



Annual
Report
2020



**THE
MARY BYRON
PROJECT**

Enhancing Justice to End Intimate Partner Violence

In 2019, the Mary Byron Project's mission shifted to

Enhancing Justice to End Intimate Partner Violence.

In March 2020, the Coronavirus Pandemic largely shutdown the country for a long period of time. Reopening has been staggered, interrupted, and accompanied by many changes and challenges, including use of face coverings, minimal in-person gatherings, and social distancing. In

March 2020, the Mary Byron Project Staff left its offices and has worked remotely since.



Appellate Advocacy

During the last year, we have reviewed 11 cases referred to us through our Appellate Advocacy Program. We took on representation in 6 of those cases. We have filed at least 10 briefs or motions in Kentucky's appellate courts. Discretionary review was granted by the Kentucky Supreme Court in one case, on our motion. Three of the cases have been briefed and are awaiting decision by the courts. More than 175 hours have been spent providing appellate advocacy services. One of our appellate cases originated out of Fayette Family Court. Another, though involving a Jefferson County Family Court case, was referred to us by an attorney in Indianapolis. One case referred for review for possible appeal originated in Meade County.

A final opinion has been issued in one of our cases. In that case, we succeeded in keeping a protective

order in effect for a victim whose prior protective order against the offender was reversed when she was unrepresented on appeal. At our urging, the Kentucky Court of Appeals adopted case law from other jurisdictions "addressing the cycle of violence present in domestic violence situations" and recognizing that not all domestic violence presents in the form of physical violence. The Court described that we "eloquently explain[ed] the cycle of abuse [our client] established through the evidence presented during the case" and adopted our language describing the psychological and physical abuse that had been perpetrated against our client. In another case that is still pending for final decision, we convinced the Court of Appeals to forego its usual prehearing settlement conference because a victim of domestic violence should not be required to negotiate the custody and safety of her child with her abuser.

“ Thank YOU SO MUCH. I will never be able to pay cash for what you are doing, but God will bless you a lot for helping not only me but other women who were victims of my husband and preventing others from being hurt physically and emotionally by him. ”

-M.F.



Consultations

We have consulted with other criminal and civil attorneys on five cases involving intimate partner violence. These have included protective orders, dependency neglect and abuse, child support, and stalking cases. Consultations have included assisting with drafting motions, meetings with victim and prosecutor, oral consultations about the law, and lengthy memoranda after full review of cases. More than 30 hours have been spent in consultation work. Consultations have occurred with attorneys working in Meade, Jefferson, and Bullitt Counties. One consultation turned into representation for a victim in a criminal case. The consultation and representation in that case secured continuing safety for the victim as, largely due to our involvement, the criminal defendant remained in custody for an additional 6-7 months than was likely had we not been involved.



Victim Advocacy & Other Representation

We have also provided direct legal services to two clients in Kentucky trial courts. One of these was a criminal case in which we represented the victim in moving to quash a subpoena issued by the criminal defendant. Without our involvement, it is

likely this criminal defendant would have secured dismissal of the indictment against him by accusing the

victim of a crime. It is also possible the victim would have been charged with a crime. Instead, the abuser was convicted of a felony offense against the victim and remained in custody for months longer than was likely before we became involved.

A second case involved representation in two separate protective order cases. We filed at least five pleadings in trial courts in Jefferson and Bullitt Counties and made formal appearances at hearings in both counties—virtually and live. In one of the cases, we filed a motion to prevent the perpetrator, who was representing himself, from directly questioning the victim, who had a protective order against him. We believed he would use the opportunity to question her directly in court as an opportunity to harass and continue to inflict abuse on her.

We have provided victim advocacy for and consults with more than 20 survivors and victims of intimate partner violence. These services have included making referrals to other services; providing support, encouragement, and education to victims; assisting with circulating a petition to urge that an offender's parole be denied; providing resources for victims, and liaising between victims and police agencies. We've assisted victims and survivors from many different locations including Hardin, Simpson, Logan, Ballard, and Jefferson Counties in Kentucky; also in Arizona, Maryland, Minnesota, New York, and Texas. We've provided more than 80 hours of victim advocacy.

“ Thank you for everything. I am a survivor because I chose to be but I am no warrior without you! ”

-A.K.

“ Thanks again. You have no idea how much easier this was with you by my side. You really supported me through this. And that's what I have always needed. Thank you so much! ”

-T.S.



Training & Education

Our training and professional development programs have reached a class of police recruits, a group of prosecutors, numerous grand jurors, VINE administrators, and local attorneys and court staff. We have created a recorded grand jury training that is being utilized and reviewed in Jefferson County, with the expectation that it will be offered to prosecutors across the state to assist in the training of grand jurors about intimate partner violence. We have also created a number of recorded training presentations that are available on our website. We have worked to make even interactive trainings like “In Her Shoes” from the Washington Coalition Against Domestic Violence available to participants virtually in light of Coronavirus restrictions. Our training program has reached over 200 trainees over the last year.



Community Involvement & Outreach

In 2017 and 2018, we helped bring Professor Emily Sack to Louisville to do a systems evaluation of the community’s response to intimate partner violence. Over the last year, as part of the Louisville Metro Domestic Violence Prevention Coordinating Council’s (DVPCC) Interagency Working Group, we are part of the implementation of her 83 recommendations to improve

community response to intimate partner violence. We also serve on the Council’s Fatality Review Committee, which reviews domestic homicides to discover whether improvements in system responses could help prevent other homicides. Because of our involvement, specifically Marcia Roth and Kathy Paulin’s insistence, the DVPCC is again looking at the possibility of creating a Domestic Violence High Risk Team (DVHRT) in Louisville. Our connections with the Jean Geiger Crisis Center, through our Celebrating Solutions Program, are facilitating this.

In October 2019, we focused on raising awareness about intimate partner violence through an informative social media campaign that shared facts about intimate partner violence as well as the stories of victims who had been killed in acts of intimate partner violence. In January 2020, we issued our first monthly e-newsletter. There are more than 500 subscribers to *Justice in Action*.

We joined the Louisville Bar Association’s Pro Bono Consortium, moderated a webinar of Louisville Family Court Judges as they explained their courts responses to COVID-19, participated in podcasts through the Pegasus Institute and Assumption High School’s Counselor Conversations, and donated laptops to the local family courts to ensure service through the courts for victims of intimate partner violence even during COVID-19-related restrictions. We hosted 10 students from Brandeis School of Law at the University

of Louisville through their Samuel L. Greenebaum Public Service Program and became a field practicum placement for social work students at the University of Kentucky.



Mary Byron Scholars

Our Mary Byron Scholars Program at Assumption High School trained 8 students and equipped them to educate their peers about dating violence. More than 900 students were reached with information about dating violence through this program.

“ It means so much that we have people in our corner when we’ve felt on an island this whole time. Thank you so much! . . . I am so glad we made contact and that you’ve been so willing to give your time to us. ”

-J.D.