

# **SEARCH WARRANT TASK FORCE**

Search Warrant Task Force  
November 22, 2021  
1:00 p.m. ET  
Capital Complex East  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky

## **Minutes**

- I. Meeting Called to Order
  - a. The meeting was called to order by Attorney General Daniel Cameron.
- II. Roll Call
  - a. Those present were: Denise Bentley, Bryan Bogard, Foster Cotthoff, Charles Cunningham, Jeff Gregory, Nicolai Jilek, Ed Massey, Ramon McGee, Joe Monroe, David L. Nicholson, Damon Preston, Phillip Burnett Jr., Joseph Ross, Walt Sholar, Elizabeth Thomas, Whitney Westerfield, and George Wright.
- III. Opening Comments
  - a. Attorney General Cameron provided opening comments and reminded attendees about the public speaking policy.
- IV. Old Business
  - a. Approval of Minutes
    - i. Bogard made a motion to approve the minutes from the November 15 meeting. Bentley seconded the motion. The motion was approved unanimously.
- V. New Business
  - a. Committee Meetings
    - i. Attorney General Cameron provided committee instructions and reminded the committee members that they will present recommendations today.
    - ii. Task Force members broke off into committee meetings. The committees are Securing, Reviewing, and Serving.
  - b. Committee Reports
    - i. Bentley provided a report from the Securing Committee. The Committee put forth mandatory recommendations, best practices, and aspirational items.
      1. Mandatory Recommendations
        - a. State and local agencies with the authority to execute search warrants should move to an electronic platform for handling those warrants.

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2. Best Practices
  - a. Develop a platform that allows the public to review data on search warrants served on residences and businesses.
  - b. Develop a standard threat assessment form that can be used across the Commonwealth.
  - c. Institute prosecutorial review for search warrants.
3. Aspirational Items
  - a. Consider developing a public awareness campaign about search warrants.
  - b. Create an ongoing body to routinely review the search warrant process.
- ii. Reviewing Committee
  1. Cotthoff provided a report for the Reviewing Committee. The committee's recommendations include:
    - a. Agencies serving search warrants should track the locations at which the warrants are served. The locations should be published and be made accessible to the public.
    - b. Each agency should have policies for obtaining a search warrant.
    - c. Institute prosecutorial review of search warrants.
- iii. Serving Committee
  1. Thomas provided a report for the Serving Committee. The committee's recommendations include:
    - a. Institute training for law enforcement at the beginning of an individual's career and then require continuing education throughout the remainder of his/her career.
  2. Law enforcement should develop written order policies and procedures for search warrants.
  3. Create a toolkit for law enforcement to follow during the search warrant process. Toolkit should include a threat assessment.
- iv. Additional recommendations
  1. The Task Force discussed other recommendations that were not put forth by a committee but were discussed in prior meetings, including:
    - a. Notifying child services when a minor is present during the service of a search warrant. The Task Force decided to include this recommendation in its draft report.

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- b. Creating a recommendation to address the staleness of information. The Task Force decided not to include this recommendation in its draft report.
        - c. Considering the time of day that a search warrant is executed. The Task Force decided to include this recommendation in its draft report.
      - v. The Task Force will vote on the final recommendations at the December meeting.
- VI. Public comments
  - a. There were no public comments.
- VII. Cunningham made a motion to adjourn. Preston seconded the motion. The motion was approved unanimously.