



Kentucky Office of the Attorney General  
**Regular Meeting-Video Teleconference**

April 11, 2023

10:00 a.m. EST

Minutes

**Primary Location:**

Virtual Teleconference

**I. Call to Order**

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, Board Chair, Children's Advocacy Centers of Kentucky

Heather Wagers, Office of the Attorney General (Left the meeting at 11:45 a.m.)

Delores Smith, Administrative Office of the Courts

Jessica Jones, Northern Bluegrass Specialized Investigative Team

Brittany Barber, Department for Behavior Health Development and Intellectual Disabilities

Matthew Collins, Lexington Police Department - Crimes Against Children Unit

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

Susan Rhema, Social Worker as a Private Therapist

Rewa Zakharia, Special Prosecutions, Office of the Attorney General

Shericka Smith, Fayette County Public Schools (Left the meeting at 10:45 a.m.)

Chelsea Harrod, Child Protection Branch DCBS (Proxy for the Commissioner's Office)

Guests:

Jami McLemore, Office of the Attorney General

Gina Carey, Prosecutors Advisory Council (Appearing for Susan Blake)

Laura Kretzer, Children's Advocacy Centers of Kentucky

Serah Wiedenhofer, Office of the Attorney General (Served as proxy when Heather Wagers left the meeting at 11:45 a.m.)

Joel Griffith, Justice and Public Safety Cabinet

Elisha Mahoney, Justice and Public Safety Cabinet

Jackie Kuryla, Children's Advocacy Centers of Kentucky

## **II. Review of Minutes from March 7, 2023 Meeting**

Dr. Sugarman moved to approve the minutes. Chelsea Harrod seconded this motion. The approval of the March 7, 2023 minutes was unanimous.

## **III. Presentation by Gina Carey, Prosecutors Advisory Council (PAC)**

Gina Carey gave an update, on behalf of Susan Blake, regarding the child sexual abuse data collection process that PAC does. PAC has put effort into standardizing the data entry process after each reporting year. Ms. Carey added that from the 2018 report, forward, she feels confident in the integrity of the statistics that they produce. Every case that is entered into the database gets audited. Ms. Carey also shared that only authorized individuals can see the names and other personal details of those involved in the cases.

Caroline Ruschell reminded the Commission of a statute that requires the KMCCSA to review the data from PAC and report on it. Ms. Ruschell also asked Gina Carey whether the KMCCSA could access the data reporting in real time, before the yearly reporting. However, Ms. Carey explained that while PAC emphasizes consistent case reporting, they are only able to give the full report during certain reporting periods.

Rewa Zakharia asked Ms. Carey whether the Commission can access data showing cases that have been “pled or... [were convicted] as charged, versus amendments that were made to cases.” Gina then explained that it is far too complicated of a process to show the comparison between those two groups of data. Ms. Zakharia posed a follow up question, asking if there is any way to track the data of registered sex offenders through PAC’s reporting. Ms. Carey answered, saying that PAC is unable to track sex offender registration data.

Dr. Sugarman asked Gina if PAC ever considers adding to the data, and followed up her question by asking how the determination is reached, as to what kind of data will be collected. Ms. Carey responded, saying that the data currently collected was determined based on the data that is most consistent, across the board. For instance, PAC used to ask the Commonwealth and County Attorneys whether children in certain cases were receiving therapy. PAC received answers to this question, in some cases, but found no data, in other cases. Overall, PAC has determined that they will report only the data that is most reliably trackable.

## **IV. Child Fatality and Near Fatality Board Presentation, Joel Griffith, Justice and Public Safety Cabinet**

Joel Griffith gave a presentation about the Child Fatality and Near Fatality External Review Panel, detailing the process by which the Panel reviews cases involving the harm or unexpected death of a child. Generally, the Panel sees fifteen cases on a half-day meeting, and around thirty cases during a full-day meeting. Mr. Griffith referenced four cases of child fatality and near fatality, throughout his presentation. After the first two case overviews, Mr. Griffith shared two more cases, from the perspective of what the Panel did to benefit the situation, as well as the family, in the long run. Some of the best practices that the Panel exemplified in the cases include doll reenactments, to determine what went wrong in a child’s sleep; timely assessments by DCBS; and collaborative investigation between multiple agencies.

