

LAW ENFORCEMENT



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The Kentucky Law Enforcement staff welcomes submissions of law enforcement-related photos and articles for possible submission in the magazine. We can use black and white or color prints, or digital images. KLEN news staff can also publish upcoming events and meetings. Please include the event title, name of sponsoring agency, date and location of the event and contact information.



The Progressive Evolution of Kentucky Policing

/John W. Bizzack, Commissioner, Department of Criminal Justice Training

A glance over the past 40 years of Kentucky policing highlights two fertile periods of progressiveness accounting for much of the advancement of the entire Kentucky law enforcement community. Prior to those two periods of substantial progress, it is largely agreed that advances in policing in the commonwealth were parochial at best.

Understandably, larger agencies with bigger budgets, access to more training and stronger recruiting capabilities seemed the most progressive at times. Those agencies that did not enjoy those kinds of resources often were seen as standing in place, or worse, stagnant.

Those two periods most often declared the times when all of Kentucky policing advanced and benefited were:

- the early 1970s when the now Kentucky Law Enforcement Foundation Program Fund was referred to as the College Incentive Plan and officers were paid annually for the number of college hours they had or were earning, and
- in 1998 when the Peace Officer Professional Standards Act was passed and KLEFPF was expanded to include Kentucky sheriffs and university police. KLEFPF was also structured to accommodate stipend increases for all officers in the fund as well as fully fund an ambitious training initiative and new facilities to provide that training for Kentucky officers.

The college incentive plan successfully motivated officers to return to college or complete their educations as well as reward those who had already completed their formal education prior to becoming officers. The result, obvious today, is a more educated police corps, many of whom have risen in ranks. However, many of those early success stories have now retired.

The POPS Act continues to advance hiring and selection practices as well as influence state-of-the-art training programs and methods of delivery of that training necessary for modern policing – not policing as it was three or four decades ago. Without question, these two periods clearly had a major impact on the progressive evolution of law enforcement administration, management and operations in Kentucky.

These two periods have also given rise to the frequent joke that good things do happen for all Kentucky law enforcement, however they happen only every 30 years or so. There is some truth to that.

In looking back at what paved the way for these two advances in Kentucky policing, it is easily determined that the cause was the same: agreement among the law enforcement community that policing in this state must evolve as uniformly as possible, including:

- hiring and selection,
- training,

- overall upper management style, and
- future leadership development.

This progressive surge was underscored in the early 1970s when Kentucky police were joined by legislators, local community officials and state leaders to embrace the value of formal education integrated into policing. It was later repeated when the same groups jointly supported the restructuring of KLEFPF and the development of the POPS Act. A state-wide uniform understanding of needs and a dedication to meeting those needs were at the root of both successes. All Kentucky policing benefited – not just a small segment or the larger agencies.

Both movements empowered the entire Kentucky law enforcement community. Inter-departmental relationships improved, professional associations grew stronger in their respective legislative efforts, and policing began to be viewed differently and more positively in most cases by elected officials and citizens. In short, both movements vastly improved Kentucky policing.

There were ancillary benefits as well from this momentum. Stronger leadership emerged over the years, and more vocal support for additional progress was galvanized by professional associations and the Department of Criminal Justice Training. A few years following each of those events, albeit 30 years apart, police leaders and line personnel alike realized that only when Kentucky's law enforcement organizations stand together can such major strides be taken to advance the policing profession. Otherwise, professional advances are based on individual budgets and the skills of leaders administering those budgets.

