

Kentucky Crime Victims' Bill of Rights Handbook

April 2018

Office of the Attorney General
Office of Victims Advocacy



National Crime Victims' Rights Week – April 8-14, 2018



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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Dear Fellow Kentuckian:

As part of our commitment to assist crime victims in the Commonwealth, the Office of the Attorney General is pleased to present the latest version of the Kentucky Crime Victim Bill of Rights Handbook. This revised publication reflects changes resulting from legislation, as well as other valuable information.

According to the latest statistics available from the Bureau of Justice Statistics, United States residents age 12 or older experienced approximately 5.7 million violent crimes in 2016, and 10,152 violent crimes were reported in Kentucky that same year. These crimes are a grim reality that either affect us directly through victimization or indirectly through fear and intimidation. Together, we can lessen the impact and speed recovery.

I hope you find this publication a helpful tool in that process.

Sincerely,

Andy Beshear
Attorney General

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INTRODUCTION

In 1986, the Kentucky General Assembly enacted a series of laws, later designated as the “Kentucky Crime Victim Bill of Rights,” which recognized the integral role that crime victims play in the criminal justice process and specified rights for victims of crime and responsibilities for prosecutors, law enforcement agencies and the Attorney General in regard to ensuring those rights. These laws also formally recognized, defined and specified the roles and responsibilities of a victim advocate. The Crime Victim Bill of Rights applies to cases involving a specified list of criminal offenses but can be applied in cases involving crimes not specifically listed with consent of the presiding judge.

This handbook is designed to provide general information about your rights as a victim of crime, the roles and responsibilities of the professionals involved in the proceedings, and resources that might be available to you and how to access them. If you have questions or otherwise need assistance please feel free to contact the Office of Victims Advocacy within the Office of the Attorney General at 502 696 5312.

VICTIM OF CRIME

Provisions of the Victims Bill of Rights apply to all felony and misdemeanor proceedings in a district or circuit court of the Commonwealth, and to individuals who have suffered direct or threatened physical, financial, or emotional harm as a result of the commission of a crime classified as any of the following:

- Stalking
- Unlawful Imprisonment
- Use of a Minor in a Sexual Performance
- Unlawful Transaction with a Minor in the first degree
- Terroristic Threatening
- Menacing
- Harassing Communications
- Intimidating a Witness
- Criminal Homicide
- Robbery
- Burglary in the first or second degree
- Rape
- Assault
- Sodomy
- Kidnapping
- Sexual abuse
- Wanton endangerment
- Criminal abuse
- Incest
- Human Trafficking

“Victim” shall also mean a resident of this state who is injured or killed by an act of terrorism, as defined in 18 U.S.C. § 2331, committed outside the United States.

If the Victim is a Minor or Legally Incapacitated

Here “victim” also includes a parent, guardian, custodian or court appointed special advocate.

If the Victim is Deceased and the Relation is not the Defendant

The following relations shall be designated as “victim” for the purpose of exercising those rights contained in KRS 421.500-421.575:

- A spouse
- An adult child
- A parent
- A sibling
- A grandparent

ROLES AND RESPONSIBILITIES

Law Enforcement

Upon initial contact with the victim, law enforcement personnel shall ensure that victims receive information on available protective, emergency, social and medical services, and are given as soon as possible the following information:

- Availability of crime victim compensation where applicable;
- Community-based treatment programs;
- The criminal justice process as it involves the participation of the victim or witness;
- The arrest of the accused;
- How to register to be notified when a person has been released from prison, jail, a juvenile detention facility, or a psychiatric facility or forensic psychiatric facility if the case involves a violent crime as defined in KRS 439.3401 and the person charged with or convicted of the offense has been involuntarily hospitalized under KRS 202A;
- Information on how victims may be protected from intimidation, harassment and retaliation, as defined in KRS 524.040 or 524.055.

Law Enforcement shall also:

- Promptly return a victim’s property held for evidentiary purposes unless there is a compelling reason for retaining it;
- Upon request by a victim or witness, assist in informing employers that the need for victim or witness cooperation in the prosecution of the case may necessitate absences from work.

Prosecutors

Information

Attorneys for the Commonwealth shall insure that victims receive available information on the following:

- Protective, emergency, social and medical services
- Crime victim compensation, where applicable
- Restitution, where applicable
- Obtaining assistance from a victim advocate
- Community-based treatment programs

Attorneys for the Commonwealth shall provide information to victims and witnesses on:

- How to register to be notified when a person has been released from a prison, jail, juvenile detention facility, psychiatric facility or forensic psychiatric facility if the case involves a violent crime as defined in KRS 439.3401 and the person charged with or convicted of the offense has been involuntarily hospitalized pursuant KRS 202A.
- How to be protected from intimidation, harassment, and retaliation as defined in KRS 524.040 or 524.055; and
- The Victim, Witness and Family Protection Program.

*Notification**

If victims so desire and if they provide the attorney for the Commonwealth with a current address and telephone number, they shall receive prompt notification, if possible, of judicial proceedings relating to their case, including, but not limited to, the following:

- Defendant's release on bond and any special conditions of release
- Charges filed against the defendant
- The defendant's pleading to the charges
- Trial date
- A scheduled hearing for shock probation and any resulting orders
- A scheduled hearing for bail pending appeal and any resulting orders
- Changes in custody of the defendant
- Changes in the trial date
- Trial verdict
- Sentencing date
- Any parole board hearings held for the defendant
- A scheduled hearing for shock probation and any resulting orders
- A scheduled hearing for bail pending appeal and any resulting orders

*See Appendix for a sample letter requesting notification from the prosecutor.

Attorneys for the Commonwealth shall make a reasonable effort to insure that victims and witnesses who are required to attend criminal justice proceedings are notified promptly of any scheduled changes that affect their appearances. Attorneys for the Commonwealth shall notify the victim that upon the conviction of the defendant, the victim has the right to submit a written victim impact statement to the probation officer responsible for preparing the presentence investigation report for inclusion in the report, or to the court should such a report be waived by the defendant.

Attorneys for the Commonwealth shall make a reasonable effort to insure that victims receive prompt notification that the Attorney General will notify the victim if an appeal of the conviction is pursued by the defendant.

