



CABINET FOR HUMAN RESOURCES  
COMMONWEALTH OF KENTUCKY

May 14, 1984

*Attachment No. 2*

DEPARTMENT FOR HEALTH SERVICES  
Kentucky Correctional Psychiatric Center  
P.O. Box 67  
LaGrange, Kentucky 40031  
(502) 222-7161, ext. 536

**RECEIVED**

MAY 15 1984

OFFICE FOR  
PUBLIC ADVOCACY.

Mr. Pat McNally, Attorney  
Public Defender's Office  
1350 Kentucky Boulevard  
Suite A  
Hazard, Kentucky 41701

Dear Mr. McNally:

This letter is in response to your April 10, 1984, conversation with Dr. Phillip Johnson, Director of Psychology at the Kentucky Correctional Psychiatric Center. Dr. Johnson and I have discussed your inquiry regarding having staff at this facility evaluate three juveniles (ages 13, 12, 9) who might be called on to testify in a sexual abuse case currently pending in Letcher County Circuit Court before Judge Byrd Hogg. I have also discussed your request with Warden Bill Seabold of the Luther Lockett Correctional Complex and with staff in the Frankfort offices of the Division for Institutional Care. After careful consideration, I feel that I must deny your request. I have multiple reasons for arriving at this decision which I will attempt to explain in the following paragraphs.

First, this facility has responsibility for evaluation and treatment of persons currently in pre-trial status or already serving a sentence in one of the state's correctional facilities. Pursuant to KRS 504, we are mandated to evaluate and treat defendants. Neither by statute nor regulation does that evaluation component extend to the victims of the alleged crime.

Second, I have only one staff member with sufficient experience with juveniles to attempt the type of evaluation you are requesting. That staff member is Dr. Johnson, whose three years of experience in this area were with adolescents age 12 years and up. He has expressed reservations concerning his experience in conducting an evaluation on someone under 12 years of age. Dr. Johnson would be unable to perform all three evaluations himself because of his other commitments and would have to delegate the task to other members of his staff who have virtually no experience in dealing with children, no experience in evaluations of this type, and no courtroom experience.

Third, there is the problem of logistics. Dr. Johnson feels that each evaluation would take 1½ - 2 days. Since our staff would be unable to travel to Letcher County, the children would have to come to LaGrange. Because of the long trip, the first day would be unsuitable for beginning the evaluation. The court would have to bear the expense of food and lodging for the children for three days and two nights plus the expenses for one or two adults to accompany them.

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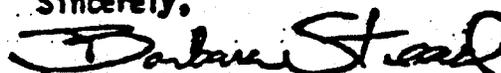
Fourth, the setting in which the evaluations would take place is a major problem as well. As you may be aware, the Kentucky Correctional Psychiatric Center sits inside the perimeter fence of the Luther Lockett Correctional Complex, a medium security male prison. Immediately visible to visitors are the high-fences with rolls of concertina (razor-ribbon) wire on top and the heavy metal doors that open and close with loud clanging noises. These glimpses of the environment can be very disturbing to adult visitors, much less children under the stress of an examination. As a professional social worker as well as an administrator, I feel that this environment is unsuitable for children who would be undergoing the type of examination necessary to answer the questions the court is raising. The little reading I have done about sexually abused children raises the concern that often children who bring forward the charges or who are called on to testify in these types of cases already feel that they are somehow at fault or to blame for the sexual abuse they sustained. I feel very strongly that to bring them to a prison-like environment for what will, no doubt, be a stressful examination will be harmful to them and possibly reinforce any feelings they may already be having that they themselves have done something "bad" or "wrong" and, in fact, are being sent to prison because of it. I am sure that the potential of this additional stress is something that yourself, the prosecuting attorney, and Judge Hogg would want to avoid at all costs.

Fifth, I also have concerns about the safety of these children during the period of time they would be undergoing the evaluation. The court would have to ensure that an adult would be present at all times with the children. The area in which they would have to be evaluated also has minimum security inmates from the Lockett Complex on work assignments who are often unsupervised for a period of time. Additionally, this same area is used to process arrivals and departures of inmates and patients from the entire complex. The sight of cuffed and shackled men in orange jumpsuits may be disturbing and the probability of comments being made to the children is high.

Hopefully, I have satisfactorily answered any questions you or the court might have as to why I am denying your request to have this facility and its staff utilized as a resource to perform these evaluations. I would, however, like to make some recommendations as to where you might be able to obtain these evaluations. I would first suggest that you approach your local Comprehensive Care Center. If they do not have staff that they feel are capable of providing these evaluations, they may be able to assist you in finding such a resource at a nearby Comprehensive Care Center. For instance, the Corbin or Lexington CCCs may have staff who could perform this task. Other resources might be the psychology departments of Eastern Kentucky University or the University of Kentucky, the Bingham Child Guidance Center in Louisville, or Charter Hospital in Lexington. Dr. Otto Koak, psychiatrist, and Dr. Kirby Neil, psychologist both have excellent reputations for working with children in the Lexington area. There is a possibility that if the children qualify for Medicaid, that their examinations might be able to be paid for through those funds. I am not sure about that, but at least the possibility could be looked into by the court.

Please don't hesitate to contact me if you need further information.

Sincerely,



Barbara Lewis Stead, ACSW  
Director