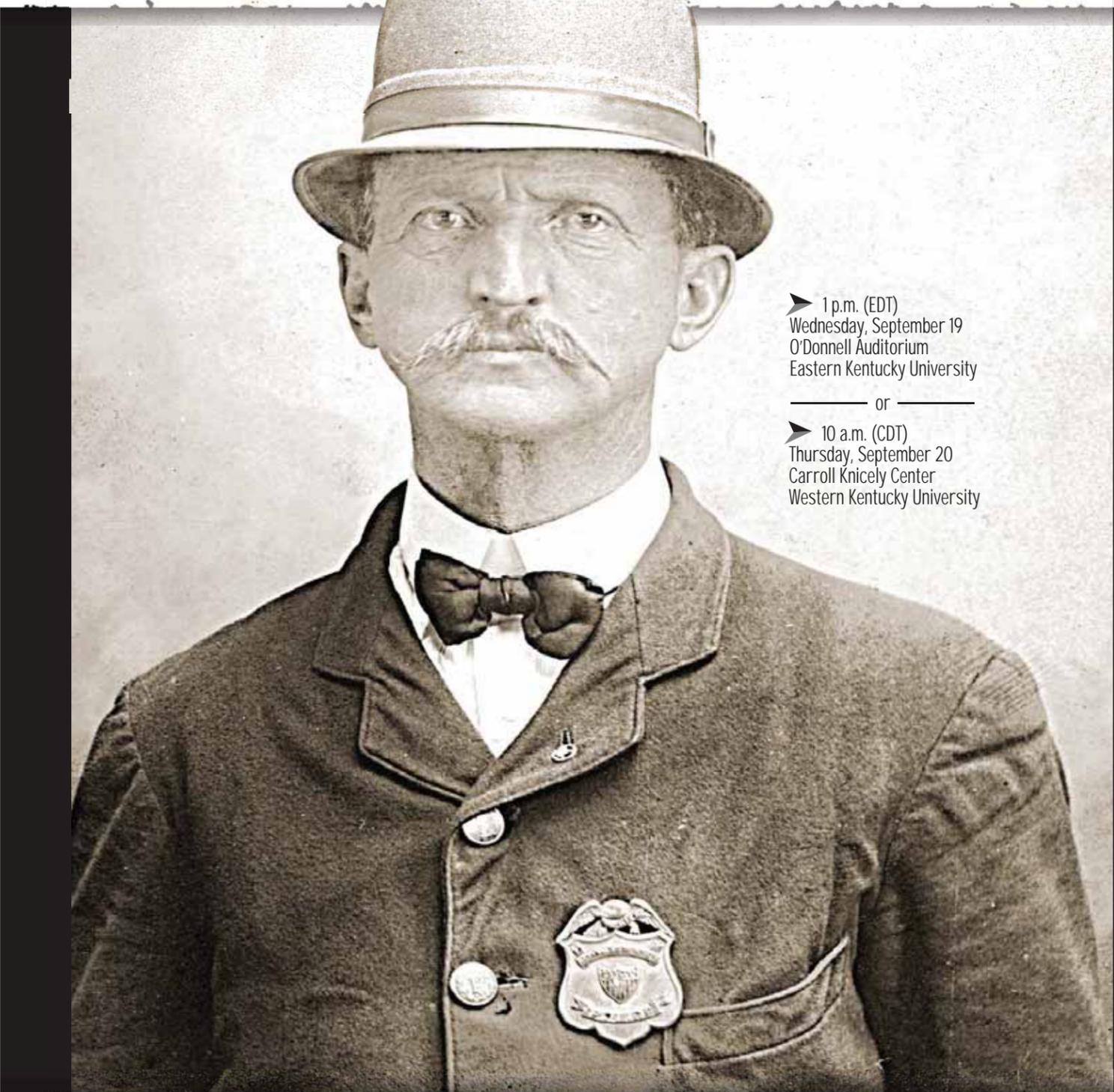
Only 10 years, not the typical 30, has passed since the 1998 POPS Act, the last major advancement for all Kentucky policing. Neither citizens nor police officers should be expected to wait for another gigantic, progressive step forward for Kentucky law enforcement.

The threads of solidarity among law enforcement today remain strong in the Kentucky policing community. Now is the time to capitalize on that strength and begin to look at what Kentucky policing must do statewide in order to remain a viable and progressive component of the public safety community. In short, a plan is needed now for the next 10 years.

DOCJT, along with professional policing associations and other organizations, will examine these issues at two statewide symposiums in September. How the entire Kentucky police community must look and work over the next 10 years in order to provide modern, efficient and the most practical service is the burning question facing today's law enforcement executives and the officers they lead. ↓

Much has changed since he walked his beat.

the next 10 years
The FUTURE of
KENTUCKY
LAW ENFORCEMENT



➤ 1 p.m. (EDT)
Wednesday, September 19
O'Donnell Auditorium
Eastern Kentucky University

or

➤ 10 a.m. (CDT)
Thursday, September 20
Carroll Knicker Center
Western Kentucky University

And even more progressive changes have occurred in the 10 years since the implementation of Kentucky's POPS Act. Where do we go from here? Join a

panel of distinguished experts in a discussion of statewide policing priorities and help shape the future of Kentucky law enforcement for the next 10 years.

