



Damon L. Preston, Public Advocate

B. Scott West, Deputy Public Advocate

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- Update on Agency Issues
- Challenges from 2024 Legislative and Judicial Decisions
- Other Significant Challenges for DPA Employees
- Specific Requests for 2025 and beyond

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**BREAKDOWN OF REPRESENTATION TYPE**


- 29,292 Circuit Court Felony Cases (Non-Revocations)
- 38,143 District Court Felony Cases
- 33,656 District Court Misdemeanor Cases
- 17,800 Court Revocation Cases
- 5,025 Juvenile Cases
- 5,458 Involuntary Commitment Cases
- 4,191 Contempt Cases
- 6,827 Conflict Cases
- 852 Parole Revocation Cases
- 53 Other Types of Cases



**141,297**  
Total New Trial Cases



**365.4**  
Average Caseload Per Attorney



**\$496**  
Funding Per New Trial Case

**Caseloads 132% of National Standards**

**Private Attorney Contracts**

Conflict Contractors	146
Conflict Contracts	\$3,470,529
Court Plan Contractors	43
Court Plan Contracts	\$2,429,177
Total Courts (District, Juvenile, Family, Circuit) Covered by Court Plans During FY24	75

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DPA Incoming Attorney Class 2025

First Name	Last Name	Career Fest?	Law School	DPA Office
Immaculate	Adams	Yes	Emory Law School	Hopkinsville
Daeshawn	Barrett	No	Appalachian Law School	Pikeville
Damanasty	Bell	No	University of Kentucky	Somerset
Randall	Bentley	Yes	Arkansas Little Rock	Louisville
Elizabeth	Brotherton	No	Lincoln Memorial Univ	Bell
Brooklyn	Brown	No	University of Kentucky	Lexington S
Nicholas	Bushong	No	University of Louisville	Louisville
Kayley	Carpenter	Yes	North Carolina	Lexington N
Callie	Chaney	Yes	Notre Dame	Frankfort
Channell	Cole	Yes	Univ of Mississippi	Louisville
Carissa	Coy	No	Chase	Columbia
Gary	Crawford	No	Southern Illinois Univ	Paducah
Meredith	Crockett Williams	Yes	Univ of Mississippi	Louisville
Cherish	Derrickson	No	University of Kentucky	Lexington S
James	DeViese	No	University of Louisville	Louisville
Julia	Draper	Yes	University of Texas	Louisville
John	Eriksen	Yes	Case Western	Boyd
Zachary	Estrada	No	Vermont Law School	Louisville
Britney	Ford	Yes	University of Memphis	Owensboro
Jack	Fruth	No	New York Law School	Louisville
Julia	Gagnon	No	University of Minnesota	Louisville
Julie	Gast	Yes	UMissouri / Kansas City	Somerset
Ryan	Geoghegan	No	Chase	Louisville
Shelby	Gevedon	No	Lincoln Memorial Univ	Morehead
Shay	Goldberg	Yes	Brooklyn Law	Louisville
Tori	Hafner	No	University of Louisville	Louisville
Brooklyn	Hagan	No	University of Louisville	London
Walter	Harding	No	Lincoln Memorial Univ	Bell
Houston	Harvey	No	Chase	Murray
Sean	Johnson	No	University of Kentucky	Harlan
Abigail	Jolly	No	University of Kentucky	Richmond
Daniel	Kissane	No	Chase	Nicholasville
David	Knox	No	University of Louisville	LaGrange
Sydney	McDaniel	Yes	Nashville School of Law	Murray
Amanda	Miller	No	Chicago-Kent	Louisville
Meghan	Mullennix	Yes	Harvard Law School	Bullitt
Karli	Nicholes	No	Vermont Law School	Louisville
Arantxa	Nunez	Yes	Chicago-Kent	Paducah
Janvi	Patel	No	University of Kentucky	Lexington S

