

# INTERIM JOINT COMMITTEE ON JUDICIARY

## Minutes of the 4th Meeting of the 2023 Interim

September 21, 2023

### Call to Order and Roll Call

The 4th meeting of the Interim Joint Committee on Judiciary was held on Thursday, September 21, 2023, 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, Brandon J. Storm, Johnnie Turner, and Phillip Wheeler; Representatives Kim Banta, John Blanton, Kevin D. Bratcher, Lindsey Burke, Jennifer Decker, Stephanie Dietz, Patrick Flannery, Keturah Herron, Nima Kulkarni, Derek Lewis, Savannah Maddox, Jason Nemes, Jason Petrie, Steve Rawlings, Scott Sharp, and Nick Wilson.

Guests: Meg Savage, Chief Legal Officer, ZeroV (formerly the Kentucky Coalition Against Domestic Violence); Angela H. Yannelli, Chief Executive Officer, ZeroV (formerly the Kentucky Coalition Against Domestic Violence); Christy K. Burch, Chief Executive Officer, The Ion Center for Violence Prevention; John L. Hardesty, Executive Director, Office of Claims and Appeals; Raymond Shields, Executive Staff Advisor, Office of Claims and Appeals; Scot Turner, Former State Representative, Georgia; Natasha Bennett, Esquire; Katie Comstock, Executive Director, Administrative Office of the Courts; Beth Lucas, Director, Implementation and Court Services, Administrative Office of the Courts; Jenny Oldham, County Attorney, Hardin County; Steve Gold, County Attorney, Henderson County; Joe Ross, County Attorney, Logan County; Hilarye Dailey, Deputy Commissioner, Department of Corrections; and Beth Moore, Staff Assistant, Department of Corrections.

LRC Staff: Roberta Kiser, Matt Trebelhorn, Randall Roof, Stacy Byrns Taulbee, Joshua Shelepak, and Robert Wright.

A motion was made by Senator Wheeler and seconded by Senator Storm to approve the minutes of the August 3, 2023, meeting. Minutes were approved by voice vote without objection.

### Introductory Remarks

Prior to beginning the meeting, Senator Westerfield recognized the passing of Sheldon Earl Baugh of Russellville, Kentucky on September 17, 2023. Senator Westerfield expressed his personal appreciation for Mr. Baugh who had served as a State Representative for Logan and Todd counties from 1995 until 2008. The members of the committee joined Senator Westerfield in a moment of silence in honor of Mr. Baugh.

### **Update on Domestic Violence in Kentucky**

Angela H. Yannelli, Chief Executive Officer, ZeroV, discussed ZeroV's purpose as a statewide coalition dedicated to creating safe lives and thriving futures for survivors of intimate partner violence and their children. Ms. Yannelli presented statistics related to the reporting of intimate partner violence. She also outlined ZeroV's additional needs in upcoming fiscal years.

Meg Savage, Chief Legal Officer, ZeroV, presented information from the 2023 Domestic Violence Report that was compiled by the Criminal Justice Statistical Analysis Center (CJSAC), which is housed within the Justice and Public Safety Cabinet and includes information from the Kentucky State Police (KSP), the Administrative Office of the Courts (AOC), and ZeroV.

Christy K. Burch, Chief Executive Officer, The Ion Center for Violence Prevention outlined the needs of victims of domestic violence including flexible and affordable childcare.

In response to a question from Senator Westerfield, Ms. Yannelli stated that the 1,258 unmet shelter requests in FY 2023 were due to shelter safe homes or sponsored hotel rooms being at capacity.

In response to a question from Senator Westerfield, Ms. Savage stated that ZeroV will engage in conversation with CJSAC, KSP, and AOC to capture ancillary statistics related to injuries and deaths that are obtained during domestic violence investigations.

In response to a question from Representative Decker, Ms. Burch stated that cuts in the Victims of Crime Act (VOCA) funding have led to organizations no longer compensating homeless shelters when they are referred domestic violence victims.

In response to a question from Representative Kulkarni, Ms. Yannelli agreed to provide data related to geographic information of children receiving crisis intervention services.

In response to a question from Representative Burke, Ms. Savage stated that the under-reporting and difficulty in prosecuting stalking cases could lead to statistics seeming low or incorrect.

In response to a question from Representative Nemes, Ms. Savage outlined laws in place for repeat offenders of domestic violence.

In response to a question from Representative Dietz, Ms. Burch stated that her program would welcome opportunities to educate family court judges on what events lead up to intimate partner violence, including manipulation of children.

### **Kentucky Crime Victims Compensation Fund**

John L. Hardesty, Executive Director, Office of Claims and Appeals (OCA) presented on the purpose of the Crime Victims Compensation Board (CVCB). Mr. Hardesty outlined eligibility requirements for crime victims when filing claims with the CVCB, the award types and monetary caps for claims, the process of the reduction or denial of a claim, and the claims process. Mr. Hardesty discussed the Sexual Assault Examination Program (SAEP) which CVCB also administers, and outlined SAEP award caps and claim denials. Mr. Hardesty also outlined recent improvements that have been made to CVCB and SAEP and the number of claims received, awarded, and denied for CVCB and SAEP for FY 2022 and FY 2023.

In response to questions from Senator Westerfield, Mr. Hardesty stated that CVCB is not required by statute to have a conviction in a criminal case to pay a claim. Mr. Hardesty agreed to share case information on claims made for domestic violence and sexual assault related cases with CJSAC, and clarified that OCA does have civil processes for enforcement to gather reimbursement.

In response to questions from Representative Herron, Mr. Hardesty stated that CVCB does track the types of crimes for which they pay awards. Mr. Hardesty also agreed to provide information on how much funding CVCB has been provided from the General Assembly in previous fiscal years.

### **Georgia's Coleman-Baker Act**

Scot Turner, Former State Representative, Georgia, and Natasha Bennett, Esquire, discussed Georgia's Coleman-Baker Act, which established a unit within the Georgia Bureau of Investigation designed specifically to investigate cold cases.

### **Victim Notification of Proceedings – VINE**

Steve Gold, County Attorney, Henderson County discussed Victim Information and Notification Everyday (VINE), a program designed to notify crime victims via email, text, or phone call of inmate status, including release from custody, escape, or emergency protective order status. VINE also notifies crime victims of court dates and court case status. Mr. Gold informed the committee that in September 2021, VINE ceased to provide notifications related to court notices, and noted that AOC staff was not aware of the cessation in functionality. Mr. Gold highlighted that inmate status is still part of VINE's functionality.

Katie Comstock, Executive Director, Administrative Office of the Courts, and Beth Lucas, Director, Implementation and Court Services, Administrative Office of the Courts provided information on the basis of VINE's loss of court notice functionality.

**Closing Remarks**

Prior to adjournment of the meeting, Representative Nemes recognized the death of Jake Luxemburger, a 5<sup>th</sup> grader at Kenwood Elementary School in Oldham County. Jake died in an accident on September 16, 2023, as a result of a motor vehicle crash caused by a person who was a repeat offender fleeing from police in a stolen car.

**Adjournment**

There being no further business, the meeting adjourned at 1:02 p.m.