



## Kentucky Association of Criminal Defense Lawyers

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July 20, 2020

RE: KACDL Marsy's Law Action

### **FOR IMMEDIATE PRESS RELEASE**

On May 27, 2020, Honorable Angela Rea on behalf of the Kentucky Association of Criminal Defense Lawyers (KACDL) and David M. Ward, its former President and criminal defense attorney from Winchester, Kentucky, David M. Ward filed a Complaint for Declaratory Judgment and Injunctive Relief against the Secretary of State and the Kentucky State Board of Elections concerning a proposed legislative amendment designed to elevate a complaining witness's rights in court to constitutional status that by the amendment's language would make the rights of the complaining witness at least equal to those of the person being prosecuted by the agents of the Commonwealth.

The legal action challenges the constitutionality of the proposed amendment because the amendment combines multiple changes in the constitution into one provision, it fails to follow the rules for general publication of the proposed amendments prior to the election, and it has been slotted to be voted on by the people of the Commonwealth when a significant portion of the electorate will be disenfranchised by the new voter identification requirement.

On July 9<sup>th</sup>, the well-heeled Marsy's Law lobbying organization and Senator Westerfield filed a motion to intervene which KACDL has challenged. The Court has not ruled on the motion at this time.

It is worth considering that the Marsy's Law organization spent over 5 million dollars in Kentucky alone in Calendar Year 2019 to lobby legislators on behalf of this bill. KACDL will continue its efforts to fight for the rights of the accused in Kentucky, even in the face of this multi-million-dollar influence.

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