

The Wolfe County News

PO Box 129 - Campton, KY 41301
 USPS Permit Number - 689-460

POSTMASTER: Send changes of address and all forms to the above address. The Wolfe County News is published every Friday of each week except the July Fourth week. Periodicals Postage paid at the Campton Post Office, Campton, Kentucky. Editor reserves the right to edit and/or omit news items.

OPINION

Former UK professor predicts blue wave could begin in Kentucky

By Al Cross
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This column was originally published in the Northern Kentucky Tribune.

LEXINGTON, Ky. – It’s been 30 years or more since Kentucky was a bellwether state in national politics, but it might be this year. Part of it, at least.

That part is the section of Kentucky that the nation may know best, the Bluegrass Region around Lexington. Most of it’s in the 6th Congressional District, the closest thing the state has to a “purple” district. It has turned redder with the elections of Republican Rep. Andy Barr, Donald Trump’s takeover of the GOP, and the legislature’s removal of Democratic Franklin County from the district. But now Barr is running for the U.S. Senate seat being vacated by Mitch McConnell, and the seat he has held for 14 years is very much up for grabs.

Trump carried the district in 2024 by 15 points, but has become an albatross for Republicans in the 6th District for the same big reason he’s at his record low nationally: a war of choice that has been a disaster, resulting in high fuel prices on top of persistent inflation.

Some polls say Trump’s net approval has dropped more here in Kentucky in any other state, to minus 12 points, so he is surely farther underwater in the 6th District, where party registration is virtually even and one in eight voters don’t belong to a major party.

Presidential approval is the biggest factor in midterm elections, and voting locations in the district will be among the first in the nation to close, so it is likely to be an early indicator of how large the blue wave in the Nov. 3 midterms will be.

At this point, I give Democratic nominee Zach Dembo a small edge over Republican Ralph Alvarado. Nonpartisan rating outfits say the race leans Republican, but those ratings have been moving Dembo’s way, perhaps correcting an early bias that depended too much on recent performances in the district by Trump and by Barr, who has had weak opponents.

Now Trump’s brand is bad, which the Alvarado campaign clearly illustrated weeks ago by removing from its website all mention of the president except one photo in a 15-picture gallery. Dembo avoids naming the president, perhaps to avoid stirring up Trump voters, but he cites “the corruption in Washington D.C. and this Administration’s abuse of the criminal justice system,” his stated reason for resigning as a federal prosecutor.

Alvarado, a physician, is the race’s bad-luck candidate. In 2019, he ran for lieutenant governor with Matt Bevin, who lost his bid for re-election and then issued several controversial pardons, and recently was jailed for contempt of court for failure to file financial data in his Louisville divorce case. Democrats are hanging Bevin around Alvarado’s neck; in one of their latest ads Dembo points at a cutout photo of Bevin and says “This is my opponent. OK, you got me. But Ralph Alvarado is basically the same guy.”

That’s unfair to Alvarado, who had no previous ties to Bevin, other than being a state senator, and who “kept silent” about the pardons, as the ad says. But Bevin’s more toxic than Trump, and the spot ends with the Bevin cutout being carried by Gov. Andy Beshear, likely the state’s most popular politician – and Dembo’s most recent employer. (Dembo’s wife is a prosecutor for Republican Russell Coleman, the state attorney general.)

Republicans are running a flood of spots claiming Dembo would raise taxes and protect illegal immigrants, but he has not responded in ads, indicating that he believes voters driven by those issues are unlikely to vote for him. He has name recognition and support from his victory in a busy primary over more liberal candidates, and Democrats in tight races in other states say similar influxes of Republican ad money have had little effect.

Amid the ad barrage on Lexington TV, the most telling ad may be one for Barr in the Senate race, in which a “loyal Democrat” says she’s for him. Turnout is crucial in midterms, and national polls and early-voting data in some states show Democrats are much more motivated to vote than Republicans. Many registered Democrats who don’t pay much attention to politics could turn out and vote for Barr’s opponent, Charles Booker, mainly or solely because he’s the Democratic nominee at a time when the Republican label has gone bad.

