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Kentucky Juvenile Justice Reform Evaluation

Assessing the Effects of SB 200
on Youth Dispositional Outcomes
and Racial and Ethnic Disparities

Executive Summary

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Introduction

In 2014, Kentucky embarked on a vast reform of the state's juvenile justice system through Senate Bill (SB) 200. The SB 200 legislation seeks to improve systems and youth outcomes by expanding access to timely, quality treatment and supervision in the community, focusing the most intensive resources on serious offenders, and enhancing data collection and oversight mechanisms to ensure the policies are working.

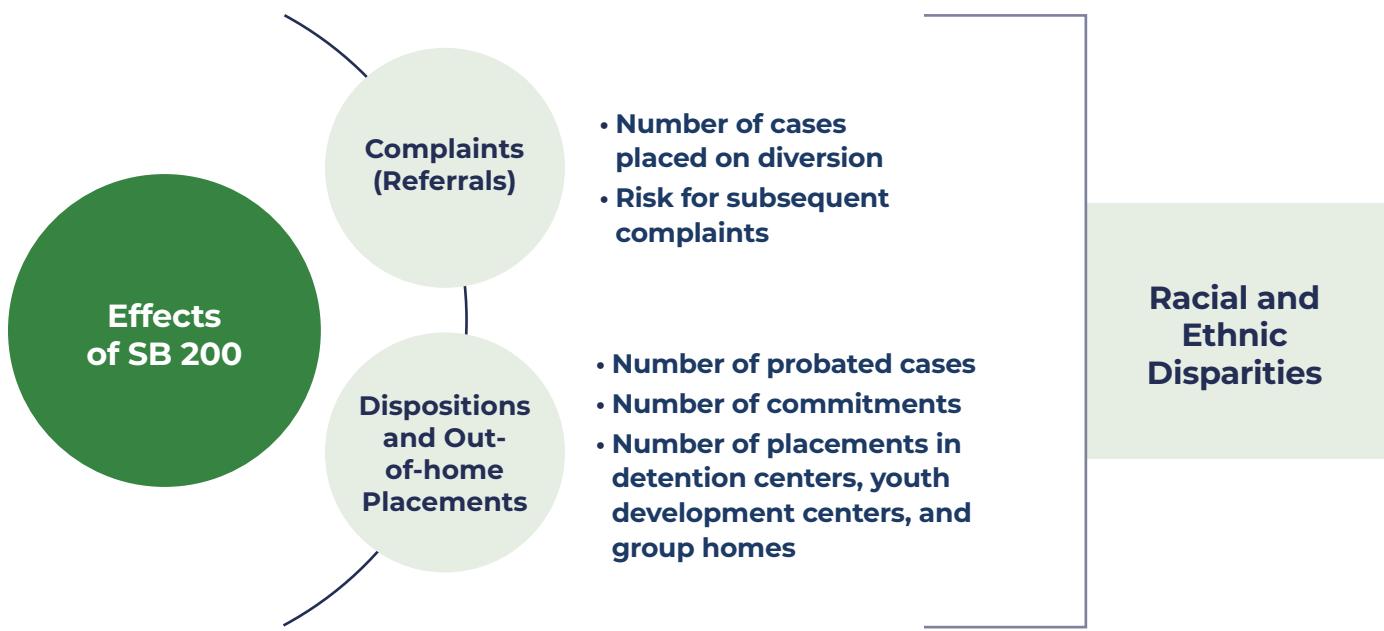
Westat, in partnership with the American Probation and Parole Association (APPA), worked with Kentucky agencies to evaluate key juvenile justice reforms passed in the SB 200 legislation.

In previous reports, we described findings from an evaluation of the reform implementation process (Kaasa, Vidal, Meadows, Foster, & Lowes, 2019)¹ and an assessment of community-based services for justice-involved youth in Kentucky (Vidal et al., 2020)². In this report, we describe findings on the **effects of SB 200 on youth diversion, subsequent complaints filed, and dispositional outcomes**. We also describe the **effects of SB 200 on racial and ethnic disparities in youth outcomes** (see Figure 1).

