

PAC MEMBERS PRESENT

Barry Dunn, Proxy for Attorney General Cameron
Chris Cohron, Commonwealth's Attorney, 8th Judicial Circuit
Shane Young, Commonwealth's Attorney, 9th Judicial Circuit
Courtney Baxter, Commonwealth's Attorney, 12th Judicial Circuit
Martin Hatfield, Pulaski County Attorney
Joe Ross, Logan County Attorney
Margaret Daniel, Citizen Member

PAC/OAG STAFF PRESENT

Bobby Stokes
Susan Blake
Gina Carey
Thomas Lockridge

GUESTS PRESENT

Louis Kelly, Commonwealth's Attorney, 54th Judicial Circuit
Harry Rothgerber, Office of the Commonwealth's Attorney, 8th Judicial Circuit
Sharon Muse, Commonwealth's Attorney, 14th Judicial Circuit
Lou Anna Red Corn, Commonwealth's Attorney, 22nd Judicial Circuit
Tom Wine, Commonwealth's Attorney, 30th Judicial Circuit
Rob Sanders, Commonwealth's Attorney, 16th Judicial Circuit

Pursuant to KRS 15.100(2), Executive Director, Bobby Stokes called 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 announced that Attorney General Cameron's office established a new Violent Crime Resource Prosecutors for PAC which will be filled by Tom Lockridge. Tom added he's excited to launch this project which will be helpful in many areas and will be another building block for assisting prosecutors. Tom invited everyone to contact him with questions or ideas.

Bobby asked for a motion to approve the minutes of the Regular Meeting from December 10, 2021. A motion to approve the minutes of the Council was made by Margaret Daniel, seconded by Courtney Baxter and passed by voice vote.

Administrative Updates**Training Updates**

Susan Blake reported a Request for Proposal (RFR) for an employment law firm to provide guidance with employment law issues was submitted. Bids were received and the contract was awarded to Sturgill, Turner, Barker & Maloney, PLLC. Susan asked the Council for direction on how to manage the usage of the contract in an effort to not exhaust the budget. It was determined that offices will seek prior approval from PAC.

Susan indicated that dates are available for April 18-20 to hold an Administrative Training at Marriott Downtown Lexington and requested approval to proceed with the training. Chris Cohron motioned to survey the offices for interest and approve the request contingent upon 50 interested attendees, seconded by Martin Hatfield and passed by voice vote.

Susan reported that Jury Selection Training is scheduled for the week of May 16th, 2022. Susan stated a jury consultant is needed for the training and advised that a RFP was submitted to the Finance and Administration Cabinet for the establishment of a contract to cover this training and one future course. Each training session will cost approximately \$7,000 which includes training, teaching, materials, etc. Chris Cohron motioned to approve funding in the amount of \$15,000, seconded by Joe Ross and passed by voice vote.

Bobby stated Tom Lockridge would like to attend the upcoming NDAA Sexual Assault Training and the anticipated cost of \$2,100 will cover registration and travel expenses. Shane Young made a motion to approve the request, seconded by Chris Cohron and passed by voice vote.

TSRP Updates

Tom Lockridge reported the Traffic Safety Resource Prosecutor grant was awarded an additional quarter time position and requested approval to appoint Kathy Phillips to this position with an annual salary of \$40,000. Joe Ross motioned to approve the request, seconded by Martin Hatfield and passed by voice vote.

Tom announced that Jennifer Reed had been selected to fill the full-time position funded by the TSRP grant in the annual amount of \$75,000. Courtney Baxter made a motion to approve the request, seconded by Martin Hatfield and passed by voice vote.

Child Sexual Abuse Data Report Update

Gina Carey announced that all offices submitted their information.

2022 Rocket Docket Report

Gina reported the interim report for FY22 is ready to submit to the Justice and Public Safety Cabinet. Data shows a current savings of \$166 million since July 2015 and Gina discussed that 25,100 offenders were referred to treatments. Chris Cohron motioned to approve the Rocket Docket Report, seconded by Courtney Baxter and passed by voice vote.

