

# INTERIM JOINT COMMITTEE ON JUDICIARY

## Minutes of the 2nd Meeting of the 2024 Interim

July 18, 2024

### Call to Order and Roll Call

The second meeting of the Interim Joint Committee on Judiciary was held on July 18, 2024, at 11:00 AM in Room 149 of the Capitol Annex. Senator Whitney Westerfield, Chair, called the meeting to order, and the secretary called the roll.

### Present were:

Members: Senator Whitney Westerfield Co-Chair; Representative Daniel Elliott Co-Chair; Senators Karen Berg, Matthew Deneen, Gerald A. Neal, and Brandon J. Storm; Representatives Kim Banta, John Blanton, Kevin D. Bratcher, Lindsey Burke, Jennifer Decker, Stephanie Dietz, Steven Doan, Peyton Griffiee, Keturah Herron, Nima Kulkarni, Savannah Maddox, Kimberly Poore Moser, Jason Nemes, Jason Petrie, and Steve Rawlings.

Guests: Caleb Neitzel, Student Researcher, Western Kentucky University; Nina Salomon, Deputy Division Director, Corrections and Reentry Justice Center, The Council of State Governments; Hon. Chris Cohron, Circuit Court Judge, 8th Judicial Circuit; Katie C. Comstock, Executive Director, Administrative Office of the Courts; Ali Mock, Director of Government Relations, Appriss; Jarrod Carnahan, Vice President of Government and Victim Services, Appriss; Hilarye Dailey, Deputy Commissioner of Support Services, Department of Corrections; Alexis Williams, Branch Manager, Victim Services Branch, Department of Corrections; Beth Moore, Staff Assistant, Legislation, Research and Grants, Department of Corrections; Alan Watt, Special Assistant to the Director of Adult Institutions, Capital Construction Management Branch, Department of Corrections

LRC Staff: Roberta Kiser, Stephanie Larkin, Eric Rodenberg, Randall Roof, Joshua Shelepak, Matt Trebelhorn, and Robert Wright.

### Approval of Minutes of the June 6, 2024 Meeting

A motion was made by Senator Storm and seconded by Representative Elliott to approve the minutes of the June 6, 2024, meeting. Minutes were approved by voice vote without objection.

### Class-Action Lawsuit Advertising

Caleb Neitzel, Student Researcher, Western Kentucky University, discussed a study conducted by Western Kentucky University and the Gatton Academy of Mathematics and Science regarding the regulation of class-action lawsuit advertising.

Committee meeting materials may be accessed online at <https://apps.legislature.ky.gov/CommitteeDocuments/8>

In response to a question from Representative Nemes, Mr. Neitzel stated related class-action lawsuit legislation is focused on bringing bad actors to justice.

### **Support or Court: How States Respond to Youth Who Commit Status Offenses and Children Who Break the Law**

Nina Salomon, Deputy Division Director, Corrections and Reentry Justice Center, The Council of State Governments, outlined CSG's background and stated that CSG's juvenile justice team focuses on trying to improve public safety and improve outcomes for youth that interact with the juvenile justice system. Ms. Salomon presented on key challenges and opportunities facing youth justice and adolescent service systems across the country. Ms. Salomon presented that youth arrests have surged post-pandemic and states are struggling to address this. Ms. Salomon presented on Kentucky's youth justice system. Ms. Salomon stated that the youth arrest rate has lowered from 2010 to 2020. Ms. Salomon outlined additional resources and supports for states.

In response to a question from Representative Kulkarni, Ms. Salomon discussed the frequency and reasons for retention challenges.

In response to a question from Senator Berg, Ms. Salomon discussed post-pandemic trends relating to juvenile detention rates.

In response to a question from Representative Doan, Ms. Salomon discussed offenses committed by young females and behavioral health services available to them.

In response to a question from Representative Herron, Ms. Salomon discussed efforts to reduce recidivism rates for youth who commit technical violations.

In response to a question from Senator Neal, Ms. Salomon stated CSG has not conducted long-term juvenile crime trend studies.

In response to a question from Representative Moser, Ms. Salomon discussed possible reasons for the spike in violent crimes committed by juveniles.

### **VINE (Victim Information and Notification Everyday)**

Hon. Chris Cohron, Circuit Court Judge, 8th Judicial Circuit; Katie C. Comstock, Executive Director, Administrative Office of the Courts; Ali Mock, Director of Government Relations, Appriss; Jarrod Carnahan, Vice President of Government and Victim Services, Appriss; Hilarye Dailey, Deputy Commissioner of Support Services, Department of Corrections; Alexis Williams, Branch Manager, Victim Services Branch, Department of Corrections; and Beth Moore, Staff Assistant, Legislation, Research and Grants, Department of Corrections,

provided information on the loss of court notice through VINE. Ms. Comstock provided a brief explanation of VINE, background information on VINE and its vendors, and outlined the events leading to VINE's loss of court notice functionality. Judge Cohron discussed a case of a victim's preference regarding notification he encountered as a prosecutor. Ms. Mock and Mr. Carnahan delivered prepared remarks regarding VINE'S vendor Louisville based Appriss Insights and its acquisition by Equifax, VINE's origins, and addressed concerns regarding data privacy and usage. Ms. Moore outlined the three components of VINE.

In response to a question from Representative Herron, Director Comstock stated prosecutors are notifying victims, and that automatic notifications have not been active since 2021.

In response to a question from Representative Doan, Director Comstock stated there is no evidence that VINE vendors were selling confidential data. Director Comstock stated that if court filing fees are over a certain amount they are swept to the general fund.

In response to a question from Senator Westerfield, Mr. Carnahan confirmed Apriss still has an active agreement with DOC.

In response to questions from Representative Nemes, Mr. Carnahan stated how long it would take Apriss to get VINE online. Director Comstock outlined previous budget requests and budget priorities during the previous budget cycle.

In response to a question from Representative Dietz, Director Comstock stated that automatic expungement and VINE notifications are two separate issues. Director Comstock stated that a new case management system is being developed by third-party vendors.

### **Department of Corrections Correctional Facilities**

Alan Watt, Special Assistant to the Director of Adult Institutions, Capital Construction Management Branch, Department of Corrections, presented a report on Kentucky's prison facilities. Mr. Watt outlined Archibus, a comprehensive building maintenance software that allows DOC to centralize and prioritize work orders, as well as automate a preventative maintenance schedule, for the 14 state prisons overseen by DOC. Mr. Watt outlined ongoing major construction projects, including the Kentucky State Reformatory Correctional Medical Facility Replacement. Mr. Watt gave funding updates for appropriated capital projects.

In response to questions from Senator Westerfield, Mr. Watt described the disparity between DOC budget requests during the budget cycle and the actual amount received. Mr. Watt confirmed that all HVAC systems in prison facilities are currently functional. Mr.

Watt stated HVAC systems in two facilities are functioning with the assistance of rented items. Mr. Watt stated he was not aware of any pending cases, claims, litigation, or complaints against DOC because of facility conditions. Mr. Watt agreed to provide a copy of his testimony to committee members. Mr. Watt stated Archibus is an internal management tool, and that it does generate reports on facilities. Mr. Watt agreed to provide the ages of DOC facilities in writing.

**Adjournment**

There being no further business, the meeting adjourned at 01:06 p.m.