



Kentucky Office of the Attorney General
Regular Meeting-Video Teleconference

February 13, 2024

10:00 a.m. EST

Minutes

Primary Location:

Virtual Teleconference

I. Roll Call and Introductions

The meeting was called to order by Commission Chair, Caroline Ruschell, at 10:00 a.m., via Zoom.

Roll Call (All members and guests appeared virtually)

Commission Members:

Caroline Ruschell, Commission Chair, Children's Advocacy Centers of Kentucky

Chelsea Harrod, Child Protection Branch, Department for Community Based Services (designee for the Commissioner)

Captain Jeremy W. Smith, Department of Kentucky State Police (designee for the Commissioner)

Deborah Sauber, Kentucky Department of Education, Division of Student Success (proxy for Christina Weeter, designee for the Commissioner)

Ramsey Dallam, Office of the Attorney General, Special Prosecutions

Dolores Smith, Administrative Office of the Courts, Family and Juvenile Services

Susan Rhema, Social Worker in private practice

Shericka Smith, Fayette County Public Schools, Department of Student Support Services

Jacqueline Sugarman, Physician, Medical Director for Children's Advocacy Centers of Kentucky

Heather Wagers, Office of the Attorney General, Trafficking and Abuse Prevention and Prosecution

Guests:

Susan Blake, Training Coordinator, Prosecutors Advisory Council

Gina Carey, Program Coordinator/Budget Advisor, Prosecutors Advisory Council

Elisha Mahoney, Executive Staff Advisor and Acting Director, Child Fatality and Near Fatality External Review Panel

Laura Kretzer, Children's Advocacy Centers of Kentucky

Jackie Kuryla, Children’s Advocacy Centers of Kentucky
Rewa Zakharia, Office of the Attorney General, Special Prosecutions
Serah Wiedenhofer, Office of the Attorney General, Trafficking and Abuse Prevention and
Prosecution

II. Review and discussion of Prosecutors Advisory Council’s 2022 Child Sexual Abuse Data Report

Susan Blake and Gina Carey from the Prosecutors Advisory Council (“PAC”) were present to provide the Commission with information about the 2022 Child Sexual Abuse Data Report. Prior to their presentation, Ms. Ruschell addressed the Commission’s statutory obligation to review child sexual abuse data from PAC. In the past the Commission supplemented this data with information obtained from other reporting sources, such as children’s advocacy centers, to arrive at a more complete understanding of the various aspects of child sexual abuse. Ms. Ruschell expressed her hope that recent changes in PAC’s data collection will provide additional information that will allow the Commission to expand the areas addressed in its annual reports.

Ms. Blake discussed the history of the PAC’s data collection system. In 2018, the scope of the data collection was changed to align with the statutory requirement to report on cases charged criminally in the state courts. The current system collects data from the Administrative Office of the Courts regarding criminal cases charged in a particular calendar year. The data reflects the districts and counties in which sexual offenses were charged but it does not always indicate whether the cases involve a child victim. Additional information on the cases, such as the involvement of a minor victim and the status of the case, is provided by the counties where the cases are pending. Cases that do not conclude during the year in which they were filed continue to appear in subsequent years’ data until closed.

Ms. Carey discussed the checks and balances used to assess PAC’s data collection system. The data is audited every year to identify errors in the collection process, and the system is refined to address those errors and increase the accuracy of the data. Through this oversight, the data integrity has substantially improved and continues to improve. Data is also reviewed for trends and PAC’s reports are updated to reflect that information.

Ms. Blake told the Commission that PAC’s annual report contains a lot of good and helpful information regarding criminally charged sexual offenses involving child victims. It is a guide showing how the state is addressing these cases and ways in which the state could improve. PAC’s data does not collect information on child sexual abuse cases that are not charged criminally, but local multidisciplinary teams do track and report this information. This data could be used to supplement PAC’s reporting.

III. Review of minutes for action by the Commission

a. December 05, 2023, Regular Meeting Minutes

Ms. Dolores Smith made a motion to accept the minutes as presented. Ms. Sherika Smith seconded this motion. The motion to approve the December 05, 2023, minutes was unanimous.

b. December 19, 2023, Special Meeting Minutes

Ms. Ruschell made a motion to accept the minutes as presented. Ms. Wagers seconded this motion. The motion to approve the December 19, 2023, special meeting minutes was unanimous.

IV. Review and Approval of Local MDT Protocols

The Commission considered a request from the Mercer County multidisciplinary team to add language establishing the duties and jurisdiction of police officers appointed by the Mercer County Board of Education. The proposed language is based on statutory provisions appearing in KRS 158.471 through KRS 158.483, which were adopted after the creation of the current model protocol template. Ms. Ruschell made a motion to approve the Mercer County protocol with the requested addition. Ms. Dallam seconded this motion. The motion passed unanimously.

Next the Commission considered the local protocol for Garrard County. The protocol contains the required language without modifications or additions. Appropriate signatures are listed for all team members and include agency affiliations and roles served on the multidisciplinary team. Ms. Wagers made a motion to approve the protocol as presented. Ms. Ruschell seconded this motion. The motion passed unanimously.

