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Department of Public Advocacy awarded more than $100,000 for Data Collection, Pilot Program in Hardin County

FRANKFORT, Ky. (Dec. 14, 2020) – The Kentucky Department of Public Advocacy (DPA) has been awarded $102,270 from the U.S. Department of Justice's (USDOJ) Coronavirus Emergency Supplemental Funding Program (CESF) administered by the Kentucky Justice and Public Safety Cabinet to gather pandemic-related data and launch a pilot project in Hardin County.

The worldwide pandemic has created new obstacles in an already burdened criminal justice system. Starting in March, courtrooms temporarily closed physical doors and opened newly-created virtual doors. Defenders, judges, prosecutors, and detention centers worked to transform traditional courts into new virtual spaces, aiming to maintain access to lawyers and the courts, while also ensuring the health and safety of those involved.

Justice and Public Safety Cabinet Secretary Mary Noble recognized that the federal CESF grant funding was critical in order for DPA to better serve their clients during this pandemic while in-person court and legal services were temporarily halted for safety precautions. "This grant funding is instrumental to DPA as their legal staff and clients work to adjust to the current functioning within the court system and how legal services are being provided electronically. DPA's pilot project will help us determine how best to use virtual services going forward."

"With this funding, the Department of Public Advocacy will be able to gather more accurate data about the challenges of virtual courts, identify the best practices to address those challenges, and begin to implement solutions through a pilot project in Hardin County," said Public Advocate, Damon Preston. "We are very appreciative that the Justice and Public Safety Cabinet has entrusted us with these funds and this role to improve the justice system during this challenging time."

The pilot program will launch in Hardin County beginning in January 2021. Clients receiving legal representation from DPA will be able to virtually consult with attorneys and attend court hearings through the installation of enhanced technology in all courtrooms throughout the county. Chief Regional Circuit Judge Kelly Mark Easton, Chief Regional District Judge Kimberly Shumate, and Hardin County Jailer Josh Lindblom are in full support of the project.

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“The Covid-19 pandemic presents challenges not just for the courts in conducting hearings, but also for the attorneys, which in most felony cases are public defenders with the DPA. This grant will enable better access to remote hearing technology, and will make it possible for attorneys and clients to discuss cases privately before and during court dockets. Better access and improved communication will help the courts to move cases as promptly as possible through the criminal justice process.” Judge Kelly Easton of Hardin County Circuit Court.

“Our Hardin County DPA Office is working diligently to serve the needs of its clients both in and out of custody and the lack of technology is hampering that representation. The Hardin District Court stands ready to assist Prosecutors, Public Defenders, Private Counsel, Jail and Clerks in any innovative feasible way to allow better communication, preparation and representation of defendants and victims in the justice system.” Judge Kimberly Shumate of Hardin County District Court.

As the only regular court participant with a unified statewide structure, DPA is in a unique position to assist the commonwealth in finding technology solutions to protect both the health and the rights of the accused.

“Public Defenders are integral. Change and progress cannot be made without defender input and guidance. This grant recognizes the pivotal role of public defenders, and also the responsibility of public defenders to use their position to work to find solutions for our clients during the pandemic,” said Melanie Foote, DPA’s Education and Strategic Planning Manager

The grant will fund two related, but separate, efforts to respond to systemic pandemic-created constitutional barriers for economically disadvantaged clients.

Data Collection. At the onset of the pandemic, DPA began gathering statewide data related to safety of participants in the court system and defender client access to courts and lawyers. Using that limited information, some technology solutions were identified and implemented, but DPA did not have the capacity to acquire and maintain comprehensive data. The grant will increase the capacity and allow timely data to be analyzed and provided to community partners so that solutions can be implemented. Likewise, the information gathered as a part of this project will be used to inform future preparedness, prevention, and response efforts.

Pilot Project. Using the data gathered, the grant will fund a pilot project in Hardin County to implement solutions to identified challenges, in collaboration with Hardin County judges, prosecutors and the Jailer. This will include greater access to attorneys and increased access to the courts, all in a manner that follows guidelines from the Centers for Disease Control and Prevention.

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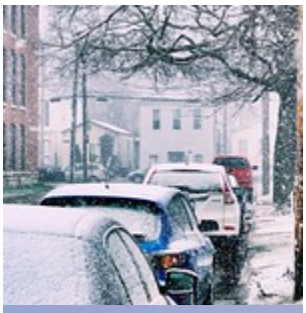
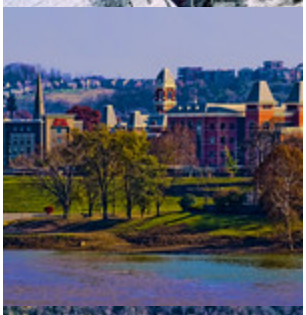
-  (https://www.flickr.com/photos/7372926@N06/47218320672/in/pool-773339@N20)
-  (https://www.flickr.com/photos/miamiboy/47184596121/in/pool-773339@N20)
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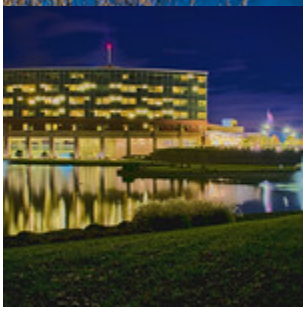
-  (https://www.flickr.com/photos/miamiboy/32275086277/in/pool-773339@N20)

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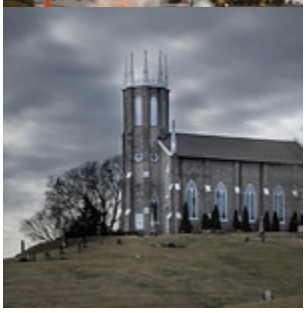
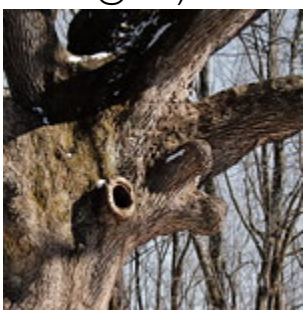
-  (https://www.flickr.com/photos/127721144@N05/46918072332/in/pool-773339@N20)
-  (https://www.flickr.com/photos/mcconnell_springs_photo_journal/46864760851/in/pool-773339@N20)
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