

FEMALE GENITAL MUTILATION

REPORT TO THE LEGISLATIVE RESEARCH COMMISSION

Department for Community Based Services
Cabinet for Health and Family Services
November 1, 2024

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Introduction

In accordance with Kentucky Revised Statute (KRS) 620.032, the Cabinet for Health and Family Services (cabinet/CHFS) is required to submit an annual report to the Legislative Research Commission (LRC) outlining the cabinet's response to reports of female genital mutilation (FGM). This report details the cabinet's efforts to ensure the safety of child survivors of FGM, collaborate among multiple agencies during investigations and continue efforts to increase staff skill level to better serve survivors. The report provides available statistics and data regarding the number of reports received involving an alleged child survivors of FGM, investigative determinations, and services provided.

Section I: DCBS Female Genital Mutilation Program Overview & Implementation

During the 2020 legislative session, SB 72 amended KRS 600.020 to include FGM in the definition of an abused or neglected child and to require that if "any person knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately make a report to the appropriate authorities." As a result, the Department for Community Based Services (department/DCBS) amended Kentucky Administrative Regulations (KAR); and developed and implemented new policy and procedures concerning reports of FGM. Additionally, any investigation of FGM is to be conducted with the assistance of law enforcement.

The cabinet's child welfare database, The Worker's Information SysTem (TWIST), was updated to capture an individual's status as a survivor of FGM and physical abuse. Changes were made to the investigative and assessment tools to include FGM. The DCBS Division of Protection and Permanency (DPP) Child Protection Branch receives notification of all reports that are indicated as having allegations of FGM for tracking and monitoring purposes. The reporting period for each legislative report is October 1st through September 30th of each year.

SECTION II: Female Genital Mutilation Investigations in Kentucky

During the 2024 reporting period, two reports of FGM were received concerning two different children. The first report concerned allegations against caretakers, while the second report concerned allegations against a non-caretaker.

In the caretaker case, the cabinet made a finding of substantiation/FGM confirmed regarding the allegations. The following criminal charges were filed by law enforcement and through grand jury indictment regarding this case: Failure to Report Child Dependency Neglect/Abuse 1st Offense; Criminal Abuse 1st Degree Child 12 or Under; Sexual Abuse 1st Degree; Strangulation 1st Degree; Wanton Endangerment 1st Degree; Kidnapping-Minor; and Female Genital Mutilation-Perform. The criminal case is currently pending in court. The agency referred the child to specialized services for FGM, including counseling, trauma assessment, and medical treatment. The child had been removed from the perpetrator's vicinity prior to the report being made to the department. There have been no subsequent FGM reports concerning this child.

The second report of FGM received during the 2024 reporting period involved allegations against an alleged perpetrator in a non-caretaking role and remains a pending investigation by DCBS and law enforcement. A

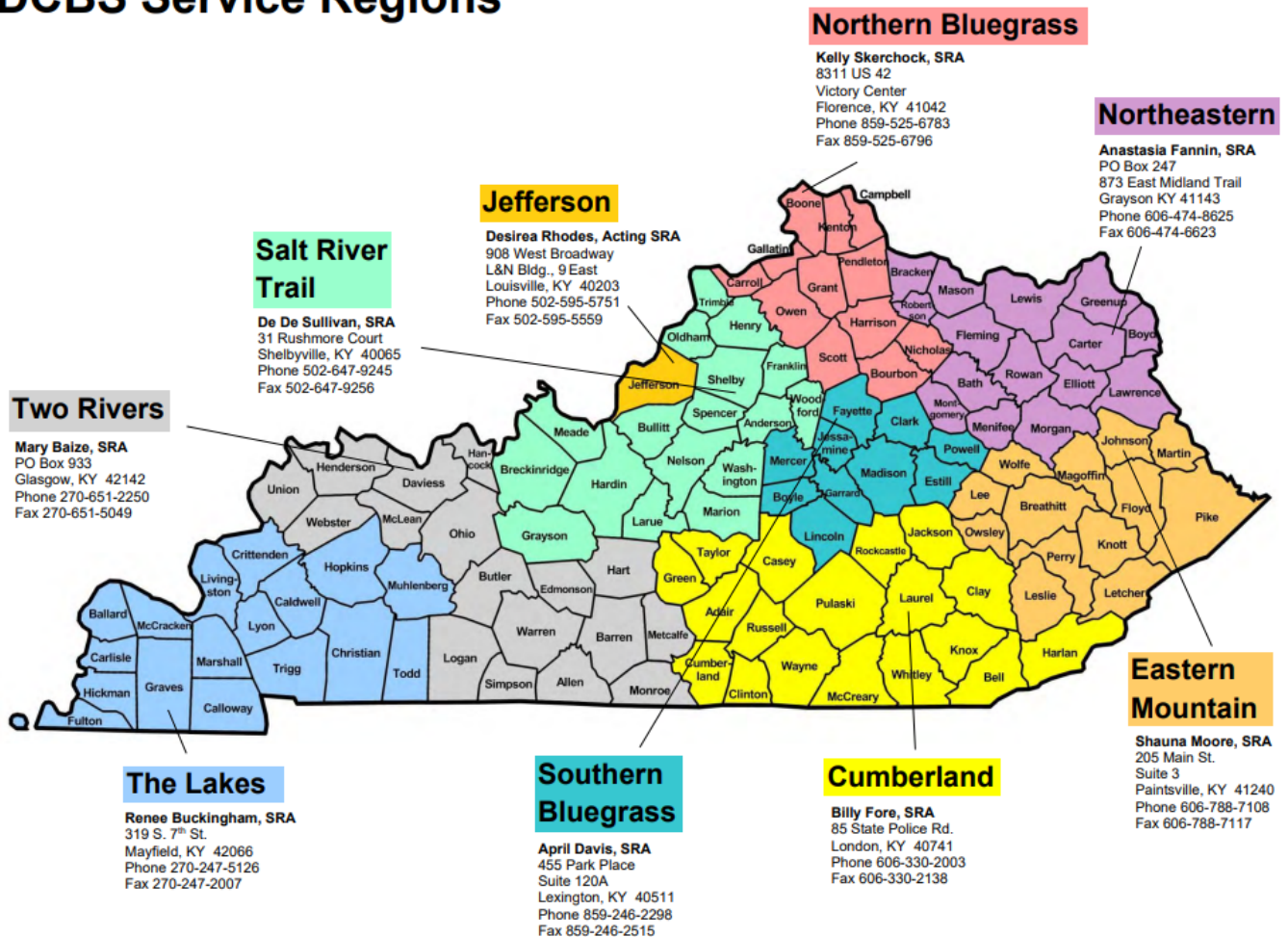
forensic interview has been completed, and no subsequent reports of FGM concerning this child have been made. At this point, no criminal charges have been filed. The child was not removed because of the allegations and remains in their home at this time as the allegations were against a non-caretaker.

SECTION III: CONCLUSION

DCBS representatives continue to collaborate with community providers to ensure that FGM survivors receive trauma-informed care and other supportive services to address their needs. In addition, staff from the Child Protection Branch consult with field personnel, as needed, to provide guidance and technical assistance during the assessment or investigative process. The Eastern Kentucky University (EKU) Training Resource Center has also implemented a new FGM training in the DCBS New Employee Training Academy. Children's Advocacy Center services will be obtained, as necessary, for FGM cases. Law enforcement is notified of every investigation regarding FGM.

Attachment A: DCBS Service Regions Map

DCBS Service Regions



October, 2023