Consultation

Attorneys for the Commonwealth shall consult victims on case disposition including the following:

- Case dismissal
- Release of defendant pending judicial proceedings
- Any conditions of release
- A negotiated plea
- Defendant's entry into a pre-trial diversion program

Other Provisions

Attorneys for the Commonwealth shall:

- Promptly return a victim's property held for evidentiary purposes unless there is a compelling reason for retaining it;
- Provide information on obtaining protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts;
- Upon request by a victim or witness, assist in informing employers that the need for victim or witness cooperation in the prosecution of the case may necessitate absences from work.

Attorneys for the Commonwealth may request a speedy trial when the victim is less than sixteen (16) years old and the crime is a sexual offense as specified in statute. (See KRS 421.510).

Victim Advocates

Each victim advocate shall perform those duties necessary to ensure compliance with the Crime Victims' Bill of Rights (KRS 69.350 (3) and KRS 15.760 (6)(c)).

In all court proceedings, a victim advocate, upon the request of the victim, shall be allowed to accompany the victim during the proceeding to provide moral and emotional support. The victim advocate shall be allowed to confer orally and in writing with the victim in a reasonable manner. However, the victim advocate shall not provide legal advice or legal counsel to the crime victim in violation of KRS 421.570 and 524.130 (KRS 421.575).

Defense Attorneys

The Constitutions of the United States and Kentucky require that all persons accused of a crime have a fair trial. The role of the defense attorney is to provide representation for an accused person and protect his or her right to a fair trial. The defendant, or his attorney, has the right to question all witnesses at trial or in other court proceedings (except grand jury). A victim or witness is not required to discuss the crime outside of court unless served with a court order.

The Office of the Attorney General

The Attorney General, where possible, shall provide:

- Notification to the victim of the defendant's initial appeal, status of the case and the decision of the appellate court, if a defendant seeks appellate review of a conviction and the Commonwealth is represented by the Attorney General;
- Technical assistance to law enforcement agencies and attorneys for the Commonwealth if such assistance is requested for establishing a victim assistance program.

SPECIAL PROVISIONS

For Child Victims of Crime

Speedy Trial and Special Needs

The Court shall:

- Set a hearing date within ten (10) days of a motion by the Attorney for the Commonwealth, when the victim is less than sixteen (16) years old and the crime is a sexual offense. If the motion is granted, the trial shall be scheduled within ninety (90) days from the hearing date (KRS 421.510)

- Consider and give weight to any adverse impact a delay or continuance may have on the well-being of a child victim or witness
- Implement measures to accommodate the special needs of children which are not unduly burdensome to the rights of the defendant (KRS 26A.140).

Closed Circuit Testimony

The court may, upon request of the attorney for either party and upon a finding of compelling need, grant closed circuit or videotaped testimony of the child (KRS 421.350).

Special Advocates

If the court believes that the health, safety, or welfare of a victim who is a minor or is legally incapacitated would not otherwise adequately be protected, the court may appoint a special advocate to represent the interest of the victim and to exercise those rights provided for by KRS 421.500 to 421.575. Communication between the victim and the special advocate shall be privileged (KRS 421.500(2)).

For Victims of Juvenile Crime

Notification of Release

Members of the community who request notification through V.I.N.E. (Victim Information and Notification Everyday) shall be notified of the release or escape of an incarcerated person from a facility for youthful offenders. (KRS 196.280).

Attending Court Proceedings

Subject to Rule 43.09 of the Rules of Civil Procedure, the court shall permit the victim, the victim's parents or legal guardian, or if emancipated, the victim's spouse, or the legal representative of any of these, to attend all juvenile court proceedings (KRS 610.060 (5)).

As required by KRS 610.060(6), the court designated person or agency must make an attempt to notify the above mentioned persons of the time, date and place of all court proceedings.

Each district court shall, by rule, establish the means of notifying a victim of court proceedings, and assign the person or agency responsible for making the notifications. The failure of a victim or other specified person to receive notice shall not delay the proceedings in the case.

Access to Records

Unless a specific provision of KRS Chapters 600 to 645 specifies otherwise, all juvenile court records of any nature shall be deemed confidential and shall not be disclosed except to the child, parent, victims or other persons authorized to attend a juvenile court hearing. The victim is entitled to attend the otherwise closed juvenile court proceedings (KRS 610.070).

For Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking

Protective Orders (EPOs and DVOs)

Any person who is a victim of domestic violence inflicted by a family member (e.g. spouse, former spouse, parent, child, stepchild, grandparent, grandchild, brother, sister, son- or daughter-in-law, spouse's parent, spouse's grandparent, or a spouse's sibling) or member of an unmarried couple (e.g. couples who are living together or who formerly lived together, or unmarried couples who have a child in common or allegedly have a child in common) and who is a resident of Kentucky or who has fled to Kentucky to escape domestic violence may file a petition for a domestic violence order in the district court in the county of her or his usual or current residence.

The petition is filed on standardized forms provided to the person seeking relief by the circuit court clerk. All petitions requested, completed and signed by persons seeking protection must be accepted, filed and taken immediately to an available judge. No fee may be assessed upon the victim for either the filing of the domestic violence petition or the service of the petition upon the respondent/alleged perpetrator. All Kentucky courts are required to provide twenty-four (24) hour access to emergency protective orders.

Victims may register to receive notification when a protective order is served on a respondent by registering with the VINE Protective Order System (VPO). To register with VPO go to www.registervpo.com. The case number located on the protective order is required as well as the Respondent's last name and the county in which the Order was filed.

Interpersonal Protective Orders (IPOs)

Any person who is a victim of violence and abuse inflicted by someone with whom the person is:

- a victim of dating violence and abuse
- a victim of stalking;
- a victim of sexual assault; or
- an adult on behalf of a victim who is a minor otherwise qualifying for relief such as law enforcement officers and Commonwealth's or county attorneys. All petitions requested, completed, and signed by persons seeking protection under this chapter shall be accepted and filed with the court. All Kentucky courts are required to provide twenty-four (24) hour access to these orders.

Victims may register to receive notification when an interpersonal protective order is served on a respondent by registering with the VINE Protective Order System (VPO). To register with VPO go to www.registervpo.com. The case number located on the protective order is required as well as the Respondent's last name and the county in which the Order was filed.

