

SENATE MEMBERS

Robert Stivers
President, LRC Co-Chair

David Givens
President Pro Tempore

Damon Thayer
Majority Floor Leader

Morgan McGarvey
Minority Floor Leader

Julie Raque Adams
Majority Caucus Chair

Reginald Thomas
Minority Caucus Chair

Mike Wilson
Majority Whip

Dennis Parrett
Minority Whip



LEGISLATIVE RESEARCH COMMISSION

State Capitol 700 Capital Avenue Frankfort KY 40601

502-564-8100

Capitol Fax 502-564-2922

Annex Fax 502-564-6543

legislature.ky.gov

Jay D. Hartz
Director

HOUSE MEMBERS

David W. Osborne
Speaker, LRC Co-Chair

David Meade
Speaker Pro Tempore

Steven Rudy
Majority Floor Leader

Joni L. Jenkins
Minority Floor Leader

Suzanne Miles
Majority Caucus Chair

Derrick Graham
Minority Caucus Chair

Chad McCoy
Majority Whip

Angie Hatton
Minority Whip

March 12, 2021

Dear Ms. Whites:

On January 22, 2021, you filed a petition for the impeachment of Attorney General Daniel Cameron for petitioner Kevin Glogower on behalf of three unnamed Grand Jurors. On February 23, 2021, the Impeachment Committee issued a report recommending against proceeding with the impeachment.

KRS 63.070 states, in relevant part, that if the committee issues such a report, “the petitioner shall be liable to witnesses and to the accused for the costs of investigation before the committee. These costs shall be taxed by the clerk of the house appointing the committee.”

Attached to this letter are the complete lists of costs accrued by the Committee. Some of this information could be considered attorney work product. While the Committee recognizes that some information in attorney invoices may be protected by attorney-client privilege or the work-product doctrine, under these special circumstances it has opted not to redact any information from any invoices. It does, however, reserve the right to do so in the future.

Because multiple petitions were filed and taken up, not all costs will be attributed to your client(s). Instead, the Committee has allocated an amount based on work done directly as a result of your petition and a proportion of associated administrative expenses. That proportion includes work done after your petition was received divided by three. This was calculated because the Committee spent time working on the other petitions. The total amount is \$7,597.36. It is owed jointly and severally. In other words, all petitioners are independently responsible for the full amount.

The Committee has chosen to allow objections to any individual costs. A blanket objection to all costs will not be considered, as this is a mandatory process. Objections should be submitted electronically to the Clerk of the Committee at Elishea.Schweickart@LRC.KY.GOV by March 16 at noon. If no objections are filed, the Committee will submit the bill of costs to the Clerk of the House for further action.

The Committee has treated this matter with the seriousness and gravity that it deserves and expects all petitioners to do so as well.

Sincerely,

A handwritten signature in blue ink that reads "Jason M. Nemes". The signature is fluid and cursive, with a large initial "J" and "M".

Representative Jason Nemes
Chair
2021 RS Impeachment Committee

Cc: Victor Maddox



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

DANIEL CAMERON
ATTORNEY GENERAL

CAPITOL BUILDING, SUITE 118
700 CAPITAL AVENUE
FRANKFORT, KENTUCKY 40601
(502) 696-5300
FAX: (502) 564-2894

March 3, 2021

Impeachment Committee
State Capitol
700 Capital Avenue
Frankfort, KY 40601

RE: Response to Committee's request for a bill of costs

Dear Members:

The impeachment petition filed earlier this year was unfounded and politically motivated. After the bi-partisan House of Representatives Impeachment Committee (the "Committee") reviewed the petition and investigated the issues, the Committee came to the same conclusion.

In just two months, 2021 has presented a multitude of challenges. As the COVID-19 pandemic continues to affect the well-being of many in the Commonwealth, February saw winter storms ravage regions of our state, leading to treacherous road conditions and power loss for more than 100,000 Kentuckians. Just as recovery appeared imminent, rainstorms then swept away homes and livelihoods throughout the Commonwealth.

During this same period, the Office monitored the efforts of utility services and worked with them to address consumer issues in the days after these storms. We also worked to address storm-related complaints received through our online utility complaint form, price gouging form, and consumer protection hotline to ensure that Kentuckians were treated fairly during the aftermath of the storms.

Meanwhile, petitioners pursued their baseless impeachment. Impeachment is a grave constitutional matter. It is a mechanism of last resort to remove lawless public officials. It is not a political weapon to attack those with whom we disagree. Yet this impeachment petition was used for just that purpose.

