

**VAWA STOP Recovery Act  
Implementation Plan for the Commonwealth of Kentucky  
Effective May 1, 2009-April 30, 2011**

**Mission**

---

Recovery Act VAWA STOP Formula Grant funds will be used to create and maintain real or contract positions and to purchase equipment aimed at maintaining survivors' meaningful access to core services, training, and legal justice interventions to respond to acts of domestic violence, sexual assault, dating violence and stalking in the Commonwealth of Kentucky.

**Plan Development**

---

This plan was developed by the Kentucky Justice and Public Safety Cabinet and a committee of representatives from law enforcement, prosecution, courts, and victim services. A full list of participants is included in the meeting minutes from the Recovery Act Implementation Planning Committee Meeting (Attachment 1) and the participant sign-in sheet (Attachment 2). Please note that no tribal communities or governments exist within the Commonwealth of Kentucky, and thus input from tribal communities and governments was not part of this implementation planning process.

The committee met on March 10, 2009, to discuss current issues within the state with regard to VAWA Programming priorities, and the impact state- and nation-wide economic hardship has had on delivery of services to survivors of domestic violence, sexual assault, stalking and other acts of violence against women. More specifically, the committee discussed:

- a. How the economic crisis has impacted service delivery among sexual assault and domestic violence service providers; law enforcement; courts; and prosecutor-based agencies and programs.

- b. Specific needs for funding to maintain survivors' access to core victim services provided by law enforcement; courts; prosecutorial agencies; and victim service providers.
- c. Initial/potential strategies for implementing VAWA STOP Recovery Act funding to address these needs.

These planning considerations are collated in the VAWA Recovery Act Logic Model (Attachment 3).

### **Grant-making strategy**

---

#### *Funding Priorities*

As stated above, it is the mission of the Kentucky Justice and Public Safety Cabinet and the Recovery Act Implementation Planning Committee to fund programs that provide core victim services to survivors of domestic violence, sexual assault, stalking, and dating violence. In light of recent economic hardship within the state, programs providing direct services to victims have met significant challenges in providing core services due to budget cuts and lack of available funding from other state and local sources. These core victim services include:

- § Emergency shelter
- § Crisis Intervention
- § Law Enforcement response
- § Counseling/therapy services
- § Court advocacy

Programs will be given priority consideration when their projects include requests to use funds for provision of these services, particularly in areas of the state where these services may not be available or consistently offered due to closures of outreach offices, staff layoffs, or staff furloughs.

Programs will also be given priority consideration when their project descriptions discuss specific ways they will provide meaningful access to underserved victims of domestic violence, dating violence, sexual assault, and stalking.

#### *Use of Administrative Funds*

All expenses will be limited to those necessary to administer Kentucky VAWA subgrants, and will include: staff salaries and benefits; supplies and equipment; travel and training; maintenance agreements; and rent and utilities. In appropriate instances, some costs, such as rent, utilities, and maintenance agreements, may be shared on a *pro rata* basis with other grant programs for expenses that benefit multiple activities. If some funds set aside for the purpose are not required, a portion of administrative costs may be transferred to subgrant awards prior to the expiration of the award.

#### *Allocation of Funds*

Of the total award amount allocated to the Commonwealth of Kentucky through the VAWA STOP Recovery Act Formula Grant Program,

- § At least 5% will be allocated for state and local courts including juvenile courts;
- § At least 25% will be allocated for law enforcement;
- § At least 25% will be allocated for prosecutors; and
- § At least 30% will be allocated for non-profit, nongovernmental victim services
  - At least 10% will be distributed to culturally specific community-based organizations
- § Not more than 5% of the award will be used for administrative expenses for the Kentucky Justice and Public Safety Cabinet

#### **Performance Evaluation of grant-funded activities**

Sub-awardees of Kentucky Recovery Act VAWA STOP funding will be required to submit monthly progress reports to Kentucky Justice and Public Safety Cabinet outlining

the services provided by STOP Recovery Act funds during the reporting period. These progress reports will be consistent with reporting guidelines provided by the Office on Violence Against Women.