Notice of Attempt to Purchase Firearms

KRS 237.100 requires the Justice and Public Safety Cabinet to make a reasonable effort to provide notice to the petitioner (victim who has obtained a domestic violence order) that the respondent (perpetrator) has attempted to purchase a firearm. This notification only applies to petitioners who:

- Obtain a domestic violence protective order issued or reissued on or after July 15, 2002;
- Obtain a domestic violence protective order that involves a respondent who is prohibited by federal law from possessing a firearm (18 U.S.C. sec. 922(g)(8)); and
- Provide the Justice and Public Safety Cabinet or the contracted private entity with a request for notification.

(See VINE Protective Order at page 16 for more information).

Pretrial Release of Offender

Before pretrial release can be considered for someone arrested for offenses as defined in KRS Chapter 508, (including assault, menacing, wanton endangerment, terroristic threatening, criminal abuse, stalking), or for sexual offenses as defined in KRS Chapter 510, (including rape, sodomy, sexual abuse, sexual misconduct, indecent exposure), or for being in violation of a protective order (as defined in KRS 403.720 and 456.010), the court or agency having authority to make that decision shall review the facts of the arrest and detention and determine whether the person:

- Is a threat to the alleged victim or other family or household member
- Is reasonably likely to appear in court

The court shall make findings, on the record if possible, concerning the determination made in consideration of pretrial release, and may impose conditions of release or bail on the person to protect the alleged victim of domestic violence or abuse and to ensure the appearance of the person at a subsequent court proceeding. The conditions may include:

- Prohibiting the person from threatening to commit or committing acts of domestic violence or abuse against the alleged victim or other family or household member;
- Prohibiting the person from harassing, annoying, telephoning, contacting or otherwise communicating with the alleged victim, either directly or indirectly;
- Directing the person to vacate or stay away from the home of the alleged victim and to stay away from any other location where the victim is likely to be;
- Prohibiting the person from using or possessing a firearm or other weapon specified by the court;

If conditions of release are imposed, the court imposing the conditions shall issue a written order for conditional release and immediately distribute a copy of the order to pretrial services. The court shall also provide a copy to the person arrested or charged upon release. Failure to provide the person with a copy does not invalidate the conditions if the arrested or charged person has notice of the conditions.

If conditions of release are imposed without a hearing, the arrested or charged person may request, and upon request the court shall hold, a prompt hearing for the court to review the conditions. Any person who violates any condition of pretrial release orders is guilty of a Class A misdemeanor.

Access to Conditions of Release

The victim (as defined in KRS 421.500) of the defendant's alleged crime, or an individual designated by the victim in writing, shall be entitled to a free certified copy of the defendant's conditions of release, or modified conditions of release, upon request to the clerk of the court which issued the order releasing the defendant. The victim or the victim's designee may personally obtain the document at the clerk's office or may have it delivered by mail.

For Victims of Sexual Assault and Stalking

Interpersonal Protective Order (in criminal cases)

Effective January 1, 2016, a conviction of rape, sodomy, sexual abuse, incest or stalking acts as an automatic request by the victim, unless the victim requests otherwise, for an Interpersonal Protective Order (or a restraining order in stalking cases, if prior to January 1, 2016) limiting the contact of the defendant with the victim who was stalked or sexually assaulted. The order may grant relief including:

- Restraining the defendant from entering the residence, property, school or place of employment of the victim, or
- Restraining the defendant from making contact with the victim.

An interpersonal protective order (or restraining order if issued in a stalking cases prior to January 1, 2016) may be valid for up to 10 years as determined by the court (KRS 508.155).

For Victims of Sexual Assault

The Kentucky Claims Commission (KCC) is the payor for sexual assault examinations. Medical providers submit the required payment form directly to the KCC after first billing any

private or public medical insurance providers. Billing the victim is prohibited by law. Any expenses not covered by insurance are paid directly to the medical provider by the KCC.

A victim may, however, be charged for expenses not related to the examination process (e.g. ambulance expenses, follow-up care, hospitalizations, surgical procedures). In such cases, the victim may file a separate claim with the KCC for these expenses.

CRIME VICTIMS COMPENSATION

KRS Chapter 49 establishes a program for victim compensation, which is administered through the Kentucky Claims Commission (formerly the Kentucky Crime Victims Compensation Board).

Who Is Eligible

- The victim of criminally injurious conduct, including a resident of this state who is injured or killed by an act of terrorism, as defined in 18 U.S.C. sec. 2331, committed outside the United States or a person who suffers personal injury as a result of a hate crime as defined in KRS 532.031;
- A surviving spouse, parent, or child of a victim of criminally injurious conduct who died as a direct result of such conduct;
- Any other person dependent for his principal support upon a victim of criminally injurious conduct who died as a direct result of such crime, and;
- Any person who is legally responsible for the medical expenses or funeral expenses of a victim.

Requirements

To qualify for compensation the following requirements must be met:

- The crime must have been reported within 48 hours after the occurrence, unless it is found that delay was justified
- An application must be filed, either in person or by official claim form by mail, generally not later than five (5) years after the crime.

Awards

Awards may include the following:

- A possible emergency award not to exceed five hundred dollars (\$500), and deducted from any final award,
- Up to one hundred and fifty dollars (\$150) a week in lost earnings or support,
- Medical expenses or other services, including mental health counseling, necessary as a result of the injury upon which the claim is based,
- Replacement of glasses or corrective lenses, provided they were broken or damaged

- during the crime,
- Funeral and burial expenses, up to five thousand dollars (\$5,000),
- Awards may not exceed twenty-five thousand dollars (\$25,000).

Making a Claim

Awards may be denied, reconsidered or reduced if the Kentucky Claims Commission finds that the victim or claimant has not fully cooperated with appropriate law enforcement agencies. *Except for claims related to sexual assault and domestic violence.* (KRS 49.370(2)).

Forms are available from law enforcement, hospitals, prosecutors' offices and from the Kentucky Claims Commission. For more information on what claims can be awarded, please call or write:

Kentucky Claims Commission
130 Brighton Park Blvd., Frankfort, KY 40601
(502) 573-2290

Sexual Assault Examinations

For information regarding payments for sexual assault examinations please see <http://cvcb.ky.gov/SAEP/Pages/default.aspx> or contact the Kentucky Claims Commission at (502) 573-2290.