Objectives of SB 200 Legislation

- Focus resources on the most serious offending youth;
- Reinvest savings into strengthening early intervention and prevention programs;
- Increase effectiveness of juvenile justice programs and services; and
- Improve government performance by providing oversight.

Figure 1. Summary of Evaluation Goals and Outcomes



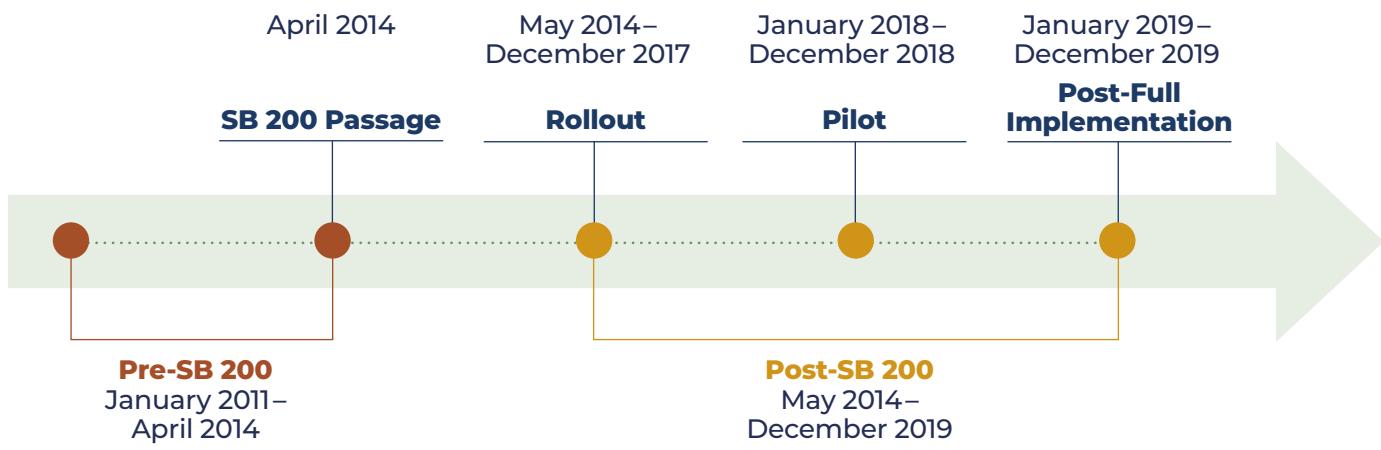
¹ Available at <https://nij.ojp.gov/library/publications/kentucky-juvenile-justice-reform-evaluation-implementation-evaluation-report>.

² Available at <https://ojjdp.ojp.gov/library/publications/kentucky-juvenile-justice-reform-evaluation-assessment-community-based>.

Methodology

We analyzed administrative data from the Administrative Office of the Courts (AOC) and the Department of Juvenile Justice (DJJ) that include closed cases from January 1, 2011 through December 31, 2019. Recorded events between January 2011 and April 2014 were considered pre-SB 200 and events that happened between May 2014 and December 2019 were considered post-SB 200. Figure 2 below provides an illustration of the SB 200 timeline.

Figure 2. SB 200 Implementation Timeline



We conducted two sets of analyses focusing on **(1) population-level data**, using Interrupted Time Series (ITS) modeling and **(2) individual, youth-level data**, using Cox Regression, survival analysis.

