

PAC MEMBERS PRESENT

Vic Maddox, Proxy for Attorney General Cameron
Rob Sanders, Commonwealth's Attorney, 16th Judicial Circuit
Jackie Steele, Commonwealth's Attorney, 27th Judicial Circuit
Courtney Baxter, Commonwealth's Attorney, 12th Judicial Circuit
Carrie Ovey-Wiggins, Commonwealth's Attorney, 56th Judicial Circuit
Brian Wright, Commonwealth's Attorney, 29th Judicial Circuit
Martin Hatfield, Pulaski County Attorney
Jenny Oldham, Hardin County Attorney
Joe Ross, Logan County Attorney
Stacey Tapke, Kenton County Attorney
Margaret Daniel, Citizen member

PAC/OAG STAFF PRESENT

Sheila Kratzer
Penny Quatman
Alyssa Logan
Bobby Stokes
Gina Carey
Susan Blake
Jenny True-Reed
Tom Lockridge
Samantha Bracco
Harry Rothgerber

GUESTS PRESENT

Joe White, Clay County Attorney
Kori Bumgarner, Commonwealth's Attorney, 8th Judicial Circuit
John Williams, Commonwealth's Detective, 8th Judicial Circuit
Chris Herron, Boyle County Attorney
Ashley Edwards, Boyle County
Mike Hogencamp, Carlisle County Attorney
Karen Young, 30th Judicial Circuit
Louis Kelly, Commonwealth's Attorney, 54th Judicial Circuit
Angela Evans, Fayette County Attorney
Lisa Nally-Martin, Marion County Attorney
Kimberly Barid, Commonwealth's Attorney, 22nd Judicial Circuit
Cecil Watkins, Rowan County Attorney

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. He reminded all guests attending today's meeting to sign in. He announced that Jon Jones resigned.

Bobby Stokes directed the Council to review the meeting minutes from the August 22, 2023, PAC meeting for approval. Jackie Steele made a motion to approve the August 22nd, 2023, minutes, the motion was seconded by Rob Sanders, and passed by voice vote.

ADMINISTRATIVE

Bobby Stokes directed the Council to review the UPS payroll certifications located in the folders provided for approval. Rob Sanders made a motion to approve UPS payroll certifications, the motion was seconded by Brian Wright, and passed by voice vote.

TRAINING UPDATE

Susan Blake directed the Council to review the evaluations from the 2023 Kentucky Prosecutor's Conference located in the folders provided. Only 126 evaluations were submitted. The contract with the Marriott Griffin Gate has been terminated for the 2024 Kentucky Prosecutors Conference. The Galt House in Louisville, Kentucky was able to accommodate the dates needed, August 21st- August 23rd for the 2024 Kentucky Prosecutors Conference. The 2025 Kentucky Prosecutors Conference will be held at the Central Bank Center in Lexington, Kentucky. She reiterated the importance of scheduling the conference in advance, to assure the dates and space needed are available. She asked for guidance regarding the mandatory topics discussed at the Kentucky Prosecutors Conference. Providing the mandatory topics is an opportunity for those attending the training to complete the required training, it takes up a lot of sessions where other topics could be covered. She recommended utilizing the training studio to create videos that employees can watch on demand.

Stacy Tapke and Rob Sanders agreed that creating videos while the training studio is available would be essential in fulfilling the training requirements. Having those materials available to newly hired Attorney's or those unable to attend the conference would be beneficial.

Susan Blake announced she has contacted the Attorney Generals Office regarding the webinars used that meet these requirements to utilize as well. Rob Sanders

recommended not forgoing the topics completely, but possibly offering 1-2 speakers instead of 5-6.

Susan Blake explained the Elder Abuse training requirements are necessary, she's working with Rewa Zakharia and Amy Burke to review the videos previously recorded to assure the information is current. She has been working with Kathy Phillips to create a domestic violence presentation. She has also worked with Louanna Red Corn on creating a piece on prosecutors' duties to victims, victim's rights, and Marcy's Law.

Susan Blake announced on October 30, 2023, Derrick Wright will be filmed discussing employment law topics such as, dos and don'ts of hiring and firing, what is workplace harassment, internet, and social media-recommended policies, avoiding discrimination claims, and why you should have an office manual.