For information visit our link at DOCJT.ky.gov or call Abbie Darst, 859.622.6453

CONTEMPORARY POLICING: Controversies, Challenges and Solutions

edited by Quint C. Thurman and Jihong Zhao (388 pages, Roxbury Publishing, 2004)

REVIEWED BY / Captain Jon M. Shane, Newark, New Jersey, Police Department

Quint C. Thurman and Jihong Zhao have compiled what is probably the most contemporary series of articles on policing to date. Leading experts, such as Lawrence W. Sherman, Ronald V. Clarke, Eli B. Silverman, David Weisburd and Anthony V. Bouza offer a variety of perspectives on issues from innovative policing strategies and promising new approaches for crime prevention to internal and external challenges to policing. All of the articles first appeared in respected academic journals or government publications.

Divided into seven sections, the text consists of 30 articles. Part one, "New Policing Strategies," contains four articles on how policing for crime control has evolved in the last 20 years. Clarke provides one of the best perspectives on the future of policing by succinctly stating that, "problem-oriented policing represents the future of policing." The national trend clearly has been toward focused, situational crime-prevention strategies. Clarke identifies the current deficiencies in problem-oriented policing practices and suggests how to improve the situation. Also in this section, Silverman offers insight into the New York City Compstat experience, a policing practice that

has diffused profusely throughout the policing industry in the last 10 years.

Part two, "Promising Approaches to Crime Reduction and Prevention," examines promising issues in the crime-control arena. In this section, Sherman presents one of the most compelling pieces of research on promising strategies and programs, as well as those not as encouraging. Too often, police executives embark upon a strategy without any empirical understating of its success or failure. This approach frequently perpetuates the myth about a program's success and wastes money and effort. Sherman identifies four strategies that work.

Parts three and four review the internal and external challenges facing law enforcement. Thomas J. Cowper describes how policing suffers from a misapplication of the military model, which hampers the agency's flexible character and organizational adaptability. Bouza delivers provocative insight into police work and public expectations of law enforcement agencies in contemporary American society.

Part five, "Inno-

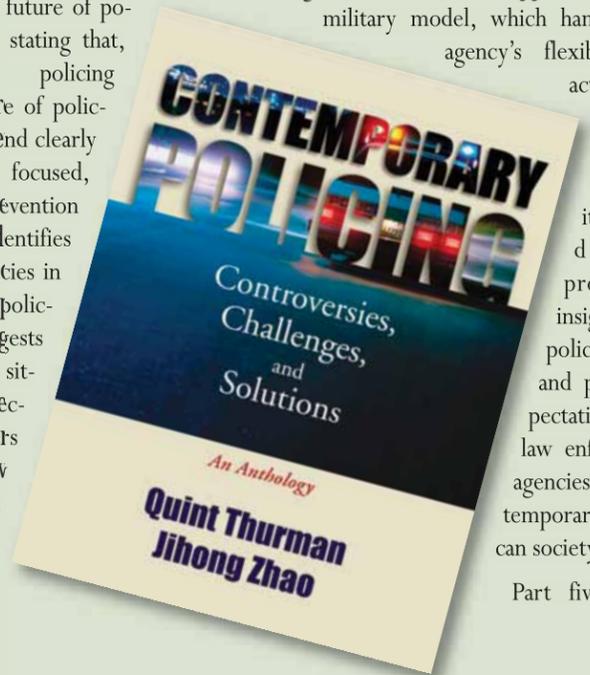
ventions, Boundary Spanning, and Capacity Building," dovetails on parts three and four and responds with necessary organizational adaptations, individual behaviors, operational activities, and management styles that seek to improve police organizations. Five articles highlight the internal and external environments that drive organizational change, including policing's core mission and employing technology.

Part six, "Police Deviance and Ethical Issues," is perhaps the most important section of the book. Four articles cover the breadth of police corruption, from the inaccuracies portrayed by the media to sexual misconduct and drug abuse. Brian L. Winthrow and Jeffrey D. Daily explore the perplexing issue of gratuities from the slippery slope perspective, essentially a broken-windows approach to gratuities: controlling small trivial gifts and gratuities inevitably will curb larger ones.

