

**LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION
MEETING SUMMARY**

Thursday, April 17, 2008

Members Present: Dave Stengel, Co-Chair; Sheriff John Aubrey; Richard Badaracco; Judge Judith Bartholomew; Laura McKune (designee for Tom Campbell); Patricia Combs; Sheriall Cunningham; Walker, "Critt" Cunningham; William DeNardi; Elisa Freeman-Carr; Bishop Walter Jones, Jr.; Richard Lewis; Richard O'Malley (designee for Irv Maze); David Nicholson; Carl Vasilko (designee for Paul Vido; Tim Vize; Lt. Col. Troy Riggs (Designee for Chief White); and Clarence Williams.

Excused Members: Roger Henderson; Judge Kathleen Voor Montano.

Guests Present: Dr. Elizabeth Garcia-Gray (Seven Counties Services, Inc.); Dr. David L. Finke (Psychologist); Peggy Kidwell (Criminologist); Rev. Roosevelt Lightsey, Jr. (Newburg Youth Council); Marty Meyer (Congressman Yarmuth's Office); and Dr. Edwin Walker (Kentucky Correctional Psychiatric Center).

Staff Present: Kim Allen; Faith Augustine; Tracey Neathery and Stephanie Stidham.

I. WELCOME/CALL TO ORDER

In the absence of Judge Montano, Mr. Stengel called the meeting to order, welcomed all in attendance, introduced guests, and called for introductions.

II. APPROVAL OF MEETING SUMMARY OF MARCH 20, 2008 MEETING

The meeting summary of the March 20, 2008 meeting was unanimously approved as submitted.

III. CHAIR'S REPORT

Mr. Stengel reminded attendees that the 40th Anniversary Criminal Justice Commission Celebration will be held at the May 15th meeting following a presentation on statewide trends in drug crime by the new Commissioner of the Kentucky State Police, Rodney Brewer.

Mr. Stengel also called attention to a copy of the Commission's Drug Court funding Resolution included in the agenda packet. A copy of the resolution was sent to Kentucky House and Senate leadership and to members of the Jefferson County

delegation. Kim Allen reported that a recent email from Tina Messer, Drug Court Administrator indicated unofficially that funding for Drug Courts will continue and there will be no layoffs or cutbacks. Tina expressed gratitude to the Commission for its support and advocacy.

IV. SPECIAL PRESENTATION

Panel Discussion of Adolescent Brain Development

Panel Members: Dr. Elizabeth Garcia-Gray – Seven Counties Services
Dr. David Finke – Private Clinician
Dr. Edwin Walker – Kentucky Correctional Psychiatric Center

To provide a basis for discussion, Dr. Garcia-Gray reported that the recent research being published is focused on the work of Dr. Jay Giedd of the National Institute of Mental Health. These studies indicate that the pre-frontal lobe of the human brain does not fully mature until age 25. The pre-frontal cortex houses the executive, planning function part of the brain. It is the “seat of sober second thought” that controls impulses. Dr. Garcia-Gray noted that normal development of the adolescent brain may be interrupted by chemical dependency, accidents or a mental health issue.

Dr. Finke reported that his perspective derives from conducting competency evaluations for the Juvenile Court. Kentucky has no statute addressing competency for juveniles. Instead evaluations must be based on adult competency law. Dr. Finke noted that 8-10 states have codes that address juvenile competency although there are no clear measures for juveniles. Kentucky law requires that the accused be capable of rational understanding of the charges against him. Dr. Finke indicated that most adolescents in the criminal justice system have a functioning IQ of less than 85 and discussed the impact of a developing adolescent brain on rational decision making. Youth do not need a different standard, but developmental factors must be considered for evaluation purposes.

According to Dr. Walker, the speed with which a youth interprets emotional words can be an indicator of whether they are deemed “emotional” or “pre-sociopathic.” The impulsive youth will process the words quickly with no reaction while the pre-sociopath is slower to process and react. There are also gender differences in processing. Females have greater language processing skills than males.

Dr. Walker also reported that the lack of conscience or empathy can be characterized as a learning disability. Empathy cannot be taught, but it can be

improved. Relationships are the core of change and spirituality is becoming more valued in holistic approaches to treatment.

Dr. Walker identified the need for multi-disciplinary approaches to dealing with mental health issues in schools and noted that "youth with learning disabilities would rather appear bad than dumb." In Florida, projections on the number of prison cells needed is based on the number of third grade students that cannot read at age level.

In response to a question from Sheriall Cunningham regarding what needs to be done in response to the recent research, panel members agreed that education, along with efforts to raise public awareness and begin dialogues among system players, like today's meeting, represent positive first steps.

V. COMMITTEE REPORTS

A. Legislative Committee

Stephanie Stidham reported that of the 1,031 bills filed during the 2008 session, approximately 100 were signed into law. One of those, HB211 which changes age limits for filing charges in sexual abuse cases, was proposed by the Commission. SB92, which addresses the uniform bail schedule, have been delivered to the Governor for signing.

VI. ADJOURN/NEXT MEETING

Kim reported that staff member Bruce McMichael had been hospitalized and is doing much better. Judge Montano has also been ill and in the hospital. Members were asked to sign "get well" cards for each.

With no further business before the Board, the meeting was adjourned. The next scheduled meeting is Thursday, May 15, 2008 at 2:00 p.m. in the Crown Room of the Judicial Center.