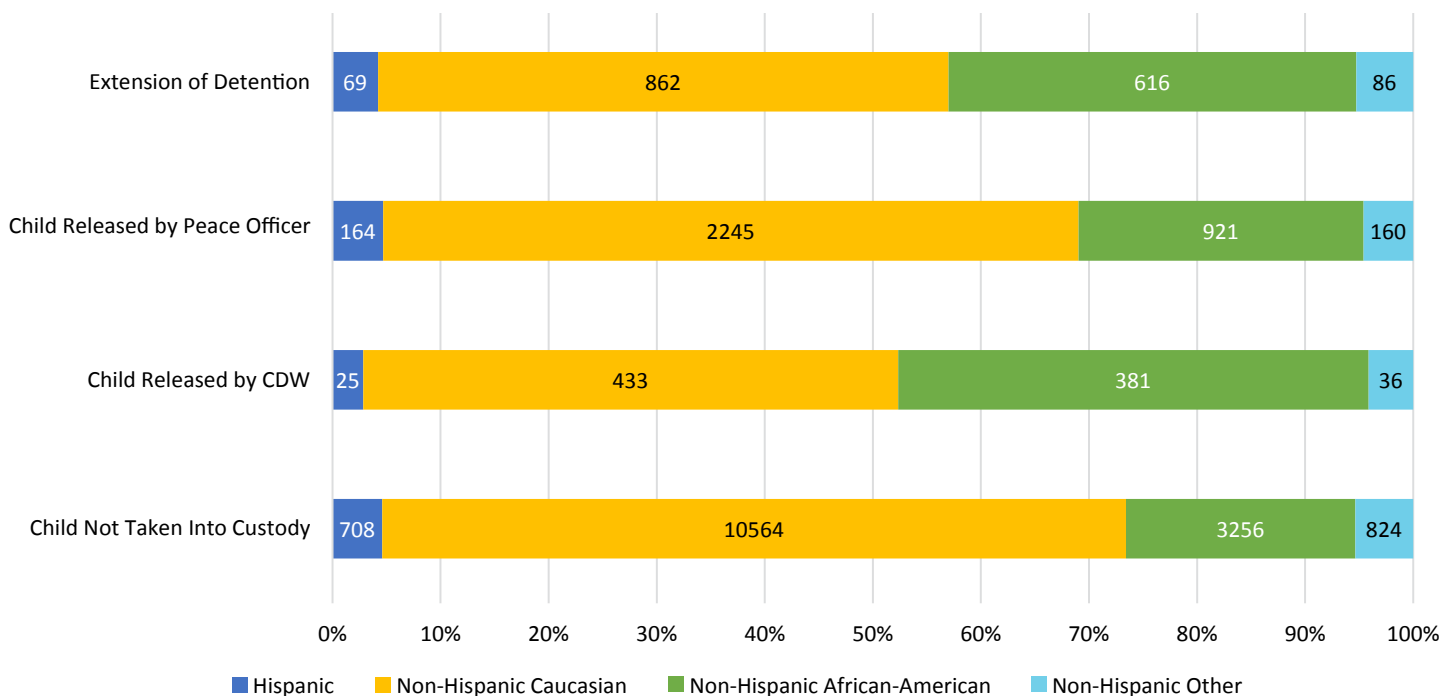
- May dismiss the charges and release the youth if there is no probable cause he or she has committed an offense.
- May release the youth to his or her parents, guardians or custodians upon promise to reappear in juvenile court.
- May order continued detention if there is reasonable belief the youth is unlikely to reappear; if detention is essential to protect the youth or the community; if the parent, guardian or custodian cannot be located or is unwilling to take custody; or if the youth has a reasonable basis for requesting detention.

Intake Actions

In 2017, 1,633 juveniles were detained at the point of intake. Of those, 53 percent were Caucasian, 38 percent were African-American, 4 percent were Hispanic and 5 percent fell into another racial and ethnic category not captured individually.

	PUBLIC	STATUS	Total
Child Not Taken Into Custody	9,191	6,161	15,352
Child Released by CDW	764	111	875
Child Released by Peace Officer	3,386	104	3,490
Extension of Detention	1,479	154	1,633
Total	14,820	6,530	21,350

Custody Outcomes of Public Complaints CY 2017



CDW Program by the Numbers

Diversion Agreements

In 2017, 7,295 public complaints and 5,378 status complaints were handled through diversion agreements. A diversion agreement is a contract, also called a case plan, that the court designated worker negotiates with the child.

The goal of the diversion agreement is to hold the child accountable for his or her behavior, secure services if appropriate,

and serve the best interests of the child while providing redress and restitution for his or her offenses without court action and without creating a formal court record.

Diversion agreements are customized to fit the individual needs of the child. The CDW program staff draw on community resources and a variety of tools and programs to resolve a complaint. Successful diversion agreements have produced a significant amount of money in the form of restitution.

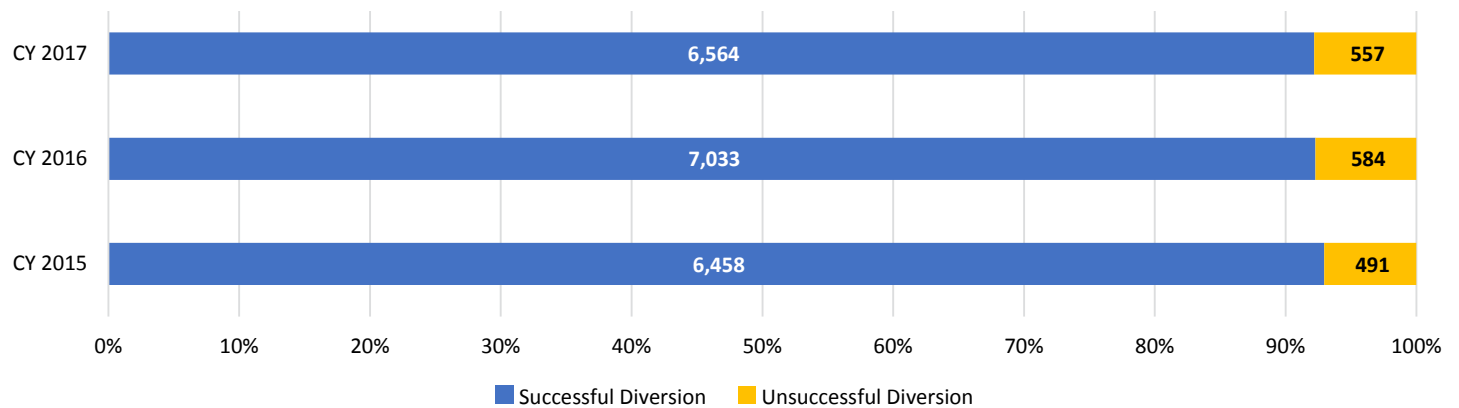
Diversion Agreements Within Complaints Closed CY 2017

