McDaniel visits Corbin to promote Amendment 1, designed to limit a governor's pardon power

By Kaylie Farmer
Reporter

State Sen. Chris McDaniel visited the Corbin Center on Oct. 13 to discuss Amendment 1, a proposed change to the Kentucky Constitution that would limit the governor's power to issue pardons and commute sentences during the final months of an administration.

The amendment, which will appear on Kentucky ballots in November, would prohibit the governor from granting pardons or commuting sentences beginning 60 days before a gubernatorial election and continuing until the fifth Tuesday following the election.

McDaniel said the governor's authority to pardon individuals convicted of state crimes or commute their sentences has been abused by previous administrations.

The amendment proposes changing Section 77 of the Kentucky Constitution to read as follows:

(1) The Governor shall have power to:

(a) Remit fines and forfeitures; and

(b) Commute sentences and grant reprieves and pardons, except:

- In case of impeachment; or

- For the period beginning sixty days prior to the date of the gubernatorial election and ending the fifth Tuesday succeeding the election.

(2) The Governor shall file with each application therefor a statement of the reasons for, his or her decision thereon, which application and statement shall always be open to public inspection.

(3) In cases of treason, the Governor shall have power to grant reprieves until the end of the next session of the General Assembly, in which the power of pardoning shall be vested; but he or she shall have no power to remit the fees of the Clerk, Sheriff or Commonwealth's Attorney in penal or criminal cases.

McDaniel said the governor's pardon authority is the only executive power that operates without checks and balances.

He pointed to pardons issued during former Gov. Matt Bevin's administration, including cases involving inmates who were released and subsequently committed additional crimes.



PHOTO BY KAYLIE FARMER

State Senator Chris McDaniel is taking his proposed state constitutional amendment to the people, speaking in communities around the state to explain Amendment 1.

Among the cases McDaniel highlighted was that of Deborah Pooley, who was kidnapped, raped and murdered by a man who had been paroled from an Ohio prison less than 30 days earlier after serving time for rape.

McDaniel said the man responsible for Pooley's death later received a pardon from Bevin that allowed him to appear before a parole board. Although the board did not grant his release, the pardon provided him an opportunity to seek freedom.

"However, there were many pardons, several hundred of which were effectuated throughout the state, some for minor crimes, but some for crimes as heinous as sodomy, rape, murder, and many, many others," said McDaniel. "So what we have attempted to do in this amendment is find a balance whereby accountability is introduced into the pardon process and the ability of pardons to be issued from a person who no longer has any recourse is eliminated."

Knox County residents witnessed the impact of Bevin's pardon authority in late 2019, when the outgoing governor pardoned several people convicted of murder, including an individual responsible for a particularly gruesome local crime.

Among those pardoned was Delmar Partin, who was convicted of murdering Betty Carnes in September 1993.

Partin and Carnes were co-workers at Tremco, later known as TruSeal. Partin killed Carnes approximately 24 hours before her body was discovered.

The brutality of the crime shocked the Knox County community, and Bevin's decision to pardon Partin more than two decades later reopened painful wounds.

McDaniel is traveling across the commonwealth to promote Amendment 1 and encourage voters to support the proposed constitutional change.

"Make sure you fill out your whole ballot and make sure you vote yes on amendment one," said McDaniel.

For video of this meeting, scan the QR code below or go to our website at mountainadvocate.com and find this story under "News":

SEE MORE
mountainadvocate.com

DANIEL BOONE FESTIVAL

WINDOW DISPLAY AWARDS

SCHOOLS CATEGORY

1st KCMS - MR. COLE'S 6TH GRADE CLASS

2nd CENTRAL ELEMENTARY - MRS. HICK & MRS. ROSE'S KINDERGARDEN

3rd BES - MRS. WARREN'S 4TH GRADE CLASS

CLUBS/ORGANIZATIONS/BUSINESSES CATEGORY

1st WOODCARVING CLUB

2nd KNOX COUNTY PUBLIC LIBRARY

3rd BARBOURVILLE JUNIOR WOMENS STUDY CLUB

FAMILIES/INDIVIDUALS CATEGORY

1st OXENDINE & JACKSON FAMILIES

HONORABLE MENTIONS

BES - 3RD GRADE

GIRDLER ELEMENTARY - 2ND GRADE

CENTRAL ELEMENTARY - 1ST & 5TH GRADES

KCHS - 9TH & 12TH GRADES