

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

PAC/OAG STAFF PRESENT

Amy Burke
Bobby Stokes
Gina Carey
Madeline Wise
Julie Cox
Susan Blake
Penny Quatman
Rachel Conyers
Chad Coleman
Sheila Kratzer
Thomas Lockridge
Harry Rothgerber

GUESTS PRESENT

Carrie Ovey-Wiggins, Commonwealth's Attorney, 56th Judicial Circuit
Emma Mills, Legislative Research Commission
Kathy Senter, Commonwealth's Attorney, 4th Judicial Circuit
Laura Witt, Commonwealth's Attorney, 53rd Judicial Circuit
Lou Anna Red Corn, Commonwealth's Attorney, 22nd Judicial Circuit
Louis Kelly, Commonwealth's Attorney, 54th Judicial Circuit
Richie Kemp, Commonwealth's Attorney, 52nd Judicial Circuit
Sharon Muse, Commonwealth's Attorney, 14th Judicial Circuit
Steve Gold, Henderson County Attorney
Courtney Baxter, Commonwealth's Attorney, 12th Judicial Circuit
William Elkins, Clark County Attorney
Thomas Wine, Commonwealth's Attorney, 30th Judicial Circuit
Bruce Kuegel, Commonwealth's Attorney, 6th Judicial Circuit
Brian Wright, Commonwealth's Attorney, 29th Judicial Circuit

Michelle Snodgrass, Commonwealth's Attorney, 17th Judicial Circuit
Ralph Vick, Commonwealth's Attorney, 45th Judicial Circuit
Josh Abner
Bailey Taylor, Commonwealth's Attorney, 55th Judicial Circuit
Brian Goettl, Jessamine County Attorney
Corbin Klineline, Office of the Commonwealth's Attorney, 46th Judicial Circuit
Jennie Haymond, Madison County Attorney
Jennifer Hutchison-Corbin, Adair County Attorney
Joe Ross, Logan County Attorney
John Bertram, Taylor County Attorney
Miranda King, Commonwealth's Attorney, 39th Judicial Circuit
Parker Boggs, Commonwealth's Attorney, 26th Judicial Circuit
Shane Young, Commonwealth's Attorney, 9th Judicial Circuit

Pursuant to KRS 15.100(2), Executive Director, Bobby Stokes asked Gina Carey 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.

Bobby Stokes asked for a motion on the minutes of the April 17, 2020 meeting. A motion to approve the minutes of the Council was made by Martin Hatfield, seconded by Rob Sanders and passed by voice vote.

Administrative Update

Bobby Stokes advised that offices can order personal protective equipment for their offices and PAC had placed an order for touchless thermal thermometers. Madeline Wise advised there are 6 contracted vendors for ordering the necessary PPE. Rob Sanders advised that PAC is not setting guidelines for offices to follow regarding reopening; each elected official is to use their discretion when ordering PPE and reopening their offices. Martin Hatfield advised ordering PPE through the Emergency Operations Center may qualify for up to 75% reimbursement from the Federal Emergency Management Agency.

Attorney General Daniel Cameron requested feedback on the Rules of the Supreme Court (SCR 2.540) – limited student practice proposals discussed at the PAC meeting on April 17, 2020. Martin Hatfield advised that most polled were comfortable with graduates can practice without taking the bar and limited practice rule-provide longer duration. However, there are concerns with the item regarding Department of Public Advocacy or Unified Prosecutorial System attorney students not being required to take the Kentucky Bar Exam. Chris Cohron agreed that the Council did not support the exemption of the bar exam for DPA and UPS attorney students. Attorney General Cameron thanked the Council for their input and advised he will pass along that we will not advocate for DPA/UPS attorney students being exempt from taking the bar.

Asset Forfeiture Policy Acknowledgments

Bobby Stokes advised that all elected officials signed and submitted the acknowledgment of receiving and understanding the regulations and permissible uses of Asset Forfeiture funds.

Salary Scale Subcommittee Reports

Gina Carey advised that as a result of legislation enacted as part of 2020 HB 352, the Prosecutors Advisory Council is directed to develop a proposed salary scale for the employees of the Unified Prosecutorial System which also establishes part time positions as hourly or by one quarter or one half of a full time equivalent. Gina explained that UPS employees are different from 18A employees and do not accrue time balances and have no merit protection. The subcommittee will submit the report at the June 19th council meeting for review and approval.

Training Update

Susan Blake advised that it is difficult to know if the August 2020 conference will be cancelled or continue as planned. The hosting hotel has offered alternate dates of November 18-20, 2020. Susan advised she will do a survey requesting attendees' thoughts on their attendance due to COVID-19 concerns.

Rob Sanders advised that it will be difficult if rescheduled, due to winter conference and trials. Chris Cohron suggested breaking the conference into parts for telecommuting options. General Cameron stated he will assist in making a decision for the August conference once he receives the data that will be gathered by Susan's survey.

Bobby pointed the Council members to the 2019 nomination form in their folders for the Ian Sonego Award and it was suggested that the same form be used for 2020. Nominations are due by June 17, 2020.

Tom Lockeridge advised TSRP tips are being received well and are even getting National recognition. Tom also reminded members of the upcoming changes to Kentucky's Implied Consent Law effective July 1, 2020.