Susan Blake attended the prosecutor's coordinator's meeting and shared information that may be beneficial. Arizona was able to get a justice grant to create a juvenile prosecution manual. She has provided Steve Gold with this information, and he believes this could be useful for Kentucky Prosecutors. She is researching if that grant is available. As a recruitment idea, other states have offered incoming law students a one week internship before classes begin to shadow in a prosecutor's office. A letter goes out to all incoming students and have received a great response. This provides law students with something to add to their resume and begin thinking about a career in prosecution. If any offices are interested, she will assist with coordinating that opportunity.

Susan Blake announced future planning, the jury selection course will take place in May 2024. The Commonwealth Attorney basic training will take place December 3-6, 2024. She has sent a proposal to the Origin Hotel, at the Summit in Lexington Kentucky for review.

Tom Lockridge reported he and Rewa were asked by the NDAA to speak at the Opening Statement and Jury Selection training in Milwaukee. He has spent time preparing for the, Do No Harm: Best Practices in Child Sexual Abuse training that took place at the Origin Hotel in Lexington, Kentucky. The training was successful, with 32 attendees including prosecutors from 20 different circuits and one (1) from Special Prosecutions.

Jenny True Reed reported regarding the TSRP, last month the, around 90 people attended everything to know about cannabis and a lot of good information was

presented. She hopes to bring Ryan Hutton later this year to present to the western part of the state. The CDL and commercial motor vehicle training took place last week with a great turnout. She announced an upcoming training will take place in Newport, Kentucky, called court room success for reconstruction taking place November 14th and 15th. The training is for reconstructionist, but also for prosecutors that convict vehicular homicide cases. She will send out additional information for anyone interested in attending. The prosecuting the drugged driving training will take place in late February 2024, at the Origin in Lexington Kentucky. The lethal weapon training will take place in Louisville in May 2024.

Jenny True Reed reported on Kathy Phillips' behalf. Kathy trained law enforcement and prosecutors in Anderson County last month. On September 28th she's holding a training on basic investigation and prosecuting domestic violence cases in Simpson County. She plans to speak at the KASAP conference in Northern Kentucky on October 30th, 2023. She is also presenting at the conference to end sexual assault and domestic violence on November 29th -December 1st at the Galt House in Louisville, Kentucky.

TSRP GRANT ADMINISTRATIVE POSITION

Bobby Stokes reported previously that a grant was in place for two TSRP positions and that was reduced to one position. However, the work hasn't decreased so to meet the goals of the grant there's room for the addition of an administrative position within the grant. The position is a quarter-time position. After reviewing candidates for this position, they'd like to offer the position to Gail Whitt. Courtney Baxter made a motion to approve the additional quarter time TSRP position, seconded by Jackie Steele, and passed by voice vote.

2023 COUNTY ATTORNEY TRAFFIC SAFETY PROGRAM REPORT

Jenny True Reed reported the yearly data report for the TSRP program is in the folders provided. Stacy Tapke made a motion to approve the attached report, seconded by Joe Ross, and passed by voice vote.

NICE IMPLEMENTATION STATUS

Gina Carey reported KSP has already implemented the NICE software and she has been in contact with KSP regarding their implementation of the software. She reported that the Administrator and Super User training has been completed. The vendor has stated that the sites are up, however there have been some technical issues because

the state of Kentucky doesn't have a unified case management system. The super user testing is scheduled to take place from October 25th - November 3rd for eight (8) sites to begin testing. The 8 pilot sites have been encouraged to use this time to load information as they would under normal operations so they can be sure the system is working as it should. On November 3rd, the test data is scheduled to be cleared out and all pilot sites should be ready to begin using the system in the "live" environment. Basic user training for the 8 pilot sites for NICE software will take place November 6th-8th and should take around one and a half (1.5) hours. Gina also reported that she and Chad attended the Court Technology Conference in Phoenix last month where they attended several sessions relevant to implementing technology systems in the offices. She noted that members from AOC also attended, and the vendor fair was huge. They found several new ideas for equipment that might be helpful for the prosecutors' offices as well as saw some case management demos.

2022 CHILD SEXUAL ABUSE DATA REPORT

Bobby Stokes directed the Council to the 2022 Child Sexual Abuse Prosecution Data report located in the folders provided. Gina Carey explained the breakdown of the report. She reported that the format was similar to prior years. But she had added an additional graph comparing sentencing data. A detailed report is included for each office in the index. She noted that with this report – the Council is now current which should make maintaining the reports in the future much easier. Stacy Tapke made a motion to approve the 2022 Child Sexual Abuse Prosecution Data Report, the motion was seconded by Carrie Ovey-Wiggins. During discussion before the vote, Rob Sanders recommended amending the previous motion to edit the graph on the sentencing data chart as it was confusing. Jenny Oldham suggested adding an explanation in the footnote and table until the December 8, 2023, PAC meeting to include edits.