The last part, "The Challenges Ahead," considers the future of American policing.

Three articles explore the direction of community policing, fear reduction and the difference between police and policing. David H. Bayley and his colleague Clifford D. Shearing specifically tackle the future of policing by examining the emergence of privatization.

This anthology is an excellent addition to any college course on policing, especially police and the community. Law enforcement practitioners will find it useful as a reference guide to augment policy positions and to assist with strategic planning endeavors. J



Internet Child Sexual Exploitation

/David L. Huber, U. S. Attorney, Western District of Kentucky



Thirty-five years ago, as a young federal prosecutor, I don't remember if our office was ever presented with a child pornography or child obscenity matter. There were the occasional adult obscenity cases investigated by the U.S. Customs Service and the U.S. Postal Service. The Internet changed all of that. In 1996, when the FBI launched the Innocent Images Initiative to target individuals who were trafficking images of child pornography or enticing children online, 113 cases were opened and 99 indictments or informations were filed. In 2005, 2,402 cases were opened and 946 indictments or informations were filed. In that 10-year period, the number of convictions increased more than 1,300 percent, from 68 convictions in 1996 to 994 convictions in 2005. More than 5,000 defendants have been convicted since the inception of the initiative.

The National Center for Missing and Exploited Children operates the Cyber Tipline, where individuals can report instances of child exploitation, including the possession, creation, or distribution of child pornography. In 1998, the Cyber Tipline received 3,267 reports of child pornography. In 2004, it received 106,119 reports. In 2003, a federal-state initiative shut down a Web site, which not only sold child pornography, but also provided an online credit card payment system. On this single Web site, there were more than 10,000 purchases of child pornography in a six-month period alone.

The victims who appear in the child pornography pictures and videos have also become younger and younger, and the sexual activity in the images has become more graphic and extreme. The rape of prepubescent children is not uncommon in the videos and images of cases we prosecute. Even infants are sexually manipulated.

Recent empirical studies also support the proposition that individuals who consume child pornography are often child molesters. Our data suggests that at least 30 percent of our defendants have had some prior sexual contact with children. This is evidenced by either a prior arrest or conviction for a sexual offense, or evidence such as photographs, allegations by family members, children or others. Of course, our defendants have nothing to gain and everything to lose by admitting to such conduct because it would increase their sentence. However, in testimony before Congress, the U.S. Bureau of Prison's director of the sex-treatment program said studies indicated these defendants' rate of prior sexual contact with children was as high as 80 to 85 percent. As part of their sex-treatment program, these federal prisoners do not risk further prosecution for their admissions. This suggests that the rise in volume of child pornography available online translates into a very

real danger for children in our communities, regardless of where the pornography may originate.

A little more than a year ago, Attorney General Alberto R. Gonzales initiated Project Safe Childhood within the Department of Justice. PSC is a national initiative with the goal of coordinating and enhancing federal, state and local law enforcement efforts to investigate and prosecute people who sexually exploit children.

In the Western District, we have established formal relationships with two commonwealth attorneys and several local police departments to coordinate a plan to best prosecute these crimes. We also have many other relationships created with local agencies on a case-by-case basis. Through a U.S. Department of Justice grant, the Kentucky State Police have created the Internet Crimes Against Children Task Force, which enhances the investigations by local law enforcement.

While Kentucky has made similar state crimes felonies and increased the range of sentencing, we can still help. Federal guideline sentencing has proved to be stiffer than state sentencing, with additional mandatory sentences of five years or more. Moreover, there is no parole in the federal system. We have had sentences of 20 years or more, including those of 30, 40 and 70 years. We have a life-eligible sentence pending.

The cooperation of local, state and federal law enforcement is essential. During the past three and a half years, 57 percent of the Internet child pornography cases in the Western District of Kentucky were initiated by state and local law enforcement around the country. More than 32 police agencies, including the Royal Canadian Mounted Police, initiated or assisted in investigations in cases we prosecuted. These included police or sheriffs from New York to California and, in our district, from Jefferson County to Ballard County.

All law enforcement, local and federal, should be aware of child pornography evidence while investigating other crimes. Recently, at the Louisville airport, homeland security's Traffic Security Administration discovered child-pornographic magazines as they were doing a routine check of luggage. This led to finding an image printed from a computer. The computer was seized, and it had more than 1,000 illegal images. This led to a guilty plea and a five-year, 10-month sentence.

