

INTERIM JOINT COMMITTEE ON JUDICIARY

Minutes of the 4th Meeting of the 2026 Interim

September 3, 2026

Call to Order and Roll Call

The fourth meeting of the Interim Joint Committee on Judiciary was held on September 3, 2026, at 11:00 AM ET/10:00 AM CT in Room 149 of the Capitol Annex. Representative Daniel Elliott, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Representative Daniel Elliott, Co-Chair; Senator Brandon J. Storm, Co-Chair; Senators Danny Carroll, Gerald A. Neal, Michael J. Nemes, Aaron Reed, and Reginald L. Thomas; and Representatives Jared Bauman, John Blanton, Lindsey Burke, Jennifer Decker, Stephanie Dietz, Patrick Flannery, Nima Kulkarni, Chris Lewis, Savannah Maddox, Mary Lou Marzian, Kimberly Poore Moser, Jason Nemes, Jason Petrie, T.J. Roberts, Pamela Stevenson, Mitch Whitaker, and Nick Wilson.

Guests: State Representative Kim Holloway, House District 2; Chrissy Stokes; Heather Kinson; Kevin Kane, Director of Governmental Affairs, Flock Safety; Shannon Stiglitz, Senior VP of Government Affairs, Kentucky Retail Federation; Chief Jeremy Thompson, Elizabethtown Police Department; Kate Miller, Advocacy Director, ACLU of Kentucky; Jina John, Senior Policy Counsel for AI, Privacy and Technology, ACLU; and Laura Bondank-Harmon, Manager of Legal Programs, Cato Institute.

LRC Staff: Randall Roof, Stephanie Larkin, Matissa Robinson, Eric Rodenberg, Joshua Shelepak, and Robert Wright.

Approval of Minutes of August 6, 2026 Meeting

A motion was made by Co-Chair Storm and seconded by Representative Bauman to approve the minutes of the August 6, 2026, meeting. Minutes were approved by voice vote without objection.

Sentencing Guidelines

Representative Nemes discussed proposed legislation related to sentencing guidelines in Kentucky, including provisions of the proposed legislation related to recommending sentencing ranges based on the seriousness of the offense and the offender's criminal

history, and requiring written explanations for departures from recommended sentences. He also discussed similar legislation passed in other states.

In response to Chair Elliott, Representative Nemes confirmed the proposed legislation will closely resemble federal sentencing guidelines principles.

In response to Representative Blanton, Representative Nemes discussed departures within statutory sentencing ranges and the potential role of prosecutors in requesting departures.

In response to Representative Wilson, Representative Nemes discussed the proposed legislation's effect on plea bargaining.

In response to Senator Carroll, Representative Nemes discussed judicial discretion and stated the proposed legislation does not affect judicial discretion.

In response to Senator Thomas, Representative Nemes discussed differences between the proposed legislation and current Kentucky sentencing guidelines. He also discussed how the proposed legislation could reduce geographic and other sentencing disparities.

In response to Representative Burke, Representative Nemes discussed jury sentencing.

In response to Representative Petrie, Representative Nemes stated the purpose of the proposed legislation is to improve transparency and public confidence in sentencing.

In response to Representative Stevenson, Representative Nemes discussed provisions of the proposed legislation related to written explanations for departures from sentencing guidelines.

In response to Co-Chair Storm, Representative Nemes discussed federal sentencing guidelines and provisions of the proposed legislation related to the establishment of a sentencing commission.

27 RS BR 223 - Domestic Violence Registry

Representative Kim Holloway, House District 2, Chrissy Stokes, and Heather Kinson discussed proposed legislation related to creating a domestic violence offender registry.

Representative Holloway discussed registration requirements, stating registration would only follow a conviction, guilty plea, or Alford plea. She discussed provisions of the

proposed legislation related to registration length after qualifying convictions, registry information availability, and public disclosure requirements.

Ms. Stokes and Ms. Kinson discussed their experiences with domestic violence and expressed support for the proposed legislation. They both discussed the long-term physical and emotional effects of domestic violence and barriers survivors face related to obtaining information about offender's prior abusive conduct.