Stacy Tapke made a motion to table the approval until the December 8, 2023, meeting, the motion was seconded by Jenny Oldham, and passed by voice vote.

2023 COMMONWEALTH'S ATTORNEY'S SPECIAL ELECTIONS

Bobby Stokes announced several Commonwealth's Attorney offices are included in the special election. The transition will be different compared to a regular election where the newly elected official wouldn't take office until the beginning of the year. A special election requires that the newly elected official will take office once election has been certified. Bobby confirmed with Harry Rothgerber that transitions will begin in a reduced time period. Harry responded by agreeing that a special election will not follow typical transition dates and that the newly elected will assume office once certification of election has been completed, which could range from a few days to a week or two. Bobby then

asked for the Council's approval to begin the process of the administrative requirements prior to election date to ensure a smooth transition for offices that were consistent. Jackie Steele recommended sending a letter to the six (6) offices included in the special election explaining any damage or removal of state property will be prosecuted. Gina Carey suggested sending a member of the IT department to take inventory of the IT equipment for the offices where there may be a change in administration. Jackie Steele made a motion to have PAC staff submit letters to the circuits having special elections and send an IT staff member for a physical inspection to the two sites where a possible change in office could occur, the motion was seconded by Rob Sanders, and passed by voice vote.

2024 PAC MEETING CALENDAR

Bobby Stokes directed the Council to the 2024 PAC suggested calendar located in the folders provided. The PAC Council meeting dates are recommended for the third Friday of the month, as they've been scheduled historically, apart from dates that coincide with scheduled conferences. Currently no regular PAC meetings are recommended for September or November unless a special meeting is needed. Jackie Steele made a motion to approve the 2024 PAC meeting calendar as submitted, the motion was seconded by Courtney Baxter, passed by voice vote.

1. January 19, 2024
2. February 21, 2024 – Lexington Hilton Downtown 11AM EST
3. March 22, 2024
4. April 19, 2024
5. May 17, 2024
6. June 21, 2024
7. July 19, 2024
8. August 20, 2024 – Galt House in Louisville 1:00 PM EDT
9. October 18, 2024
10. December 3, 2024 – Origin Hotel in Lexington 10:00AM EST

Unless otherwise noted, all regular meetings are currently scheduled to be at the Attorney General's East Office, Conference Room A, 1024 Capital Center Drive, Frankfort, KY 40601 at 10:00AM EST/EDT.

BUDGET

FISCAL 2024 UPDATE

Gina Carey reported the vacancies for the Commonwealth's Attorneys offices are much higher than anticipated for FY24 but that the County Attorney vacancies are consisted with the budget projections. She reported that the Commonwealth's Attorney Training account was being exhausted faster than anticipated due to the KPC reimbursements being higher than budgeted and that it may become necessary to discontinue scholarships to NDAA trainings later in the year. She will update the Council again at the next meeting. Gina directed the members to a copy of the current policies set in place by the Council. She noted that purchasing nonperishable items for staff cannot be approved due to a Finance policy that prohibits the use of public funds for that purpose.

BIENNIAL BUDGET SUBMISSION

Gina Carey reported the Biennial Budget was required to be submitted a month early this year – October 1 instead of November 1 as had always been the deadline in the past. She asked the Council to review the Biennial Budget handouts in the folders provided. She noted that the request for a Unified Case Management system had been included in both the County and Commonwealth's budgets. She also noted that the request for 19 additional PAC Staff positions was a combined Commonwealth's and County Attorney request. She noted that the IT of 3.25 had just been reduced to 2.25 employees as Jon Jones had resigned earlier in the month. She reported that a search for his replacement would commence immediately. She also stated that the salaries of the PAC IT staff are well below market average for the volume of users they support.

COUNTY ATTORNEY WESTLAW CONTRACT

Gina Carey announced the County Attorney Westlaw renewal date is in spring 2024. After requesting and receiving a quote, she noted that the price of the current plan is scheduled to go up 5% each year of the contract. She reported that Thomson Reuters has also offered a Westlaw enhancement plan, which is more expensive, however the price will remain the same for the duration of the three (3) year contract if the Council determines this to be the better option. 160 licenses are currently provided including an additional paralegals license for each license purchased. Additional packages can be purchased at the office's expense, however that information would need to be known before renewing the contract. She explained she'll gather additional information regarding the cost for additional licenses and report at the December PAC meeting. She also noted the 2023 Domestic Relations Laws and Rules printed volumes were purchased for County Attorneys at the direction of the Council; however, the 2024 version is now available. She asked the Council if they would like staff to purchase the more current version. Stacy Tapke stated that they would review the new edition and decide later on purchasing the newest version.