Public	Status	Total
7,295	5,378	12,673

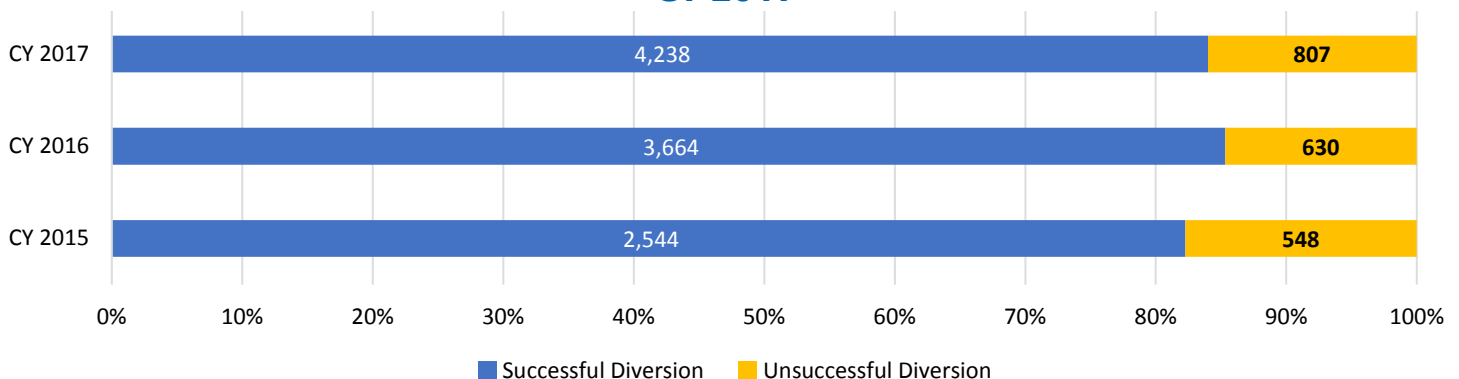
Successful Diversions

Of the 7,121 public complaints, 92 percent of the diversions were completed successfully. Status complaint cases are generally more complex than a public complaint. Of the 5,045 status complaints, 84 percent of the diversions were completed successfully.

Public Complaints Closed With Diversion CY 2017



Status Complaints Closed With Diversion CY 2017



CDW Program by the Numbers

Terms of Diversion

The terms used to set up a juvenile's diversion agreement must provide prevention, education, accountability and treatment when appropriate. There were 46,801 terms used in diversion agreements during 2017.

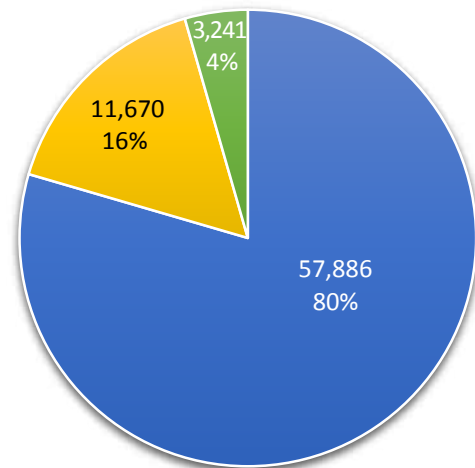
Community Service Hours. Juveniles performed 11,670 hours of community service in their local communities.

Service Learning Hours. Juveniles on diversion completed 72,797 hours of service learning.

Terms of Diversion Agreements CY 2017

Assault Workbook/Service Learning Project	897
Bullying Workbook/Service Learning Project	95
Character Counts!	9
Community Service Work	535
Community Works	17
Counseling Assessment	3,764
Counseling Referral	4,659
Criminal Mischief Workbook/Service Learning	288
Curfew	1,424
Drug/Alcohol Education	48
Educational Diversion Assignment	5,599
Educational Seminar/Program (Specify)	519
Families Workbook/Service Learning Project	199
Farmers, Families & Friends Fitness Work	7
Harassment/Internet Safety Workbook/Service	152
Letter of Apology	656
Look Before You Leap	13
Making Choices	47
Making It on Your Own	11
NEFE High School Financial Planning	4
No Negative Contact	995
Other	1,038
Psychosexual Assessment	32
Psychosexual Counseling Referral	7
Report to CDW	1,216
Restitution	222
School Attendance	11,730
Service Learning Project (Group)	54
Service Learning Project (Individual)	8,036
Service Learning Workbook	62
Street Law for Juvenile Justice Programs	58
Substance Education Activity Program	87
Substance Workbook: Journal	362
TBUT Workbook/Service Learning Project	570
Teen Court Diversion	194
Theatre in Diversion	16
Tobacco Workbook/Service Learning Project	75
Truancy Diversion Program (TDP)	549
Truancy Workbook/Service Learning Project	2,555
Total	46,801

Service Learning Hours CY 2017



- Service Learning Project (Individual)
- Community Service Work
- All Other Service Learning Hours

