

BUDGET REVIEW SUBCOMMITTEE ON JUSTICE AND JUDICIARY

Minutes of the 2nd Meeting of the 2025 Interim

July 15, 2025

Call to Order and Roll Call

The second meeting of the Budget Review Subcommittee on Justice and Judiciary of the Interim Joint Committee on Appropriations and Revenue was held on July 15, 2025, at 9:00 AM in Room 129 of the Capitol Annex. Senator Shelley Funke Frommeyer, Chair, called the meeting to order.

Present were:

Members: Senator Shelley Funke Frommeyer Co-Chair; Senator Robin L. Webb;

Representatives Jennifer Decker, Nima Kulkarni, and Scott Sharp.

Guests: Damon Preston, Public Advocate, Commissioner, Department of Public Advocacy

(DPA); Melanie Lowe, Deputy Public Advocate, Assistant Commissioner, DPA; Tina Mills,

Alternative Sentencing Worker, Bell County Office, DPA; Alicia Webb-Edgington, President

and Chief Operating Officer, Life Learning Center; and, Rob Sanders, Commonwealth's

Attorney, Kentucky's 16th Judicial Circuit, Kenton County.

LRC Staff: Zachary Ireland, Perry Papka, and Spring Emerson.

Approval of Minutes

The minutes were not approved due to the lack of a quorum.

Update - Department of Public Advocacy - Alternatives to Incarceration and Attorney

Committee meeting materials may be accessed online at <https://apps.legislature.ky.gov/CommitteeDocuments/17>

Compensation

Mr. Preston, Ms. Lowe, and Ms. Mills provided information relating to alternatives to incarceration and attorney compensation within the DPA.

In response to a question from Chair Funke Frommeyer regarding self-funded defense cases, Mr. Preston said that according to a 2017 study, approximately fifty percent of misdemeanor cases were handled by private attorneys. There was more DPA involvement in circuit court cases, at approximately seventy-five percent. The DPA handles the most labor intensive cases. Chair Funke Frommeyer expressed concern and requested more statistical information.

In response to a question from Chair Funke Frommeyer regarding the cost of the Horsesensing Program versus jailing, Ms. Mills said the program is free to all males attending that facility, and is not billed to Medicaid, but is funded by other sources. Mr. Preston said a study was done by experts at the University of Kentucky and the University of Louisville which showed that every dollar invested in these alternative programs results in a savings of three to six dollars in incarceration expenses.

In response to a question from Chair Funke Frommeyer regarding the ongoing expense of the alternative sentencing program, Ms. Lowe said there is no state agency that handles post-conviction supervision for individuals with misdemeanors. There are some private companies who provide those services at a cost.

Senator Webb commented that as a criminal defense attorney who has taken on many public defender contracts over the years, she fully understands the need for additional attorneys due to the caseload. She expressed her appreciation for the DPA and the work they do.

In response to a question from Representative Kulkarni regarding salary increases, Mr. Preston said the typical career path begins at a level one and moves through the levels which come with salary increases, up to a level four. Currently, there is no mechanism within state government for salary increases to be given outside of the steps in the classification system.

In response to a question from Representative Kulkarni regarding caseloads, Mr. Preston said there are approximately 360 new cases per attorney annually.

In response to a question from Chair Funke Frommeyer regarding budget management, Mr. Preston said the authority to set the salaries within the DPA and the ability to set different starting salaries without pay equity concerns based upon the competitiveness of the market would provide the flexibility he needs. Chair Funke Frommeyer commented that there are also needs for paralegals. Mr. Preston said that paralegals provide consistency in the service to clients and the courts, as well as specialty of skills with digital information. Even though more attorneys are also greatly needed, paralegals would be a positive contribution to the team.

Representative Decker commented that budget line-items are really policy statements, and expressed her appreciation for balanced justice.

Overview - Life Learning Center - Programs and Partnerships for Justice-Involved Individuals

Mr. Sanders and Ms. Webb-Edgington provided information relating to programs and partnerships for justice-involved individuals.

Senator Webb commented that the Criminal Defense Bar was not listed as a stakeholder, and expressed her concern for the role of private attorneys as they go through the system.

Mr. Sanders said stakeholders are people who participate in all the meetings, and there is no mechanism for including the private bar in those meetings.

Adjournment

There being no further business before the subcommittee, the meeting was adjourned at 10:24 AM.