Barr’s ad appears aimed at turning out registered Democrats who have become accustomed to voting for Republicans but aren’t inclined to vote in midterms. Those are voters Alvarado needs to get, but it’s hard to tell how he might get them, or much else about him. He declined to debate Dembo on KET Monday night, and his campaign ignored my repeated requests for an interview and access to any campaign event. It looks and acts like a campaign that’s on the back foot.



DO YOU HAVE AN OPINION?

The Wolfe County News welcomes your comments about current events in the form of letters to the editor. Letters must be signed and include the writer's address and phone number for verification.

Letters to the Editor should be brief and to the point, no more than 500 words. The News reserves the right to edit (or reject) all letters submitted for publication.

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LEGISLATIVE UPDATE

By Representative Timmy Truett

Voters Will Decide On Constitutional Amendment

When Kentucky voters cast their ballots in this year’s General Election, they will have the opportunity to decide on a proposed constitutional amendment concerning the governor’s authority to issue pardons and commute sentences.

The current Kentucky Constitution is our state’s fourth and 135-years old. It is far more detailed than those of other states, with over 260 sections and detailed provisions that other states address through legislation. The document is significant not only for how old and long it is, but also for the way it reflects the social and political priorities and culture of the late 19th century. For example, the original version limited voting rights to white males age 21 and over. And, while it has been amended more than 40 times since 1891, much of its language is still outdated. Voters have considered amendments 12 times (16 proposed amendments) over the past 30 years.

If approved by voters, the proposed amendment on this year’s ballot would prohibit any Kentucky governor from granting a pardon or commuting a sentence during the 60 days immediately preceding a general election and during the transition period between an election and the beginning of the next administration. The proposal would not eliminate the governor’s existing constitutional authority to grant pardons or reduce sentences outside of

that restricted period.

The exact language of the amendment reads as follows:

Are you in favor of limiting a Governor’s ability to grant pardons or commute sentences by prohibiting him or her from granting pardons or commuting sentences during the time period beginning 60 days prior to the general election at which the Governor is elected, and ending when the Governor is sworn in for that term by amending the Constitution of Kentucky as stated below?

It is proposed that Section 77 of the Constitution of Kentucky be amended 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:

1. In case of impeachment; or

2. 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 pardon-

ing 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.

Under Kentucky’s Constitution, the governor has broad clemency powers. A pardon can forgive the legal consequences of a conviction, while a commutation can reduce a person’s sentence. These powers are separate from the judicial process and can affect decisions made by law enforcement, prosecutors, juries and judges.

The proposed amendment is intended to establish a constitutional restriction on when those powers may be exercised. It would apply to every governor going forward. The proposed amendment does not eliminate the governor’s authority to grant pardons or commute sentences. Instead, it places limits on when that authority may be exercised, raising a practical question about timing.

The issue has received increased attention because of the use of executive clemency near the end of gubernatorial administrations. In December 2019, then-Governor Matt Bevin issued more than 600 pardons and commutations shortly before leaving office. Several of those decisions – as well as the decision-making process itself – generated significant public controversy and scrutiny. In the final days of his administration in December 2015, Governor Steve Beshear issued 197

pardons and commuted six sentences, far more than he had issued earlier in his administration. And, in December 2007, Governor Ernie Fletcher issued 101 pardons and commutations as he was leaving office.

Interesting enough, when Governor Paul Patton was leaving office in 2003, he and his staff reportedly determined that almost 200 pardon applications were justified. However, he told a reporter with the Louisville Courier Journal that he chose not to grant them out of caution that it might appear like political favoritism if any were campaign donors.

The proposal has also been considered over multiple legislative sessions. The sponsor of the legislation that placed it on the ballot has pursued changes for several years. The amendment ultimately received bipartisan support in the General Assembly before being placed before voters.

As with any constitutional amendment, the decision ultimately rests with Kentucky voters. The question on the ballot gives voters the opportunity to determine whether these additional constitutional restrictions should become part of the governor’s clemency authority.

As always, I can be reached anytime through the toll-free message line in Frankfort at 1-800-372-7181. keep track through the Kentucky legislature’s website at legislature.ky.gov..

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