Budget**FY2022 Update**

Gina reported that the FY 2022 operating budget is running as anticipated but due to substantial vacancies, there will be additional funds for both Commonwealth and County Attorneys. Gina reported that as of Aug 1, Commonwealth's Attorneys had 40 vacancies and County Attorneys had 30.

Chris Cohron motioned to approve the spending of the excess funds for necessary expenses for offices with needs above their current budgeted amounts, seconded by Martin Hatfield and passed by voice vote.

Biennial Budget Update

Gina began by discussing the current budget and the number of vacancies on the UPS roster that were not funded due to the fact that as employees have left, funds for those positions have been reallocated in hopes of retaining seasoned personnel where possible. She noted vacancies were running high again this year. In a brief overview of the proposed House and Governors biennial budget, Gina reported that the Unified Prosecutorial System budget provided Rocket Docket funding for both County Attorney and Commonwealth's Attorneys which would allow for an expansion to the expected \$2M/year from the Justice and Public Safety Cabinet. The House budget recommended the full additional budget request for positions for both County and Commonwealths Attorneys and fully funded the 204 positions (97 Commonwealth's Attorney and 107 County Attorney). Approval of the KERS Liability contribution for non-UPS employees was included for the County Attorney's budget and was adjusted down to \$1.9M. The proposed funding to move the part time Commonwealth's Attorneys offices to full time status was included as well as a 6% state employee salary raise and fringe in the House Budget. The County Attorney's budget included \$75,000 for juvenile expert witness expenses. The Governors version of the budget also funded County

Attorney Marsy's Law advocates as requested in the additional budget request and the additional operating to bring each office from \$3,000 to \$10,000. The request for salary compensation to equalize salaries was not funded. Gina reminded everyone that the budget process was just beginning and the budget negotiations will result in a changes to the proposed budget.

Bobby directed the Council members to a copy of Executive Branch Ethics Commission Advisory Opinion 22-03 in their meeting folders. This opinion is a change for the Unified Prosecutorial System.

Leases

- A. Richie Kemp, Commonwealth's Attorney 52nd Judicial Circuit, requested approval of new lease and PAC contribution modification. The request includes an increase from 50% to 90% without an increase to current level of reimbursement due to savings to monthly lease rate. Shane Young motioned to amend the proration, seconded by Chris Cohron and passed by voice vote.

Expert Witness

- A. Tom Wine, Commonwealth's Attorney 30th Judicial Circuit, requested approval for expert witness expenses in an amount exceeding \$5,000. Chris Cohron motioned to approve the request, seconded by Courtney Baxter and passed by voice vote.
- B. Miranda King, Commonwealth's Attorney 39th Judicial Circuit, requested approval for expert witness expenses in an amount exceeding \$5,000. Chris Cohron motioned to approve the request, seconded by Courtney Baxter and passed by voice vote.

Personnel Requests

- A. No Additional Funds
 - 1. Bruce Kuegel, Commonwealth's Attorney 6th JC, requested approval to establish a temporary quarter-time Law Clerk position funded using asset forfeiture funds effective February 1, 2022 through July 31, 2022. Chris Cohron motioned to approve the request, seconded by Shane Young and passed by voice vote.