### **Geographically Equitable Distribution of Funds**

---

Within each of Kentucky's 15 Area Development Districts (ADD), the Cabinet for Health and Family Services, and relevant governing associations, support the operation of at least one Child Advocacy Center, Rape Crisis program, and Domestic Violence Shelter. Each is designed to meet the unique needs of its ADD and has unique organizational structures to meet its mission (although all are not-for-profit, some are part of a larger governing organization, some are faith based, some culturally specific, etc.). The designated programs are funded through a variety of sources: state general funds, VAWA grants, VOCA grants, foundation funds, fund raising, etc.

Working cooperatively with grant applicants and governing organizations, the Justice and Public Safety Cabinet reviews applications for duplication of services and adequacy of individual service provider resources within an ADD, in addition to scoring their competitive applications with staff and subject matter expert reviewers on quality of services, performance history, overall presentation, etc.

Due to historically limited VAWA resources, the Justice and Public Safety Cabinet has been unable to fund all identified programs within an ADD through VAWA STOP Formula Grants, but these cooperative efforts ensure that services are adequately supported across the Commonwealth through the variety of sources (including VOCA grants, also managed by this agency in similar fashion). In practice, the Justice and Public Safety Cabinet awarded funds to designated programs in 15

ADD districts during the 2008 VAWA STOP funding cycle; these programs were geographically dispersed across the state.

VAWA Recovery Act funds will be used in similar fashion to ensure equitable distribution of funding across geographically diverse areas of Kentucky.

### **Equitable Distribution of Funds to Underserved Populations**

---

Currently in Kentucky, outreach efforts to underserved populations are geared at addressing the needs of two specific groups of underserved victims: residents of poverty stricken rural areas (discussed below in more detail) and immigrants (including those with Limited English Proficiency). Unfortunately, requests for basic needs have virtually exhausted all available resources, and it has generally not been possible to fund requests for special projects, except for those in regard to the basic needs of the above mentioned groups.

In aide of rural areas, VAWA funds have also been provided to fund the Appalachian Research and Defense Fund, which is a legal aid service covering Kentucky's most impoverished and rural areas.

Despite the lack of available funding for special program development, several victims' service agencies have worked diligently to meet the needs of Kentucky's growing immigrant population. The Kentucky Domestic Violence Association (KDVA) developed the Battered Immigrant and Refugee Women's Task Force. Currently, through STOP VAWA funding, Kentucky's VAWA program is able to fully fund three immigration attorneys in various agencies, and provide money to fund contractual services for several others. Through these positions, battered immigrants and other

oppressed populations that have been previously unassisted have received crucial services.

VAWA Recovery Act funds will be used in similar fashion to ensure equitable distribution of funding among underserved populations in Kentucky.

### **Linguistically and Culturally Specific Services**

---

Recovery Act VAWA STOP dollars will be used to identify and support the employment of victim service providers who can provide qualified linguistically- and culturally-specific services designed to meet the specific needs of traditionally underserved populations in Kentucky.

It is currently a requirement of all agencies receiving VAWA STOP dollars to document their service protocols with regard to providing services to Limited English Proficient clients. The same requirement will apply to subgrantees funded through Recovery Act VAWA STOP Grant funds. Language services can be provided through competent interpreters, but not family, friends, perpetrators, or those without **fluency** in the primary language of the victim and adhering to basic standards of interpreter ethics.