VOCA FUNDING SHORTFALL FFY24

Gina Carey reported that the County Attorney offices with VOCA grant funded advocates, apart from Green County, have submitted requests to have their Victim's Advocates positions funded through their general fund budget or have the projected budget deficit funded through PAC as the VOCA funds continue to be cut significantly. Gina provided a handout in their materials that outlines the deficits for each and the total cost of moving the entire position to the general fund. Joe Ross suggested approving the request to move the current positions to the general fund for salary and benefits only because of the continued decline of VOCA grant awards to the prosecutors of the last couple of cycles. He noted that Green County was excluded from this motion since the Council had already approved replacement funding for his VOCA position in Fiscal 2023, Gina Carey reported the counties making the requests are Clark County, Boyle County, Knott County, Letcher County, Lewis County, Marion County, and Calloway County. Martin Hatfield suggested reallocating any funding in the budgets of the offices requesting and Gina reported only Boyle County had approximately \$2,100 unallocated. Joe Ross made a motion to approve reallocating VOCA funded victims' advocates positions to full-time victims' advocates positions with salary and benefits with the understanding that any unallocated funds be used to offset salaries first, the motion was seconded by Jenny Oldham, and passed by voice vote.

Gina Carey Reported the Commonwealth's Attorney's offices have 4 (four) remaining VOCA grants which includes the 2nd, 11th, 22nd, and 42nd Judicial Circuit. The VOCA grant with the 2nd Judicial Circuit currently funds one (1) quarter-time Victim's Advocate and \$7,500 towards a full-time Victim's Advocate creating a \$5,000 deficit. The VOCA grant with the 22nd Judicial Circuit currently funds the majority of one (1) full-time Victim's Advocate creating a \$30,600 deficit. and the VOCA grant with the 42nd Judicial Circuit funds the majority of one (1) full-time Victim's Advocate creating a deficit of \$42,320. The current total for the VOCA shortfall is \$77,920. The 11th Judicial Circuit VOCA grant was fully funded. Brian Wright made a motion to approve reallocating the funding for the 22nd and 42nd Judicial Circuits requests to their general funds budgets and make up the shortfall for the 2nd Judicial Circuit's request from general funds, the motion was seconded by Rob Sanders, and passed by voice vote.

Gina Carey announced the members of the Council may have an opportunity to present the budget request for the Unified Prosecutorial System to a budget review sub-committee in November or early in the session to comply with requirements of HB 773

LEASING

Bobby Stokes reported that the space increase for the 8th Judicial Circuit was previously approved, however, additional renovations were needed for the conference room and

office space. The invoices have been provided in the folders outlining the additional costs associated with necessary renovations to the conference and office spaces. Rob Sanders made a motion to approve the additional space renovations, the motion was seconded by Jackie Steele, and passed by voice vote.

Bobby Stokes announced Edison Bank's office lease has been finalized and the office staff is scheduled to move soon.

EXPERT WITNESS

Shane Young, Commonwealth's Attorney 9th Judicial Circuit, requested approval for expert witness expenses in an amount exceeding \$15,000.

Rob Sanders made a motion to approve Shane Young's request for an amount that may exceed \$15,000 using expert witness funds to be reimbursed by the Attorney General's Office, the motion was seconded by Jenny Oldham, and passed by voice vote.

PERSONNEL REQUESTS

VI. NO ADDITIONAL FUNDS

1. Neil Kerr, Commonwealth's Attorney 7th Judicial Circuit, requested approval to establish a quarter-time District Secretary position retroactive to September 16, 2023.

Rob Sanders made a motion to approve Neil Kerr's request, the motion was seconded by Margaret Daniels, and passed by voice vote.

2. Kori Beck Bumgarner, Commonwealth's Attorney 8th Judicial Circuit, requested approval to establish a quarter-time Commonwealth's Detective position retroactive to October 1, 2023.

Courtney Baxter made a motion to approve Kori Beck Bumgarner's request, the motion was seconded by Rob Sanders, and passed by voice vote.