VICTIM RESTITUTION

Restitution shall be ordered and shall not be subject to suspension or non-imposition. If probation, shock probation, conditional discharge or other alternative sentence is granted, restitution shall be a condition of the sentence. If a person is sentenced to incarceration and paroled, restitution shall be made a condition of parole (KRS 532.032).

VICTIM IMPACT STATEMENT

To the Sentencing Judge

The attorney for the Commonwealth is required by law to notify the victim, upon conviction of the defendant, that the victim has the right to submit a written victim impact statement to the probation officer responsible for preparing the pre-sentence investigation report. The impact statement shall be included in the report or submitted to the sentencing judge should such a report be waived by the defendant.

The impact statement may contain, but need not be limited to, a description of the nature and extent of any physical, psychological or financial harm suffered by the victim, the victim's need for restitution and whether the victim has applied for or received compensation for financial loss, and the victim's recommendation for an appropriate sentence.

The victim impact statement shall be considered by the court prior to any decision on the sentencing or release, including shock probation, of the defendant (KRS 421.520).

To the Parole Board

If a defendant is sentenced to a period of incarceration and his release is subject to the authority of the Parole Board, the victim may submit to the Parole Board a written impact statement, which shall be considered when making a decision on the release of the defendant.

The impact statement may contain, but need not be limited to, a description of the long-term consequences of the crime, including but not necessarily limited to, the physical, psychological and financial harm suffered by the victim, and whether the victim has applied for or received compensation for financial loss (KRS 421.530).

For more information, go to <http://justice.ky.gov/pages/parole-board.aspx>

During Penalty Phase of Trial

In all felony cases during the hearing in which the jury will determine the punishment to be imposed, evidence may be offered by the Commonwealth relevant to sentencing, including the impact of the crime upon the victim, as defined in KRS 421.500, including a description of the nature and extent of any physical, psychological or financial harm suffered by the victim (KRS 532.055 (2)(a)7).

CRIMINAL CASE, PROTECTIVE ORDER AND OFFENDER STATUS INFORMATION

Kentucky Offender Online Lookup (KOOL)

The Department of Corrections maintains a 24-hour access Web site providing information on the status of criminals who are currently incarcerated in a state or private prison, county jail or halfway house. <http://kool.corrections.ky.gov>.

VINE Notification Services

NOTE: *This program consists of three (3) different services. You must register for each service separately.*

NOTE: *When registering for notification by phone for any service please keep in mind the following:*

- The inmate/respondent will NOT know you have registered to be notified.
- VINE gives immediate notification when an inmate is released. Do not be startled if you receive a late night phone call from VINE.
- Calls will be made every 30 minutes until notification is acknowledged by the registered person.
- Entering the correct PIN is the only way to stop VINE notification calls.
- If you are a victim and do not have a telephone, give the phone number of a relative or close friend.
- DO NOT give a telephone number that reaches a switchboard.

NOTE: *Do not depend only on the VINE notification systems or any other program for your safety. If you feel unsafe you should take appropriate precautions.*

VINE System (Offender Status)

VINE is a free, anonymous, computer-based service that provides the public two important services: information and notification. VINE will tell you if an offender is in jail or prison and will give you other important custody information. VINE will also let you provide a phone number and/or an e-mail address where you can be notified automatically when that offender is released, transferred, escapes or has an upcoming parole hearing.

Registering with VINE (Offender Status). Call 800-511-1670 from a touch-tone phone. If the offender is in custody, you can register to be notified when the offender is released. Enter the phone number or numbers where you want to be reached, including area code, followed by the pound (#) key.

When VINE asks, enter a four-digit Personal Identification Number (PIN) that you choose. Pick a number that will be easy to remember, write the number down and keep it in a safe place. When VINE sends a notification, you will be asked to enter the PIN. This will confirm that you received the call and stop additional calls.

To register for email notification, go to www.vinelink.com and click on the state of Kentucky. You can search for the offender by name or identification number. Once you locate the offender, you can enter an email address or phone number where you would like to be notified if the offender is released, transferred or escapes.

VINE Court Service

VINE Court Service is a free, anonymous, computer-based telephone and e-mail program that provides victims of crime two important services for upcoming court cases: information and notification. This service is available statewide on all misdemeanor and felony cases.

You may call the VINE Court Service to hear information on a specific court case. You may register a phone number or e-mail address where you want to be notified when there is an upcoming court hearing or a scheduling change.

For detailed information regarding the case, contact your local Circuit Court Clerk. To view an online docket, you can visit Kentucky Court of Justice at <http://kcoj.kycourts.net/dockets/>

Please note that it is the responsibility of the registrant to keep up with his or her case number, including trailer number if applicable, and to keep the registration current.

Registering with VINE Court Service. Call 800-511-1670 from a touch-tone phone and follow the instructions. You can also register for a court case online with the Kentucky Court of Justice at <http://courts.ky.gov/Pages/VINE.aspx>. When searching for a court case, you can register your phone number to receive updates on court hearings. Enter the phone number where you want to be reached, including area code, followed by the (#) key, and you will receive updates when they become available.

When VINE asks, make up a four-digit Personal Identification Number (PIN) that will be easy for you to remember, write it down and keep it in a safe place. VINE will ask for the PIN when it calls you. When VINE calls, listen to the message then enter your PIN when asked. Entering the PIN lets VINE know that you received the call, and will stop the service from calling you again.

VINE Protective Order

VINE Protective Order (VPO) is a free, anonymous service that allows petitioners to access information about their protective order (EPO, DVO, IPO), including the status of the order and reminders about upcoming court hearings pertaining to the protective order. VPO provides petitioners of protective orders access to information and notification about their order, including: Type of Order, Issue Date, Services Status, Service Date, Expiration Date, Attempt to Purchase Firearm, Hearing Date/Schedule Changes, along with order terms and conditions.

Federal law, commonly known as the Brady Bill, prevents certain people with Domestic Violence Orders or Interpersonal Violence Orders against them from buying or having guns or similar weapons. Kentucky law allows victims with Emergency Protective Orders (EPO)/Domestic Violence Orders (DVO)/Interpersonal Violence Orders (IPO) to be notified if the person their protective order is against (respondent) tries to buy a gun or similar weapon.