As part of applications for Recovery Act VAWA STOP funding, programs will be given priority consideration when they submit specific plans as to how they will provide services in the ways that meet culturally specific needs of survivors of domestic violence, sexual assault, stalking, and dating violence. Kentucky Justice and Public Safety Cabinet recognizes that cultural considerations affect survivors' responses to the domestic violence, sexual assault, stalking, and dating violence committed against them, such as:

- § Generation and age;
- § Region or locale of residence;

- § Socioeconomic status;
- § Gender and sexual orientation;
- § Occupation or profession;
- § Developmental and chronic disabilities;
- § Language;
- § Politics;
- § Nationality; and
- § Religion, among other factors

In order to provide culturally-competent services to victims of these crimes, Recovery Act VAWA STOP subgrantees are encouraged to attend training, adopt policies and procedures, and promote awareness within their organizations and communities about how to consider these and other factors when providing services to victims, according to the victim's stated needs. The Kentucky Justice and Public Safety Cabinet recognizes the following as "best practices" in providing culturally competent services:

- § Respect diversity within diversity
- § Anticipate unique service needs
- § Recognize varying perspectives of trauma and healing
- § Provide communication methods based on client need
- § Offer appropriate translations and translators
- § Practice sincerity and respect
- § Establish personal integrity in your professional surroundings

Priority consideration will be given to projects that demonstrate commitment to employment of these best practices in responding to domestic violence, sexual assault, stalking, and dating violence.

**ATTACHMENT 1**  
**VAWA STOP Formula Grant**  
**Implementation Planning Committee Meeting Minutes**  
**March 10, 2009**

**Members in attendance:**

Andrea Walden, Justice and Public Safety Cabinet, Grants Management Branch  
Tanya Dickinson, Justice and Public Safety Cabinet, Grants Management Branch  
Jane Rutledge, Justice and Public Safety Cabinet, Grants Management Branch  
Eileen Recktenwald, Kentucky Association of Sexual Assault Programs (KASAP)  
MaryLee Underwood, KASAP  
Lana Grandon, Office of the Attorney General (OAG)  
Sheriff Kathy Witt, Fayette County Sheriff  
Angela Yannelli, Kentucky Domestic Violence Association (KDVA)  
Catherine DeFlorio, Legal Aid of the Bluegrass  
Diane Fleet, Bluegrass Domestic Violence Program  
Billie Davenport, Brenda Cowan Coalition  
Karen Trivette, Brenda Cowan Coalition  
Carolyn Nunn, Louisville Metro Police Department (LMPD)  
Christy Burch-Epperson, University of Kentucky VIP Center (UKVIP)  
Judge Tamra Gormley, Family Court Judge

**Members not in attendance:**

Gretchen Hunt, Division of Violence Prevention Resources, Cabinet for Health and Family Services  
Judge Lucinda Masterton, Fayette County Family Court Judge  
Isela Arras, KDVA

**Minutes:**

2. KYJPSC provided an overview of the VAWA STOP Formula Grant scope and priority areas, and the VAWA STOP Formula Grant Implementation Plan and planning process.
3. The group thought it most appropriate to devote time to work on the VAWA STOP Recovery Act (stimulus) Implementation Plan during this meeting, as KYJPSC must submit this document to the Office on Violence Against Women (OVW) with its application for VAWA Recovery monies by March 23, 2009.
4. The group performed situational analysis to identify (see also Documents 1 and 2):
  - a. How the economic crisis has impacted services delivery among sexual assault and domestic violence service providers; law enforcement; courts; and prosecutor-based agencies and programs.
  - b. Specific needs for funding to maintain survivors' access to core victim services provided by law enforcement; courts; prosecutorial agencies; and victim service providers.
  - c. Initial/potential strategies for implementing VAWA STOP Recovery Act funding to address these needs.
5. The group developed as its mission statement:
  - a. VAWA STOP Formula Grant Recovery Grant funds will be used to create real or contract positions and to purchase equipment aimed at maintaining survivors' meaningful access to services, training, and legal justice interventions to respond to acts of domestic violence, sexual assault, stalking, and other acts of violence

- against women that have been committed against them in the Commonwealth of Kentucky.
6. The group identified some potential players to add to the implementation planning process:
    - a. Administrative Office of the Courts representative(s)
    - b. Additional Law Enforcement representatives
      - i. Sheriff's deputies
      - ii. Chief(s) of police from around the Commonwealth.
    - c. Representative from Crime Victim Compensation Board
    - d. Representatives from colleges/universities in rural areas of the state (i.e. Lindsey Wilson College), that have programs addressing violence against women on campus.
  7. The group identified two additional meeting dates to further discuss the general VAWA STOP Formula Grant Implementation Plan.
    - a. May 7, 2009 at 1 p.m.
    - b. July 9<sup>th</sup>, 2009 at 1 p.m.