I urge all local and state law enforcement to contact federal authorities when they see evidence of computer-generated child pornography during the investigation of other crimes. You may not be able to make your burglary or drug case or even a molestation case, but, if you find evidence of Internet child pornography, we may be able to make your defendant's day – or even five years. J

Briefs

Breath Test Training Procedures – Intoxilyzer 5000 EN Updates

Beginning in 2008, DOCJT will offer online Breath Test Recertification for operators. The four-hour block of instruction will be accessible from any computer with Internet capability. The officer will have one week to complete the course once he signs on to a computer and starts the course.

Law enforcement agencies will benefit from the online course in travel expense and officers' time off from normal duties. Instructors will monitor the course from their office computers while doing other duties.

DOCJT will continue to offer classroom recertification in Richmond on a limited basis for those operators who prefer that option. The 2008 schedule book will reflect the available dates for online recertification.

Patty Davidson and Mike Keyser are jointly developing this course, which will be available starting in January 2008.

The Intoxilyzer 5000 EN underwent software changes in 2007. One such change is the wording when the instrument reaches the "Please Blow" command during the test. The instrument now reads "Please Blow/R" in the

display, which indicates to the operator that by pressing the letter "R" and "Enter" the instrument will print a refusal evidence card during this three-minute mode.

The second software change concerns the evidence card that is printed when the instrument detects residual mouth alcohol. The card will read "Invalid Sample .XXX", with an additional instruction for the operator to conduct an additional 20-minute observation period if another breath test is to be conducted.

New procedures for the testing sequence for the Intoxilyzer 5000 EN will also be implemented in the near future, pending agency and regulation approval. The current ACABA testing sequence will change to the following: air blank, breath test, air blank, calibration check, air blank, three-minute deprivation period, air blank, breath test, air blank." This dual-testing procedure will require that the two-breath sample results be within 0.02 of each other. Dual testing has already been implemented in approximately 38 states.

Silfies Named 2006 Trooper of the Year

The Kentucky State Police named Hopkinsville resident Steven T. Silfies the 2006 Trooper of the Year at a special ceremony May 29. Thirty-eight other troopers and eight private citizens were also recognized for acts of meritorious service and achievement, valor, bravery, life-saving acts, professionalism and dedication to duty.

A four-year veteran of KSP, Det. Silfies is assigned to KSP Post 2. During the past year, Silfies has played a leading role in the investigation of six murder cases, which resulted in two arrests. He has also been active in solving several cold cases. His work led to the arrest of an out-of-state resident in a 27-year-old case. His hard work and perseverance also led to the arrest of another out-of-state resident in a 16-year-old case and enabled him to uncover crucial, overlooked evidence in a 13-year-old case that is now awaiting new DNA testing.

In addition, the agency's

highest civilian award, the KSP Citation for Meritorious Achievement was presented to Seth Hooks of Cadiz and James Miracle of Pineville. This award is bestowed on individuals who perform an extraordinary act of service or heroism in direct support of an officer engaged in the official performance of duty, was presented to Seth Hooks of Cadiz and James Miracle of Pineville.

KSP Commissioner Jack Adams described all of the honorees as "great Kentuckians" whose actions often made a life-saving difference to others.

"It was not glory or fame or recognition that motivated them," he said. "It was more a matter of duty to the oath they swore to protect and serve, a dedication to duty that goes beyond themselves. In an instant, they were called on to put their own lives in peril to save the lives of others, and they did so without hesitation."



▲ Brig. Gen. Norman E. Arflack, secretary of the Kentucky Justice and Public Safety Cabinet (right) and Kentucky State Police Commissioner Jack Adams (left) presented KSP Detective Steven T. Silfies with the 2006 Trooper of the Year Award on May 23 at the Holiday Inn Hurstborne Lane in Louisville. Silfies is a Hopkinsville resident assigned to KSP Post 2 in Madisonville.

Three Long-Time DOCJT Employees Retire

Three long-time Department of Criminal Justice Training employees recently retired.

The words friendly, helpful, compassionate, knowledgeable, competent, and professionalism are just a few of the expressions that Commissioner John Bizzack used to describe Ken Alexander, Bob French and David Hobson.