	CY 2017
Character Counts!	79
Community Service Work	11,670
Community Works	196
Look Before You Leap	154
Making Choices	355
Making It on Your Own	92
NEFE High School Financial Planning	72
School Attendance	14
Service Learning Project (Group)	467
Service Learning Project (Individual)	57,886
Street Law for Juvenile Justice Programs	1,090
Theatre in Diversion	720
Grand Total	72,795

CDW Program by the Numbers

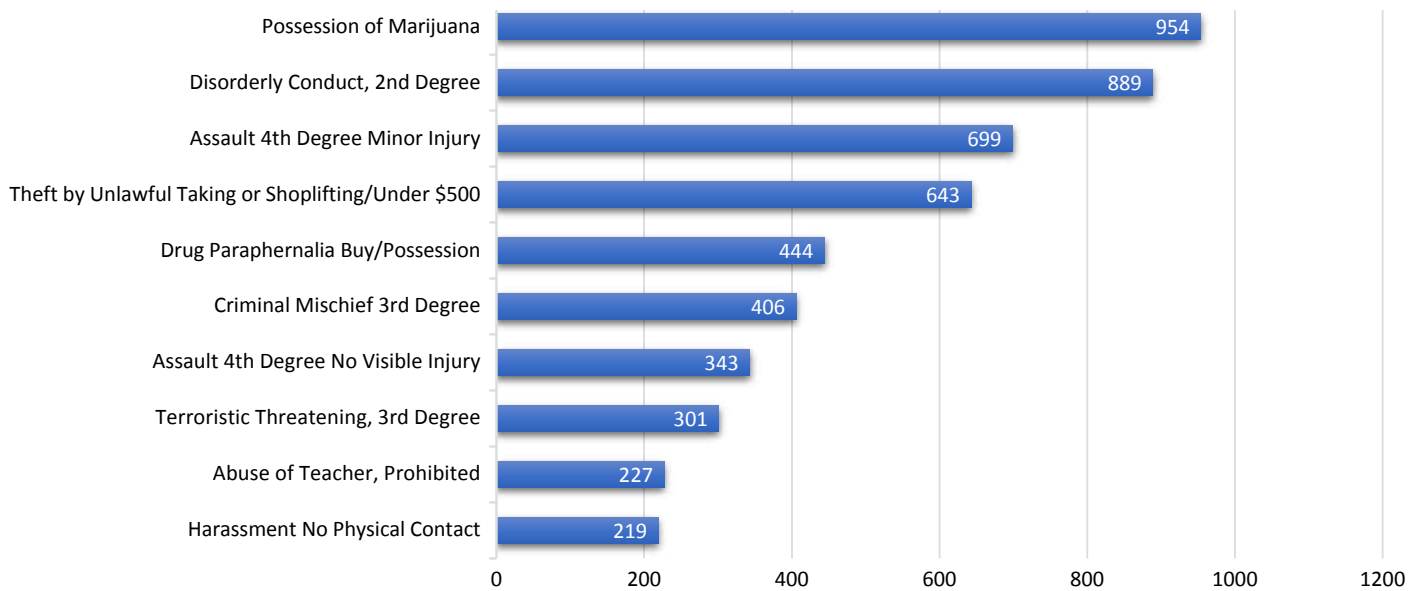
Counseling With Diversion

Counseling is an important part of a juvenile's diversion agreement. Fifty-nine percent of juveniles with public complaints and 41 percent of juveniles with status complaints participated in counseling as part of their diversion agreement.

Diversion Agreements With Terms of Counseling Assessment and/or Counseling Referral CY 2017

	Public	Status	Total
CY 2015	4,130	1,948	6,078
CY 2016	5,056	3,017	8,073
CY 2017	5,064	3,545	8,609
Total	14,250	8,510	22,760

Top 10 Offenses Within Public Complaints Filed With Diversion Agreement CY 2017



Teen Court Diversion Program

Teen Court is based on the premise that most young people want to do what is right when making decisions. Even those who may make the wrong choice due to external factors, such as peer pressure, are often gratified to learn they have an opportunity to make amends.

Teen Court gives juveniles the opportunity to participate in a less formal court process carried out by their peers. As part of his or her diversion, a juvenile agrees to participate in Teen Court and have his or her sentence set by their peers.

The goals of Teen Court are to:

- Reduce repeat offenses by young offenders.
- Change the attitudes of offenders toward law enforcement, society and themselves.
- Hold young offenders accountable for their actions.
- Increase young offenders' understanding of how their behavior affects others.

Complaints Closed by Case Close Reason With Teen Court Diversion Agreement CY 2017

Public Complaints	
CDW Referred Case for Formal Processing	0
County Attorney Requested Formal Court Referral	0
Successful Diversion	155
Unsuccessful Diversion	22
Total	177
Status Complaints	
CDW Referred Case for Formal Processing	0
County Attorney Requested Formal Court Referral	0
Successful Diversion	13
Unsuccessful Diversion	0
Total	13
Grand Total	190

CDW Program by the Numbers

Truancy Diversion Program

The Administrative Office of the Courts created the Truancy Diversion Program in 2005 to help students at risk of being charged with truancy because of too many unexcused absences.

The program uses a multidisciplinary team approach to help students become more successful. The team consists of judges, school personnel and court designated workers. They meet weekly to help students develop good attendance habits and improve their overall school experience. During 2016-2017, 183 schools in 75 counties participated in the Truancy Diversion Program.

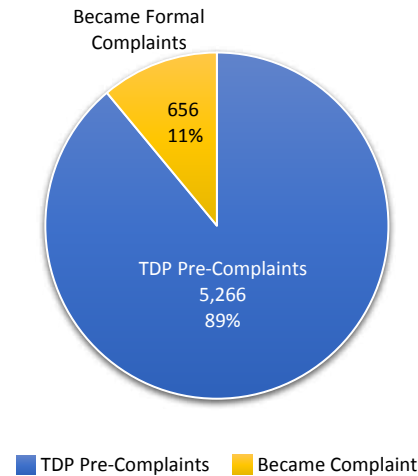
The Truancy Diversion Program is divided into two phases.

