



Search Warrant Task Force  
Reviewing Committee  
July 22, 2021

Minutes

- I. Reviewing Committee Convened
  - a. Attendees were Judge Foster Cotthoff, Joseph Ross, Rob Sanders, and Chief Joe Monroe (via Zoom).
- II. Approval of Minutes
  - a. The first item of business was the approval of the minutes from the previous meeting. Ross made a motion to approve the minutes, seconded by Sanders. The motion passed unanimously.
- III. Discussion
  - a. Sanders discussed the proposed search warrants being included in the e-warrant system. Members agreed that including search warrants in this electronic system would solve many problems currently experienced, including illegible signatures and the absence of searchable data.
  - b. Next, the discussion turned to preparation for the committee's presentation at the September meeting. Ross expressed his preference that the committee find a guest speaker. Ross offered ideas for potential speakers, including 38th Judicial Circuit Judge and former Commonwealth's Attorney Tim Coleman, or others with prosecutorial experience. The committee agreed to table the discussion of speakers to allow time to brainstorm ideas and have more info/suggestions by the next committee meeting.
  - c. Discussion returned to the search warrant/e-warrant system. Members reiterated their opinion that such proposals will streamline warrant processes. However, Sanders did express some concern that electronic search warrants may lead to inexperienced officers preparing incorrect warrants. Monroe expressed his desire for provisions to allow for the random selection of judges to prevent "judge shopping." Other members explained that many jurisdictions have implemented an on-call system, where judges rotate shifts, which has helped mitigate judge shopping. Cotthoff expressed that he did not believe judge shopping was a significant problem in most jurisdictions. Monroe also expressed that he would like to see three different levels of review: internal review (from police), prosecutorial review, then final review and approval/denial from a judge. Sanders

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expressed that he believes e-warrants could be tailored to individual jurisdictions' warrant implementation processes. Monroe suggested that the Kentucky Association of Chiefs of Police may be supportive of a three-pronged approach in the warrant review process. Cotthoff expressed that he believes such an approach is the best practice—he likes knowing that a prosecutor has reviewed a warrant before it gets to a judge as it provides another level of legal scrutiny.

\*Monroe lost connection.

- d. Sanders made a motion to adjourn the meeting, seconded by Ross. The motion passed unanimously; committee was adjourned.