V. Review and discussion of signature standards for MDT protocols

The Commission reviewed the core disciplines participating on the multidisciplinary teams and discussed the appropriate leadership positions to sign the MDT protocols on behalf of an agency. The discussion was tabled so that additional information could be obtained from Kentucky State Police.

VI. Overview of MDT Data Collection Tool

Laura Kretzer provided the Commission with information on the state’s multidisciplinary teams for calendar year 2023. There were 104 local multidisciplinary teams throughout the state, eleven (11) of which covered more than one county. Two (2) counties did not meet in 2023 but are taking steps toward meeting and three (3) counties started meeting in 2023. Five (5) multidisciplinary teams did not meet monthly, but two (2) of these teams intend to begin meeting monthly in 2024. Most of the multidisciplinary teams reviewed at least one (1) physical abuse case. Seventy-three of the multidisciplinary teams (70%) held meetings facilitated by staff from a children’s advocacy center, 30 of the multidisciplinary teams held meetings facilitated by prosecutors’ offices (29%), and 1 multidisciplinary team held meetings facilitated by the Department of Community Based Services (1%). The numbers reflect improvements from past years’ data.

VII. Review and discussion of recommendations appearing in the 2023 Annual Report of the Child Fatality and Near Fatality External Review Panel

Elisha Mahoney from the Child Fatality and Near Fatality External Review Panel (“Panel”) was present to provide information regarding the Panel’s recommendations for the Commission. Ms. Mahoney explained that the Panel reviews cases of fatal or near fatal events involving children where abuse and neglect are suspected. Approximately 242 data points are collected throughout the year and evaluated to identify trends. The Panel reviews those trends and makes recommendations to specific entities.

Entities have ninety (90) days from the date of receipt to respond to the Panel’s recommendations. Responses must indicate whether the recommendations will be implemented. If a recommendation will be implemented, the date of implementation must be provided. When a recommendation will not be implemented, there must be an explanation of the reasons preventing its implementation. The recommendations are intended as a vehicle for starting conversations with entities to address barriers and make impactful changes.

This year the Panel reviewed its highest number of fatal or near fatal physical abuse cases. Reviews of those cases reflect a multitude of communication barriers with necessary agencies and entities, such as DCBS, law enforcement, and medical providers. These barriers are reduced in counties where local multidisciplinary teams review fatal and near fatal physical abuse cases and better outcomes occur. The Panel believes that the involvement of local multidisciplinary teams could potentially alleviate the communication barriers and recommends that the Commission require local multidisciplinary teams to review all fatal and near fatal physical abuse cases in addition to sexual abuse cases.

Ms. Ruschell acknowledged that agencies do not always engage in joint communications about cases and recognized the potential impact from the lack of communication. She believes many of the local multidisciplinary teams recognize the value in reviewing more than the mandated cases of child sexual abuse and child trafficking. She also believes that many of the local multidisciplinary teams would be receptive to including other types of cases in their reviews.

But there are approximately 112 local multidisciplinary teams in the state. Each of these local multidisciplinary teams must decide the scope of its case reviews and prepare an individualized protocol signed by all members. Due to the number of local multidisciplinary teams in the state and the process for establishing local criteria for case reviews, it would be difficult for the Commission to implement the Panel's recommendation.

The Commission will consider alternatives as it prepares its response. Several ideas were mentioned, such as encouraging local multidisciplinary teams to add the review of all fatal and near fatal physical abuse cases to their local protocols; suggesting legislative changes; changing the model protocol template language at some point in the future; and surveying the local multidisciplinary teams through the local children's advocacy centers regarding the receptiveness to a statutory change and barriers to such a change.

The Commission discussed the practicalities of adding fatal and near fatal physical abuse cases to the local multidisciplinary team protocols. In preparing its response to the Panel's recommendation, the Commission should consider the processes for identifying cases for review and notifying local teams of the cases; the protocol to be used in the review of fatal and near fatal physical abuse cases; and the criteria of that protocol.

VIII. Scheduling of in-person meetings

Two (2) in-person meetings will be held this year. The first will occur on Tuesday, April 9, 2024, from 12:00 p.m. to 2:00 p.m. The second in-person meeting will be held on Tuesday, October 8, 2024, from 10:00 a.m. to 12:00 p.m.

IX. Partner Updates

CAC of Kentucky is holding its Legendary Partners Award Ceremony to recognize those individuals from the field who have gone the extra mile for child victims of abuse. The event will be held on March 4, 2024, at the Capitol Rotunda. There will be a reception at 1:00 p.m. The ceremony begins at 2:00 p.m. An invitation will be sent to Commission members via email.

The Cabinet for Health and Family Services has implemented an alternative response model in two (2) pilot regions. Under the alternative response model, reports of maltreatment that meet the criteria for abuse or neglect can be addressed through family-centered assessments. The program

builds up the family by providing services around identified areas of need. The goal of the program is prevention around maltreatment.

X. Adjournment

Ms. Ruschell made a motion to adjourn the meeting. Ms. Wagers seconded the motion. The motion passed unanimously. The meeting was adjourned at 11:30 a.m.

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