Pre-Complaint Phase. The Pre-Complaint Phase is when the truant student and his or her parents meet with the TDP Review Team and attend a two-hour educational workshop.

Complaint Phase. The Complaint Phase is when the student has been absent or tardy six or more times without a valid

excuse and is considered habitually truant. The CDW fills out a complaint on the student. The student and his or her parents attend weekly sessions with the TDP Review Team and comply with recommendations and requirements set forth by the team. The Complaint Phase of the program lasts 10 weeks.

TDP Pre-Complaint Conferences CY 2017

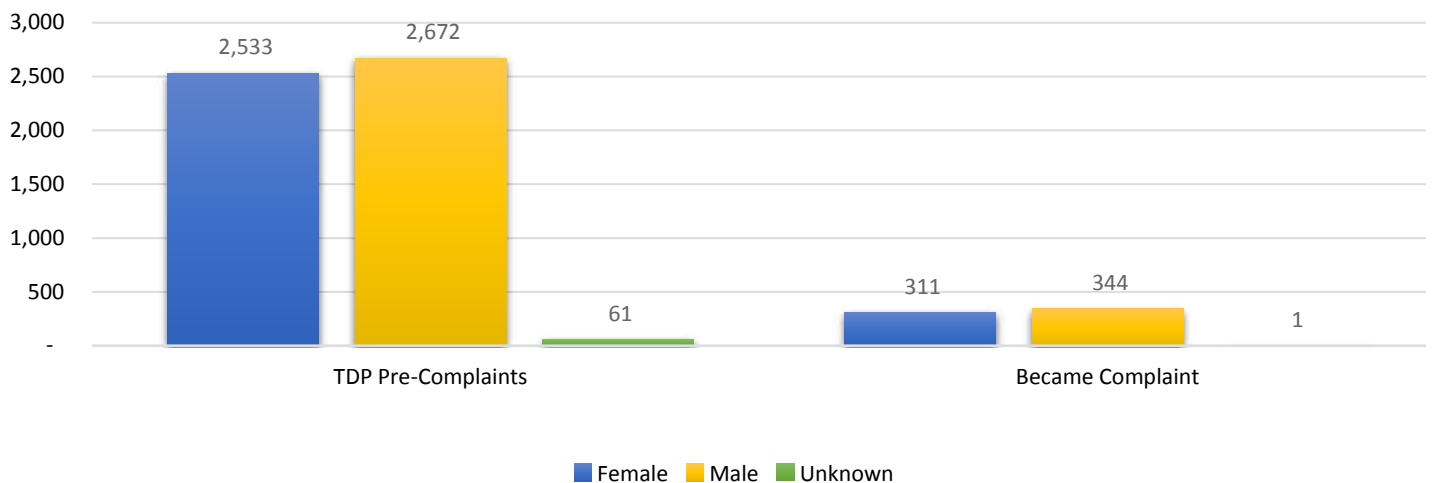


Truancy by Gender

Of the 5,922 pre-complaints related to truancy, 51 percent involved males and 48 percent involved females (excludes 62 unknown).

- CDW Program staff provided case management to 5,266 TDP pre-complaints in Phase One.
- Only 656 cases advanced to Phase Two, which resulted in a formal complaint being filed.

TDP Pre-Complaint Conferences by Gender CY 2017



CDW Program by the Numbers

Juvenile Recidivism

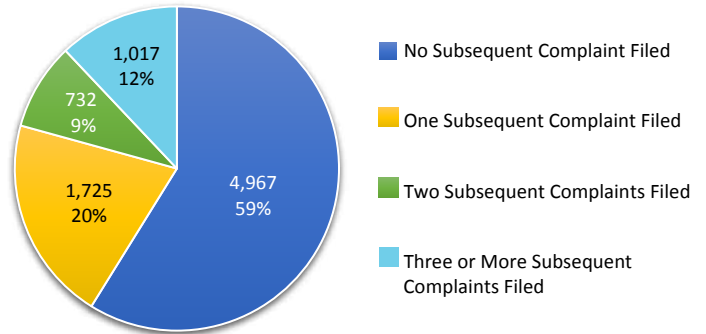
The Department of Family & Juvenile Services conducted a juvenile recidivism study on a cohort of 8,441 distinct juvenile offenders who had a complaint filed during CY 2014 and were processed through the diversion program.

The juvenile cohort was tracked through the Court Designated Worker Case Management System for at least three years from the complaint date to determine whether subsequent complaints had been filed since Jan. 1, 2014. The majority of the juveniles, 89 percent (7,474), had an initial* referral that was a successful diversion and the remaining 11 percent (976) had an initial referral that was an unsuccessful diversion.

Among the cohort of 8,441 juveniles, 59 percent did not reoffend while under age 18 and 20 percent reoffended only once after the initial complaint in 2014 through Dec. 31, 2017.

** For the purpose of this study, the initial referral was not necessarily the juvenile's actual first referral but instead was his or her first referral during CY 2014.*