VINE Protective Order is now incorporating the Brady Bill Notification to make petitioners of the WPO/DVO aware that the respondent has attempted to purchase a firearm. Just as VPO makes a notification on the status of an order, reminders about upcoming court hearings, and expiration date of the order, it will also notify if a respondent attempts to purchase a firearm.

The petitioner will receive an "Attempt to Purchase" notification if the following criteria is met:

- The petitioner or his/her children have a Domestic Violence Order issued by a Kentucky Court or registered with a Kentucky court clerk.
- The DVO is still in effect.
- The order is: against an intimate partner, or against his/her own parent, or on behalf of petitioner child against his/her parent.

To obtain information from VPO you will need to have your case number ready. You can find it on your petition (application form) or protective order (e.g. case number 13D123456-001).

Registering with VINE Protective Order. Call 800-511-1670 from a touch-tone phone and press two (2) for protective order information. When asked, enter a telephone number where you can be directly reached and a four-digit personal identification number (PIN) that you choose. Chose a number that will be easy to remember, write it down and keep it in a safe place.

When you receive a telephone notification, you will be asked to enter our PIN, followed by the pound (#) sign, to hear the notification and to confirm that you received the call.

If you have registered but have not heard that the order has been served after four days, contact your victim advocate or county sheriff's office. More information about how to find the respondent may be needed.

To *Check the Status* of a Protective Order. Call the toll-free Kentucky VINE Line at 800-511-16709 from a touch-tone phone. The search for the status of a protective order, press two (2) for protective order information. Enter the case number followed by the pound (#) sign. Use the numbers and letter on your keypad. If you do not have a touch-tone phone, simply wait on the line until you are connected to an operator.

SEX OFFENDER REGISTRATION & COMMUNITY NOTIFICATION (MEGAN'S LAW)

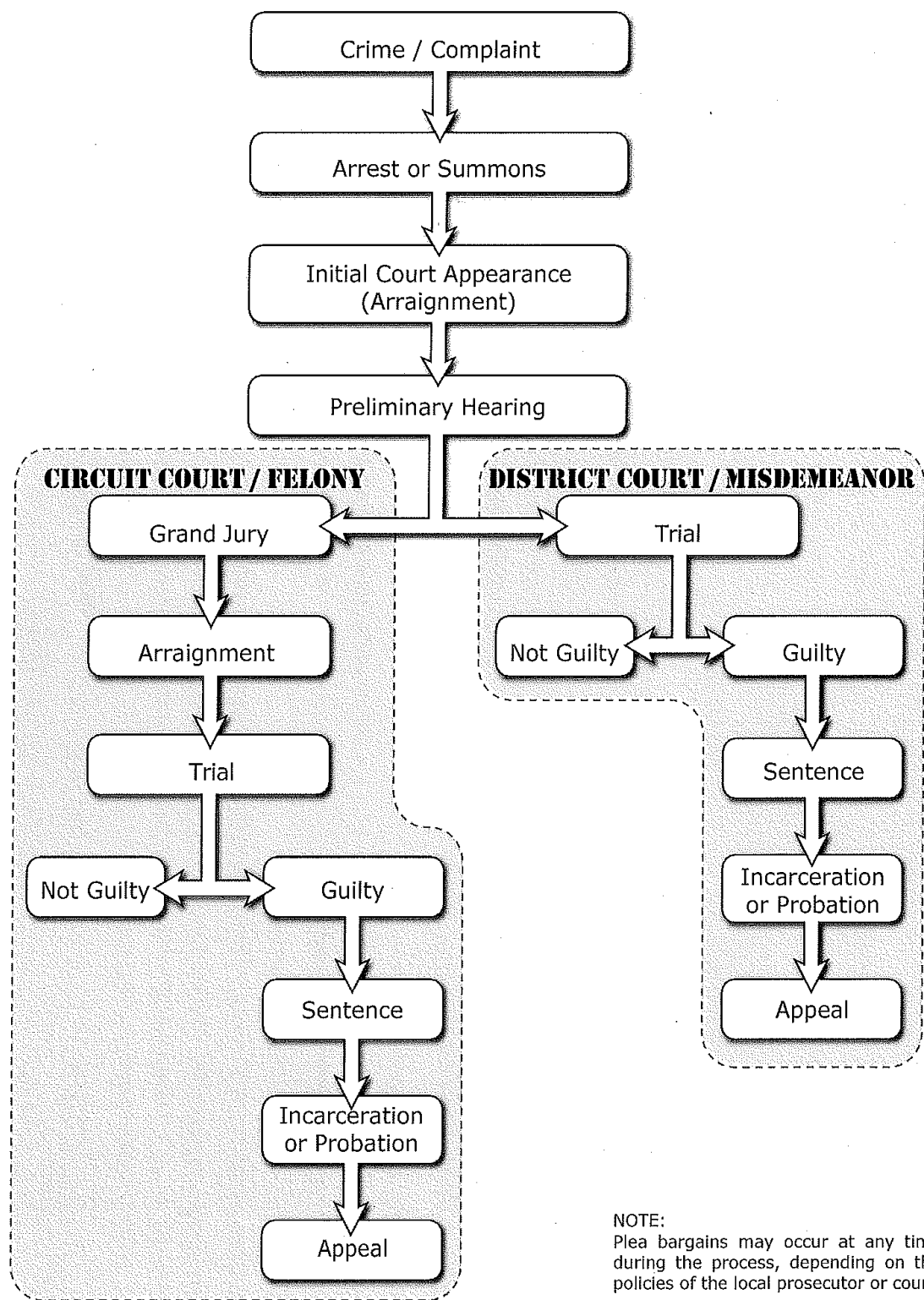
Victims of Sexual Offenses and Victims of Crimes Against a Minor

Kentucky's Sex Offender Registration Act, sometimes referred to as "Megan's Law," requires certain sex offenders to register with the probation and parole office in their county of residence. The Kentucky State Police have established a website, which is accessible to the public, containing information on all offenders who are required to register.