Alexander and French retired May 31

Alexander came to agency in 1994 as a DOCJT staff attorney. At DOCJT, Alexander was instrumental in producing and improving the Kentucky Criminal Law Manual

for all Kentucky peace officers. He was also named the Instructor of the Year in 2002. Before coming to the department, Alexander had been a prosecutor, public defender and police officer.

French began his career at DOCJT in 1977. During his tenure, he was one of the first instructors to spend time in Saskatchewan, Canada, as an exchange instructor with the Royal Canadian Mounted Police. With the experience he gained, French assisted in the overall change from lecture- to facilitation-style instruction at DOCJT. In 1997, French had the distinction of being the first recipient of DOCJT's Instructor of the Year award.

Hobson came to DOCJT in 1985 from the University of Kentucky Police Department. After serving as part of the instructional staff, he was instrumental in the national accreditation and re-accreditation process for the department. He also assisted the Commission on Accreditation for Law Enforcement Agencies in rewriting the standards for the Public Safety Training Academy Accreditation program. Hobson was also instrumental in DOCJT being designated as a Flagship Agency by CALEA. Hobson, who was staff assistant to the commissioner and supervised the Staff Services and Planning office, retired July 31.

Criminal Justice Executive Development Selection Committee Selects CJED Class No. X

/Submitted by Rich Hanzes, Training Instructor, Leadership Development Section



Capt. Chris Cain, Nicholasville Police Dept., *Member at large*

Commissioner John Bizzack, Department of Criminal Justice Training, stressed the importance of their work on the selection committee. He also thanked them for their support of the CJED program and leadership development in Kentucky law enforcement.

The attendees for CJED X are:

Thomas Bustle, Assistant Chief, Danville Police Dept.

Jody Cash, Major, Murray State University Police Dept.

William Crain, Supervisor, Alcohol Beverage Control

Arthur Ealum, Lieutenant, Owensboro Police Dept.

David Gregory, Lieutenant, Berea Police Dept.

Joe E. Harbaugh, Captain, Western Kentucky University Police Dept.

Wallace Hays, Sergeant, Lexington Division of Police

William Hensley, Sergeant, Ashland Police Dept.

that includes:

Acting Chief Joe Monroe, University of Kentucky Police Dept., *CJEDAA President*

Lt. Rich Whitford, Fort Thomas Police Dept., *1st Vice President*

Lt. Steve Howard, Morehead Police Dept., *2nd Vice President*

Capt. Jim Monroe, Danville Police Dept., *3rd Vice President*

Capt. Todd Kelley, Ashland Police Dept., *Secretary*

Capt. Ray Kinney, Frankfort Police Dept., *Treasurer*

The Criminal Justice Executive Development Selection Committee has selected attendees for CJED Class X. The CJED program is in its 10th year and is structured for small- to medium-size law enforcement agencies. The course provides students with contemporary theories, management techniques and leadership skills, enabling them to perform more effectively and efficiently in their positions as community leaders. The five-week course is taught in one-week modules once a month over a five-month period.

The CJED Selection Committee is composed of officers of the CJED Alumni Association

Robert Horch, Lieutenant, Maysville Police Dept.

Jeffrey Liles, Captain, Murray Police Dept.

David W. Marcum, Captain, Kentucky Vehicle Enforcement

David L. Marcum, Sergeant, Lexington Division of Police

Lisa O'Hearn, Lieutenant, Maysville Police Dept.

James Osborne, Sergeant, Murray Police Dept.

Brock Peterson, Lieutenant, Owensboro Police Dept.

Mark Phaup, Sergeant, Madisonville Police Dept.

Glen Sly, Lieutenant, Georgetown Police Dept.

Anthony Steimle, Sergeant, Cincinnati/N. Kentucky Airport Police

David Tobergte, Captain, Northern Kentucky University Police Dept.

Melanie Watts, Sergeant, Bowling Green Police Dept.

For additional information about the CJED program, please contact the CJED coordinator, William Cassell at (859) 622-8287 or William.Cassell@ky.gov. >>

>> ■ KSP Trooper Memorialized



▲ Tpr. Leonard's mother, Karen, and brother, Josh, participated in a flag raising ceremony at the Kentucky State Police Professional Association on May 23 in dedication of a flag pole memorial to the late trooper.