1 Population-Level Analysis

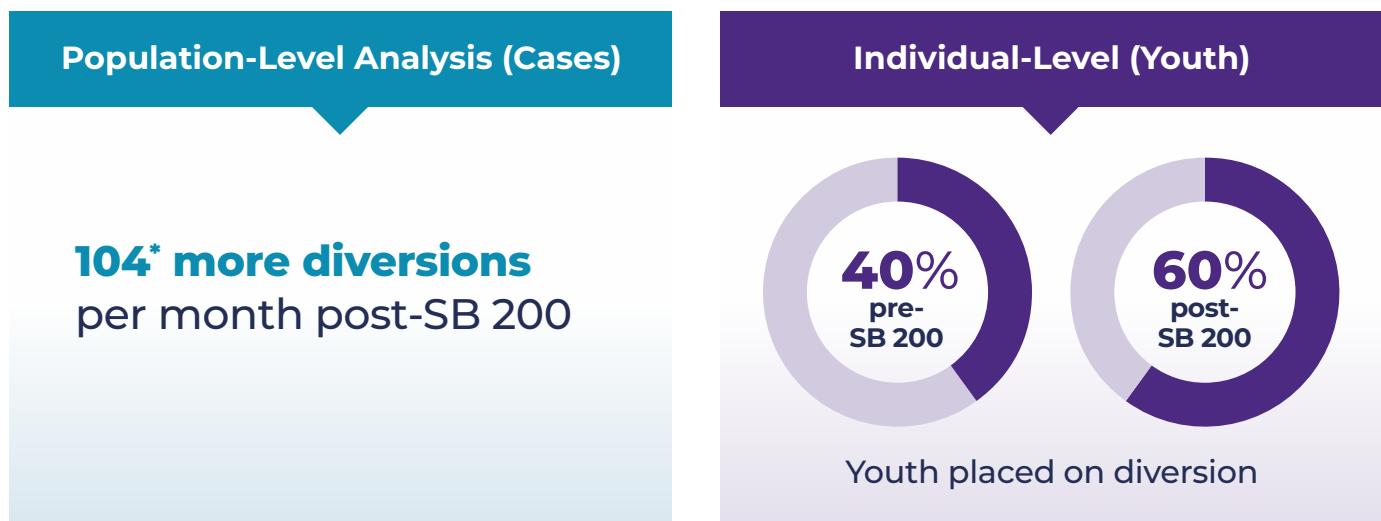
- Examines the effect of SB 200 on the population of referred or adjudicated cases
- Accounts for population-level characteristics such as race/ethnicity, offense severity
- Accounts for important pre-intervention trends
- Cannot draw conclusions about the effect of SB 200 on individual youth

2 Individual-Level Analysis

- Accounts for the youth's age, gender, race/ethnicity, severity of referral offense, SB 200 time period, diversion status
- Also examines the interaction between SB 200 and youth's race/ethnicity and diversion status
- Allows inference on the effect of SB 200 on individual youth

Findings

- 1 The number of cases placed on diversion increased after implementation of SB 200.**



- 2 The risk of a subsequent complaint was lower among youth who received referrals post-SB 200 than youth who were referred pre-SB 200.**

Figure 3. Proportion of Youth With a Subsequent Complaint



For example, at ten months following baseline referral, approximately, 12% of youth whose baseline referral occurred pre-SB 200 had a subsequent complaint compared to approximately 9% of youth whose baseline referral happened post-SB 200.

Pre-SB 200

15.4* months to
subsequent complaint

Post-SB 200

18.9* months to
subsequent complaint

* Numbers are an average.

- 3 The number of commitments decreased post-SB 200 (see Figure 3); however, the number of placements in detention centers, YDCs, and group homes, as well as cases on probation, did not change.