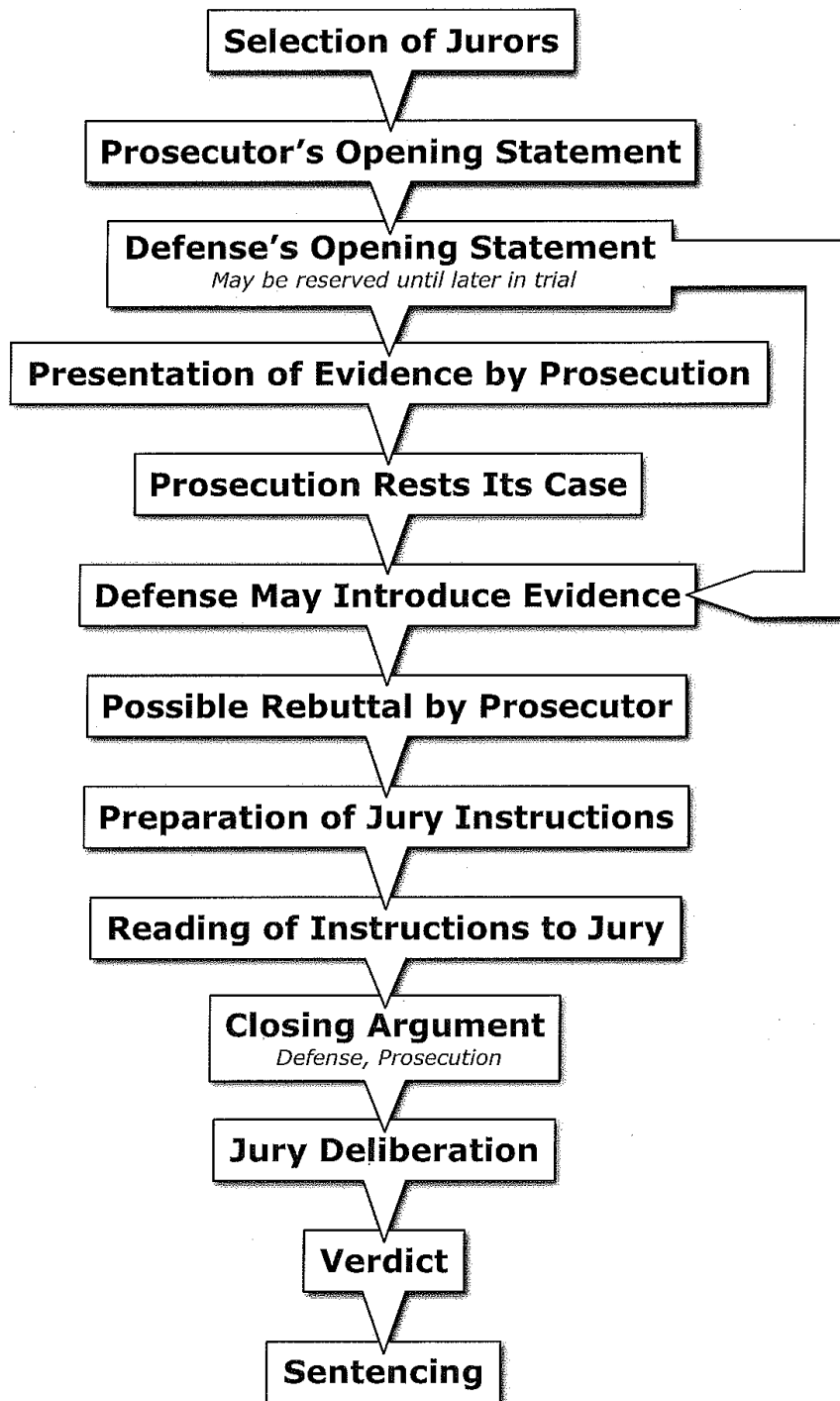
Offender information which may be included on the Web site are the offender's name including any lawful name change together with the previous name, age, race, sex, date of birth, height, weight, hair and eye color, photograph, aliases used, residence, a brief description of the crime or crimes committed, the registrant's conviction, the elements of the offense for which the registrant was convicted, whether the registrant is currently on probation or parole, and whether the registrant is compliant or noncompliant. *No information identifying a victim may be included.* The Sex Offender Registry web address is <http://kentuckystatepolice.org/sor.htm>. If you do not have access to the Internet, call (877) 994-9961 for a location in your county that offers public access to the Internet.

The Kentucky State Police has also established the Kentucky Sex Offender Alert Line. Similar to VINE, the Sex Offender Alert Line allows anybody to register for automated notification when a sex offender moves into an area. To register, call (866) 564-5652 and enter your telephone number and ZIP code. Once registered, the system will call you whenever a sex offender moves into the ZIP code you have specified and you can then visit the Sex Offender Registry site to obtain information on that sex offender.