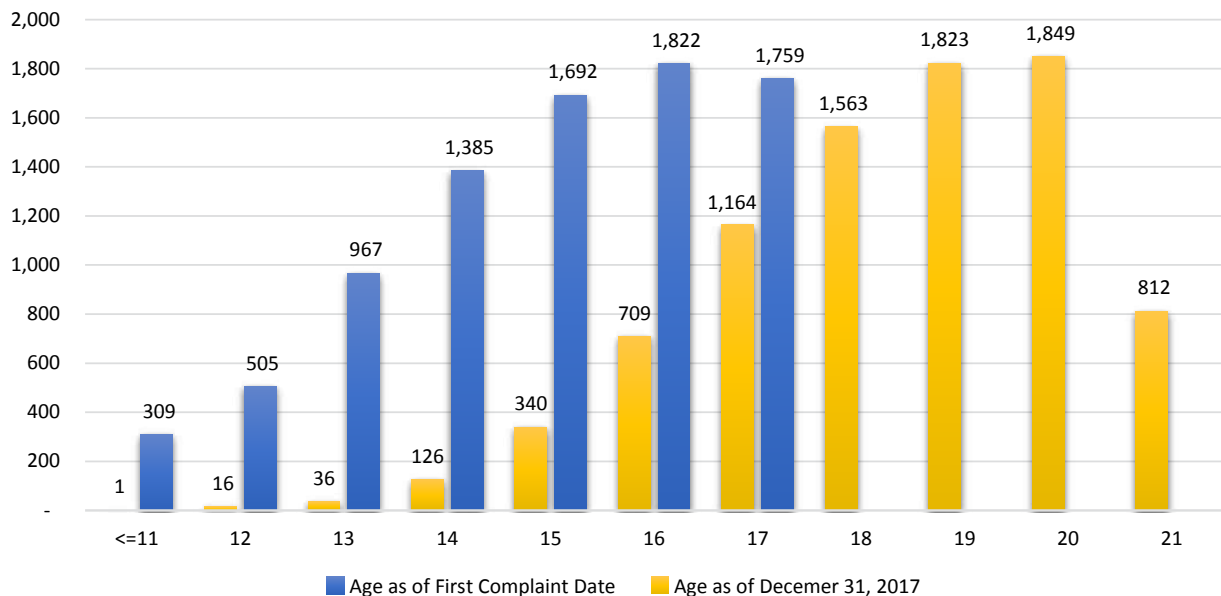
Any Subsequent Complaint Filed for Juveniles 1/1/2014 - 12/31/2017



First Complaint Filed for Juveniles by Case Close Reason CY 2014

	Public	Status	Total
Successful Diversion	5,481	1,993	7,474
Unsuccessful Diversion	378	589	967
Total	5,859	2,582	8,441

Ages of Juveniles Within Cohort



CDW Program by the Numbers

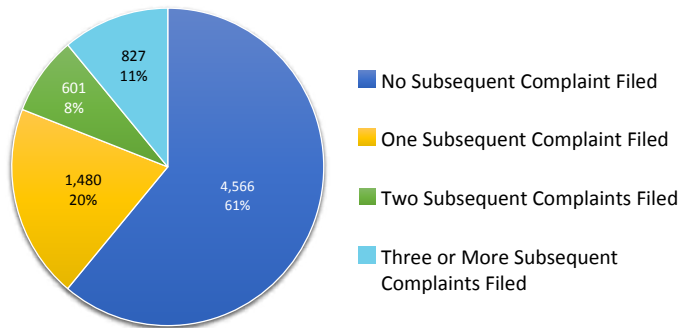
Successful Diversions Among Juvenile Cohort

Of the 7,474 juveniles who successfully completed the diversion program, 61 percent did not reoffend or have any subsequent complaints filed while under 18 years old as of Dec. 31, 2017.

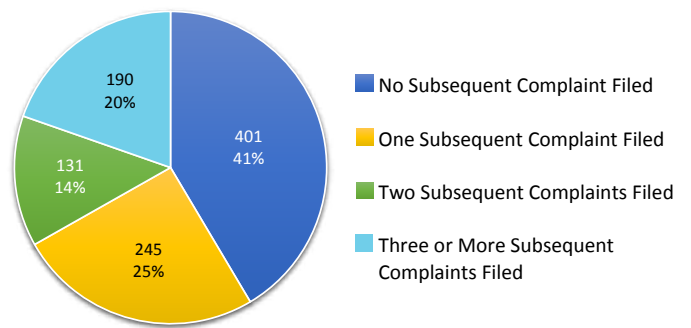
Unsuccessful Diversions Among Juvenile Cohort

Of the 967 juveniles who did not successfully complete the diversion program, 41 percent did not reoffend or have any subsequent complaints filed.

**Successful Diverted Juveniles
Reoffense Rate
1/1/2014 - 12/31/2017**



**Unsuccessful Diverted Juveniles
Reoffense Rate
1/1/2014 - 12/31/2017**



Juvenile Complaints: Summary of Statistics CY 2017

Complaint Types	Number of Complaints
Total status pre-complaints filed	5,115
Status pre-complaints that became formal complaints	1,012
Total public complaints	14,820
Total status complaints	6,530
Total school-related complaints	8,925
School-related status complaints	5,147
School-related public complaints	3,778

Complaints With Diversion Agreements
Nearly 40 different types of terms available to be included in CY 2017 diversions
10,817 distinct juveniles with one or more diversion agreements
7,295 public complaint diversions
6,564 public complaint diversions successfully completed
5,378 status complaint diversions
4,238 status complaint diversions successfully completed

Recidivism
61% of successful diversions in CY 2014 did not have any further complaints by Dec. 31, 2017
41% of unsuccessful diversions in CY 2014 did not have any further complaints by Dec. 31, 2017
59% of complaints are for juveniles aged 16-18
67% of complaints are against male juveniles
66% of complaints are against Caucasian juveniles

CDW Case Management System: Definitions & Methodology

The statistical information in this report is from the Court Designated Worker Case Management System. The CDWCMS statewide electronic database is maintained by the Department of Family & Juvenile Services of the Administrative Office of the Courts. The following definitions explain the methodology used to produce the statistical reports.

Intake Action Date. Date that the intake action (release or detention) is applied.

Juvenile ID Number. Each juvenile is assigned a unique identifier the first time he or she is entered into the CDWCMS. That identifier remains with the juvenile for each subsequent referral/complaint, ensuring that the CDWCMS maintains a count of distinct juveniles.

Number of Complaints/Referrals. The terms complaint and referral are interchangeable. A juvenile may have more than one complaint during any given time frame. A complaint may be a status complaint or a public complaint. Status complaints are those that include offenses unique to juveniles, such as beyond control, habitual truant, runaway, and various alcohol and tobacco offenses. Public offenses are those that would be crimes if committed by adults, such as felonies, misdemeanors and violations.

