

PAC MEMBERS PRESENT

Brian Wright, Commonwealth's Attorney, 29th Judicial Circuit
Carrie Ovey-Wiggins, Commonwealth's Attorney, 56th Judicial Circuit
Jenny Oldham, Hardin County Attorney
Martin Hatfield, Pulaski County Attorney
Joe Ross, Logan County Attorney
John Estill, Mason County Attorney
Courtney Baxter, Commonwealth's Attorney, 12th Judicial Circuit
Stacey Tapke, Kenton County Attorney
Margaret Daniel, Citizen member
Lisa Foley, Citizen member
Vic Maddox, Proxy for Attorney General Cameron

PAC/OAG STAFF PRESENT

Sheila Kratzer
Julie Cox
Madeline Wise
Bobby Stokes
Chad Coleman
Gina Carey
Susan Blake
Alyssa Logan
Harry Rothgerber
Samantha Bracco

GUESTS PRESENT

Jennie Haymond, Madison County Attorney
Angela Evans, Fayette County Attorney
Arch McKay, Nelson County Attorney
Jaqueline Mantle, Graves County
Stephanie Bolen, Commonwealth's Attorney, 3rd Judicial Circuit
Karen Young, 30th Judicial Circuit

Pursuant to KRS 15.100(2), Executive Advisor, Madeline Wise called the roll. After the roll was called, a quorum was announced, and the meeting was called to order.

Bobby Stokes welcomed everyone. He explained with the end of the fiscal year approaching, several budget related topics are on the agenda.

Bobby Stokes announced the payroll certifications for PAC and UPS staff have been approved for January 31ST - March 31st pay periods. Stacy Tapke made a motion to approve the signed payroll certifications, seconded by Courtney Baxter, and passed by voice vote.

Bobby Stokes directed everyone to review the meeting minutes from the March 24, 2023, PAC meeting for approval.

Margaret Daniels made a motion to approve the March 24, 2023 meeting minutes, seconded by Brian Wright, and passed by voice vote.

ADMINISTRATIVE

Bobby Stokes directed everyone to a letter located in their folders PAC received from AOC regarding a complaint filed alleging misconduct against John Burlew, Daviess County Attorney. The Kentucky Bar Association is reviewing those allegations. Joe Ross stated that the matter was best handled by the Kentucky Bar Association at this time. John Estill remarked that this may be an opportunity for the County Attorney Association to reach out to Mr. Burlew regarding best practices. Brian Wright noted that some allegations were in violation of the PAC Ethics policy but the discussion turned to the fact that these were allegations only at this time with no names listed as complainants. Bobby noted that the current PAC ethics statute provides limited opportunity for Council enforcement. Bobby also noted that a letter from LRC regarding Ronnie Goldy's impeachment was located in the meeting folders.

Bobby Stokes noted ongoing concerns regarding live streaming PAC meetings going forward. It was recommended that all PAC meetings will continue to be open to the public however no longer will be live streamed unless specified. John Estill made a motion to discontinue live streaming at this time, seconded by Courtney Baxter, and passed by voice vote.

TRAINING UPDATE

Susan Blake announced she's busy planning the Jury Selection Training that will take place at the Louisville Marriott East June 26-29. Currently the training is over half full, however the registration was just sent out the previous week, she anticipates more will register. The schedule for the Kentucky Prosecutors Conference taking place in August is being finalized. She explained some changes have been made from the previous schedule provided, but they're mostly timing changes. She reported the Victim's

Advocacy Division of the Attorney General's office has planned a track for Victim's Advocates that will take place on Thursday of KPC. Rooms have been secured for advocates to book and a save the dates have gone out. Registration for both KPC and the Victim's Advocate Track will go out in June. She is looking for space for NICE and case management software demonstrations as well as a space for head shots for prosecutors at KPC.

Susan Blake updated the Council for Tom Lockridge who has been working on a trial for a death penalty case, which will take place in the fall. He is also working on the Child Sex Abuse Training, which is scheduled for October 9-11 in Lexington.

Bobby Stokes announced Kathy Phillips, domestic violence resource prosecutor, is attending a "Train the Trainer" session this week. He reported that Jenny True has sent emails regarding the Lethal Weapon Training for anyone that would like to attend.