CRIMINAL JUSTICE STEPS

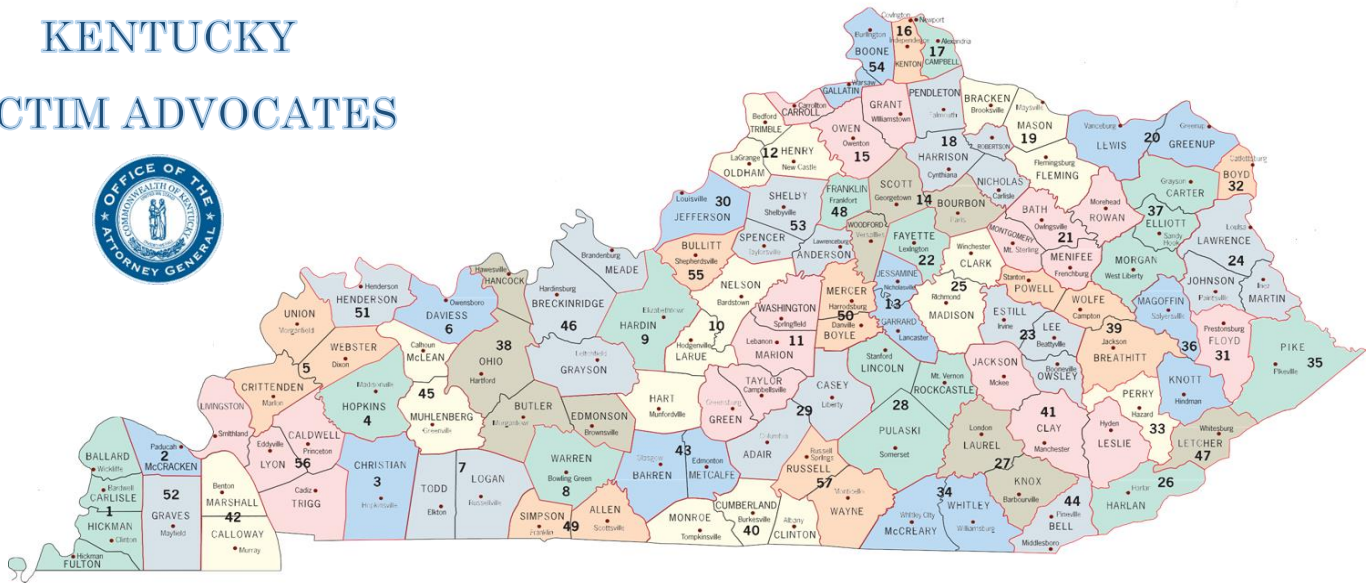


TRIAL BY JURY PROCEDURE



KENTUCKY

VICTIM ADVOCATES



County Attorney Victim Advocates

| | | |
|--------------|----------------------|-------------------|
| Adair | Barbara Shepherd | (270) 384-3216 |
| Barren | Jan Dickinson | (270) 651-8766 |
| Breckinridge | Sheila Elder | (270) 756-2791 |
| Bourbon | Jennifer Linville | (859) 987-2145 |
| Bullitt | John Crump | (502) 543-1505 |
| | Vera Sanders | |
| Calloway | Cassandra Clere | (270) 753-3312 |
| Campbell | Candice Rich | (859) 581-8015 |
| Christian | Debbie Finley | (270) 887-4114 |
| Daviess | Kyle Smith | (270) 685-8429 |
| Fayette | Pati Coulter (x 808) | (859) 254-4941 |
| | Jennifer Kelder | (x 870) |
| | Kelly Wells | (x 861) |
| | Kristen Wilson | (x 865) |
| Franklin | Skye Hanson | (502) 875-8745 |
| Garrard | Vicki Mills | (859) 792-2331 |
| | Tiffany Whitley | |
| Grayson | Ashley Riddle | (270) 259-9306 |
| Hardin | Jocelyn Hohman | (270) 765-6726 |
| | Lauren Heavin-Bowman | |
| Hickman | Ange Storey | (270) 653-6335 |
| Jefferson | Brent Baltzell | (502) 574-6336 |
| | Meghan Chung | Bertha Crimmins |
| | Liza Obenshain | Molinda Wells |
| | Shawn Alexander | Mary Whitty |
| | Cammie Sizemore | Alicia Martinez |
| | Christal Metts | Tammi Mitchell |
| | Susan Ely | Marlene Zimmerman |
| | Ingrid Geiser | |
| Kenton | Kathy Summe | (859) 491-0600 |
| Knox | Renia Owens | (606) 546-9515 |
| Laurel | Angel Jones | (606) 864-6159 |
| Letcher | Bobbi Polly | (606) 633-9588 |
| McCracken | Peyton Skees | (270) 444-4709 |
| Madison | Jennifer Brown | (859) 624-4777 |
| Mercer | Katie Hancock | (859) 734-6320 |
| Pike | Karen Harr | (606) 432-6250 |
| Pulaski | Stacey Casada | (606) 679-4440 |
| Russell | Tracy Irvin | (270) 343-2121 |
| Taylor | Cody Drury | (270) 469-9456 |

Commonwealth's Attorney Victim Advocates

| | | |
|------------------|---------------------|-----------------|
| 1 st | Karla Long | (270) 335-5656 |
| 2 nd | Tiffany Mills | (270) 575-7402 |
| 3 rd | Jennifer Hightower | (270) 889-6587 |
| 4 th | Charlie Weatherford | (270) 824-7018 |
| 6 th | Joshua Settles | (270) 685-4357 |
| 7 th | Julana Haley | (270) 726-4300 |
| 8 th | Celia Haynes | (270) 746-7485 |
| 9 th | Patty Hall | (270) 766-5170 |
| 10 th | Vacant | (502) 348-1111 |
| 11 th | Leticia Newton | (270) 789-6802 |
| 12 th | Teresa Leet | (502) 222-2045 |
| 13 th | Dawn Seamands | (859) 887-2722 |
| 14 th | Debbie Birdwhistell | (859) 873-4797 |
| 15 th | Allyssa Mechen | (502) 732-5841 |
| 16 th | Morgan Winter | (859) 292-6580 |
| 17 th | Cassie Andress | (859) 292-6490 |
| 18 th | Sheila Wiley | (859) 235-0387 |
| 19 th | Mary Buser | (606) 564-4304 |
| 20 th | Debbie Leonhart | (606) 473-9823 |
| 21 st | Jennique Tipton | (859) 498-0911 |
| 22 nd | Kathy High | (859) 246-2060 |
| | Briana Persley | Brittany Scordo |
| | Megan Vanover | Blerina Gojani |
| 23 rd | Sharla Plowman | (606) 726-0127 |
| 24 th | Linda Duncan | (606) 788-7088 |
| 25 th | Krista Farthing | (859) 624-4728 |
| 26 th | Shanda Middleton | (606) 573-6162 |
| 27 th | Gina Bennett | (606) 546-9042 |
| 28 th | Vicki Schoolcraft | (606) 677-4100 |
| 29 th | Vacant | (270) 384-0149 |
| 30 th | Mary Hamlet | (502) 595-2340 |
| | Candace Corona | Sally Fangman |
| | Kathy Gray | Erica Matz |
| | Kathy Steele | Tessa Ramsey |
| 31 st | Kathy Lafferty | (606) 889-1825 |
| 32 nd | Kathy Johnson | (606) 739-5137 |
| 33 rd | Gretta Ralaigh | (606) 435-6222 |
| 34 th | Vacant | (606) 539-0800 |
| 35 th | Vacant | (606) 432- 6215 |
| 36 th | Glenda Martin | (606) 349-6171 |
| 37 th | Pamela S. Harper | (606) 738-5494 |
| 38 th | Shannon Austin | (270) 526-3871 |
| 40 th | Patty Rich | (606) 387-8458 |
| 43 rd | Micah Reece | (270) 651-3838 |
| 44 th | Karen Doolin | (606) 248-0224 |
| | Melanie Jackson | |
| 45 th | Marla Laycock | (270) 338-6956 |
| 46 th | Connie Miller | (270) 287-0034 |
| 47 th | Felicia Wright | (606) 633-8121 |
| 48 th | Skye Hanson | (502) 875- 8712 |
| 49 th | Sam Starks | (270) 586-5327 |
| 50 th | Kari Lamb | (859) 734-0770 |
| 52 nd | Tracy Hargrove | (270) 247- 8522 |
| 54 th | Jamie Zembrodt | (859) 586-1723 |
| 55 th | Lori Jackey | (502) 543-4157 |
| 56 th | Victoria Cornish | (270) 388-9494 |
| 57 th | Denise Whittle | (270) 343-4744 |