Number of Referrals by Case Close Reason. The case close reason, or outcome, is the definitive action taken and recorded in the CDWCMS regarding how a particular complaint/referral ended. The case close reason date is used to determine when the complaint will be counted and reported for statistical purposes.

Recidivism Methodology. Recidivism data was obtained by looking at juveniles processed through the Court Designated Workers Program whose first complaint was processed during calendar year 2014. These cases were closed due to a successful or unsuccessful diversion. The study followed these juveniles to see if they had one or more subsequent complaints filed through Dec. 31, 2017.

The cases involving first complaints were broken down by:

- No subsequent complaints, one subsequent complaint, two subsequent complaints, and three or more subsequent complaints.
- No reoffense, reoffense less than a year, reoffense within a year, and two years or more to reoffend.

The offense period was defined as the day after the first complaint date in 2014 through Dec. 31, 2017. A juvenile was counted as a recidivist if he or she had an additional complaint filed during that time frame.

The study excluded juveniles who committed a serious offense and were tried as an adult, juveniles who turned 18 prior to Dec. 31, 2017, and were processed as an adult within the criminal system, and juveniles who aged out of the juvenile system and reoffended within the adult system.

Referrals Filed/Closed. The date that complaints/referrals are filed are obtained by a query by referral filing date. The same is true for complaints/referrals closed, which are queried by the closing date.

Note: A comprehensive breakdown of recidivism data is on page 14.

CDW Case Management System Disclaimer

The data from the Court Designated Worker Case Management System – CDWCMS – is subject to changes, reprogramming, format modifications and availability at the direction of the Administrative Office of the Courts. At any particular moment, the data may not reflect the most up-to-date status due to ordinary limitations or errors in the system's operation.

It is also important to note that when juvenile justice reform was passed through Senate Bill 200 in 2014, the CDWCMS

was not capable of tracking all of the data mandated by the bill. Although the AOC has been hard at work to upgrade the system, some information for the 2017 Annual Report cannot be retrieved.

This includes data that spans case management systems, such as the number of children who are adjudicated a public offender or convicted of a criminal offense in an adult court within one year of successfully completing a juvenile diversion agreement.

Glossary

The following definitions describe the terms used by the Court Designated Worker Program. Please note that the terms are used in pre-court situations and may differ from the terms used in formal court settings.

Beyond Control of Parents. A child who has repeatedly failed to follow the reasonable directives of his or her parents, legal guardian or person exercising custodial control or supervision other than a state agency. The behavior results in danger to the child or others and does not constitute behavior that would warrant the filing of a petition under KRS Chapter 645, which is the Mental Health Act of the Unified Juvenile Code.

Child/Juvenile. Any person who has not reached his or her 18th birthday, unless otherwise provided.

Cognitive Interaction Skills. A set of skills used with juveniles to reinforce prosocial behavior and attitudes and discourage antisocial behavior and attitudes.

Commitment. A court order that places a child under the custodial control or supervision of the Cabinet for Health and Family Services, Department of Juvenile Justice, or another facility or agency until the child reaches age 18 unless otherwise provided by law.

Complaint. A verified statement that sets forth allegations regarding a child and contains sufficient facts supporting any subsequent petition that may be filed in court.

Complaint Close Date. Date that the complaint was closed.

Complaint Filing Date. Date that a complaint was signed by the complainant.

Contempt of Court. Willful disobedience of a court order or willful interference with the administration of justice.

Decline Diversion. A situation in which a child does not wish to participate in diversion or does not agree to the terms of a diversion, but does not request that the case be formally processed in the court system. If the case is a status offense and the child declines diversion, the case is consequently referred to the FAIR Team.

Diversion Agreement. An agreement between a court designated worker and a child charged with committing a public or status offense. It is designed to hold the child accountable for his or her behavior and, if appropriate, to secure services for the child. The purpose of a diversion agreement is to serve the best interests of the child and provide redress for his or her behavior without court action and without the creation of a formal court record.

Evidence-Based Practice. An evidence-based practice is the objective, balanced and responsible use of current research and the best available data to guide policy and practice decisions to improve outcomes for youth.

Failure to Appear. A situation in which a child does not appear for a scheduled appointment. If the case is a status offense and the child fails to appear for an appointment, the case is consequently referred to the FAIR Team.

FAIR (Family Accountability, Intervention, and Response) Team. A multidisciplinary FAIR team exists in every judicial district. The FAIR Team reviews the work of the local court designated worker and creates enhanced case management plans and opportunities to provide resources and services for youth in diversion. Senate Bill 200 mandates that the FAIR Team include legal, education, social service and mental health professionals as well as representatives of agencies that provide services to youth in the juvenile justice system.

Formal Process. A young person has the right to waive the informal processing of his or her case and request a formal court hearing to determine the validity of the allegations.

GAIN-Q3. The Global Appraisal of Individual Needs Quick is a needs assessment conducted on every child that scores high on the GAIN-SS. The GAIN-Q3 provides in-depth information on the needs of a child on diversion and how those needs can be met.

GAIN-SS. The Global Appraisal of Individual Needs Short Screener is a screening conducted on every child referred to the Court Designated Worker Program. The GAIN-SS asks a short series of questions meant to quickly identify areas that potentially need further mental health assessment.

Graduated Responses. Positive and negative responses that, when used swiftly in a manner proportional to the juvenile's behaviors, increase the likelihood of the juvenile's success and reduce recidivism.

Habitual Runaway. Any child found by the court to have been absent from his or her place of lawful residence without the permission of his or her custodian for at least three days during a one-year period.

Habitual Truant. Any child who has been found by the court to have been reported as a truant two or more times during a one-year period. Truancy is defined in KRS 159.150(1).

High Needs. Level of score used to identify those children

Glossary

referred to the FAIR Team for service coordination, based on the score of a child's Global Appraisal of Individual Needs Short Screener (GAIN-SS) and Global Appraisal of Individual Needs Quick (GAIN-Q3).

