

# **INTERIM JOINT COMMITTEE ON APPROPRIATIONS AND REVENUE**

## **Budget Review Subcommittee on Economic Development, Tourism, and Environmental Protection**

### **Minutes of the 1st Meeting of the 2020 Interim**

**June 3, 2020**

#### **Call to Order and Roll Call**

The 1st meeting of the Budget Review Subcommittee on Economic Development, Tourism, and Environmental Protection of the Interim Joint Committee on Appropriations and Revenue was held on Wednesday, June 3, 2020, at 9:00 AM, in Room 171 of the Capitol Annex. Representative Lynn Bechler, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Representative Lynn Bechler, Co-Chair; Senators Christian McDaniel, Morgan McGarvey, and Max Wise; Representatives Terri Branham Clark, David Hale, Savannah Maddox, Brandon Reed, Dean Schamore, Russell Webber, and Les Yates.

Guests: Mary C. Noble, Secretary, Justice and Public Safety Cabinet (JPSC); Rodney Brewer, Commissioner, Kentucky State Police, JPSC; Cookie Crews, Commissioner, Department of Corrections, JPSC; Wendy Morris, Commissioner, Department for Behavioral Health, Developmental and Intellectual Disabilities; Kelli Rodman, Executive Director, Office of Legislative and Regulatory Affairs, Cabinet for Health and Family Services; and Representative Jason Nemes.

LRC Staff: Sara Rome, Kevin Newton, Joseph Holt, and Benjamin Thompson

#### **Introduction of Member's Guests**

Representative Schamore introduced his guest, Kim Luna of Radcliff, Kentucky.

#### **Impact of COVID-19 on the Justice and Public Safety Cabinet**

Mary C. Noble, Secretary, Justice and Public Safety Cabinet (JPSC) gave an overview of the JPSC and provided an update on the Cabinet's response to the COVID-19 pandemic. Secretary Noble noted that the Cabinet was in the process of determining the total cost of responding to the COVID-19 virus. Secretary Noble stated that due to

Kentucky being awarded federal coronavirus relief funding, JPSC is looking back to determine what funds were spent on its COVID-19 response in order to obtain an accurate view of all coronavirus expenses. Secretary Noble said that she was not comfortable providing a cost estimate because she does not want to give a number without data to support it.

Cookie Crews, Commissioner, Department of Corrections provided an overview of the inmates that received conditional commutation of their sentences in response to the COVID-19 pandemic.

Rodney Brewer, Commissioner, Kentucky State Police (KSP) outlined the actions the KSP had taken in response to the COVID-19 pandemic, including assisting in the planning and implementation of various COVID-19 testing sites throughout the Commonwealth.

In response to questions from Chair Bechler, Secretary Noble estimated that it would take the JPSC another two to three weeks to have an accurate and complete list of COVID-19 related expenses. Secretary Noble stated that the Green River Correctional Complex was the only state correctional institution to have had a COVID-19 outbreak, stating that only one inmate and very few correctional officers in any of the state's other facilities had tested positive for COVID-19.

In response to questions from Senator McDaniel, Commissioner Crews stated that she did not have the exact number of state inmates that had been released from county jails because of commutations, but that the department would find out and provide it to the subcommittee. Commissioner Brewer said that beginning on the evening of Friday, May 29, 2020, the KSP had placed between 90-100 troopers in Louisville to assist the Louisville Metro Police Department (LMPD) during protests and rioting in an effort to prevent violence and vandalism in the city. Commissioner Brewer stated that KSP has had to house some troopers in Louisville at the expense of the LMPD. Commissioner Brewer noted that KSP presence in Louisville usually begins around 4:00PM and continues until between 1:00-3:00AM. Commissioner Brewer said that KSP is providing investigators and oversight in the investigation of a fatal shooting that occurred early in the morning of Monday, June 1, 2020. Secretary Noble stated that inmates with pending criminal charges were not considered for conditional commutation.

In response to a question from Chair Bechler, Commissioner Crews noted that she did not know of any inmates who had been released on conditional commutation and then rearrested. Secretary Noble stated that if the cabinet finds any prisoners who had been rearrested after conditional commutation, it would provide that information.

In response to a question from Senator Wise, Commissioner Brewer stated that during protests on the Capitol grounds, KSP places officers in an over watch position.

Commissioner Brewer noted that over watch refers to an elevated location either on top of the Capitol building or the Capitol annex building, but those officers are not equipped with sniper gear.

In response to questions from Chair Bechler, Commissioner Brewer stated that there had been no arrests during protests on the Capitol campus, but KSP was investigating an incident where the tires were flattened on a protester's vehicle. Commissioner Brewer noted there were some arrests made for threats against the Governor, but those did not take place during protests. Commissioner Brewer said that he did not have data readily available on which counties KSP made visits to on Easter weekend for reports of noncompliance with social distancing measures, but would provide the information to the subcommittee. Commissioner Brewer stated that most arrests that were made when KSP provided presence at various hospitals were not unusual or out of the ordinary.

In response to a question from Representative Nemes, Secretary Noble committed to a transparent and proper request for proposal (RFP) for state prison healthcare.

### **Impact of COVID-19 on Substance Abuse and Mental Health**

Wendy Morris, Commissioner, Department for Behavioral Health, Developmental and Intellectual Disabilities (BHDID) provided an overview of the BHDID and outlined the steps the department is taking to ensure both mental health treatment and addiction recovery assistance remain available during the COVID-19 pandemic.

In response to questions from Chair Bechler, Commissioner Morris stated that although suicide reporting data typically has some lag time, the data that BHDID has does not indicate an increase in suicide rates in Kentucky during the COVID-19 pandemic. Commissioner Morris said that a recent spike in overdose deaths is not greater than some overdose death spikes that have occurred in the past. Commissioner Morris stated that she was not consulted concerning prisoner commutations, but that her team worked with the JPSC to ensure those who were released would have access to drug treatment.

In response to a question from Representative Schamore, Commissioner Morris noted that BHDID has had to increase outreach efforts in an attempt to not miss anyone who has need for assistance while utilizing social distancing practices.

There being no further business before the subcommittee, the meeting was adjourned at 10:20 AM.