Figure 3. Average Monthly Count of Commitments

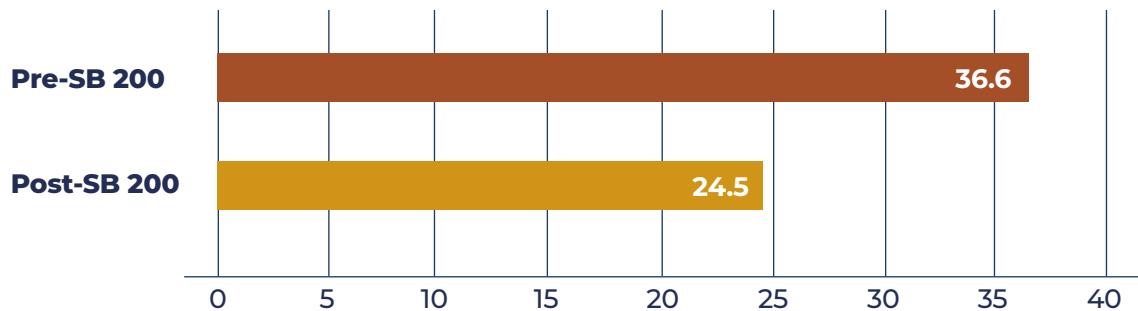
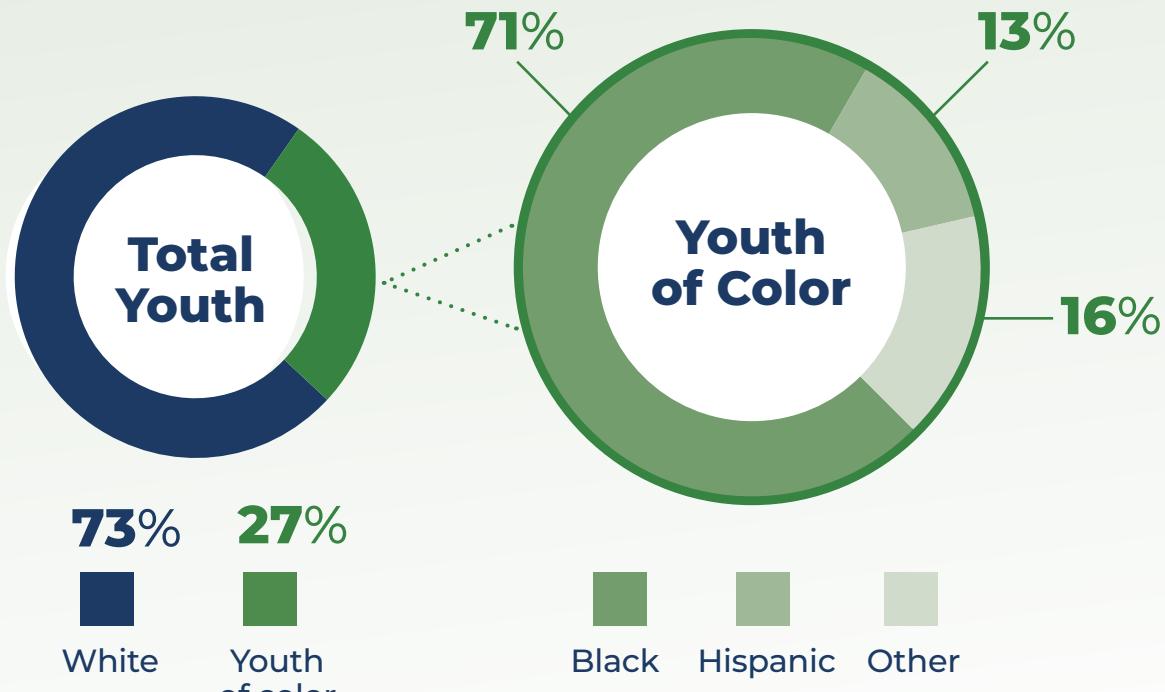