3. Louis Kelly, Commonwealth's Attorney 54th Judicial Circuit, requested approval to establish a full-time Assistant Commonwealth's Attorney position funded with local funds but administered by PAC retroactive to September 16, 2023.

Rob Sanders made a motion to approve Louis Kelly's request, the motion was seconded by Jackie Steele, and passed by voice vote.

4. Steve Gold, Henderson County Attorney, requested approval to reallocate a part-time Legal Secretary position to a part-time Assistant County Attorney position and have PAC administer local funds to supplement salary to support position retroactive to September 16, 2023

Jenny Oldham made a motion to approve Steve Gold's request, the motion was seconded by Joe Ross, and passed by voice vote.

5. Johnny Osborne, Lawrence County Attorney, requested approval to establish a quarter-time Assistant County Attorney position retroactive to September 16, 2023.

Jenny Oldham made a motion to approve Johnny Osborne's request, the motion was seconded by Jackie Steele, and passed by voice vote.

VII. ADDITIONAL FUNDS REQUIRED

1. Kori Beck Bumgarner, Commonwealth's Attorney 8th Judicial Circuit, requested \$52,000 to establish a full-time Legal Secretary position for a salary effective November 1, 2023. She also requested the reallocation of two (2) full-time Law Clerk positions to one (1) full-time Assistant Commonwealth's Attorney position. To meet the minimum requirements for a full-time Assistant Commonwealth's Attorney she requested additional funds of \$5,000.

Jackie Steele made a motion to approve Kori Beck Bumgarner's additional funds request due to the expansion of the office, the motion was seconded by Carrie Ovey-Wiggins, and passed by voice vote.

2. Rick Hardin, Commonwealth's Attorney 46th Judicial Circuit, requested approval to both reallocate a full-time Assistant Commonwealth's Attorney position to a part-time Assistant Commonwealth's Attorney position and establish a part-time Assistant Commonwealth's Attorney position with additional funds for fringe effective November 1, 2023.

Rob Sanders made a motion to approve Rick Hardin's additional funds request(s), the motion was seconded by Courtney Baxter, and passed by voice vote.

3. Michael Hogancamp, Carlisle County Attorney, requested to reallocate part-time Secretary positions to a full-time Secretary position with additional funding for salary effective November 1, 2023.

Joe Ross made a motion to approve Michael Hogancamp's additional funds requests, the motion was seconded by Jenny Oldham, and passed by voice vote.

4. Joseph White, Clay County Attorney, requested approval to establish a quarter-time Legal Secretary position with additional funding for salary effective November 16, 2023.

Martin Hatfield made a motion to approve Joseph White's additional funds request, the motion was seconded by Stacy Tapke, and passed by voice vote.

5. Matthew Warnock, Greenup County Attorney, requested \$20,000 in additional funds to establish and fund a part-time Victim's Advocate position effective November 1, 2023.

Joe Ross made a motion to approve Matthew Warnock's additional funds request at \$30,000 annually to ensure he would be able to find a viable candidate, the motion was seconded by Martin Hatfield, and passed by voice vote.

6. Jennie Haymond, Madison County Attorney, requested to reallocate a part-time Assistant County Attorney position to a full-time Assistant County Attorney position with \$60,000 in additional funds for salary effective November 1, 2023.

Joe Ross made a motion to approve, however the position will remain as a part-time position, the motion was seconded by Jenny Oldham, and passed by voice vote.

7. Berry Baxter, Oldham County Attorney, requested \$43,000 in additional funds to establish and fund a full-time Victim's Advocate position effective November 1, 2023.

Jenny Oldham made a motion to approve Berry Baxter's additional funds request, the motion was seconded by Stacy Tapke, and passed by voice vote.

Rob Sanders asked the minutes reflect; Courtney Baxter wasn't present to vote for line-item B-7.

8. Cecil Watkins, Rowan County Attorney, requested to reallocate two (2) part-time Assistant County Attorney positions to two (2) full-time Assistant

County Attorney positions with an additional \$70,000 in funding for salary effective November 1, 2023.

Martin Hatfield approved Cecil Watkins' additional funds however stated that the request be amended to maintain part-time status and additional funding of \$27,000 due to the status and local funding from the fiscal court. The motion was seconded by Stacy Tapke, and passed by voice vote.

Bobby Stokes announced the last PAC meeting of 2023 would take place on December 8th, 2023, in Frankfort, Kentucky.

ADJOURN

Margaret Daniels made a motion to adjourn at 11:50 PM EST, the motion was seconded by Rob Sanders, and passed by voice vote.