2. Rob Sanders, Commonwealth's Attorney 16th Judicial Circuit, requested approval to increase salary of two (2) Assistant Commonwealth's Attorneys over \$5,000.00 within a fiscal year. Chris Cohron motioned to approve the request, seconded by Courtney Baxter and passed by voice vote.
3. Michelle Snodgrass, Commonwealth's Attorney 17th Judicial Circuit, requested approval to increase salary of two (2) Assistant Commonwealth's Attorneys over \$5,000.00 within a fiscal year. Chris Cohron motioned to approve the request, seconded by Courtney Baxter and passed by voice vote.
4. Lou Anna Red Corn, Commonwealth's Attorney 22nd JC, requested approval to reallocate a part-time District Secretary position to a full-time District Secretary position effective February 1, 2022. Chris Cohron motioned to approve the request, seconded by Margaret Daniel and passed by voice vote.
5. Tom Wine, Commonwealth's Attorney 30th JC, requested approval to reallocate a full-time District Secretary position to a full-time Commonwealth's Detective position and requested to extend use of asset forfeiture funds to fund temporary full-time Assistant Commonwealth's Attorney position to August 15, 2022 with both request effective February 1, 2022. Chris Cohron motioned to approve the request, seconded by Shane Young and passed by voice vote.
6. Dennis Foust, Commonwealth's Attorney 42nd JC, requested approval to reallocate a quarter-time District Secretary position to a quarter-time Assistant Commonwealth's Attorney position and requested to reallocate a full-time Assistant Commonwealth's Attorney position to a full-time District Secretary position with both request effective February 1, 2022. Chris Cohron motioned to approve the request, seconded by Margaret Daniel and passed by voice vote.
7. Richie Kemp, Commonwealth's Attorney 52nd JC, requested approval to reallocate a full-time District Secretary position to a part-time Law Clerk position and requested approval to increase salary of an Assistant Commonwealth's Attorneys position over \$5,000.00 with both request effective February 1, 2022. Shane

Young motioned to approve the request, seconded by Chris Cohron and passed by voice vote.

8. Louis Kelly, Commonwealth's Attorney 54th JC, requested approval to establish a non-state funded Assistant Commonwealth's Attorney position retroactive to January 16, 2022. Courtney Baxter motioned to approve the request, seconded by Chris Cohron and passed by voice vote.
9. William Elkins, Clark County Attorney, requested approval to establish an unfunded quarter-time Assistant County Attorney position retroactive to January 1, 2022. Joe Ross motioned to approve the request, seconded by Martin Hatfield and passed by voice vote.
10. John Wright, Gallatin County Attorney, requested approval to allow PAC to administer supplemental salary increases for staff effective January 1, 2022. Martin Hatfield motioned to table the request, seconded by Joe Ross and passed by voice vote.
11. Mark Metcalf, Garrard County Attorney, requested approval to establish an unfunded Assistant County Attorney position retroactive to January 1-15, 2022. Joe Ross motioned to approve the request, seconded by Martin Hatfield and passed by voice vote.

B. Additional Funds Required

1. Leigh Ann Roberts, Commonwealth's Attorney 15th Judicial Circuit, requested approval to change the status of the Office of the Commonwealth's Attorney in the 15th Judicial Circuit from part-time to full-time. Chris Cohron motioned to approve the request and include operating expenses and salary increase from part time to full time position, seconded by Courtney Baxter and the motion 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 a full-time Assistant Commonwealth's Attorney position with additional funds for salary. Chris Cohron motioned to deny the request until the budget passes,

seconded by Shane Young and the motion to deny was passed by voice vote.

3. Carrie Ovey-Wiggins, Commonwealth's Attorney 56th Judicial Circuit, requested additional funding to establish a full-time Assistant Commonwealth's Attorney position with funding. Chris Cohron motioned to deny the request until the budget passes, seconded by Shane Young and motion to deny was passed by voice vote.

C. Tabled No Additional Funds Required

1. Sharon Muse, Commonwealth's Attorney 14th Judicial Circuit, requested approval to establish an unfunded Commonwealth's Detective position. Chris Cohron motioned to table the request until more information is provided regarding job duties and potential liabilities, seconded by Courtney Baxter and the motion to table was passed by voice vote. As the proxy for General Cameron, Barry Dunn abstained from voting related to this request.

Bobby reminded members and guests that the next meeting of the Prosecutors Advisory Council would be on Friday, February 9, 2022 at 10:00 am at the Hilton Downtown Lexington, 369 West Vine St. Lexington, KY.

A motion to adjourn was made by Martin Hatfield, seconded by Chris Cohron and passed by voice vote. The meeting was adjourned at 11:22 am.