



## Senate Bill 11 Helps Keep Schools Safe

As we near back-to-school time, parents can rest assured that their children will enjoy a safe learning environment.

Earlier this year, the General Assembly overwhelmingly passed a bipartisan law that significantly improves the ability of schools to maintain security, ensuring that they can remain fully focused on academic achievement.

On April 4, 2024, the Governor signed Senate Bill 11 into law. Sponsored by Senator John Schickel, along with Senators Shelley Funke Frommeyer and Gex Williams, the legislation was the product of a collaborative effort between the Boone County Attorney's Office, the Boone County Sheriff's Office, and the Boone County Schools, with the goal of correcting what many perceived to be a dangerous delay in allowing courts to report potential school dangers to the schools themselves.

For context, in Kentucky, County Attorneys prosecute public offenses committed by *juveniles*, or those under the age of 18. Juveniles do not go to District Court when charged with an offense, but rather go through the Juvenile Court system. Juvenile crimes are called *public offenses*, trials are called *adjudications*, and sentences are called *dispositions*. The legal consequences for juveniles are different than for adults who commit similar crimes.

An important position within the Juvenile Court



L-R: Michael Mason, Asst. Boone Co. Attorney; Major Ryan Walters, Boone Co. Sheriff's Office; Kim Best, Asst. Superintendent for Operations, Boone Co. Schools; Jordan Dallas Turner, Boone Co. Attorney; Senator John Schickel; Major Philip Ridgell, Boone Co. Sheriff's Office

system is the court designated worker ("CDW"). These individuals are tasked with processing juvenile complaints and providing services to juveniles charged with offenses.

Prior to the new legislation, if a juvenile was charged with a public offense and was not lodged in juvenile detention, CDWs had up to twenty days, not including holidays and weekends, to make a recommendation to the County Attorney as to case resolution. If the County Attorney reviewed the recommendation and elected to proceed with formal court action, only then would notice be sent to a juvenile's superintendent, *notice* being a generic statement that the juvenile had been charged with a particular offense.

Also prior to the new legislation, only those cases which proceeded to formal court hearings would trigger a requirement to notify schools.

Cases handled outside of court never triggered a notice requirement unless a juvenile failed out-of-court attempts to resolve their case, many times several months after the charges originated.

This is problematic — a juvenile could be charged with an offense that involves a victim who attends the same

school, or which involves making a threat toward their school at large or to a teacher or school administrator. If schools are not aware of pending charges involving their own students or staff, this creates a public safety risk, as the juvenile can continue to attend class without any notice of a pending offense being given to the school administrators in charge of supervising the juvenile.

For this reason, Senate Bill 11 changed the law to require that the CDW's office send notice to the juvenile's superintendent within 24 hours of a prosecutor's review of that juvenile's pending charge(s). The new law requires this notice requirement to be applied to a greater number of offenses, including all felony charges and misdemeanors involving controlled substances, deadly weapons, physical injury to another person, and many categories of sex crimes.

By ensuring that this notice requirement takes place after a prosecutor performs a reasonable grounds determination on pending charges, strictly limiting who may receive this information, and directing the school administrator to destroy any notification should charges be dismissed or diverted, confidentiality is maintained and due process served while accounting for the safety of the 24,000+ students and adults present in our county school system, as well as the thousands of students in Kentucky at large.

**SENATE BILL 11**  
**Corrects a**  
**dangerous delay –**  
*allowing schools to be notified*  
*about a student's pending*  
*criminal charges within days*  
*— rather than weeks*  
*or months*