



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

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*Via Hand Delivery*

December 8, 2025

Senator Stephen West, Co-Chair  
Representative Derek Lewis, Co-Chair  
Administrative Regulation Review Subcommittee  
700 Capital Avenue  
Frankfort, Kentucky 40601

Dear Senator West and Representative Lewis:

The Attorney General's Office appreciates your Subcommittee's prompt consideration of the Department of Corrections' amendment to part of its death-penalty regulation. Please consider this letter as a comment to provide context about this amendment.

Kentucky's death penalty has been mired in delays ever since the Kentucky Supreme Court ruled in 2009 that our execution protocol must be adopted by administrative regulation. *Bowling v. Ky. Dep't of Corrections*, 301 S.W.3d 478 (Ky. 2009). That ruling made Kentucky an outlier compared to its sister States. Of the other States whose courts have considered this legal issue, the vast majority have ruled that the State's execution protocol need not be adopted by administrative regulation. When the Kentucky Supreme Court adopted its contrary holding, two Justices presciently warned that the ruling "gives the guilty more time to live. It gives the innocent families of the victims more time to suffer." *Id.* at 493 (Cunningham, J., joined by Scott, J., concurring in part and dissenting in part).

Since I took office last year, the Attorney General's Office has done everything within its authority to change this intolerable status quo. On June 17 of this year, I wrote to Governor Beshear informing him of his obligation to sign a death warrant for Ralph Baze. More than 30 years ago, Mr. Baze callously murdered two law-enforcement officers in Powell County: Sheriff Steve Bennett and Deputy Sheriff Arthur Briscoe. The family of the victims has written movingly about how the decades-long delay in Mr. Baze's execution has affected them. Lisa Briscoe Lally, the sister of Deputy Sheriff Briscoe and the sister-in-law of Sheriff Bennett, put it this way: "I have felt over the past three decades that Kentucky officials had forgotten all

about how brutally Steve & Arthur were murdered but hopefully that wrong can be righted in the near future.” I urge the Subcommittee’s members to read Ms. Lally’s attached letter to Governor Beshear. To this day, the Governor has not responded to Ms. Lally’s letter.

Unfortunately, despite his legal obligation to do so, Governor Beshear is refusing to sign a death warrant for Mr. Baze. A big part of his justification is that the regulatory amendment now before this Subcommittee is not final. It’s important that the record be cleared up on this issue. This Subcommittee’s consideration of the Department of Corrections’ amendment has no bearing on whether the Governor can legally sign a death warrant for Mr. Baze. That’s because the regulatory amendment relates to death-row inmates who have an alleged intellectual disability. Throughout several decades of legal challenges to his death sentence, Mr. Baze has never claimed to be intellectually disabled. As a result, this amendment changes nothing with respect to Mr. Baze. The Governor should sign a death warrant for Mr. Baze now, as Kentucky law requires.

I respectfully request that this Subcommittee move this regulatory amendment forward if only to end the Governor’s delay tactics and stop him from using legal fictions to hide from his lawful responsibility.

I very much appreciate this Subcommittee’s prompt consideration of the Department of Corrections’ regulatory amendment.

Sincerely,



Russell Coleman  
Attorney General

Cc: Governor Andy Beshear  
Other Members of the Subcommittee

Andy Beshear  
Governor of Kentucky  
700 Capital Avenue, Suite 100  
Frankfort, Kentucky 40601

Dear Governor Beshear,

I am writing to you in connection with Attorney General Russell Coleman's request that you sign a death warrant as to Ralph Baze.

My family and I want justice.

My family and I need justice.

And we have been waiting on it since February 4, 1994 when a jury handed down the punishment of the death penalty to a man who ambushed two police officers – a sheriff and a deputy - in Powell County Kentucky on January 30, 1992 who were simply trying to serve an out-of-state warrant. They were killed with an SKS semi-automatic assault rifle.

Sheriff Steve Bennett, only 40 years old, bled to death in the back seat of his cruiser after Baze shot him three times on the left side of his back. He left behind a daughter in elementary school and a son not quite four years old at the time. Steve was actually my brother-in-law.

Deputy Arthur Briscoe was my big brother and just 39 years old. Baze shot him twice in the back and once in the back of the head. Arthur left behind a 14-year-old son.

I'll never forget the words of my mother as we pulled away from the courthouse after the verdict came in. She said, "Me and your Daddy may never see it carried out but maybe you kids will." I remember thinking at the time how ridiculous that sounded but my how prophetic her words became over the many years that we have been waiting for Baze to pay for what he did.

I have been encouraged by your belief in the death penalty and that of Attorney General Coleman. Unfortunately my father never lived to see justice for his son. Dad died three years ago at the age of 93 but I sincerely hope my Mom, who will turn 92 in a few weeks, will not have the same fate.

I appreciate your concern and attention to this very important and long-overdue matter. I have felt over the past three decades that Kentucky officials had forgotten all about how brutally Steve & Arthur were murdered but hopefully that wrong can be righted in the near future.

Sincerely,

Lisa Briscoe Lally