Annie	Patterson	No	University of Toledo	Somerset
Hanna	Pfeiffer	No	Temple	Louisville
Bailey	Pierce	No	University of Kentucky	Lexington N
Haley	Powell	No	Indiana University	Hopkinsville
Meg	Rankins	No	North Carolina	Bullitt
Emilli	Rauch	Yes	University of Memphis	Louisville
Zainab	Raza	Yes	University of Cincinnati	Covington
Jason	Repath	No	Lincoln Memorial Univ	Murray
Thomas	Ribar	No	University of Cincinnati	Louisville
Trevor	Salzman	No	University of Louisville	Louisville
Kendra	Sauro	No	Chase	Louisville
Ann	Shady	No	St. Louis University	Louisville
Hannah	Shotwell	No	Chase	Maysville
Briana	Simms	No	University of Louisville	Louisville
Wesley	Slone	No	Mitchell Hamline (MN)	Nicholasville
Jordyn	Smith	No	Chase	Louisville
Kyla	Smith	Yes	Mississippi College	Louisville
Kathleen	Smith	No	Western New England	Paducah
Jeffrey	Spader	No	Chase	Louisville
Lauren	Stewart	No	University of Kentucky	Elizabethtown
Ashley	Thompson-Lutz	Yes	University of Cincinnati	Nicholasville
Reagor	Wagnon	Yes	South Texas	Hazard
Jonathan	Walthour	No	University of Cincinnati	Covington
Ashlyn	Warren	No	Ave Maria School of Law	Georgetown
Emily	Weber	No	Chase	Louisville
Alyssa	Williams	No	University of Kentucky	Paducah
Clara	Wilson	No	Saint Louis University	Louisville
Logan	Wotring	No	WVU	Louisville

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BUT WHILE MANY ARE COMING,  
ONE IS GOING



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## ALTERNATIVE SENTENCING WORKER PROGRAM



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## DPA LOUISVILLE



Amy Hannah  
Manager  
Louisville DPA Trial Branch



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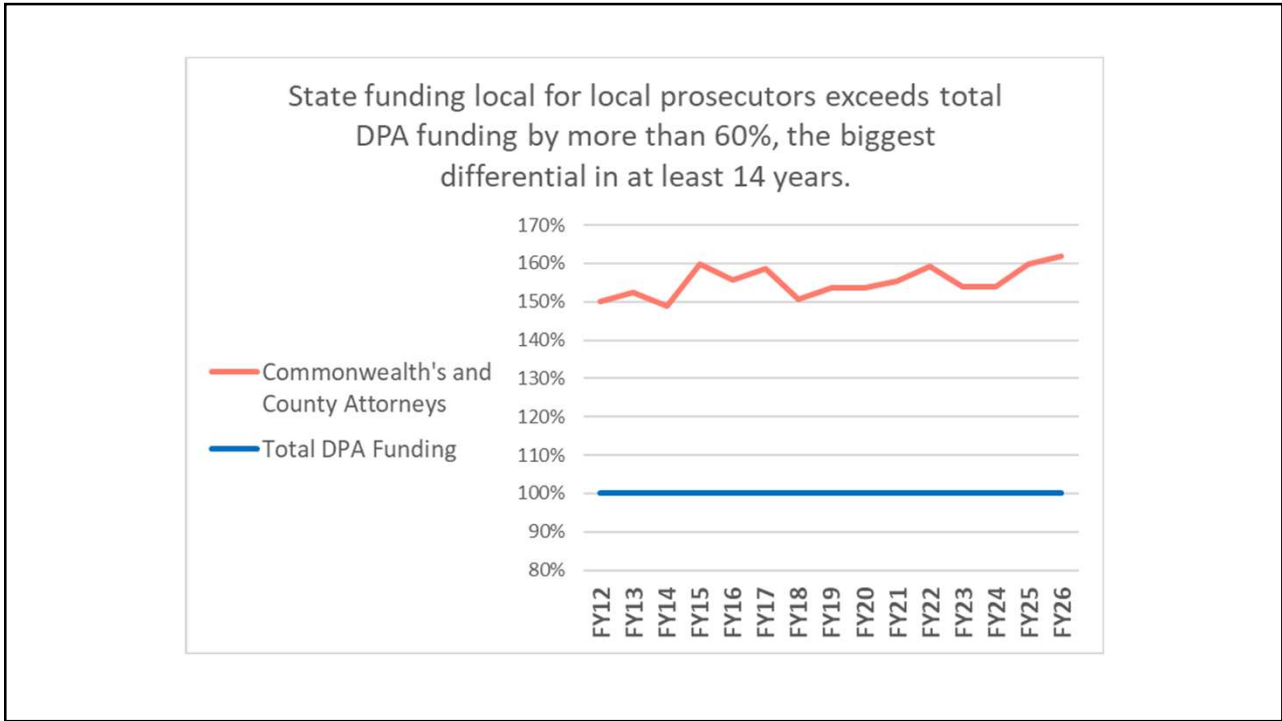
# Challenges from 2024 Legislative and Judicial Decisions

