

# **SEARCH WARRANT TASK FORCE**

Search Warrant Task Force  
September 14, 2021  
1:00 p.m. ET/12:00 p.m. CT  
Western Kentucky University  
Downing Student Union, Room 3023  
Bowling Green, Kentucky

## **Minutes**

- I. Meeting Called to Order
  - a. The meeting was called to order by Attorney General Daniel Cameron.
- II. Roll Call
  - a. Members Present: Denise Bentley, Bryan Bogard, Phillip Burnett Jr., Foster Cotthoff, Charles Cunningham, Jeff Gregory, Nicolai Jilek, Ed Massey, Ramon McGee, Joe Monroe, David L. Nicholson, Damon Preston, Joseph Ross, Rob Sanders, 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. Mr. Ross made a motion to approve the minutes from the August 11, 2021 meeting. Ms. Bentley seconded the motion. The motion was approved unanimously.
- V. New Business
  - a. Presentation from the Securing Committee
    - i. Mr. Cunningham presented on behalf of the committee. He stated that the committee saw their role as two-fold. First, their role is to determine where there might be problems with how law enforcement sought search warrants in the past. Second, their role is to make recommendations on ways the process could be improved going forward. Mr. Cunningham recognized that it is difficult to gather information from available data on search warrants. He stated that Mr. McGee conferred with institutions of higher learning about collaborating to compile the data, but limitations of time, resources, and available data pose challenges.
    - ii. The committee's recommendations include:

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1. Seeking, approving, and storing search warrants in a digital format to help facilitate subsequent review. The committee noted that the e-warrants system looks promising and should eventually be implemented across the Commonwealth for search warrants as it is now for bench warrants.
  2. Some degree of prosecutorial oversight of law enforcement's efforts to secure search warrants.
  3. A boundary on the age of the information relied upon to support the application for a warrant.
  4. A presumptive window of time to execute a search warrant; both as to how far into the future and as to during what hours of the day or night.
  5. Recommending a permanent review panel created to routinely analyze the data on warrants sought, approved (or not), and served in the preceding months. The concept would be similar to the External Child Fatality Review Panel.
- b. Committee meetings
    - i. Task Force members broke off into committee meetings. The committees are Securing, Reviewing, and Serving.
  - c. Committee reports
    - i. Ms. Bentley provided an update for the Securing committee. She asked if the Task Force would consider extending the deadline past December 31, 2021, for the group to complete its work. Attorney General Cameron asked staff to add this discussion to the agenda for the October meeting.
    - ii. Sholar provided an update for the Serving committee. The committee believes that the search warrant process is not well publicized, and that efforts should be made to educate the public about the process. The committee is considering developing best practices for serving a search warrant to present to the larger Task Force.
    - iii. Mr. Cotthoff provided an update for the Reviewing committee. The committee will present at the October meeting and plans to share recommendations at that time.
- VI. Public comments
- a. There were no public comments.
- VII. Ms. Bentley made a motion to adjourn. Mr. Nicholson seconded the motion. The motion was approved unanimously.