

PAC MEMBERS PRESENT

Daniel Cameron, Attorney General
Christopher Cohron, Commonwealth's Attorney, 8th Judicial Circuit
Jackie Steele, Commonwealth's Attorney, 27th Judicial Circuit
Rob Sanders, Commonwealth's Attorney, 16th Judicial Circuit
Martin Hatfield, Pulaski County Attorney
Hallye Arterburn, Allen County Attorney
Bob Neace, Boone County Attorney
Margaret Daniel, Citizen Member

PAC/OAG STAFF PRESENT

Bobby Stokes
Gina Carey
Madeline Wise
Sheila Kratzer
Julie Cox
Susan Blake
Penny Quatman
Missy Hutchinson

GUESTS PRESENT

Lou Anna Red Corn, Commonwealth's Attorney, 22nd Judicial Circuit
Karen Young, Office of the Commonwealth's Attorney, 30th Judicial Circuit
Courtney Baxter, Commonwealth's Attorney, 12th Judicial Circuit
Kennedy Thomas, Commonwealth's Attorney's Office, 30th Judicial Circuit
Joe White, Clay County Attorney
Julie Wallace, Assistant Union County Attorney
Corey Morgan, Commonwealth's Attorney, 49th Judicial Circuit
Michael Stacy, Commonwealth's Attorney, 1st Judicial Circuit
Sam Phillips, Simpson County Attorney
Jenny Oldham, Hardin County Attorney
Jenny Haymond, Madison County Attorney
Thomas Wine, Commonwealth's Attorney, 30th Judicial Circuit
Amanda Fulton, Office of the Fulton County Attorney's Office
Ken Jones, Spencer County Attorney
Keith Craycraft, Assistant Commonwealth's Attorney, 21st Judicial Circuit
Kelly Clarke, Commonwealth's Attorney, 19th Judicial Circuit
Bruce Kuegel, Commonwealth's Attorney, 6th Judicial Circuit

Harry Rothgerber, Assistant Commonwealth's Attorney, 8th Judicial Circuit
Brian Wright, Commonwealth's Attorney, 29th Judicial Circuit
Bailey Taylor, Commonwealth's Attorney, 55th Judicial Circuit
Michelle Snodgrass, Commonwealth's Attorney, 17th Judicial Circuit
John Gardner, Commonwealth's Attorney, 43rd Judicial Circuit
Shelly Miller, Commonwealth's Attorney, 11th Judicial Circuit
Tim Cocanougher, Office of the Attorney General

Pursuant to KRS 15.100(2), Executive Director, Bobby Stokes asked Madeline Wise to call the roll. After the roll was called, a quorum was announced, and the meeting was called to order.

Bobby Stokes welcomed everyone to the meeting and then introduced the new Attorney General, Daniel Cameron.

Attorney General Cameron spoke regarding wanting to be a support system to the offices by adding more special prosecutors to the Attorney General's office for assistance as needed. He spoke regarding the drug epidemic and asked that all information to please be shared. He announced Heather Wagers will begin overseeing the Office of Child Abuse and Human Trafficking. The Attorney General spoke about Kentucky's child abuse rate and the difficulties in prosecuting these cases. His office will begin to implement a tool kit in order to prosecute cases like this in order elevate this epidemic.

A motion to call the meeting into recess was made by Chris Cohron, seconded by Martin Hatfield and passed by voice vote. A motion to adjourn the meeting was made by Rob Sanders, seconded by Chris Cohron and passed by voice vote. The meeting adjourned at 10:08am.

Reconvene 12:30pm

Pursuant to KRS 15.100(2), Executive Director, Bobby Stokes asked Madeline Wise to call the roll. After the roll was called, a quorum was announced, and the meeting was called to order.

Bobby Stokes welcomed everyone to the meeting and asked for a motion on the minutes of the October 17, 2019 meeting. A motion to approve the minutes of the Council was made by Rob Sanders, the motion was seconded by Martin Hatfield, and passed by voice vote.