Notwithstanding, at the request of the Committee this Office responded to the petition. In the end, we all agreed: there was no impeachable conduct.

Impeachment Committee

March 3, 2021

Page 2

The Committee found that not only did the petitioners fail to meet the procedural requirements for an impeachment petition, but also they “fail[ed] to come anywhere near the high showing required for impeachment.”

Because of the frivolousness of this impeachment, the Committee will charge the petitioners for the costs of its investigation. The Committee recommended that this Office do the same. Though we respect the Committee’s decision to recoup resources lost to this sham effort, we have decided not to seek reimbursement of our costs and further prolong matters related to these proceedings. We will move on.

This has already been a challenging year for many Kentuckians. This Office is focused on addressing many of these challenges, and we remain committed to protecting and serving the citizens of all 120 counties. It’s on this work that we must and shall concentrate.

Best Regards,



Victor B. Maddox

Assistant Deputy Attorney General



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

DANIEL CAMERON
ATTORNEY GENERAL

CAPITOL BUILDING, SUITE 118
700 CAPITAL AVENUE
FRANKFORT, KENTUCKY 40601
(502) 696-5300
FAX: (502) 564-2894

March 9, 2021

Members of the 2021 Regular Session Impeachment Committee
c/o Representative Jason Nemes
702 Capital Avenue
Frankfort, Kentucky 40601
(via email to Elishea.Schweickart@lrc.ky.gov)

RE: Response to Committee's request for reconsideration of a bill of costs

Dear Members:

On February 23, 2021, the Committee issued a report finding that the impeachment petition filed against the Attorney General was without merit. The report recommended that the House of Representatives take no further action. As relevant here, the report also asked the Office of the Attorney General (the "Office") "to submit a bill of costs . . . which will be taxed to the Petitioners unless objected to within five business days of its submission to this Committee."

In response, the Office wrote on March 3 that although it respected the Committee's decision to seek costs pursuant to KRS 63.070, this Office had "decided not to seek reimbursement of our costs and further prolong matters related to these proceedings. We will move on." On March 5, the Committee wrote to request that the Office reconsider its decision not to submit a bill of costs.

We appreciate the Committee's request for reconsideration, and we do not begrudge it for charging its costs. Assessing costs against those who file baseless impeachment petitions serves the important purpose of deterring future baseless petitions. But after careful consideration, the Office respectfully declines to submit a bill of costs.

There is no doubt that the purpose of filing the petition was an attempt to inflict political damage rather than achieve a legal result, and we know the playbook

Impeachment Committee
March 9, 2021
Page 2

were we to submit a bill of costs. To recover, the Office would need to file an action in circuit court pursuant to KRS 63.070. We would be forced to use state resources to litigate through circuit court and an inevitable appeal that would be decided years from now.¹ Meanwhile, we would be diverting significantly more resources from the Office's priorities, including protecting the First Amendment freedoms held by Kentuckians, cracking down on child abuse and human trafficking, fighting government overreach, combatting the drug epidemic, representing the Commonwealth in every criminal appeal filed, and doing all of the other things that Kentuckians elected this Attorney General to do. This is why the Office chooses to move on and respectfully declines to provide a bill of costs.

We appreciate the Committee's attention to this matter.

Best Regards,



Victor Maddox

Assistant Deputy Attorney General

¹ Further litigation would likely require hundreds of additional hours. For comparison, Deputy Attorney General Barry Dunn worked on this matter for 38.5 hours, and I worked on this matter for 12.5 hours. Most of the time spent was during nights and weekends so as not to distract from the Office's mission. The Office received approval from the Executive Branch Ethics Commission to use state time and resources to respond to the petition.