**Document 1:**  
**VAWA STOP Recovery Act Implementation Plan Logic Model**

<b>Problem</b>	<b>Inputs</b>	<b>Intended processes and outputs</b>	<b>Outcomes</b>
National and state-level economic hardship has decreased state victim service providers'; law enforcement's; prosecution's; and courts' ability to provide core victim services to meet demand for these services, and in some cases meet statutory requirements for service provision.	1. VAWA STOP Recovery Act Funding 2. Community coordination among law enforcement; prosecution; courts; and victim service providers	A. Comprehensive services are provided to victims of domestic violence, sexual assault, stalking, and other acts of violence against women throughout the geographically and culturally diverse regions of Kentucky by law enforcement; prosecution; courts; and victim service providers.	1. Statutory requirements of state sexual assault and domestic violence coalition members to provide services within a given region of Kentucky are met. 2. County and Commonwealth Attorneys, who frequently serve as primary intervention bodies in cases of violence against women, are able to provide information, resources, access to legal remedies, and referrals to other victim services. 3. Survivors benefit from increased access to services, particularly those who are located in rural areas of Kentucky where transportation is a barrier to service provision. 4. Survivors benefit from increased access to services, particularly those who are LEP, disabled, or otherwise traditionally underserved.
Lack of collaboration among community partners among law enforcement; prosecution, courts, and victim service providers result in	1. VAWA STOP Recovery Act Funding 2. Community coordination among law	A. Collaborative bodies are established and/or maintained, formally or informally, among law enforcement; prosecution; courts; and victim service providers to assess the service needs of the area's survivors of	1. Meaningful access to services within a particular area is provided to victims, without significant duplication of services.

<p>inefficient and inconsistent delivery of services to victims throughout Area Development Districts and between metropolitan and rural areas of the state.</p>	<p>enforcement; prosecution; courts; and victim service providers</p>	<p>domestic violence, sexual assault, and stalking.</p> <p>B. Said collaborative bodies use service needs identified to plan how existing resources and services can comprehensively serve survivors of violence against women.</p>	
<p>Culturally and geographically underserved populations do not have meaningful access to some services</p>	<p>1. VAWA STOP Recovery Act Funding 2. Community coordination among law enforcement; prosecution; courts; and victim service providers</p>	<p>A. Service providers from law enforcement, prosecution, courts, and victim services will provide linguistic services to LEP and hearing-impaired survivors of domestic violence, sexual assault, stalking and other acts of violence against women.</p> <p>B. Service providers will collaborate to fill gaps in providing services to LEP, hearing-impaired, disabled, and rurally-located survivors of domestic violence, sexual assault, stalking and other acts of violence against women.</p> <p>C. Victim service providers, law enforcement, prosecution, and courts will collaborate to cross-train in serving diverse populations (for example, about VAWA UVISA certifications, culturally competent intervention, linguistically accessible services)</p>	<p>1. Meaningful access to services within a particular area is provided to survivors who have traditionally been underserved.</p>

**Document 2:**  
**PRELIMINARY RESULTS OF**  
**SITUATIONAL ANALYSIS, SWOT ANALYSIS, AND “BRAIN DUMP”**  
**FOR RECOVERY ACT VAWA STOP IMPLEMENTATION PLAN**  
**AND FY 2010-12 VAWA STOP IMPLEMENTATION PLAN**

**Remaining Questions**

Can VAWA monies be used to create jobs for survivors?

Can subgrantees avoid obvious problems with certifying they will maintain recovery act-funded jobs after those funds are gone by creating contract positions for services?