Informal Process. Court designated workers are authorized by statute to informally process a total of three status or non-felony public offense complaints per youth and, with the written approval of the county attorney, one felony complaint that did not involve the commission of a sexual offense or the use of a deadly weapon.

KRS. Kentucky Revised Statutes are the laws of the commonwealth of Kentucky.

Petition. A verified statement that sets forth allegations regarding a child and initiates formal court involvement in the child's case.

Pre-Complaint. A meeting with the child, parent/guardian and possibly the complaining witness to assist in the coordination of a case management plan and prevention services prior to a complaint being filed.

Preliminary Intake Process. Kentucky's Unified Juvenile Code directs whether a juvenile complaint is eligible to be processed formally in a court setting or informally through a diversion agreement.

Prosocial Behavior. Behavior that youth exhibit that is shown to reduce the likelihood of recidivism.

Principles of Effective Intervention. The foundation for what works in rehabilitating juveniles is adherence to the Principles of Effective Intervention. These principles include: Risk Principle (tells who to target), Need Principle (tells what to target), Responsivity Principle (tells how to work effectively with juveniles) and Fidelity Principle (tells how to do this work right).

Public Offense. An action that would be a crime if committed by an adult, whether a felony, misdemeanor or violation, other than an allegation that a child age 16 or older has committed a motor vehicle offense.

Recidivism. The likelihood that a juvenile will reoffend and become involved in the justice system again.

Restitution Payment. Full or partial compensation paid to the victim of a status or public offense.

Retain in Custody. After a child has been taken into

custody, the continued holding of the child by a law enforcement officer for a period of time not to exceed 12 hours when authorized by the court or the court designated worker for the purpose of making preliminary inquiries.

Secure Juvenile Detention Facility. Any physically secure facility used for the secure detention of children other than any facility in which adult prisoners are confined.

Senate Bill 200. Legislation passed by the Kentucky General Assembly in 2014 that enacted systemwide juvenile justice reform by steering more children to treatment instead of detention. SB 200 was fully effective July 1, 2015.

Status Offense. An offense that would not be a crime if committed by an adult. The behavior, which is unique to juveniles and is not to be considered criminal or delinquent, includes offenses such as beyond control of parents or school, habitual truant, habitual runaway, and various alcohol and tobacco offenses.

Successful Diversion. A young person's successful completion of a diversion agreement.

Teen Court. A program that provides an alternative disposition for juveniles who have committed a public offense but are otherwise eligible for diversion. Teen Court is based on the premise that most young people want to make the right choices. The peer pressure in this setting is thought to have a more meaningful effect on a juvenile than the traditional juvenile justice approach.

Truancy Diversion Program. A program for students at risk of being charged with habitual truancy that uses a multidisciplinary team approach to help them become successful.

Truant. A child between the ages of 6 and 18 who has been absent from school without a valid excuse for three or more days or tardy without a valid excuse on three or more days. Truancy is defined in KRS 159.150(1).

Unified Court System. Kentucky has a unified court system that provides centralized administration and standardized judicial organization statewide to streamline legal matters and reduce duplication of efforts.

Unsuccessful Diversion. A child's failure to complete a diversion agreement. In the event of an unsuccessful diversion, cases involving status offenses are referred to the FAIR Team and cases involving public offenses are referred to the county attorney.

Court Designated Worker Regional Supervisors

Deb Bennett
CDW Regional Supervisor
 Business 859-623-1140
 Cell 502-593-4955
 Madison County Family Court Building
 119 N. 1st St.
 Richmond, KY 40475

Kim Bangart
CDW Regional Supervisor
 Business 270-889-6001
 Cell 270-498-0907
 Christian County Justice Center
 100 Justice Way, 2nd Floor
 Hopkinsville, KY 42240

Brandi Melvin
CDW Regional Supervisor
 Business 859-817-5850
 Cell 859-457-0777
 Boone County Justice Center
 6025 Rogers Lane
 Burlington, KY 41005

Angie Boggs
CDW Regional Supervisor
 Business 606-573-3887
 Cell 606-273-0035
 Harlan County Justice Center
 129 S. 1st St.
 Harlan, KY 40831

Elton Terry
CDW Regional Supervisor
 Business 859-246-2261
 Cell 606-306-7018
 Lion Building
 155 E. Main St.
 Lexington, KY 40507

Michelle Sawyers
CDW Regional Supervisor
 Business 606-387-0458
 Cell 606-278-3308
 Cross Building
 215 E. Jefferson St.
 Albany, KY 42602

Christina Bronner
CDW Regional Supervisor
 Business 502-595-0036
 Cell 315-985-5206
 Kentucky Career Center
 600 W. Cedar St., 2nd Floor
 Louisville, KY 40202

Tina Morrow
CDW Regional Supervisor
 Business 606-451-4307
 Cell 606-305-6335
 Pulaski County Court of Justice
 50 Public Square, Suite 1802
 P.O. Box 696
 Somerset, KY 42502-0696

Judy LaRue
CDW Regional Supervisor
 Business 270-358-0012
 Cell 270-320-5122
 LaRue County Courthouse Annex
 209 W. High St.
 Hodgenville, KY 42748

Kristi Kokoski
Regional Specialist
 Business 502-595-0036
 Cell 502-526-7307
 Kentucky Career Center
 600 W. Cedar St., 2nd Floor
 Louisville, KY 40202

Ashley Minix
CDW Regional Supervisor
 Business 606-743-9322
 Cell 606-548-2854
 Morgan County Judicial Center
 261 Court St.
 West Liberty, KY 41472

