

Monthly Columns

by Attorney General Jack Conway



October 2008

Elections

As many of you prepare to cast your votes on November 4, I want Kentucky citizens to know that my office stands ready to investigate and prosecute any violations of election laws. In fact, we have been working closely with Secretary of State Trey Grayson, Kentucky State Police and federal investigators as part of a task force to prevent and investigate allegations of voter fraud during the November 4, 2008 general election.

We need Kentucky voters to be our eyes and ears at the polls to ensure that this historic election is a fair election. A record number of Kentuckians, nearly three million, have registered to vote and we expect a record number of people at the polls on Election Day. I encourage all citizens to report any irregularities, large or small, to our Election Fraud Hotline (800) 328-VOTE (800-328-8683). On Election Day, calls will be received from 6:00 a.m. EST until 7:00 p.m. EST.

During the primary, the Office of the Attorney General's Election Fraud Hotline received 59 calls from 28 counties. There were no complaints of vote buying. I believe folks have gotten the message that we won't tolerate vote buying here in the Commonwealth. I will be diligent in watching to make sure that does not occur.

In addition to our hotline, we will have about a dozen investigators patrolling

the precincts throughout the Commonwealth. After the election, my office will randomly select six Kentucky counties to undergo independent inquiries for any potential irregularities that may have occurred during the general election.

My office has also notified all county clerks, local law enforcement and prosecutors that voters who come to the polls on Election Day wearing political pins or buttons should be allowed to vote. Any person who unlawfully prevents or attempts to prevent a voter from casting a ballot may be charged with a Class D felony under KRS 119.155.

My best advice is to leave any political t-shirts, buttons or pins at home to avoid any confusion.

Early Release of Felons

On October 1, I filed suit in Franklin Circuit Court to stop the Department of Corrections from continuing the early release of prisoners and parolees, some of whom are dangerous felons. Because of the illegal retroactive application of language that lawmakers added into the state budget at the eleventh hour, the state has released more than 3,500 felons from prison and parole supervision in an effort to save \$30 million. There is no provision in the budget bill that states that the probation and parole credit can be applied retroactively. The application of this provision also undermines Kentucky's Truth-in-Sentencing Law.

I certainly understand the budget con-

straints and the fact that we're incarcerating people at record rates; however, to implement this program without distinguishing between violent and non-violent offenders is irresponsible and puts the public at risk. According to reports, at least 14% freed under this program have already been charged with crimes again.

The government's first obligation to the public is to provide for the public safety of its citizens. An integral part of that is keeping dangerous felons in prison for the duration of the time the court of justice has deemed. That is why I am seeking a statewide injunction against Corrections to prevent it from continuing its early release policy.

Jack Conway

Kentucky Attorney General