



KENTUCKY GENERAL ASSEMBLY

State Capitol

Frankfort, Kentucky 40601

502-564-8100

December 13, 2019

Attorney General-elect Daniel Cameron
Office of the Attorney General
Kentucky State Capitol
700 Capitol Avenue, Suite 118
Frankfort, KY 40601-3449

Dear Attorney General-elect Cameron:

As public servants, members of the Kentucky General Assembly and as a former assistant attorney general and former prosecutor concerned about the corrupting of our justice system, we ask you to appoint a special prosecutor, or a bipartisan special prosecuting team, to fully investigate some of the pardons issued by Governor Matt Bevin during his final days in office. We believe special attention should be given to probing the origins of a pardon granted to Patrick Brian Baker, who was convicted of reckless homicide, robbery, impersonating a peace officer and tampering with evidence. At the time the pardon was issued, Patrick Baker was incarcerated and had served only two years of a 19-year sentence.

The prosecutor in that case has expressed concern that Mr. Bevin's action was taken because the Baker family generously gave political funds to Governor Bevin and hosted a fund-raiser in which the former Governor himself attended. At least one Bevin pardon was granted contingent on 20 years of specific restorative justice conduct from the individual being pardoned, however, the Baker pardon contained no conditions and commuted the sentence to "time served."

While the Governor's constitutional power to pardon is broad and virtually unfettered, the power was granted to serve justice and hold public officeholders accountable, not to grant political favors to powerful friends and campaign donors. The appearance of corruption in this instance is overwhelming and cannot be overlooked or brushed aside. Establishing what reality lies behind that appearance is important to maintaining the public's trust in the system of checks and balances for our government.

Investigation by a special prosecutor can help the public reconcile a clear contradiction between (1) the Bevin claim that evidence against Mr. Baker was "sketchy at best" and (2) the assessment by sentencing Circuit Judge David Williams, former Republican

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President of the State Senate, who declared, in 30 years of practice, "I've never seen a more compelling or complete case...the evidence was just overwhelming."

Others with an interest in the origin of Mr. Baker's pardon include the two individuals who were convicted with him in the 2014 Knox County home invasion that resulted in the fatal shooting of Donald Mills. The prosecuting attorney in the case explained that Mr. Baker was the most culpable in the incident because "he was the one who shot Mr. Mills." We believe it is appropriate to establish why Mr. Baker has been freed while his two accomplices remain imprisoned.

An impartial investigation by a special prosecutor will help answer these questions in the most non-political way possible.

Sincerely,



Morgan McGarvey
Senate Minority Leader



Christian Harris
State Representative, District 93