106 West Vine Street, Suite 800
P.O. Box 951
Lexington, Kentucky 40588-0951
(859) 255-2424
TAX ID: 61-0511733

February 24, 2021

LEGISLATIVE RESEARCH COMMISSION
ATTN: GREG WOOSLEY, GENERAL COUNSEL
DIRECTOR'S OFFICE
CAPITOL, ROOM 300
700 CAPITOL AVENUE
FRANKFORT, KY 40601

Invoice #:
Client #: LE124
Matter #: 710073
Billing Attorney: RKW

INVOICE SUMMARY

For professional services rendered and costs advanced through February 23, 2021:

RE: IMPEACHMENT COMMITTEE RE: CAMERON

Total Professional Services	\$ 6,680.00
Total Costs Advanced	<u> \$.00</u>
TOTAL THIS INVOICE	\$ 6,680.00

February 24, 2021

Client.Matter: LE124 . 710073

RE: IMPEACHMENT COMMITTEE RE: CAMERON

PROFESSIONAL SERVICES

Date	Atty	Description	Hours
1/26/21	RKW	INITIAL REVIEW OF CAMERON DOCUMENTS.	.80
1/29/21	RKW	GO THROUGH CAMERON IMPEACHMENT PETITION.	1.80
2/01/21	RKW	TELECONFERENCE WITH JASON NEMES ON GOING FORWARD.	.40
2/02/21	RKW	ADDITIONAL WORK ON CAMERON REPORT.	.80
2/03/21	RKW	ATTEND HEARING ON CAMERON IN FRANKFORT.	1.20
2/03/21	BMB	REVIEW REPLY BRIEF; TELEPHONE CONFERENCE WITH KENT WESTBERRY; DRAFT WHITE PAPER; EMAILS AND OTHER COMMUNICATIONS RE SAME	3.80
2/04/21	RKW	WORK ON DRAFTS (MULTIPLE) OF CAMERON RECOMMENDATION.	3.80
2/04/21	BMB	CONTINUAL CALLS, TEXTS AND EMAILS WITH LAW CLERK IN PROCESS OF REVISING BRIEF; CALLS, TEXTS AND EMAILS WITH KENT WESTBERRY; SKIM GRAND JURY TRANSCRIPT	7.70
2/04/21	HR	IN PREPARATION OF IMPEACHMENT COMMITTEE REPORT, RESEARCHED BACKGROUND OF IMPEACHMENT CHARGES AGAINST ATTORNEY GENERAL; ANALYZED TRANSCRIPT OF GRAND JURY PROCEEDING RECORDING.	3.30
2/04/21	HR	IN PREPARATION OF IMPEACHMENT COMMITTEE REPORT, REVISING LETTER TO PRESENT TO COMMITTEE.	2.40
2/05/21	RKW	DISCUSS STATUS OF INVESTIGATION AND RECOMMENDATION WITH COMMITTEE. ADDITIONAL BRIEF REVIEW.	1.60
2/05/21	BMB	NUMEROUS CALLS, TEXTS AND EMAILS WITH KENT WESTBERRY AND LAW CLERK IN PROCESS OF REVISING BRIEF	.80
2/05/21	HR	IN PREPARATION OF IMPEACHMENT COMMITTEE REPORT, DRAFTING FINAL DRAFT TO PRESENT TO COMMITTEE.	2.30
2/06/21	RKW	FINAL REVISIONS ON CAMERON REPORT BEFORE SENDING. TELECONFERENCE WITH LAW CLERK.	.40
2/09/21	RKW	RECEIPT AND REVIEW AG RESPONSE.	.80
2/19/21	BMB	TELEPHONE CONFERENCE WITH KENT WESTBERRY RE REPORT	.10
2/22/21	RKW	REVIEW DRAFT OF REPORT AND RECOMMENDATION FOR EDITS. ATTEND COMMITTEE HEARING BY ZOOM. DISCUSS PROCEDURE FOR RELEASING REPORT GOING FORWARD.	1.80
2/22/21	BMB	STATUS UPDATE FROM LAW CLERK	.10
2/22/21	BMB	STATUS UPDATE FROM HUNTER	.10
2/22/21	HR	DROVE TO FRANKFORT FROM LEXINGTON AT AROUND 12:30PM TO ATTEND IMPEACHMENT COMMITTEE MEETING AT 2PM; MEETING ENDED AROUND 3:50PM; DROVE BACK TO LEXINGTON.	1.00
2/22/21	HR	WENT OVER CAMERON REPORT DRAFT WITH COMMITTEE AND MADE EDITS.	.40
2/23/21	RKW	REVIEW DRAFT REPORT, PREPARE FOR HEARING.	.60
2/23/21	RKW	GO THROUGH REPORT WITH COMMITTEE, MAKE EDITS AND DISCUSS.	2.00
2/23/21	HR	DROVE TO FRANKFORT FROM LEXINGTON AT AROUND 3PM TO ATTEND IMPEACHMENT COMMITTEE MEETING AT 4PM; MEETING STARTED AT 6:30PM AND ENDED AROUND 10:45PM; THEN DROVE BACK TO LEXINGTON.	1.30
2/23/21	HR	REVIEWED FINAL DRAFT WITH COMMITTEE AND MAKE FINAL EDITS TO REPORT.	1.30