LEGISLATIVE UPDATE

Harry Rothgerber provided the Council with an overview of the 2023 session. HB 262 passed in relation to DUI legislation. HB 78 also passed, which relates to incest and familial relationships. He announced Jefferson County Public Defender Corporation will be taken over by the DPA, ending private plans for public defender representation by counties. He reported it was a productive session overall.

PAC ROCKET DOCKET GRANT APPLICATION CYCLES

Gina Carey explained the need to form a committee for review and approval of the Fiscal Year 2024 PAC Rocket Docket applications. She stated that the applications will be sent out at the end of April with a deadline of June 2nd. She requested a sub-committee be appointed as in past years and asked for approval of the grant application process and forms located in the meeting folders. Joe Ross made a motion to approve the Rocket Docket review committee consisting of Brian Wright, Stacy Tapke, Martin Hatfield, and Carrie Ovey-Wiggins, the motion was seconded by Margaret Daniels, and passed by voice vote. Brian Wright made a motion to approve the PAC Rocket Docket application process, the motion was seconded by Carrie Ovey-Wiggins, and passed by voice vote.

2021 CHILD SEXUAL ABUSE PROSECUTION REPORT

Bobby Stokes directed everyone to the 2021 Executive Summary of the report located in the meeting folders. She noted that the full report was over 200 pages long with a breakdown by county and circuit. A sample was provided for review at the meeting for anyone wishing to see the full report. She stated that many improvements had been made since the transition to the new program in 2018 and that six reports had been completed since 2019 in an effort to get caught up. She thanked the Council for understanding the importance of the report and designating a position to oversee and coordinate the data collection process. She expects the 2022 report to be available by fall 2023 which will be officially on time. Martin Hatfield made a motion to approve the report provided, seconded by Joe Ross, and passed by voice vote.

BUDGET

FY2023 UPDATE

Gina Carey reported that PAC IT staff was in the process of replacing \$500,000 in computers and servers for the Commonwealth's Attorney's offices. PAC staff continues to work with and educate the County Attorney's offices regarding the new operating policies and available funding. She discussed the acquisition of NICE which is a document sharing and storage solution specifically designed for law enforcement with many features that will be beneficial to prosecutors including codex for all security videos, redaction and document sharing tracking. She noted that KSP has recently begun using the product as well. She reported the funds are available in the current budget for the software for 25,000 cases for the Commonwealth's Attorneys and 35,000 cases for the County Attorneys. Martin Hatfield made a motion to approve the contract for the NICE software for County and Commonwealth's Attorneys, seconded by Brian Wright, and passed by voice vote. Gina explained Docushare will still be available online to those Commonwealth's Attorney offices using it since the contract was already approved through 2024.

Gina Carey and PAC IT Director, Chad Coleman had been working on a solution to replace the current case management software (Justware) that is no longer supported by the vendor and is in danger of not working when new operating system updates roll out in the future. They have evaluated several systems that are currently being utilized in different offices. She asked that PAC form a committee to review the software options

and make a final decision. She planned to setup demos of two possible solutions with vendors currently on state price contract.

FY2024

COMMONWEALTH'S ATTORNEY

Gina Carey directed everyone to the tentative budget for FY24 provided in their folders. She explained that the budget included an assumption of the appropriation for FY2024 HB 1 for the 2022 session and the 6% increase for elected and staff salaries from HB 442 from the 2023 session. She explained that the budget office hadn't yet provided a final amount for the Commonwealth's and County appropriations, so that is why the budget is still tentative. She noted the VOCA grant shortfall, which could be as much as \$135,000 for the Commonwealth's Attorney's budget. She stated the assumption for leases had been adjusted for potential changes. Additionally, the NICE portal had been included in the provided budget. John Estill made a motion for a special PAC meeting to take place on May 25th at 10:00 AM to address any changes regarding the FY2024 budget, seconded by Margaret Daniel, and passed by voice vote. Carrie Ovey-Wiggins made a motion to approve the current tentative budget, seconded by Courtney Baxter, and passed by voice vote. Brian Wright made a motion to amend the policy related to the review by Council for salary increases of staff of the offices of the Commonwealth's Attorneys from over \$5,000 to over \$10,001 and suspension of nepotism policy for the 6% increases, the motion was seconded by Martin Hatfield, and passed by voice vote.

COUNTY ATTORNEY

Gina Carey presented the tentative FY24 County Attorney budget and stated that VOCA funding shortfall could be as much as \$325,000 which is half of what has been budgeted for the PAC Administered County Attorney VOCA grant for FY23. She noted she included the case management software and NICE in the FY2024 budget provided. Joe Ross made a motion to approve the FY2024 Budget, the motion was seconded by Jenny Oldham, and passed by voice vote.

BIENNIAL BUDGET

STATUS OF DATA FROM SURVEYS

Gina Carey reported she had received 73 of the County Attorney's and 40 of the Commonwealth Attorney's offices data. She expressed the need for all offices to comply timely and that the deadline to submit was April 30, 2023.

2024-2030 CAPITAL PLAN

Madeline Wise provided a list of office spaces that need permanent leases established. She explained the list has already been submitted online. Gina noted that the Unified Case Management System acquisition had been included in the Capital Plan as well. Stacey Tapke made a motion to approve, the motion was seconded by Margaret Daniel, and passed by voice vote.

LEASES

33RD JUDICIAL CIRCUIT REQUEST

Bobby Stokes explained the 33rd Judicial Circuit is seeking approval for an increase in their current lease amount. The current amount is \$29,208 yearly which will increase to \$31,642 yearly. Brian Wright made a motion to approve the lease increase, the motion was seconded by Carrie Ovey-Wiggins, and passed by voice vote.

PERSONNEL REQUESTS

A. NO ADDITIONAL FUNDS

1. Dan Boaz, Commonwealth's Attorney 2nd Judicial Circuit, requested approval to increase salary of a part-time Assistant Commonwealth's Attorney position and a full-time Assistant Commonwealth's Attorney position over \$5000.00 retroactive to April 16, 2023.
2. Kori Beck Bumgarner, Commonwealth's Attorney 8th Judicial Circuit, requested approval to establish a three (3) temporary quarter-time Law Clerk position with no additional funds, to be paid with asset forfeiture funds effective May 16, 2023 through August 15, 2023.

3. Kimberly Baird, Commonwealth's Attorney 22nd Judicial Circuit, requested approval to reallocate a full-time Assistant Commonwealth's Attorney position to a full-time Paralegal, reallocate a full-time Program Planner position to a full-time Paralegal position and to temporarily reallocate a full-time Assistant Commonwealth's Attorney position to a full-time Law Clerk position and revert back when employee passes the Bar exam effective May 1, 2023.
4. Curtis Dotson, Boyd County Attorney, requested approval to establish a quarter-time Victim Advocate position with no additional funding effective May 1, 2023.
5. Michele Duvall, Butler County Attorney, requested approval to supplement salaries of two staff members and have PAC administer the funds retroactive to April 1, 2023.

John Estill made a motion to approve no additional funds requests 7A 1-5, the motion was seconded by Margaret Daniel, and passed by voice vote.

B. ADDITIONAL FUNDS REQUIRED

1. John Cunningham, Graves County Attorney, requested approval to establish a part-time Assistant County Attorney position and a full-time Victim Advocate position with additional funds for salary due to the loss of VOCA funding effective May 1, 2023.
2. Cade Foster, McCracken County Attorney, requested approval to reallocate a part-time Victim Advocate position to a full-time Victim Advocate position with additional funds for salary effective May 1, 2023.
3. Betty Megan Williams, Menifee County Attorney, requested approval to establish a quarter-time Victim Advocate position with additional funds for salary effective May 1, 2023.

Joe Ross made a motion to table additional funds requests 7B 1-3 due to the fact that the budget for FY24 was tentative at that time until the next regular meeting, the motion was seconded by Martin Hatfield, and passed by voice vote.

Bobby Stokes announced the next regular PAC meeting will take place on June 23, 2023. A special PAC meeting is now scheduled for May 25, 2023 at 10:00am EDT at the Office of the Attorney General.

ADJOURN

Margaret Daniel made a motion to adjourn at 11:01 AM EST, the motion was seconded by Carrie Ovey-Wiggins, and passed by voice vote.