

Deaths surged last year in KY prisons. One lawmaker wants to increase oversight

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FRANKFORT

Ashley Elgin had already purchased a welcome-home banner and balloons, and she was planning to take her husband's last name soon.

She told the Herald-Leader she was just nine days away from being reunited with Robert "Tony" Broyles Jr., 34, who had served six years at the Eastern Kentucky Correctional Complex in West Liberty on firearm possession charges.

Instead, she said she got a surprise call from the prison's chaplain on Aug. 31, 2025: Her husband was dead. The chaplain wouldn't give her additional information but said she could coordinate with the coroner's office to pick up his body.

It wasn't until she sent an open records request and spoke with other family members of inmates she learned her husband was killed by his cellmate, she said.

Broyles was one of 63 people who died in Kentucky prisons last year, according to state Department of Corrections data. That's a significant increase from 2024, when 39 deaths were recorded, and is the highest mark since 2021, when the same number of prisoners died amid the peak of the COVID-19 pandemic.

Add in the number of prisoners who died at Kentucky jails, and 97 total people died in the care of facilities overseen by the state Department of Corrections last year.

The spike in deaths — and what family members of those who have died describe as a frustrating lack of transparency — has captured the attention of at least one state lawmaker.

Sen. Keturah Herron, D-Louisville, on Thursday introduced two bills and a resolution that would establish additional oversight of jails and prisons when a death occurs and establish a new procedure for how those deaths are investigated.



The Eastern Kentucky Correctional Complex is in West Liberty.

"People deserve to know that when someone dies in custody or during an arrest, there will be a clear process that produces answers, accountability, and changes that prevent the next loss," Herron said. "Right now, too many families are left to fight for basic information. Kentucky can do better, and we should do better."

KENTUCKY PRISON DEATH SPIKE

According to death logs obtained by the Herald-Leader through the Kentucky Open Records Act, the number of deaths in state prisons last year is a stark increase from recent years.

In 2020, when the population of many prisons plummeted in the early days of the COVID-19 pandemic, 28 people died. In 2021, that number jumped to 63, but it quickly settled back at a lower level.

The following year, 56 people died; in 2023, that number was 36, and it ticked up slightly to 39 in 2024.

But at 63 deaths, 2025 is a high water mark.

The Department of Corrections did not comment on the significant increase in deaths.

Over the past five years, 285 prisoners have died in the state's 14

prisons, which house people who have been convicted of and sentenced for crimes.

Known as "death logs," the state department keeps a record of inmates who die throughout the year that can be obtained only through open records. The list includes the person's name, Department of Corrections ID number, the date of death, the staff member who reported the death, the time of death, the facility name, cause of death, whether the family was notified and the date the notification was sent.

In records provided to the Herald-Leader, the cause of death was redacted, with officials previously citing an "invasion of privacy."

Kentucky State Reformatory, in La Grange, consistently recorded the highest number of in-custody deaths since 2020, records show. It operated as a medium-security facility designated as the state's medical and mental health services provider to more than 700 inmates.

The facility is closing in 2026 for demolition due to aging, unsafe infrastructure and staffing issues. It originally opened in 1939.

Families say the public has grown more aggressive in its pursuit for

accountability and transparency from the Department of Corrections, especially after four deaths at the Eastern Kentucky Correctional Complex happened within a five-month period.

Broyles, Ryan Rayburn, 27; Marcus Gray, 49; and Marvin Knuckles, 48; all died at the prison in the past six months.

Foul play is expected in the deaths of Broyles, Rayburn and Gray. The state said Knuckles died from an injury sustained while shoveling snow and ice Jan. 27 around midnight.

LACK OF OVERSIGHT, TRANSPARENCY FROM KENTUCKY DOC

Elgin, a former correctional staff member at Kentucky State Reformatory, said she saw firsthand how corrections officers often fail to follow their own trainings and protocols.

She witnessed a few unexpected deaths at the reformatory during her year working there. It was because of how the prison staff and department handled the deaths that she decided to quit, she said.

"They lighten it up," Elgin said of death reporting. "They change the wording and make what happened a little less bad."

She said the training correctional officers receive is not helpful and not actually practiced by officers working in the prison.

"Who they are training, how they are training them, and what (the prisons) are not saying, is a lot of the problems," Elgin said.

Known as an "extraordinary occurrence report," when death or serious injury of an inmate occurs in a Kentucky prison or jail, the department must be notified within 24 hours.

But even in reports filed to the DOC, Elgin says facts can be altered or left out entirely. For example, if staff missed their rounds or ignored medical complaints, a pattern of "deliberate indifference" could turn into a "sudden, unavoidable medical event," she said.

Morgan Hall, the department's spokesperson, did not immediately respond for comment.

At the local level, county jails — run by county officials but overseen by the Kentucky Department of Corrections — also saw a stubbornly high number of in-custody deaths.

A 2025 Herald-Leader analysis of jail deaths showed 234 people died in county jails from 2019 to 2024. That same analysis showed 34 people died in Kentucky jails in 2024 alone — more than any single year between 2008 and 2020.

The number of deaths in 2025 went unchanged at 34, according to the department's death logs.

Steve Tussey, the previous jailer in Madison County, said when the department is made aware of an "extraordinary occurrence," even if multiple reports are made, there is little oversight or recourse for the local facilities.

Deaths are not alone in requiring notice to the DOC within 24 hours, instances of serious injury, rape and fire require jail staff to make the report and a written notification within 48 hours.

The state then reviews the report to determine if the circumstances violate standards like overcrowding in living areas, plumbing fixtures needing repair or poor sanitation.

"I guess in the follow-up, quite honestly, most of the time, nothing," Tussey said of how the department responds to violations.