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## DEFENSE VS PROSECUTION FUNDING

19	<b>TOTAL - UNIFIED PROSECUTORIAL SYSTEM</b>		
20		<b>2024-25</b>	<b>2025-26</b>
21	General Fund	156,149,300	161,999,800
22	Restricted Funds	7,169,900	7,204,800
23	Federal Funds	1,278,900	1,292,500
24	<b>TOTAL</b>	<b>164,598,100</b>	<b>170,497,100</b>
20	<b>6. PUBLIC ADVOCACY</b>		
21		<b>2024-25</b>	<b>2025-26</b>
22	General Fund	96,178,700	98,448,500
23	Restricted Funds	4,511,100	4,511,100
24	Federal Funds	2,392,400	2,392,400
25	<b>TOTAL</b>	<b>103,082,200</b>	<b>105,352,000</b>

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## DEFENSE VS PROSECUTION FUNDING

DPA Requested

2. Add language creating the **DPA Recruitment and Retention Pilot Program** and funding in the amount of \$2 million in each year of the biennium (alternative: ad

10       **(13) Recruitment and Retention:** Included in the above General Fund  
 11       appropriation is \$2,000,000 in each fiscal year to support the recruitment and retention of  
 12       staff in the Office of Attorney General. Notwithstanding KRS 45.229, any portion of

State Budget Enacted

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# DEFENSE VS PROSECUTION FUNDING

## DPA Requested

4. Add funding in the amount of \$3,000,000 in each year for **new defender positions** to reduce the disproportionate impact of turnover on Kentucky courts.

25 (5) **Additional Personnel:** Included in the above General Fund appropriation is  
26 \$3,500,000 in each fiscal year for additional personnel for the County Attorneys.

(2) **Additional Personnel:** Included in the above General Fund appropriation is \$2,500,000 in each fiscal year for additional personnel for the Commonwealth's Attorneys. Notwithstanding KRS 45.229, any portion of General Fund not expended for

State Budget Enacted

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# DEFENSE VS PROSECUTION FUNDING

## DPA Requested

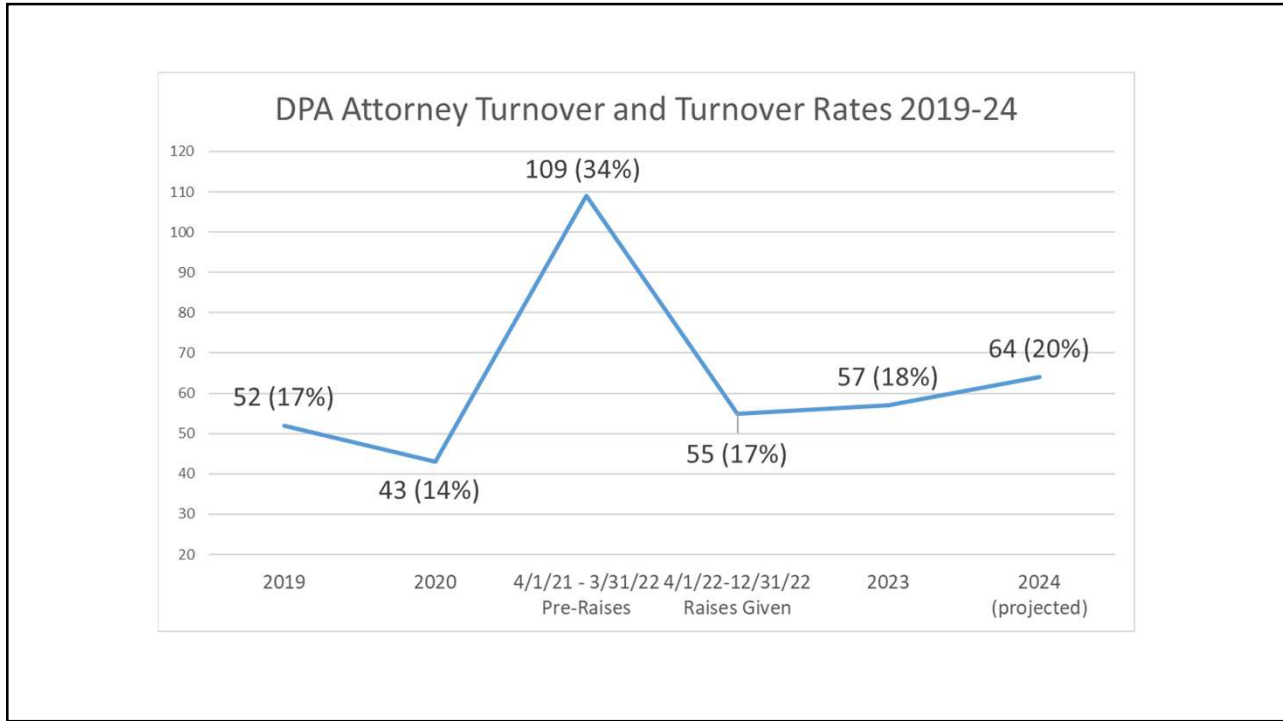
3. Add funding in the amount of \$4,953,700 in each year for **defender salary increases** to reduce turnover to