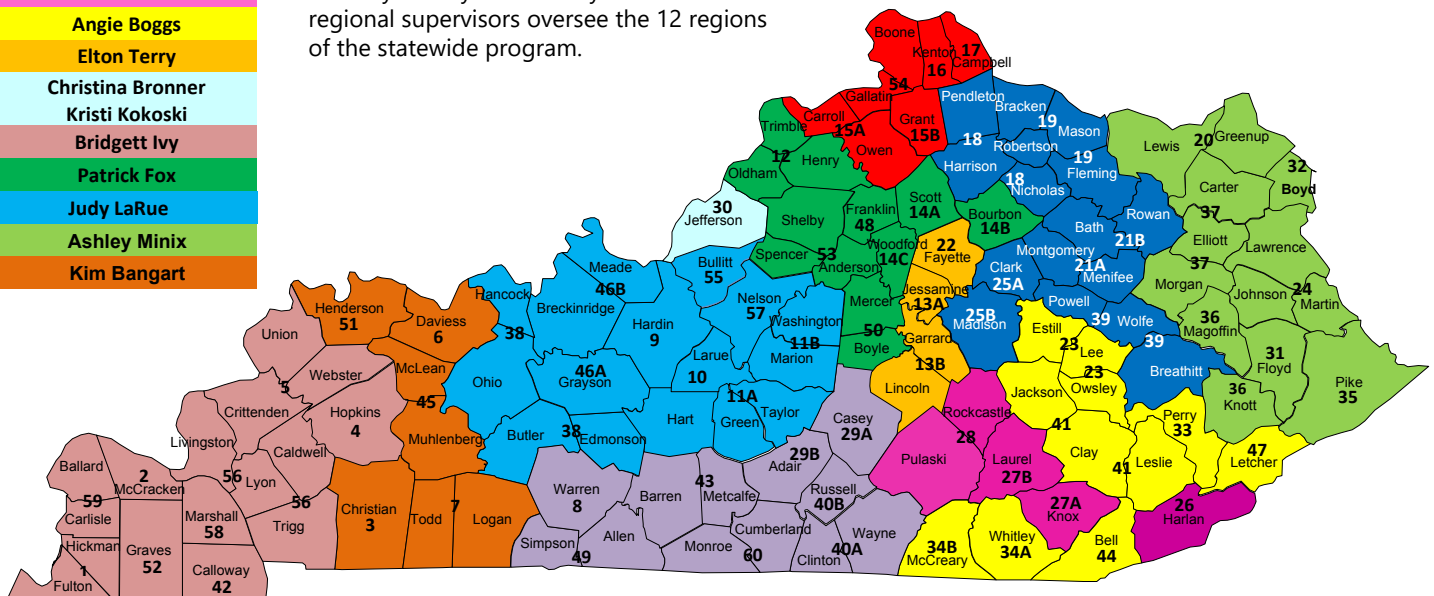
Bridgett Ivy
CDW Regional Supervisor
 Business 270-575-7167
 Cell 270-791-9920
 McCracken County Courthouse Annex
 621 Washington St., Suite 1
 Paducah, KY 42003

Patrick Fox
CDW Regional Supervisor
 Business 502-863-4384
 Cell 859-489-9934
 130 N. Hamilton St., Suite 203
 Georgetown, KY 40324

Michelle Asberry-Sawyers
Deb Bennett
Brandi Melvin
Tina Morrow
Angie Boggs
Elton Terry
Christina Bronner
Kristi Kokoski
Bridgett Ivy
Patrick Fox
Judy LaRue
Ashley Minix
Kim Bangart

CDW Supervisory Regions

Court designated workers provide services to every county in Kentucky. These CDW regional supervisors oversee the 12 regions of the statewide program.



AOC Department of Family & Juvenile Services

Rachel Bingham, Executive Officer

Department of Family & Juvenile Services
Administrative Office of the Courts
1001 Vandalay Drive, Frankfort, KY 40601
Phone 800-928-2350, x 50512
rachelb@kycourts.net

Nadalie Pope, Operations Supervisor

Department of Family & Juvenile Services
Administrative Office of the Courts
1001 Vandalay Drive, Frankfort, KY 40601
Phone 800-928-2350, x 50519
nadaliepoppe@kycourts.net

J.R. Hopson, Juvenile Services Manager

Department of Family & Juvenile Services
Administrative Office of the Courts
1001 Vandalay Drive, Frankfort, KY 40601
Phone 800-928-2350, x 50511
jameshopson@kycourts.net

Ashley Clark, Clinical Supervisor

Department of Family & Juvenile Services
Administrative Office of the Courts
Logan County Justice Center
329 W. 4th St., Russellville, KY 42276
Phone 270-725-7833
ashleyclark@kycourts.net

Acknowledgments

2017 Court Designated Worker Annual Report

Submitted pursuant to Kentucky Revised Statute 605.020

Report Compiled By

Shelley Perdue (ret.), Statewide Operations Supervisor, CDW Program
Robert Ian Shepard, CDW Program Coordinator
Ashley Clark, Clinical Supervisor, Department of Family & Juvenile Services
Tina Morrow, CDW Regional Supervisor, CDW Program

Annual Report Committee Members

Jennifer Gaddis, Court Designated Specialist, 50th Judicial District
Tammy McClelland, Court Designated Worker, 15th Judicial District
Brandi Melvin, CDW Regional Supervisor, 54th Judicial District
LaDonna Pahl Tubbs, Court Designated Worker, 1st and 59th Judicial District
Brooke Willett, Court Designated Worker, 51st Judicial District
Billy Stover, CDW Program Coordinator

With Appreciation To

Chief Justice of Kentucky John D. Minton Jr.
Laurie K. Dudgeon, Director, Administrative Office of the Courts
Rachel Bingham, Executive Officer, AOC Department of Family & Juvenile Services
J.R. Hopson, Manager, AOC Division of Juvenile Services
CDW Regional Supervisors, Program Coordinators & Court Designated Workers
AOC Staff: Cameron Brown, Angie Darcy, Leigh Anne Hiatt, Jim Hoffmann,
Beth Lucas, Tammy Manley, Kathy Schiflett, Daniel Sturtevant



Court Designated Worker Program
Department of Family & Juvenile Services
Administrative Office of the Courts
1001 Vandalay Drive • Frankfort, Kentucky 40601
502-573-2350 or 800-928-2350
www.courts.ky.gov