Bobby updated the Council on the PAC administrative changes taking place. Missy Hutchinson has taken the vacant fiscal position, leaving a vacant Personnel position to be filled.

Administrative Update

Training Update

Susan reported she attended prosecutors training in DC, reviewing federal grants for task force positions. She asked to be reimbursed \$644 for her travel expenses. Chris Cohron made a motion to approve, seconded by Rob Sanders and passed by voice vote.

She stated advanced KPI training is to take place May 18-22 in Louisville, KY. Trainings include working the Indiana prosecutors and KY rules and Laws.

Susan reported the 2020 KPC is to be held in August, and currently has four tracks with booked speakers. She has received bids from Lexington, Louisville, and Northern Kentucky for the 2021-2022 KPC, but is still reviewing them and has not made a determination yet.

TSRP Update

Susan reported that Kentucky State Police will be offering one-day training on pulling over suspected DUI's in Adair County in March. She reported that Lethal Weapons training will be held July 13-16th in Lexington.

Bobby stated that Tom has been a huge asset to the TSRP program, especially with regards to the DUI videos.

Child Sexual Abuse Data Collection

Susan reported that they are in process of collecting 2016 data, and to please see her if your office has not yet submitted their data. Susan reminded those present, submission of this data is required by statute.

Rocket Docket

Gina reported this year's Rocket Docket Budget:

2.5 Million from the Justice Cabinet

1.3 Million from General Fund

Gina stated that enclosed in the folders is the interim report to the Justice and Public Safety Cabinet and the Attorney General's office.

Gina stated that 64% of cases have been referred to treatment, there are 44 programs in place now and it's resulted in over \$100 million in savings. Applications will be accepted

during the open grant period, either May or June depending on what happens with the Biennial Budget.

A motion to approve the Interim report was made by Margaret Daniel, seconded by Rob Sanders and passed by voice vote.

Budget

Current Year

Gina stated that the FY20 Personnel budget was going smoothly, although vacancies are not as high as they were last year. She further encouraged the offices to spend their operating monies, with the end of the fiscal year approaching. A total of 100 County Attorney's offices need to expend their operating funds.

Gina also informed the Council the Westlaw contract has expired and will be re-negotiated. It was suggested PAC negotiate with the Attorney General's office to perhaps acquire a better rate.

Biennial budget

Gina spoke about HB352 with regards to the Prosecutors budgets. They would be increased but tied to revenue bills. The retirement bill, which would redistribute retirement could also affect the biennial budget. Gina also stated the DUI Service Fee is on track to bring in \$60,000.00 per year.

Legislative update

Barry reported that cuts to the Attorney General's office were in the current budget bill. He suggested a unified front between the UPS and the AG's office in legislative governing, a 1% increase in staff salaries, and to restore positions.

Rob reported that HB410 would get people out without posing bonds, creating issues with pardons. Other bills to watch include, extend good time credits for people on probation, immediate expungement without prejudice without clear definition of expungement. The senate bill clarifying sexual abuse statues is being watched.

Martin reported the County Attorneys are speaking to legislatures regarding child support, due to deep cuts over the years, they are lobbying for funds in the Governor's budget. Also, the County Attorney's operating money would increase from \$3000 up to \$10,000 in the Governors new budget. Martin also spoke regarding the pretrial release bill, which exclude some for the \$100 bail credits. He also reported those with mental health and addiction issues are not addressed and there must be a plan in place to stop the recidivism rate.

Martin gave an update on SB64 regarding Norfolk Southern Railway and has spent \$25,000 to date defending just in the pretrial stage. Once bills are passed the case will be dismissed. SB74 is a provision for law enforcement to obtain search warrants for DUI's and obtain a blood sample. This bill has been passed to the House Judiciary.

Asset Forfeiture

Bobby stated there has been an issue with Policies and Procedures regarding asset forfeiture monies and making clear what are appropriate purchases. An email was sent to all offices to be returned signed acknowledging receipt. All offices need to return the signed form or use of asset forfeiture funds for their offices could be suspended.