In response to Chair Elliott, Representative Holloway discussed similar legislation in surrounding states and the differences between the proposed legislation and 26 RS HB 773.

In response to Representative Dietz, Representative Holloway discussed the distinction between criminal convictions and domestic violence orders and confirmed she has spoken with victim advocacy organizations regarding the proposed legislation.

In response to Senator Carroll, Representative Holloway discussed provisions of the proposed legislation related to requirements for online dating services and enforcement involving out-of-state companies.

In response to Representative Marzian, Representative Holloway discussed provisions of the proposed legislation related to the availability of registry information.

In response to Representative Decker, Representative Holloway addressed potential unintended consequences of the proposed legislation, and efforts to balance public access to information with victim safety.

Automated License Plate Readers

Kevin Kane, Director of Governmental Affairs, Flock Safety; Shannon Stiglitz, Senior VP of Governmental Affairs, Kentucky Retail Federation; Chief Jeremy Thompson, Elizabethtown Police Department; Kate Miller, Advocacy Director, ACLU of Kentucky; Jina John, Senior Policy Counsel for AI, Privacy and Technology, ACLU; and Laura Bondank-Harmon, Manager of Legal Programs, Cato Institute discussed automated license plate readers (ALPRs).

Mr. Kane discussed the features of Flock Safety's ALPRs and stressed that law enforcement owns data collected through Flock's ALPRs. He also discussed data retention, auditing tools, two-factor authentication, and in-program safeguards to prevent misuse.

Chief Thompson discussed law enforcement's use of ALPRs to investigate crimes and locate missing persons. He emphasized the value of ALPR information in developing investigative leads, and stated misuse of ALPRs should be addressed through policy, accountability, and statutory safeguards rather than eliminating the use of the technology altogether.

Ms. Stiglitz discussed the use of ALPRs as a safety and investigative tool by retailers against organized retail crime, theft, and violence.

Ms. Miller and Ms. John discussed privacy and civil liberties concerns related to ALPRs, including the potential for networks of ALPRs to track individuals' movements. Ms. John highlighted national efforts concerning ALPR regulation, interagency data sharing, and Fourth Amendment considerations, and recommended additional ALPR safeguards related to data retention, sharing, use, and chain of custody.

Ms. Bondank-Harmon discussed reported instances of ALPR misuse in Kentucky and concerns related to the scope of information captured by modern ALPR systems.

Chair Elliott reviewed written statements submitted by Axon Enterprises, the Kentucky Fraternal Order of Police, Motorola Solutions, and the National Center for Missing & Exploited Children.

In response to Representative Maddox, Mr. Kane discussed the use of artificial intelligence by ALPRs in vehicle identification and the accuracy of license plate reader alerts.

In response to Representative Decker, Mr. Kane discussed in-program safeguards to limit misuse including requiring a case code to search the system and IT tools.

In response to Representative Roberts, Mr. Kane discussed constitutional considerations related to ALPRs and confirmed Flock Safety would be willing to comply with any statutory safeguards. He also agreed to provide additional information related to Flock Safety's ALPRs facial recognition capabilities.

In response to Representative Kulkarni, Mr. Kane discussed Flock Safety's obligations as a private organization and compliance with regulations and guidelines enacted by 26 RS HB 58, and Chief Thompson outlined internal policies used by the Elizabethtown Police Department to prevent misuse.

In response to Senator Nemes, Mr. Kane discussed Flock Safety's use of data storage through Amazon Web Services (AWS).

In response to Representative Stevenson, Chief Thompson and Mr. Kane discussed data retention and deletion policies and Flock Safety's responsibility to develop and improve safeguards to prevent misuse.

In response to Co-Chair Storm, Chief Thompson and Mr. Kane discussed Flock Safety policies related to individual login credentials, the use of two-factor authentication, credential sharing, and potential consequences for unauthorized access.

Adjournment

There being no further business, the meeting adjourned.