(6) **Salary Compensation Standardization:** Included in the above General Fund appropriation is \$2,944,900 in fiscal year 2024-2025 and \$3,349,200 in fiscal year 2025-2026 to support the Salary Compensation Standardization for Commonwealth's Attorneys. Notwithstanding KRS 45.229, any portion of General Fund not expended for

(4) **Salary Compensation Standardization:** Included in the above General Fund appropriation is \$8,278,500 in fiscal year 2024-2025 and \$9,262,500 in fiscal year 2025-2026 to support the Salary Compensation Standardization for County Attorneys.

State Budget Enacted

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# 2024 CRIMINAL LAW LEGISLATION SCORECARD:

## 56 TO 5

2024 General Assembly Changes to Criminal Law

56 Changes that increase the costs and reach of the Legal System

5 Changes that decrease the costs and reach of the Legal System

New Crimes (11)	Expansion of Existing Crimes (17)	Increased Punishment (28)
Treatment Program Kickbacks (SB71)	Trespass on Infrastructure (SB16)	Torture of Dog or Cat (HB258)
Possession of a Child Sex Doll (HB207)	Human Trafficking (HB3)	Careless Driving in a Work Zone (SB107)
Trafficking in Child Sex Dolls (HB207)	Assault in the 3rd Degree (HB94)	Sodomy in the Second Degree (HB278)
Importing Child Sex Dolls (HB207)	Advertising a Sexual Performance by Minor (HB207)	Automatic Transfer of Juveniles Who Use Firearm (SB20)
Promoting Child Sex Dolls (HB207)	Promoting the Sale of Matter of a Sexual Performance by Minor (HB207)	Distribution of Matter of a Sexual Performance by Minor (HB278)
Delivery of Alcohol to Minor or Intoxicated Person (HB439)	Distribution of Matter of a Sexual Performance by Minor (HB207)	Lifetime CCL Suspension for Human Trafficking (SB199)
Transporting Students Without a License (HB 447)	Possession of Matter of a Sexual Performance by Minor (HB207)	Unlawful Use of Communications to Solicit Minor (HB278)
Carjacking (HB5)	Terroristic Threatening, First Degree (HB5)	Human Trafficking (HB278)
Unlawful Camping (HB5)	Manlaughter in the First Degree (HB5)	Promoting Human Trafficking (HB278)
Murder of a First Responder (HB5)	Manlaughter in the Second Degree (HB5)	Rape in the Second Degree (HB278)
Fleeing or Evading Police, Third Degree (HB5)	Promoting a Sexual Performance by Minor (HB207)	Possession of Matter of a Sexual Performance by Minor (HB278)
	Terroristic Threatening, Second Degree (HB5)	Promoting a Sexual Performance by Minor (HB278)
	Intimidating a Participant in Legal Process (HB5)	Prohibition on Release if Utilized Firearm and Meets Condition (HB5)
	Assault in the 2nd Degree (HB5)	Three-Time Violent Felony (HB5)
	Assault in the 1st Degree (HB5)	Criminal Mischief, Second Degree (HB5)
	Theft by Unlawful Taking (HB5)	Criminal Mischief, First Degree (HB5)
	Attempted Escape from Penitentiary (HB5)	Strangulation, First Degree (HB5)
		Promoting Contraband, First Degree (HB5)
		Attempted Capital, Class A, or Sex Felony (HB5)
		Attempted Murder (HB5)
		Burglary, First Degree (HB5)
		Mandatory Reporting of School Danger (HB5)
		Fleeing or Evading Police, First Degree (HB5)
		Fleeing or Evading, Second Degree (HB5)
		Robbery, Second Degree (HB5)
		Criminal Conspiracy with a Minor (HB5)
		Wanton Endangerment, First Degree (HB5)
		Trafficking Controlled Substance, First Degree (HB5)

Crimes Eliminated (0)

Narrow Existing Crimes (4)

Freedom to Fish on Own Land (SB5)

Immunity for Health Care Workers (HB159)

Street Racing Can be Authorized (HB29)

Immunity for Using Force to Defend Property (HB5)

Decrease Punishment (1)

Failure to Accommodate an Assistance Dog (HB335)

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Entered 06-CI-00574 05/01/2024 Kathryn Marshall, Franklin Circuit Clerk

**COMMONWEALTH OF KENTUCKY  
FRANKLIN CIRCUIT COURT  
DIVISION I  
CIVIL ACTION NO. 06-CI-00574**

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**RALPH BAZE, ET AL.,** **PLAINTIFFS**

**V. ORDER**

**KENTUCKY DEPARTMENT OF CORRECTIONS AND  
THE COMMONWEALTH OF KENTUCKY** **DEFENDANTS**

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This matter is before the Court on [Intervening] Plaintiff David Sanders's *CR 24 Motion to Intervene as a Plaintiff* (file date April 14, 2019); *CR 24 Motions to Intervene as a Plaintiff* (file dates March 4, 2024) filed by [Intervening] Plaintiffs Ronnie Bowling, Johnathon Goforth, Donald Johnson, Victor Taylor, Karu Gene White, and Mitchell Willoughby; Plaintiffs' *Motion for Leave to File Sixth Amended Petition for Declaratory Judgment that the Department of Corrections' Execution Regulations are Invalid*; Defendant Commonwealth of Kentucky's *Motion to Dissolve Injunction* (file date March 7, 2024), and the responsive pleadings thereto. The Court heard the parties' arguments, by counsel, during a hearing on Thursday, April 25, 2024, at 10 a.m.

After hearing the parties' arguments, reviewing their briefs and papers, and being otherwise sufficiently advised, **IT IS HEREBY ORDERED AND ADJUDGED:**

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EST. 1972

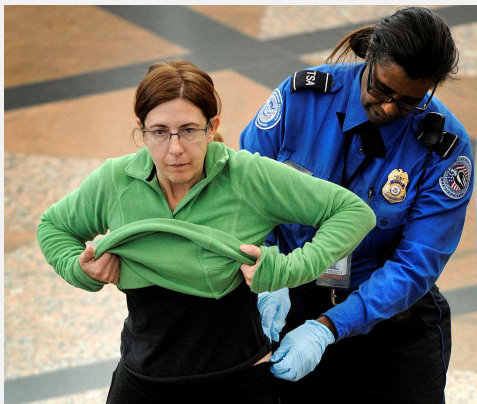
## Other Significant Challenges

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ATTORNEYS ARE INVASIVELY SEARCHED OR  
REQUIRED TO SUBMIT TO A FULL BODY SCAN, JUST  
TO DO THEIR JOBS



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## Department of Corrections

According to regulations, DOC offers three (3) methods for attorneys to engage in confidential communication with their inmate clients (CPP 14.4(II)(A)-(B)):

- (1)** In-person visits at the institution (CPP 16.1(II)(D)(11));
- (2)** Confidential, unrecorded telephone calls (CPP 16.3(II)(D)); and
- (3)** Uncensored legal mail (CPP 16.2).

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## Department of Corrections



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## VIDEO ARRAIGNMENTS

14           **(4) Utilization of Video Arraignment Technology:** (a) Notwithstanding any  
15 statute to the contrary, courts shall use the video arraignment system set forth in 2021 Ky.  
16 Acts ch. 194, sec. 14, (1), (a), when available.

17           (b) Notwithstanding any statute to the contrary, if a court does not use the video  
18 arraignment system referenced in paragraph (a) of this subsection, when available, the  
19 Administrative Office of the Courts shall be responsible for the costs associated with  
20 transporting prisoners to and from arraignments.

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VIDEO ARRAIGNMENTS

The diagram illustrates the process of video arraignment. On the left, there are two logos: the top one is for the Sheriff 240, Scott County, Kentucky, and the bottom one is for the Kentucky Jailers Association, established in 1980. An orange arrow points from a gold dollar sign to a blue illustration of a person holding a shield and scales of justice, with the text 'EST. 1972' below it.

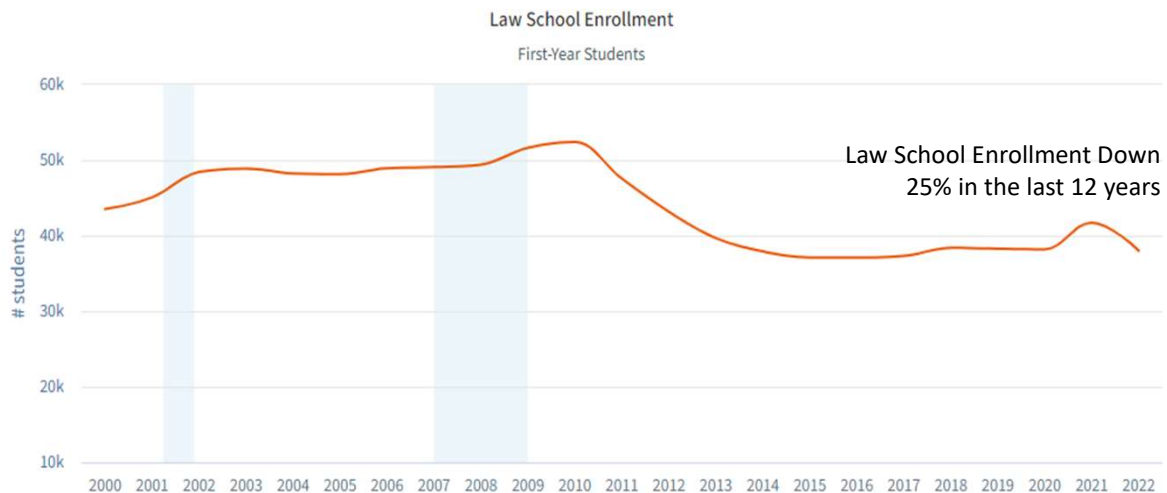
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EST. 1972

Specific Requests

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## Challenge – Less Lawyers, Less Applicants



Turnover Created Vacancies, We Can't Catch Up in Current Legal Market

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## Recruiting – Flexibility and Authority Needed

***Every year, DPA loses recruits because public-service minded law graduates can't afford to move to and start for DPA.***

### **After Graduation in May**

***Bar Prep in June - \$***

***Bar Exam in July - \$***

***Moving in August - \$***

***Up-Front Housing Costs - \$***

***Delayed First Paycheck - \$***

***Public Defender Salary – ¢***

***Authority for Recruiting or Retention Expenditures - Notwithstanding any other provision of law, the Public Advocate is authorized to spend up to \$1,000,000 of the funds appropriated to the Department of Public Advocacy for a Recruiting and Retention Program that may include one-time payments to incoming or current employees of the Department for the purpose of improving recruiting and retention of public defenders.***

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## Limitations on DPA Appointments

DPA currently provides representation in all these quasi-criminal cases that could be handled by appointed private attorneys.

- A. 202A Cases
- B. Tim's Law cases
- C. Child Support / Family Court Contempt Cases
- D. Casey's Law cases
- E. FAIR Team cases

DPA is the most efficient provider when adequately staffed. If DPA must pay for private contracts, that is not a cost savings.

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## Specific Requests

- Recruiting Authority and Funding
- Positions and Salary Increases
- Limitations on DPA Appointments in Quasi-Criminal Cases

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## Making a Difference



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