February 24, 2021

Date	Atty	Description	Hours
		Total Professional Services	40.60

TOTAL PROFESSIONAL SERVICES \$ 6,680.00

SUMMARY OF PROFESSIONAL SERVICES

Name	Hours	Total
R. KENT WESTBERRY	16.00	3,200.00
BRIDGET MALONEY BUSH	12.60	2,520.00
HUNTER ROMMELMAN	12.00	960.00
Total	40.60	\$ 6,680.00

TOTAL THIS INVOICE \$ 6,680.00



Andy Beshear
Governor

KENTUCKY STATE POLICE

919 Versailles Road
Frankfort, Kentucky 40601
www.kentuckystatepolice.org

Mary C. Noble
Secretary

Col. Phillip Burnett, Jr.
Acting Commissioner

MEMORANDUM

TO: Lieutenant Jason Palmer, Legislative Security Detail
FROM: Lieutenant Colonel Kyle J. Nall, Unit 3
DATE: March 8, 2021
SUBJECT: Average Trooper Salary Re: Costs Incurred in Impeachment Hearings

This memo is intended to document, through an estimated salary rate, the costs incurred by assigning Troopers on the Legislative Security Detail to staff the Impeachment Hearings during the 2021 Regular Session of the Kentucky General Assembly. Below is a table outlining the average salary components and fringe benefit costs associated with the average Kentucky State Police Trooper with up to 5 years of tenure with the agency:

Troopers up to 5 Years of Service	Average Annual Base	Ave. Annual FICA	Ave. Annual Retirement	Annual Average Health	Ave. Annual Life	Grand Total
Current personnel (303)	\$42,209.40	\$3,229.02	\$60,562.05	\$8,800.00	\$12.00	\$114,812.47
Average per Salary Schedule	\$42,902.74	\$3,282.06	\$61,556.86	\$8,800.00	\$12.00	\$116,553.66

These figures were provided by Rachil Malhotra through a report she generated on the Kentucky Human Resources Information System (KHRIS). In converting the total into an hourly rate (116,553.66/2080), the finding is \$56.04/hour.

After reviewing the schedule provided by the Legislative Research Commission (detailed below), it appears that approximately 19 personnel hours were spent staffing the impeachment hearings.

January 13 th – 5:30pm to 6:23pm	1 hour
January 27 th – 3:04pm to 5:48pm	2.75 hours
February 3 rd – 4:05pm to 7:52pm	3.75 hours
February 4 th - 4:51pm to 5:35pm	0.75 hour

Page 2
Memorandum
March 8, 2021

February 5 th – 9:12am to 12:25pm	3.25 hours
February 11 th – 8:46pm to 9:57pm	1.25 hours
February 22 nd – 2:09pm to 3:36pm	1.50 hours
February 23 rd - 5:57pm to 10:38pm	4.75 hours

The estimated average cost incurred from staffing these hearings was \$1,064.76. If any additional information is needed regarding this request, please let me know as soon as possible.

Lt. Colonel Kyle J. Nall, Unit 3
Office of Administrative Services

Mmkn0001

KN;kn

2021 Impeachment Committee LRC Staff Time

[REDACTED] 20 hours

- January 13 2.5 hours
- February 3 3.5
- February 4 2 hours
- February 11 5.5 hours
- February 23 6.5 hours

[REDACTED] 3.0 hours

- February 4 1.5 hours
- February 11 1.5 hours

[REDACTED] 2.0 hours

- February 22 1 hour
- February 23 1 hour

[REDACTED] 5.5 hours

- January 13 2 hours
- February 11 0.5 hours
- February 22 1 hour
- February 23 2 hours

[REDACTED] 13.5 hours

- January 13 2 hours
- January 27 1.5 hours
- February 3 4 hours
- February 23 6 hours

[REDACTED] 21 hours

- January 13 3.5 hours
- January 20 1 hour
- January 27 2.5 hours
- February 3 4.5 hours
- February 4 1 hour
- February 11 2.5 hours
- February 23 6 hours

[REDACTED] 11 hours

- January 13 2 hours
- February 3 2 hours
- February 11 3 hours
- February 23 4 hours

Total 76 hours

\$2,310.31