Law Enforcement Victim Advocates

| | |
|-------------------------|--------------------|
| Bowling Green Police | April Fulcher |
| | (270) 393-4595 |
| Fayette County Sheriff | Carolynn Lee |
| (859) 252- 1771 | Carolee Mather |
| | Jordyn Richie |
| | Brenda Head |
| | Jamie Jenkins |
| Georgetown Police | Meghan Shook |
| | (502) 863-7826 |
| Jessamine Co. Sheriff | Taunya S. Northrup |
| | (859) 885-9112 |
| Letcher County Sheriff | Eugene Slone |
| | (606) 633-2293 |
| Lexington Metro Police | |
| | Cornetta Harris |
| | (859) 258-3535 |
| | Leticia Hagerman |
| | (859) 258-3768 |
| | Melinda Weathers |
| | (859) 258-3469 |
| | Melissa Martin |
| | (859) 258-3700 |
| Louisville Metro Police | Nicole Carroll |
| | (502) 574-1264 |
| Williamsburg Police | Angelika Bowling |
| | (606) 549-6023 |

Office of Attorney General

Office of Victims Advocacy Robin Mohon
(502) 696-5312 <http://ag.ky.gov>

SAMPLE LETTER TO PROSECUTOR REQUESTING NOTIFICATION

Re: Request for Notification and Consultation in Case No. _____.

Dear (insert prosecutor name).

I am the victim in Commonwealth v. _____, Case No. _____. I am requesting all of my rights as provided for in Kentucky law including those ensured by Kentucky's Crime Victim Bill of Rights (KRS 421.500 – 421.575).

Specifically, I am requesting to be notified and/or consulted regarding the following:

- Defendant's release on bond and any special conditions of release
- Charges filed against the defendant
- The defendant's pleading to the charges
- Trial date
- A scheduled hearing for shock probation and any resulting orders
- A scheduled hearing for bail pending appeal and any resulting orders
- Changes in custody of the defendant
- Changes in the trial date
- Trial verdict
- Sentencing date
- Any parole board hearings held for the defendant
- A scheduled hearing for shock probation and any resulting orders
- A scheduled hearing for bail pending appeal and any resulting orders
- Case dismissal
- Release of defendant pending judicial proceedings
- Any conditions of release
- A negotiated plea
- Defendant's entry into a pre-trial diversion program

Thank you,

_____ (Name)

Contact information:

Address: _____

Phone Number(s): _____; Email: _____

If the event you are unable to reach me, please contact:

Name: _____ Phone number(s): _____

Address: _____

RESOURCES

**Office of Victims Advocacy
Office of the Attorney General
(502) 696-5312**

(800) 372-2551 (Crime Victim Information Line)

<https://ag.ky.gov/about/branches/OVA/Pages/default.aspx>

| | |
|--|---|
| <p>Child and Adult Abuse Hotline (502) 564-2136 (800) 752-6200 (Adult) (877) 597-2331 (Child)</p> <p>Cabinet for Health and Family Services Ombudsman (502) 564- 5497 (800) 372-2973</p> <p>Kentucky Claims Commission (502) 573-2290</p> <p>Sexual Assault Victim Assistance Fund (800) 469-2120 cvcb.ky.gov</p> <p>Kentucky Bar Association (502) 564-3795</p> <p>Kentucky Coalition Against Domestic Violence (KCADV) (502) 209-5382</p> <p>Kentucky Community Crisis Response Board (502) 607-5781 (888) 522-7228 kccrb.ky.gov</p> <p>Kentucky Parole Board (502) 564-3620 (800)-221-5991 justice.ky.gov/Pages/Parole- Board.aspx</p> | <p>Kentucky Association of Children's Advocacy Centers (KACAC) (859) 225-1102 (5437)</p> <p>Kentucky Association of Sexual Assault Programs (KASAP) (502) 226-2704 (866) 375-2727</p> <p>Kentucky MADD (502) 871-4210</p> <p>Kentucky Offender Online Lookup (KOOL) corrections.ky.gov/communityinfo/Pages/KOOL.aspx</p> <p>Kentucky Sex Offender Registry/ Alert Line (502) 227-8700 (866) 564-5652 kspor.state.ky.us</p> <p>Kentuckians' Voice for Crime Victims (502) 777-1027</p> <p>National Human Trafficking Hotline (Hotline will direct to local services) (888) 373-7888</p> <p>Prevent Child Abuse Kentucky (859) 225-8879 1-800-CHILDREN (800) 244-5373</p> <p>Victim / Witness Protection Program (502) 696-5500</p> <p>Corrections Victims Services Branch (877) 687 6818 corrections.ky.gov/victimservices/Pages/OfficeofVictimServices.aspx</p> |
|--|---|

LOCAL SERVICES

County Attorney _____

Commonwealth’s Attorney _____

Victim Advocate _____

Domestic Violence Program/Spouse Abuse Shelter _____

Rape Crisis Center _____

Children’s Advocacy Center _____

Cabinet for Health and Family Services (CHFS) _____



"This project is supported by a National Crime Victims' Rights Week Community Awareness Project subgrant awarded by the National Association of VOCA Assistance Administrators under a Victims of Crime Act (VOCA) grant from the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice."