

PAC MEMBERS PRESENT

Daniel Cameron, Attorney General
Rob Sanders, Commonwealth's Attorney, 16th Judicial Circuit
Jackie Steele, Commonwealth's Attorney, 27th Judicial Circuit
Carrie Ovey-Wiggins, Commonwealth's Attorney, 56th Judicial Circuit
Brian Wright, Commonwealth's Attorney, 29th Judicial Circuit
Martin Hatfield, Pulaski County Attorney
John Estill, Mason County Attorney
Joe Ross, Logan County Attorney
Stacey Tapke, Kenton County Attorney
Margaret Daniel, Citizen member
Lisa Foley, Citizen member

PAC/OAG STAFF PRESENT

Bobby Stokes
Gina Carey
Susan Blake
Alyssa Logan
Penny Quatman
Julie Cox
Chad Coleman
Josh Hatfield
Harry Rothgerber
Kathy Phillips
Samantha Bracco

GUESTS PRESENT

Wil Schroder, Special Attorney
Karen Young, 30th Judicial Circuit
Marc Robbins, KCAA

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 last PAC meeting of 2023. The next meeting will take place in January 2024 with some administration changes. He announced PAC hired a new IT employee, Josh Hatfield.

Bobby Stokes announced Bruce Kuegel of the 6th JC is retiring at the end of 2023. Bobby commented on Mr. Kuegel's long career and service to the Commonwealth and wished him well in retirement.

Bobby Stokes directed the Council to review the meeting minutes from the October 20th, 2023, PAC meeting for approval. Jackie Steele made a motion to approve the October 20th, 2023, minutes, the motion was seconded by Stacy Tapke, and passed by voice vote.

ADMINISTRATIVE

Bobby Stokes directed the Council to a form located in the folders provided. The form shows those counties and judicial circuits that haven't sent an employee handbook and/or employee acknowledgments to date. He explained templates were sent out early 2023 giving offices the ability to alter the manual to the needs of their office. The completed office manuals and acknowledgements were to be sent in no later than May 2023. Since several offices still haven't sent in the office manuals and/or acknowledgements, he asked the PAC council if there were any measures they'd like to take if the office manuals and/or acknowledgements aren't submitted. Rob Sanders suggested discussing the suspension of the elected officials' pay at the January PAC meeting. Bobby Stokes explained, PAC will continue to contact offices regarding submitting the office manuals and/or employee acknowledgements.

Bobby Stokes announced several county offices inquired as to if their local county or fiscal court office employee handbooks would be sufficient for submission rather than using the provided PAC Employee Handbook. The Council agreed that local fiscal court employee handbooks would not cover UPS employees and would be insufficient. Thus, the Council held that county offices must submit an employee handbook that is focused on those UPS employees within each office.

Bobby Stokes announced all PAC Code of Ethics Acknowledgement Forms have been received. Going forward all acknowledgements will be included in employees new hire packet.

TRAINING UPDATE

Susan Blake announced she and Tom Lockridge attended the NAPC meeting and learned what other states are doing. They'll present some ideas to the PAC Council. She mentioned the law student intern program and working with Steve Gold and Jenny Oldham to develop a pilot program. She and Gina Carey visited the Galt House to review the space and look at hotel accommodations. They met with the audio-visual

company and will receive a quote from them. She explained since the last meeting several video training opportunities have been made available to prosecutors on human trafficking and child abuse. They have received a good response from the people that have watched the human trafficking video. People have enjoyed the on-demand format and quality of the presenters. They will continue to build a library of mandatory training topics. They've also worked on a filming of employment law issues by Derrick Wright and will continue to work to make it available on the intranet. She requested a quote from an audio-visual specialist to edit and format for posting on the intranet.

RESOURCE PROSECUTOR UPDATE

Tom Lockridge reported he's wrapped up most of the cases he was working on. He continues to work with Susan Blake to create more on-demand videos. He's also working with Commonwealth's Attorney's on technical issues.

Kathy Phillips reported for Jenny True Reed who was holding a training for the 5th Judicial Circuit on DUI suppression issues. She stated Jenny held the Courtroom Success for Reconstruction class in November 2023 in Newport Kentucky with Professor Kwasnoski. She received great feedback from those in attendance. Gail Whitt started November 1st and has provided many great ideas and has already been a huge help. Jenny filmed a short video interview with Dr. Davis for law enforcement officers discussing the need for blood evidence, especially in fatality and injury cases, as well as other documentation and evidence that assists an expert when forming an opinion on impaired driving cases. Jenny met with Northern Kentucky's Chiefs of Police to discuss ways to prosecute impaired driving cases, considering Kentucky's medical cannabis law taking effect in 2025, as well as recreational marijuana being passed by Ohio. She announced Prosecuting the Drugged Driver training will be held February 27-29 at the Origin hotel in Lexington Kentucky. She requested this year she'd like teams of prosecutors and ARIDE or DRE officers to bring a drugged driving case with them to discuss during the course.

Kathy Phillips, domestic violence resource prosecutor, announced she attended and presented at the conference for Ending Sexual Assault and Domestic Violence which took place in Lexington Kentucky. In the upcoming week the Kentucky office of Attorney General office of Victim's Advocacy will present a webinar conference which is still open for registration. The webinar will take place on Tuesday and Wednesday. She announced she'll be presenting at the Commonwealth Attorney's Winter Conference on February 19th, 2024, and the County Attorney's Conference on February 22nd, 2024. She'll attend Cops in Court with Jenny True Reed in Bowling Green Kentucky on February 15th and 16th. She's also working to schedule a training session in Harrison County in January 2024 to work with prosecutors and police together on domestic violence issues and how to strengthen your case. She has also been working with Susan Blake on developing training videos for the domestic violence videos available

for CLE credits. She and Susan are also working together on other webinars to add to the training library.

Bobby Stokes thanked PAC Training Coordinator, Susan Blake and Resource Prosecutors, Tom Lockridge, Jenny True Reed, and Kathy Phillips for a successful training year.

PAC STAFF PAYROLL CERTIFICATIONS

Bobby Stokes directed the Council to review the UPS payroll certifications for the periods ending from October 31, 2023 through November 30, 2023 located in the folders provided for approval. Stacy Tapke made a motion to approve UPS payroll certifications, the motion was seconded by Rob Sanders, and passed by voice vote.

NICE UPDATE

Gina Carey updated the Council on the status of the NICE discovery management software implementation. She reported that the program “went live” in November in the eight (8) pilot sites. After going live most offices reported issues which made the software basically unusable. The software has lengthy upload times, cumbersome workflows, and connectors to certain body cam software (such as Axon) does not work as advertised when the software was originally purchased. The software was also supposed to provide connection with KSP systems once it was live, which remains inoperable. She and Chad have continued to update the vendor at the weekly meetings about the issues but most remained unresolved. She stated that they have discontinued plans for future site implementations of the NICE software for the foreseeable future. Gina noted that she reached out to members of KSP since they were also in the process of implementing NICE and they expressed their unhappiness with the software as well. The NICE vendor believes they’ll be able to correct these issues in the next update but is unable to provide a date. Due to the lack of capabilities, numerous delays in correcting issues and the overall cost of the program, she’s recommending that the Council consider not renewing the contract for future years or renewing it for a fraction of the cases originally contracted. She explained the current contract is valid through May 2024.

2022 CHILD SEXUAL ABUSE DATA REPORT

Gina Carey addressed the Council’s request for clarification of the report at the October meeting. She explained that she had inserted a footnote explaining the “Sentence” chart located on page 8 but that the explanation footnote appears on page 9, which is what

caused the confusion at the October meeting. With this clarification, she requested the Council's approval for the 2022 Child Sexual Abuse Data Report.

Joe Ross made a motion to approve the 2022 Child Sexual Abuse Data Report, the motion was seconded by Jackie Steele, and passed by voice vote.

Bobby Stokes announced that all Child Sexual Abuse Data Reports are now up to date. Gina noted that the 2023 data collection cycle should start in February and to let Terri Jacobs know if there are any changes to the offices' reporters.

BUDGET

FISCAL 2024 UPDATE

Gina Carey announced the Commonwealth's Attorney offices continue to be impacted by significant turnover and many position vacancies they are having trouble filling. The County Attorney offices still have several vacancies as well, but projections show their budget remains on target.

UPS/PAC STAFF POSITIONS

Gina Carey reported on the UPS and PAC staff positions. She stated that Joshua Hatfield, joined PAC staff in the IT technician role effective November 16, 2023 which was vacated by Jon Jones back in October. His resume was included in their materials. She also announced that Robin Watkins-Tolbert, the quarter-time PAC staff IT technician based out of Bowling Green is resigning effective December 27th. With the changes in the IT staff and the additional demands of projects such as NICE and the Case Management RFP process, the demands on Chad's time have been pushed beyond what one person can keep up with. Gina stated that it had become apparent that another IT position was necessary. She recommended an IT Help Desk Manager position at a maximum of \$65,000 with the understanding that the position would have to be reevaluated after funding for the next biennium was appropriated in the Executive Budget Bill during the 2024 Legislative session. To help pay for the new position she recommended reducing the salary of Diane Marcus workload to one (1) day per week at an annual salary \$17,646 which is half of her current salary since the majority of VOCA grants had ended in October. She will be responsible for the remaining VAWA grant and the two remaining ARPA grants.

Gina continued on to say that as a result of losing Madeline at the end of July, it was apparent that PAC needs help with coordinating the details of the trainings and conferences which was part of her role when she was at PAC. Gina stated that she and Susan had determined that a quarter-time Assistant to the Training Coordinator position was needed to help with contracts and logistics of the various trainings and the big annual conference in August. She noted that funds that were previously being allocated to the soon to be vacant quarter-time IT Technician salary would cover the new position if the position was not filled. A job description and the resume of a candidate that meets the requirements and is willing to work for a salary of \$23,800 annually was included in the meeting materials. She and Susan would like to hire this candidate effective January 1, 2024 through June 30, 2024, at which time it would be re-evaluated for the next biennium. Rob Sanders made a motion to approve Gina Carey's proposals to reallocate funds from Robin Watkins salary and funds from reducing Diane Marcus's job duties to establish a quarter-time Assistant to the Training Coordinator position at \$24,000 annually through the end of the fiscal year and also establish a full-time IT help desk manager at a salary of up to \$65,000 annually through the end of the fiscal year, the motion was seconded by Jackie Steele, and passed by voice vote.

JUVENILE PROSECUTION MANUAL FUNDING REQUEST

Gina Carey announced Steve Gold, Henderson County Attorney and Susan Blake had been collaborating on creating a juvenile prosecution manual. Steve had an assistant willing to work on the project but needed additional funds to compensate the employee for the extra time while working on the manual. It is estimated the manual will take eight (8) months to complete. Gina explained the additional amount would be \$10,000 annually with fringe for a total \$11,200 over the eight (8) month period from the County Attorney's budget and the employee is currently already on payroll. She stated that the employee is currently being paid through the Henderson County Attorney's office and the funds requested would be in addition to her regular salary to assist with the juvenile prosecution manual. Joe Ross made a motion to approve the additional funds in the amount of \$11,200 for an eight (8) month period, the motion was seconded by Stacy Tapke, and passed by voice vote.

Gina Carey revisited the topic of the County Attorney Westlaw contract and potential enhancements discussed at the October meeting and passed to the December meeting. She directed the Council to the handout detailing the options and costs located in the folders provided. She explained 332 assistants are currently on the County Attorney's payroll with 39 of those being shared among offices. There are currently 160 licenses and only 80 are being used. She explained the cost will continue to go up 5% per year. Plan

one (1), which is the plan the Commonwealth Attorney's offices use includes the AI feature. Plan two (2) includes practical law. Martin Hatfield made a motion for County Attorney's offices to adopt the plan of option two (2), the motion was seconded by Stacy Tapke, and passed by voice vote.

Gina Carey discussed the Unified Case Management project and noted that the project was included in the additional budget requests for the Biennial Budget for both Commonwealth's and County Attorneys. She felt that chances were good that the funding would be authorized for the new system and stated that the RFP process is a lengthy one through the Finance Cabinet. In an effort to get the project going in hopes that the funding would be included in the biennial budgets, she stated that an RFP Steering Committee would need to be appointed to help develop the RFP and ultimately choose the new system. After some discussion with the Council, the following offices were selected to serve on the Unified Case Management RFT Steering committee:

8th Judicial Circuit
9th Judicial Circuit
16th Judicial Circuit
30th Judicial Circuit
22nd Judicial Circuit
27th Judicial Circuit
54th Judicial Circuit
Jefferson County Attorney
Fayette County Attorney
Madison County Attorney
Pulaski County Attorney
Logan County Attorney
Boone County Attorney
Kenton County Attorney
Representative from AOC if possible
Members of PAC Staff

PERSONNEL REQUESTS

A. NO ADDITIONAL FUNDS

1. John Burlew, Daviess County Attorney, requested approval to allow PAC to administer local funds for salary supplement of a full-time Legal Secretary position retroactive to December 1, 2023.

John Estill made a motion to approve John Burlew's request, the motion was seconded by Margaret Daniels, and passed by voice vote.

2. Jamie Hatton, Letcher County Attorney, requests approval to relocate a part-time Victim Advocate position to a full-time Victim Advocate position retroactive to October 1, 2023.

Stacy Tapke made a motion to approve Jamie Hatton's request, the motion was seconded by Joe Ross, and passed by voice vote.

B. ADDITIONAL FUNDS REQUIRED

1. Bruce Kuegel, Commonwealth's Attorney 6th Judicial Circuit, requested additional salary funding in the amount of \$5,500 for a quarter-time District Secretary position retroactive to December 1, 2023.

Rob Sanders made a motion to deny Bruce Kuegel's request, the motion was seconded by Jackie Steele, and passed by voice vote.

Bobby Stokes directed the Council to the 2024 PAC meeting schedule located in the folders provided. He announced the next PAC meeting would take place on January 19th in Frankfort Kentucky; however, the February 21st PAC meeting would take place in Lexington Kentucky at the Hilton in conjunction with the Commonwealth's Attorneys Winter Conference and County Attorney's Winter Conference.

Rob Sanders thanked General Daniel Cameron for making a pronounced effort to reinvest in the Attorney General's office and building the criminal division and special prosecution and the efforts that have been made.

Attorney General Daniel Cameron addressed the room and thanked everyone for their consistent effort to improve each community and county. He expressed his happiness that Russell Coleman will be the 52nd Attorney General of the state of Kentucky and knows he will excel in the role.

Margaret Daniel wished General Attorney Daniel Cameron much success.

ADJOURN

Margaret Daniel made a motion to adjourn at 10:54 AM EST, the motion was seconded by Rob Sanders, and passed by voice vote.