

1 AN ACT relating to domestic violence.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 209A.122 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Center" means the Criminal Justice Statistical Analysis Center created in
6 KRS 15.280;

7 (b) "Corollary victim" means an individual other than the victim who is directly
8 impacted by domestic violence and abuse or dating violence and abuse, either
9 through relationship or proximity;

10 (c) "Domestic violence fatalities" means deaths that occur as a result of domestic
11 violence and abuse or dating violence and abuse, and includes but is not
12 limited to homicides, related suicides, and corollary victims; and

13 (d) "Near fatality" means a crime where serious physical injury as defined in KRS
14 500.080 occurs.

15 (2) The center shall:

16 (a) Collect information on domestic violence fatalities, domestic violence and
17 abuse, and dating violence and abuse within the Commonwealth from
18 subsections (3) to ~~(5)~~~~(8)~~ of this section; and

19 (b) Produce an annual report by July 1 of each year and submit the report to the:

20 1. Kentucky Coalition Against Domestic Violence;

21 2. Governor;

22 3. Cabinet for Health and Family Services;

23 4. Interim Joint Committee on Judiciary;

24 5. Interim Joint Committee on Health, Welfare, and Family Services; and

25 6. Legislative Research Commission.

26 The Kentucky Coalition Against Domestic Violence may provide the agencies
27 listed in paragraph (b)1. to 6. of this subsection with best practices and any other

1 recommendations for public policy by November 1 of each year.

2 (3) (a) The Department of Kentucky State Police shall provide the center with:

- 3 1. The number of domestic violence and abuse and dating violence and
- 4 abuse calls for service to which the Kentucky State Police and
- 5 associated law enforcement agencies responded;
- 6 2. The number of arrests by Kentucky State Police and associated agencies
- 7 in response to calls of domestic violence and abuse or dating violence
- 8 and abuse; and
- 9 3. If an arrest was made, the arresting offense charged by Kentucky State
- 10 Police or associated law enforcement agencies.

11 (b) The Department of Kentucky State Police shall separately provide the center
12 with information reported to the Law Information Network of Kentucky
13 (LINK). The Department of Kentucky State Police shall provide the center
14 with the:

- 15 1. Number of orders of protection received to be served by law
- 16 enforcement agencies;
- 17 2. Number of orders of protection served by law enforcement agencies;
- 18 3. Number of orders of protection in LINK; and
- 19 4. Average time for actual service to be returned.

20 ~~report:~~

- 21 ~~1. The number of domestic violence and abuse and dating violence and~~
- 22 ~~abuse calls for service to which all other law enforcement agencies~~
- 23 ~~responded, if known;~~
- 24 ~~2. The number of arrests by all other local law enforcement agencies in~~
- 25 ~~response to calls of domestic violence and abuse and dating violence~~
- 26 ~~and abuse; and~~
- 27 ~~3. If an arrest was made, the arresting offense listed by all other local law~~

1 ~~enforcement agencies not reported under paragraph (a) of this~~
2 ~~subsection.]~~

3 (4) The Administrative Office of the Courts shall provide the center with:

- 4 (a) The number and type of petitions for orders of protection filed and denied
5 under KRS 403.725;
- 6 (b) The number and type of petitions for interpersonal violence orders filed and
7 denied under KRS 456.030;
- 8 (c) The number of emergency protective orders granted under KRS 403.730 and
9 temporary interpersonal protective orders granted under KRS 456.040;
- 10 (d) The number of domestic violence orders granted under KRS 403.740 and
11 interpersonal protective orders granted under 456.060, excluding amended or
12 corrected orders;
- 13 (e) The relationship between the petitioner and the respondent, if known;
- 14 (f) Demographics of the parties, including age, race, and gender;
- 15 (g) Information on whether the victim was or is pregnant, if indicated on the
16 petition; and
- 17 (h) The number of criminal charges for a violation of an order of protection.

18 ~~[(5) The Law Information Network of Kentucky (LINK) shall provide the center with~~
19 ~~the:~~

- 20 ~~(a) Number of orders of protection received to be served by law enforcement~~
21 ~~agencies;~~
- 22 ~~(b) Number of orders of protection served by law enforcement agencies;~~
- 23 ~~(c) Number of orders of protection in LINK; and~~
- 24 ~~(d) Average time for actual service to be returned.]~~

25 (5)~~[(6)]~~ The Cabinet for Health and Family Services shall provide the center with:

- 26 (a) The number of reports of alleged child abuse made to the cabinet through an
27 adult or child abuse hotline in which there were also allegations of domestic

1 violence; and

2 (b) Domestic violence and abuse and dating violence and abuse shelter statistics
3 reported to the cabinet, including but not limited to the:

4 1. Number of beds;

5 2. Number of minors served in shelter;

6 3. Number of minors served in non-shelter services;

7 4. Number of adults served in shelter;

8 5. Number of adults served in non-shelter services;

9 6. Demographics, including age and race;

10 7. Number of crisis or hotline calls;

11 8. Number of minors receiving:

12 a. Crisis intervention;

13 b. Victim advocacy services; and

14 c. Individual or group counseling or support group;

15 9. Number of adult victims receiving:

16 a. Crisis intervention;

17 b. Victim advocacy services;

18 c. Individual or group counseling or support group;

19 d. Criminal or civil legal advocacy;

20 e. Medical accompaniment; and

21 f. Transportation services; and

22 10. Type of services provided.

23 ~~{(7) The Division of Kentucky State Medical Examiner's Office shall provide the center~~
24 ~~with the number of deaths in which domestic violence and abuse or dating violence~~
25 ~~and abuse was a contributing factor.~~

26 ~~(8) Coroners shall provide the center with the number of deaths as a result of, or~~
27 ~~suspected to be a result of, domestic violence and abuse or dating violence and~~

1 ~~abuse.]~~

2 ➔Section 2. KRS 15A.190 is amended to read as follows:

3 ~~[(1)]~~ The Justice and Public Safety Cabinet, in consultation with the Cabinet for Health
4 and Family Services, the Kentucky Commission on Women, and any other agency
5 concerned with particular acts of criminal activity, shall:

6 ~~(1)~~~~(a)]~~ Design~~[, print,]~~ and distribute to all law enforcement agencies in the
7 Commonwealth, an electronic~~[a]~~ uniform reporting form, to be known as the JC-3,
8 which provides statistical information relating to the crimes involving domestic
9 violence, child abuse, victimization of the elderly, including but not limited to elder
10 abuse, neglect, and exploitation and other crimes against the elderly, or any other
11 particular area of criminal activity deemed by the secretary of justice and public
12 safety to require research as to its frequency; and

13 ~~(2)~~~~(b)]~~ Promulgate administrative regulations, in accordance with KRS Chapter
14 13A, to provide that the information required in Section 1 of this Act~~[KRS~~
15 ~~209A.122]~~ be provided to the Criminal Justice Statistical Analysis
16 Center~~[included in the uniform reporting form].~~

17 ~~[(2) The provision of subsection (1) of this section concerning the distribution of forms~~
18 ~~shall become effective on January 1, 2006.]~~