Rob reported that Asset Forfeiture funds have been a hot button topic at this time and the offices could be in danger of losing it due to confusion on how it can be used. Rob stated these funds are important and cannot be lost.

Inquiry of the Prosecutors Advisory Council into potential outside compensation

Rob Sanders spoke regarding Sharon Muse, Commonwealth's Attorney 14th Judicial Circuit engaged in a private contract with a film crew that allowed compensation to her and her staff leading to potential issues. Rob stated accepting outside funds, or outside compensation is against the law. Ms. Muse has now informed staff she will no longer compensate herself or her staff. Rob still stated his reservations regarding non-disclosers and that open record issues could arise. Bailey Taylor spoke regarding a previous office had contracted with a TV station for show entitled Narcoland and he executed a search warrant, as the defendant in the case wanted to see the video obtained. Chris Cohron made a motion that any further progress in the filming of Sharon's office would require her to make PAC staff aware and situations would be addressed accordingly, Jackie Steele seconded and was passed by voice vote.

Expert Witness

- A. Dennis Foust, Commonwealth's Attorney 42nd Judicial Circuit, requested approval for funding necessary to hire a jury research consultant for the Marshall County School shooting case in an amount exceeding \$5000. Because it was suggested he coordinate with Kentucky State Police and the Attorney General's office, Rob Sanders made a motion to table this request until the March PAC meeting, seconded by Chris Cohron and passed by voice vote.

Personnel Requests

A. No Additional Funds Required

1. Mike Stacy, Commonwealth's Attorney 1st Judicial Circuit, requested approval to establish a quarter-time Commonwealth's Detective position effective February 16, 2020. A motion to approve this request was made by Rob Sanders, seconded by Chris Cohron and passed by voice vote.
2. Dan Boaz, Commonwealth's Attorney 2nd Judicial Circuit, requested approval to establish a quarter-time Assistant Commonwealth's Attorney position with not additional funds effective March 1, 2020. A motion to approve this request was made by Jackie Steele, seconded by Rob Sanders and passed by voice vote.
3. Bruce Kuegel, Commonwealth's Attorney 6th Judicial Circuit, requested approval to continue the end date of a temporary quarter-time District Secretary position from December 31, 2019 to February 29, 2020 using Asset Forfeiture funds. A motion to approve this request was made by Chris Cohron, seconded by Jackie Steele and passed by voice vote.
4. Neil Kerr, Commonwealth's Attorney 7th Judicial Circuit, requested approval to increase salary over \$5,000 for a full-time Assistant Commonwealth's Attorney position retroactive to February 1, 2020. A motion to approve this request was made by Rob Sanders, seconded by Chris Cohron and passed by voice vote.
5. Sharon Muse, Commonwealth's Attorney 14th Judicial Circuit, requested approval to:
 - a. Reallocate a full-time Law Clerk position to a part-time Assistant Commonwealth's Attorney position February 16, 2020.
 - b. Reallocate a part-time Assistant Commonwealth's Attorney position to a full-time Commonwealth's Attorney position effective February 16, 2020.
 - c. Two unfunded Law Clerk positions effective May1, 2020.

A motion to approve request 5 A-C was made by Rob Sanders, seconded by Martin Hatfield and passed by voice vote.

6. Anthony Skeans, Commonwealth's Attorney 2th Judicial Circuit, requested approval to reallocate a full-time District Secretary position to a full-time Paralegal position effective February 16, 2020. A motion to approve this request was made by Jackie Steele, seconded by Chris Cohron and passed by voice vote.
7. Jackie Steele, Commonwealth's Attorney 27th Judicial Circuit, requested approval to establish a quarter-time Law Clerk position with no additional funds retroactive to January 16, 2020. Rob Sanders made a motion to approve this request, seconded by Chris Cohron and passed by voice vote.