**Issues of Concern**

- § Rape Crisis Centers have already experienced layoffs and closing of outreach offices, which is a major issue in providing full access to survivors of sexual assault.
- § Court advocacy is not strategically designed and coordinated amongst various victim service providers
  - In some counties, advocates from DV programs, County Attorney's Office, and other agencies all attend court. Sometimes there can be multiple advocates performing the same task, even when there is not need for that many advocates.
  - In other counties, there are no advocates available to assist victims in protective order hearings or criminal cases.
    - It is the thought of many that through coordination and collaboration among victim service providers in a particular region or area that victim advocates, as an important resource for survivors, can be better utilized to ensure full access to services and advocacy in all regions of Kentucky.
    - A needs assessment may be performed in regions to assess what services are needed in a particular county, and where duplication of services exists.
- § Funding for prosecution-based advocates has been cut 25%--33% in recent years. There is concern that this funding will continue to decrease, or be completely eliminated.
- § Victims in geographically remote areas of Kentucky may be underserved. Though advocacy, shelter, and law enforcement services may be available in nearby counties, transportation may not be readily available so victims can access these services.
- § Education and training of law enforcement, prosecutors, and court officials still needed. In some areas of Kentucky: law enforcement responses for victims of DV, SA, stalking and other crimes against women are inadequate; judges conduct court hearings, trials, and other processes without knowledge of the dynamics of violence against women; law enforcement, courts, and prosecution does not participate appropriately in the UVISA certification process.

- § Resources available to law enforcement, prosecutors, and court officials are not adequate to meet the needs of victims: in some counties of Kentucky, sheriff's deputies are shared. A sheriff deputy or police officer may work overnight, and must respond to all calls within a 2- or 3-county area.
- § A concern that sporadic outreach services offered to victims of DV and SA may be just as discouraging than complete lack of services. Resources and efforts need to be focused on maintaining these vital outreach programs consistently.
- § With regard to underserved populations:
  - 1. EPOs and DVOs need to be translated into essential second languages in some cases.
  - 2. Where that is not possible, access to competent interpreters is needed at all stages of the protective order process, including:
    - a. During filing of protective order
    - b. During follow up (notification of service to respondent, etc.) on protective order
    - c. At the hearing where a judge determines if the EPO will become permanent as a DVO for up to 3 years.
  - 3. Education is needed at different levels in courts to outline who constitutes an appropriate interpreter.
    - a. Professional telephonic interpreter service, or professional live interpreter who has been screened, along with the victim, to ensure no conflicts of interest exist.
    - b. Family and friends (and of course not the perpetrator) should never be used.
    - c. Court personnel, advocates, and other individuals should not be used unless they are fluent in the victim's second language and do not pose a conflict of interest. This should be avoided at all times.
      - i. The Justice and Public Safety Cabinet requires VOCA and VAWA-funded agencies to submit Language Access Plans that provide for *meaningful* access to services.
  - 4. Courts, law enforcement, and prosecution will need to ensure "language" services are not limited to LEP individuals—there are also needs for those who are hard of hearing/deaf, visually impaired, and physically or cognitively disabled.
- § Some of the group thought DV prevention or advisory boards would be a good idea for every county, or at least in every ADD or other region, to aid in community collaborative efforts.
- § Training is needed in courts, criminal justice agencies with regard to SARTs
- § Dispatchers of law enforcement agencies would be well-served in receiving training on DV/SA law, appropriate responses, empathetic listening.
  - EMTs may also benefit from this type of training, since they are often also primary responders.
- § The input of rural colleges/universities with victim centers would be helpful, since they typically serve a vital age group, particularly for SA survivors.

### **Resources needed/available**

#### *Needed*

AOC information detailing numbers of incidents of domestic violence, sexual assault, stalking, dating violence in a particular area; numbers of EPOs filed and granted.

Representatives from rural colleges/universities

*Available*

KASAP/KDVA strategic plans—prevention and intervention. These documents contain related needs assessments.

Recovery Act VAWA STOP grant funds & regular VAWA STOP grant funds

Service providers, law enforcement, prosecution, courts committed to coordinating efforts to respond to domestic violence, sexual assault, dating violence, and stalking.