Susan Rhema asked Mr. Griffith how the Panel categorizes an incident as torture. Joel explained that the Panel is in the process of revising their working definition, due to concerns that the current definition is too narrow in scope. One of the Panel members is researching the national definition of torture, so that the Panel can be better informed as they seek to revise the current definition.

The current definition of torture was sent in the chat by Elisha Mahoney. “Torture – at least two physical assaults (occurring over at least two incidents) or one extended assault which would cause prolonged physical pain, emotional distress, bodily injury, or death, and when in the presence of two or more forms psychological maltreatment (such as isolation, intimidation, emotional/psychological maltreatment, terrorizing, spurning or deprivation).” Ms. Mahoney further explained that the Panel has an analyst binder, which includes the specifications for the various categories, findings, and risk factors, with which cases are defined. Joel clarified that the Panel Staff frequently draws on the unique strengths of each member, as they examine cases.

To conclude his presentation, Mr. Griffith shared about the First Responders Checklist. This new resource, created by Prevent Child Abuse Kentucky, includes a card for officers to carry, educational documents, and a video. The goal of this resource is “to enhance multi-disciplinary approaches in investigating fatalities and near fatalities.” A link to the checklist was included in the presentation: <https://pcaky.org/training/first-responder-checklist/>

Caroline Ruschell asked Mr. Griffith if he had any recommendations on what the Commission can do to replicate the review process of the Child Fatality and Near Fatality External Review Panel, because of the multi-disciplinary work that the Commission does. Mr. Griffith recommended that the Commission adopt a habit of asking one simple question, following each case completion: “what went well, and what didn’t?” This process would give the Commission a clear look at the strengths and weaknesses of how each case was handled. Joel added that, while it is not always an easy process, it involves the Commission trusting each other. Ms. Mahoney also emphasized the importance of seeing the process of review as a team-oriented effort for prevention, rather than a placing of blame on any particular entity. Chelsea Harrod commented on Ms. Ruschell’s question as well, recommending that she talk to Suzanne from DCBS, regarding the MDT side of things.

Joel Griffith and Elisha Mahoney left the meeting after this conversation.

## **V. Review Local MDT Protocols for Approval**

After discussing some technological issues that impact the Commission’s ability to examine protocols, Serah Wiedenhofer told the Commission that TAPP received thirteen protocols, in addition to the two that already needed work. Ms. Wiedenhofer shared that, while she is unsure of the timeline, she will get the protocol summaries sent to the Commission as soon as possible, and will keep the Commission updated, as to when the summaries will be available to them.

## **VI. Annual Report Review**

Due to a shortage of time, Commission Chair, Caroline Ruschell decided that she would examine the PAC information that was received through the meeting, and include it in the annual report. Once the

report is completed, Ms. Ruschell will send it out to the Commission, with the expectation of receiving feedback about it, via email.

## **VII. Partner Updates**

Dolores Smith brought to the Commission's attention, an update on the Thriving Families, Safer Children Initiative. In the courts, the initiative is working with a group called Upstream, as well as the cabinet they have involved. The National Center for State Courts has named Kentucky a pilot site for Upstream, which is "a community-based approach that leverages court resources and judicial leadership, along with child welfare partnership," to prevent children from being placed into the court system to begin with. Ms. Smith wanted the Commission to be aware of this, since there will likely be many more updates pertaining to Upstream, in the future. Ms. Dolores also alerted the Commission about the Kentucky Judicial Commission on Mental Health Summit, which will be held from May 31st to June 2nd.

Laura Kretzer provided an update on the Children's Advocacy Centers of Kentucky, sharing that they have been making progress toward a technology solution, regarding their multi-disciplinary enhancement project. CAC should have their first few centers starting to pilot information by the end of April, and should see full functionality, in at least fifteen county centers, by the first of June.

## **VIII. Adjourn**

Meeting adjourned at 11:50 a.m.

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