Figure 4. Racial and Ethnic Breakdown of Individual Youth Referred in 2011-2019



4 The number of youth of color placed on diversion increased post-SB 200.

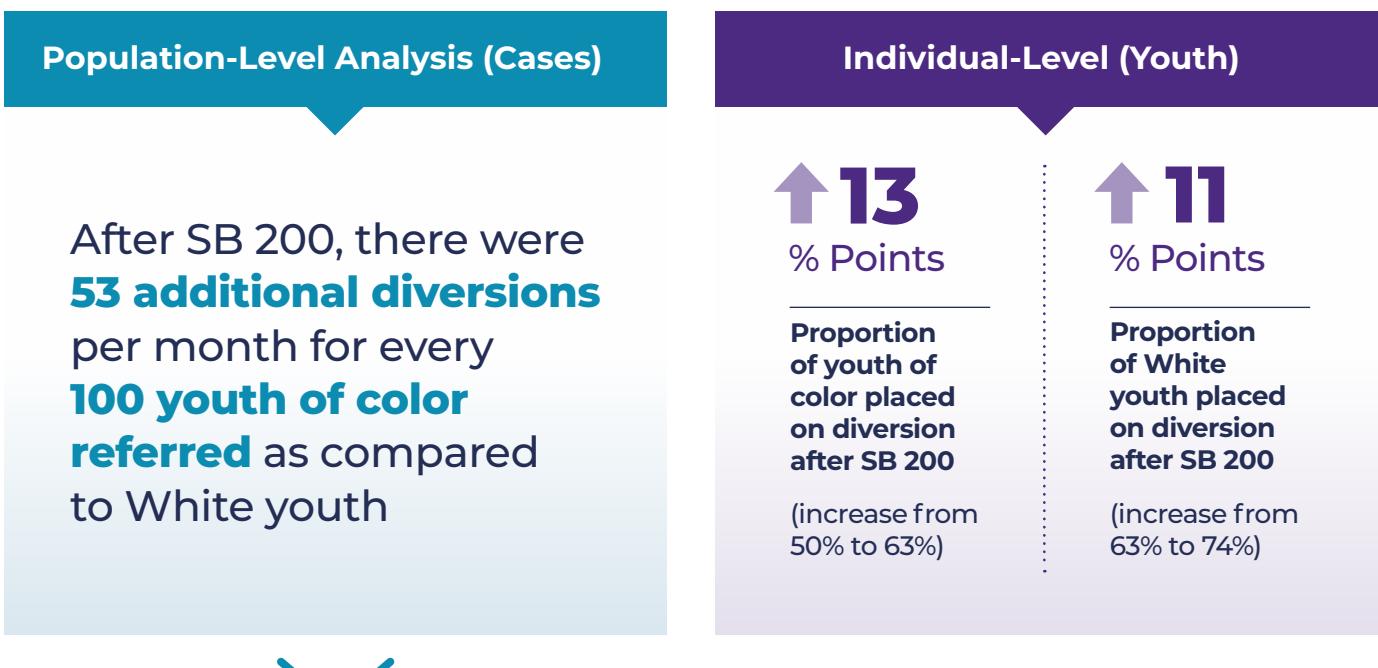
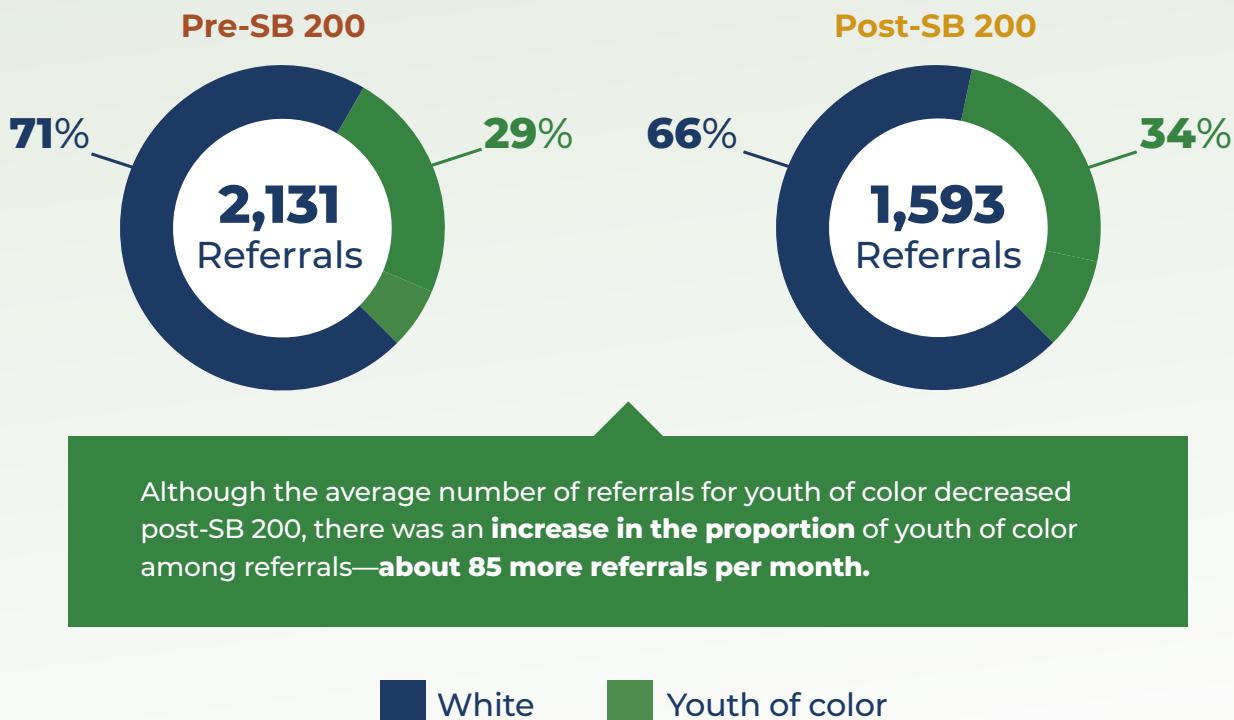


Figure 5. Average Number Versus Proportion of Referrals for Youth of Color



5 Youth of color and White youth had comparable risk for subsequent complaint pre- and post-SB 200; however, youth of color were at greater risk for a subsequent complaint overall.