8. Thomas Wine, Commonwealth's Attorney 30th Judicial Circuit, requested approval to temporarily fund a part-time District secretary position using state asset forfeiture funds effective March 1, 2020 through October 15, 2020. A motion to approve this request was made by Chris Cohron, seconded by Jackie Steele and passed by voice vote.
9. Rhonda Copley, Commonwealth's Attorney 32nd Judicial Circuit requested approval to extend the temporary quarter-time district Secretary from February 29, 2020 to May 31, 2020. This position is Rocket Docket funded. A motion to approve this request was made by Rob Sanders, seconded by Jackie Steele and passed by voice vote.
10. Edison Banks, Commonwealth's Attorney 47th Judicial Circuit, requested approval to increase salary over \$5000 for a full-time Victim Advocate position retroactive to January 1, 2020. This is a VOCA grant funded position. Rob Sanders made a motion to approve this request, seconded by Jackie Steele, and passed by voice vote.
11. John Cunningham, Graves County Attorney, requested approval to establish a quarter-time Victim Advocate position with no addition funds effective February 16, 2020. This is a VOCA grant funded position. A motion to approve this request was made by Bob Neace, seconded by Martin Hatfield and passed by voice vote.
12. Jeremy Logsdon, Grayson County Attorney, requested approval to temporarily match salary funding for VOCA grant full-time Victim Advocate position using asset forfeiture funds for 2019 grant year. A motion to approve this request was made by Martin Hatfield, seconded by Hallye Arterburn and passed by voice vote.

B. Additional Funds Required

1. Sharon Muse, Commonwealth's Attorney 14th Judicial Circuit, requested approval to establish a full-time Assistant Commonwealth's Attorney position with additional funds and approval to establish a full-time District Secretary position with additional funds effective February 16, 2020. Bobby stated total for these positions for salary and benefits would be \$162,000. A motion to deny this request was made by Jackie Steele, seconded by Rob Sanders and passed by voice vote.
2. Corey Morgan, Commonwealth's Attorney 49th Judicial Circuit, requested approval to reallocate a part-time Assistant Commonwealth's Attorney position to full-time Assistant Commonwealth's Attorney position with additional fund effective February 16, 2020. His request comes from needed help with his offices back log of cases. Bobby stated total cost, salary and benefits would be approximately \$80,000. A motion to deny this request at this time, but to re-visit

after the biennial budget is in place was made by Chris Cohron, seconded by Jackie Steele and passed by voice vote.

3. Jason Batts, Hickman County Attorney, requested approval to establish a quarter-time Assistant County Attorney position with additional funds effective February 16, 2020. A motion to deny this request was made by Bob Neace, seconded by Margaret Daniel and passed by voice vote.
4. Gregory Allen, Magoffin County Attorney, requested approval to reallocate a quarter-time Assistant County Attorney position to a part-time Assistant County Attorney position with additional funds effective February 16, 2020. Bobby stated cost would be \$20,000 for salary and benefits. A motion to deny this request was made by Bob Neace, seconded by Martin Hatfield and passed by voice vote.
5. Jason Darnall, Marshall County Attorney, requested approval for two temporary quarter-time Assistant County Attorney positions to help while the Marshall County High School shooting case is being prosecuted. A motion to approve this request for Criminal Prosecutions only up to \$10,000 was made by Halley Arterburn and passed by voice vote.
6. Julie Wallace, Union County Attorney, requested an increase in staff salary budget. A motion to deny this request was made by Martin Hatfield, seconded by Margaret Daniel and passed by voice vote.

Chris Cohron informed the Council Members that Richard Boling, Commonwealth's Attorney 3rd Judicial Circuit and entered into an agreement with local judges not to attend court due to his letter to Governor Bevin to request a pardon of an individual. Chris stated he and Rob Sanders had called publicly for his resignation due to these issues. Martin suggested a meeting to discuss alternatives to address this situation.

Bobby reminded members and guests that the next meeting of the Prosecutors Advisory Council would be on Friday March 20, 2020 at 10:00 am at the Office of the Attorney General, 1024 Capital Center Drive, Frankfort.

A motion to adjourn was made by Chris Cohron, seconded by Rob Sanders and passed by voice vote. The meeting was adjourned at 1:23 pm.