Budget Update

Gina stated that PAC is working through year end close out and beginning FY21 which is a continuation budget. With the anticipated budget reductions for the upcoming fiscal year, Gina reminded the Council of past vacancy periods that were put in place to absorb the reductions.

Rob Sanders made a motion for Commonwealth's Attorneys to implement a 30 day mandatory vacancy for all vacancies beginning July 1, 2020 which includes salary and fringe benefits. The motion was seconded by Chris Cohron and passed by voice vote. Bob Neace made a motion for County Attorneys to implement the same policy, seconded by Hallye Arterburn and passed by voice vote.

Gina advised that the application period for VOCA funding is open and encouraged all offices to consider applying. Other grant opportunities include the Justice Cabinet's application for supplies that pertain to COVID-19. She also advised there is a grant opportunity for technology needs related to COVID-19 through Grants.Gov. Gina advised that quarter time employee, Diane Marcus, continues to process all grant processes for PAC due to the vacancy in the accounts payable position. Gina also indicated that Terri Jacobs continues to assist PAC as a quarter time employee collecting data to eliminate the Child Sexual Assault reporting backlog. Rob Sanders made a motion to extend the funding already included in the FY21 budget for both quarter time PAC position through June 30, 2021 and approved the submission of the grant applications on behalf of PAC, seconded by Chris Cohron and passed by voice vote.

Expert Witness

Sharon Muse, Commonwealth's Attorney 14th Judicial Circuit, requested approval for expert witness funds more than \$5,000.00 for two separate cases. Sharon advised that Whitney Collins could not provide crime scene reconstruction assistance in the case Commonwealth vs. Smith, but a deputy from Boone County Sheriff's Office will assist free of charge. Sharon withdrew her request regarding Commonwealth vs. Carson. Rob Sanders made a motion to approve the request for the crime scene reconstruction case, seconded by Bob Neace and approved by voice vote.

Personnel Requests

A. No Additional Funds Required

1. Kathy Senter, Commonwealth's Attorney 4th Judicial Circuit, requested approval to increase salary of a part-time Assistant Commonwealth's Attorney effective

June 1, 2020. Rob Sanders made a motion to approve the request, seconded by Chris Cohron and passed by voice vote.

2. Rob Sanders, Commonwealth's Attorney 16th Judicial Circuit, requested approval to establish two (2) temporary quarter-time Paralegal positions funded using asset forfeiture funds effective June 1, 2020 through August 31, 2020. Rob Sanders made a motion to approve the request, seconded by Chris Cohron and passed by voice vote.
3. Lou Anna Red Corn, Commonwealth's Attorney 22nd Judicial Circuit, requested approval to continue funding of a temporary quarter-time Assistant Commonwealth's Attorney position using asset forfeiture funds through November 30, 2020. Rob Sanders made a motion to approve the request, seconded by Chris Cohron and passed by voice vote.
4. Tom Wine, Commonwealth's Attorney 30th Judicial Circuit, requested approval to temporarily fund a full-time paralegal position using asset forfeiture funds effective June 1, 2020 through October 31, 2020. Rob Sanders made a motion to approve the request, seconded by Chris Cohron and passed by voice vote.
5. Rhonda Copley, Commonwealth's Attorney 32nd Judicial Circuit, requested approval to extend a temporarily quarter-time District Secretary position funded by the Boyd County Fiscal Courts to October 31, 2020. Rob Sanders made a motion to approve the request, seconded by Chris Cohron and passed by voice vote.
6. Edison Banks, Commonwealth's Attorney 47th Judicial Circuit, requested approval to establish a quarter-time District Secretary position with no additional funds effective May 16, 2020. Rob Sanders made a motion to approve the request, seconded by Chris Cohron and passed by voice vote.
7. Carrie Ovey-Wiggins, Commonwealth's Attorney 56th Judicial Circuit, requested approval to establish a temporary full-time District Secretary position to be funded using asset forfeiture funds effective May 16, 2020 through May 31, 2020 and requests approval to reclassify a part-time District Secretary position to a full-time District Secretary position effective May 16, 2020. Rob Sanders made a motion to approve the requests, seconded by Chris Cohron and passed by voice vote.
8. Lou Anna Red Corn, Commonwealth's Attorney, 22nd Judicial Circuit, requested approval to reclassify a Program Coordinator to a Victim's Advocate. Rob Sanders made a motion to approve the request, seconded by Chris Cohron and passed by voice vote.

9. William Elkins, Clark County Attorney, requested approval to establish two (2) temporary unfunded District Secretary positions effective May 11, 2020 through August 7, 2020. Martin Hatfield made a motion to approve the request, seconded by Bob Neace and passed by voice vote.

B. Tabled No Additional Funds

1. Gary Gregory, Commonwealth's Attorney 41st Judicial Circuit, requested approval to Establish a quarter-time District Secretary position with no additional funds retroactive April 1, 2020. Rob Sanders made a motion to deny the request, seconded by Chris Cohron and was denied by voice vote.

Bobby reminded members and guests that the next meeting of the Prosecutors Advisory Council would be on Friday June 19, 2020 at 10:00 a.m. and advised that the meeting will most likely be held via Skype Video Conference.

A motion to adjourn was made by Rob Sanders, seconded by Martin Hatfield and passed by voice vote. The meeting was adjourned at 11:06 AM.