Pre-SB 200



23% Youth of color with subsequent complaint
14.7* months to subsequent complaint



17% White youth with subsequent complaint
15.6* months to subsequent complaint

Post-SB 200



23% Youth of color with subsequent complaint
18.2* months to subsequent complaint



18% White youth with subsequent complaint
19.1* months to subsequent complaint

6 SB 200 did not change the existing relationships between the number of adjudicated youth of color and youth of color placed in any out-of-home facilities.

Descriptive Statistics (*Does not account for case and demographic characteristics*)

Average number of adjudicated cases **decreased by 39%** post-SB 200

Proportion of adjudicated youth of color **increased from 35% to 41%** post-SB 200

Total number of placements **decreased by 26%**

Proportion of youth of color in any placement facility **increased from 36% to 46%** post-SB 200

ITS, Regression Modeling (*Adjusts for changes in case characteristics and demographics over time*)

SB 200 did not exacerbate existing racial and ethnic disparities in the number of adjudicated cases and cases placed in out-of-home placements.

* Numbers are an average.

Recommendations



Research

- Continue to track and compare **trends regarding use of diversion** over a multiyear period
- Track **long-term outcomes of youth** who have been diverted or are otherwise involved in the juvenile justice system
- Examine specific **components of enhanced case management** under SB 200 (e.g., risk and needs assessment tools, graduated sanctions)
- Conduct **periodic needs assessment** to identify gaps and ensure that current and new policies and practices are responsive to stakeholder needs



Policy

- Examine further the unintended consequences of **“upcharging” and prosecutorial and judicial overrides**
- Expand the types of low-level offenses that may be considered for a **mandatory diversion referral** to include additional misdemeanor complaints and first-time non-violent felonies
- Evaluate the implementation and outcomes of the **Fiscal Incentive Fund**



Practice

- Incorporate **youth and family voice** in research, policy, and practice decision-making
- Continue to implement and review **strategies to reduce racial and ethnic disparities**
- Bring in additional **stakeholders and experts around racial justice** to provide recommendations, conduct trainings, and advise policymakers
- Continue **staff trainings** (including booster trainings) and expand trainings to other stakeholders
- Continue **enhanced data tracking and monitoring, and data sharing** between agencies to better inform policies and practices

Lessons Learned

To Promote Buy-In and Include Diverse Voices

1. Identify a **champion** devoted to leading the reform effort. Infrastructure must be implemented to aid in supporting the champion and sustainability of reforms.
2. Obtain **support from technical and training assistance (TTA)** providers early on in the process to help with planning, development, and implementation of reforms.
3. Provide **funding for the reform up front** to allow for partnerships with TTA providers and reduce challenges with implementation.
4. Develop a **buy-in and stakeholder engagement plan** to help manage state-wide transitions.
5. Implement **diverse and comprehensive trainings** for staff directly involved in reforms and others whose buy-in is necessary.
6. Establish a **multi-agency oversight council** to support inter-agency communication and leadership support of reform implementation.

To Promote Data Gathering, Sharing, and Utilization

1. Improve **data tracking before, during, and after implementation of the reform** to effectively identify areas for reform and monitor successes and unintended consequences.
2. Conduct **staff trainings** on how to efficiently and accurately use data entry tools.
3. Support data collection policies and practices with **manuals and data codebooks**.
4. Conduct **quality assurance checks** early on (when new data elements are collected or data entry tools are set up) and on a regular basis to assess and address missing or inaccurate data.
5. Create a **Memorandum of Understanding** (or Information Sharing Agreement) to allow for data sharing across agencies.