



**COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL**

**RUSSELL COLEMAN
ATTORNEY GENERAL**

**CAPITOL BUILDING, SUITE 118
700 CAPITAL AVENUE
FRANKFORT, KY 40601
(502) 696-5300
FAX: (502) 564-2894**

August 4, 2025

Via hand delivery

Honorable Andy Beshear
Governor of Kentucky
700 Capital Avenue, Suite 100
Frankfort, Kentucky 40601

Re: Setting an Execution Date for Ralph Baze

Dear Governor Beshear:

Thank you for your response to my formal request that you set an execution date for Ralph Baze, who was convicted of brutally murdering Powell County Sheriff Steve Bennett and Deputy Sheriff Arthur Briscoe more than 30 years ago. As you know, the loved ones of these slain heroes have been forced to wait for decades for the imposition of the jury's lawful sentence.

Your letter raised four main points, none of which alters your obligation under Kentucky law to sign a death warrant setting an execution date for Mr. Baze:

First, per your request, enclosed please find the pleadings file for Mr. Baze's state and federal challenges to his convictions and death sentence. As the file indicates, there is no dispute that Mr. Baze exhausted all his appeals long ago.

Second, your letter conveyed that your Department of Corrections is amending its regulation about how it processes intellectual-disability claims. That of course is your Department's prerogative. That said, you do not need to wait for that regulatory amendment to take effect before signing a death warrant for Mr. Baze. The Franklin Circuit Court was careful to note four different times that its ruling applied only "to the extent" the Department refuses to review records related to an inmate's alleged intellectual disability. *As long as the Department reviews the documents provided by an inmate, you remain free to sign a death warrant for Mr. Baze with or without an amended regulation.* Moreover, Mr. Baze has not advanced an intellectual-disability claim and any such claim would be meritless.

In short, the law does not require a new regulation to sign a death warrant for Mr. Baze. You are able—and obliged under Section 81 of the Kentucky Constitution—to proceed and uphold the law immediately.

Third, your letter expressed concern about securing the drugs needed to carry out Mr. Baze's execution. As noted in my letter, President Trump has directed his administration to work with the States on this very issue. Our office stands ready to zealously collaborate with you and the Trump administration as needed to secure the drugs. In any event, the applicable regulation allows the Department to secure the needed drugs *after* a death warrant is signed. 501 Ky. Admin. Reg. § 16:330, § 1(1). So the Department's present lack of drugs is not a permissible reason to delay signing a death warrant.

Fourth, your letter makes a passing reference to the circuit court's 2010 temporary injunction. It is not clear from your letter whether you believe that this injunction prevents you from setting an execution date for Mr. Baze. As I explained in my letter, it is my legal judgment as Kentucky's chief law officer that it does not.

In closing, for far too long, our predecessors have been content to let justice languish as lawyers squabble over capital punishment. We must do better. The families of Sheriff Bennett and Deputy Sheriff Briscoe, including Ms. Lally who wrote to you directly, deserve nothing less. You lawfully can and should set an execution date for Mr. Baze without delay.

Very respectfully,



Russell Coleman
Attorney General of Kentucky

Enclosure

cc: S. Travis Mayo, General Counsel to the Governor (w/o attachment)
Keith Jackson, Secretary, Justice and Public Safety Cabinet (w/o attachment)
Cookie Crews, Commissioner, Department of Corrections (w/o attachment)