LEGISLATIVE PACKAGE WOULD ESTABLISH OVERSIGHT

Herron's proposed package would help make death log data and investigations more accessible to the public through a database and create a fatality review board to evaluate jail and prison deaths and investigations of the incidents.

"If we do not collect data, we cannot establish patterns," Herron said Thursday. "If we do not have patterns, we can't address systemic issues."

One bill, Senate Bill 208, would expand Kentucky's post-mortem requirements to include deaths that occur during an arrest or while en route to incarceration, closing a gap between arrest and booking.

It would also require timely notification to the Kentucky state medical examiner and direct publication of an annual report with non-identifying demographic and incident details broken down by county and agency.

The second bill, Senate Bill 209, would create an independent review panel to investigate deaths of people in the custody of law enforcement, county jails, state correctional facilities, juvenile justice facilities and contracted private facilities.

The 16-person panel would have access to key records, publish findings and recommendations, and issue an annual report focused on system and process improvements to prevent more deaths, Herron said.

Finally, Herron's resolution would create a mental health task force to study and recommend alternative community response models for mental health crises, with input from law enforcement, the courts, state agencies and mental health advocacy organizations. Kentucky's need is urgent.

Herron said none of the changes would affect the criminal investigation process, but instead establish intervention processes before a crisis escalates.

"We should have systems that should be able to examine themselves honestly," she said.

The bills await further action in the Senate.

KY lawmakers try tort reform again with new bill backed by business groups

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Business groups are making another push for "tort reform" in Kentucky, asking the General Assembly to place new restrictions on the right to sue and collect damages in court.

But this time, the groups say, language in Senate Bill 195 is tailored narrowly enough to overcome the legal challenges that usually frustrate them on tort reform. Kentucky's Constitution guarantees its citizens access to the courts, and it specifically prohibits the legislature from capping the damages that courts can award.

"This bill makes targeted, statutory updates to improve consistency and efficiency while not capping damages and not limiting access to the courts. It's about improving how the system works, not taking away anyone's constitutional rights," said Sawyer Coffey Noel, a spokeswoman for the Kentucky Cham-

ber of Commerce.

State Sen. Craig Richardson, R-Hopkinsville, filed the bill on Feb. 12 with lobbying support from the Kentucky Chamber, insurance companies, hospitals and others unhappy about expensive jury verdicts that can result from someone being hurt or killed.

The bill, which has five co-sponsors, has not yet received a Senate committee hearing.

WHAT THE BILL WOULD DO

At 29 pages long, the bill would change several rules under which lawsuits currently operate, including:

- Shifting the responsibility in the legal concept known as "comparative fault," where a defendant is required to pay for the percentage of harm they cause someone. Instead, under the bill, the plaintiff would not be entitled to collect any damages if 50% or more of the fault for an incident was their own.
- Allowing defendants to

spread the blame for damages to others who aren't a party in the lawsuit, including governments entitled to sovereign immunity, possibly lessening their own responsibility.

- Making it harder for plaintiffs to pursue "bad faith" claims against other people's insurance companies when they've had a hard time collecting on those insurance policies.
- Letting defendants admit into evidence different elements that could reduce or eliminate a plaintiff's damages for vehicle-related incidents, such as the plaintiff's failure to wear a seat belt properly or obey traffic laws.
- Forbidding plaintiffs from entering into evidence information about a defendant's liability insurance coverage limits — in other words, telling the jury what the defendant's insurance company agreed to pay if the defendant was found to be at fault.
- Limiting the liability in medical injury cases to



Sen. Craig Richardson, R-Hopkinsville

whatever unpaid sums would satisfy the plaintiff's insurance claims, not counting the premiums and other out-of-pocket costs they've already paid themselves.

- Creating more detailed procedures for pursuing lawsuits, with written notifications to the defendants, a full explanation of the damages, signed authorizations to produce paperwork, opportunities for objection and strict deadlines, with failure to follow the procedures being grounds for dismissal of the case.

PAST TORT REFORM EFFORTS

The Senate bill is intended to make it harder for Kentuckians to sue

after they get hurt, said Maresa Fawns, chief executive of the Kentucky Justice Association, which represents trial lawyers.

For example, Fawns said, the complicated new procedures proposed for initiating lawsuits are only "gotcha red tape," meant to trip up plaintiffs and get their cases dismissed on technicalities long before a jury can hear any of the evidence.

There is no legitimate problem with the current method of filing and serving lawsuits, she said.

"Put simply, this bill takes the responsibility away from the person who caused the harm and puts it on the person who was harmed — and on the taxpayer, because Medicaid pays for many of the medical costs in this state," Fawns said.

Tort reform, like public funding for private schools, is one of the few conservative agenda items where the Kentucky legislature's Republican supermajority has been unable to deliver for its backers.

When lawmakers have tried to limit lawsuits — for example, requiring medical malpractice suits first to be approved by state-appointed panels composed of doctors — their efforts have been tossed by the courts as unconstitutional.

It's time to try again, Richardson said in a prepared statement announcing his bill last week.

"Kentucky has made historic progress," the senator said.

"We've delivered income tax reduction, education reform, right-to-work protections and pro-growth policies that have helped bring opportunity to all communities across the commonwealth," he said. "Modernizing our legal liability system, while putting clear ethical rules into statute, is the next and necessary step to keep that momentum going."

A spokeswoman for the state's insurance industry disputed that Richardson's bill is meant to deny anyone their day in court.

"This bill doesn't take anyone's rights away. It simply ensures that damages reflect the real medical costs and not inflated numbers," said Tara Purvis, president and chief executive of Big I Kentucky, which represents several hundred insurance agencies around the state.

"When lawsuit costs go up, claim costs go up, premiums go up and Kentucky families and small businesses usually pay the price on that," Purvis told the Herald-Leader.