The late Tpr. Jonathan Leonard, who died while on duty in Pikeville last December, was memorialized during several activities during the month of May.

On May 15, Leonard's name and those of 146 other law enforcement officers from throughout the nation were added to the National Peace Officer's Memorial in Washington, D.C.

President Bush spoke at the ceremony saying, "It's a day we remember men and women who fell in the line of duty. Each swore an oath to uphold the law. Each assumed the responsibility of protecting neighbors and communities. Each has earned a place in our nation's heart."

"I thank the police officers who are here," he said. "I am honored to be in your presence. I'm constantly amazed by your courage. I thank you for serving the United States of America."

"It takes a special kind of person to serve in law enforce-

ment," he continued. "Most people run from danger. Law enforcement officers run toward it. You've chosen one of the toughest jobs in the world, but it helps those who serve to remember that a larger community here in this country stands with you, that we're grateful for your service."

"I don't know if you realize this," he added, "but police officers are routinely named among America's most respected professions. That's why strangers mourn for the loss of life and honor those who serve. That's why so many children choose you as role models."

On May 23, Leonard's name was added to the Fallen Trooper's Memorial at KSP headquarters and a flag pole was dedicated in his memory on the grounds of the Kentucky State Police Professional Association in Frankfort.

■ Collins Named Nation's Top School Resource Officer

Calloway County Deputy Kenny Collins, school resource officer at Calloway County High School, has been named the National SRO of the Year for 2007. Collins was recognized July 26 during an awards luncheon at the National School Resource Officers' Conference at Disney's Coronado Springs Resort in Orlando, Florida.

"When Sheriff Bill Marcum called me into his office and told me of my selection, I was stunned," Collins said. "This is overwhelming. It is just great."

However, he stressed that this was not an individual award, but

rather a team effort.

"I can't say enough about everyone. I work with the greatest team there is - from Sheriff Marcum to all of the school administrators, the faculty and the students."

The Kentucky Center for School Safety, along with CCHS Principal Yvette Pile and Marcum, nominated Collins for the award.

"I had no doubt that Officer Collins had the qualifications, personality and experience to represent our nation as School Resource Officer of the Year," Pile said. "I just had no doubt."

■ Court Certified Security Officer Act Passed

In the 2007 legislative session, Senate Bill 153, the Certified Court Security Officer Act, passed. The CCSO Act establishes pre-employment standards, training standards and a certification process for all court security officers in Kentucky. Effective June 26, the CCSO Act requires all court security officers to achieve Kentucky Law Enforcement Council certified status.

Court security officers employed on or before June 26, will have six months to meet the minimum requirements. Applicants seeking employment after June 26 must meet the requirements before being hired.

The CCSO Act, much like the Peace Officer Professional Standards Act and the Telecommunicator Professional

Standards Act, is intended to advance the professionalism of court security officers in Kentucky. Though many agencies already require these pre-employment standards, the CCSO Act makes the minimum standards, training and certification process mandatory for all agencies employing court security officers in Kentucky.

KLEC is administering the CCSO program and, in conjunction with the Kentucky Sheriffs' Association, held initial meetings in all 10 Kentucky sheriffs' districts to confirm the status of each employee and to discuss questions and concerns. KLEC is in the process of sending out forms to initiate the certification process. Any questions or concerns should be directed to the KLEC office at (859) 622-6218.

DOCJT Presents CDP Certificates

/DOCJT Staff Report

The Department of Criminal Justice Training's Career Development Program is a voluntary program that awards specialty certificates based on an individual's education, training and experience as a peace officer or telecommunicator. There are a total of 14 professional certificates, nine for law enforcement and five for telecommunications. The variety of certificates allows a person to individualize his or her course of study, just as someone would if pursuing a specific degree in college.

The Kentucky Law Enforcement Council congratulates and recognizes the following individuals for earning career development certificates. All have demonstrated a personal and professional commitment to their training, education and experience as a law enforcement officer or telecommunicator.

ADVANCED LAW ENFORCEMENT OFFICER
Kenneth R. Adams, Ashland Police Department
Kenneth G. Bernardi Jr., Shepherdsville Police Department
John F. Bradley, Shepherdsville Police Department
Charles R. Brian, University of Louisville Police Department
James F. French, Murray State University Police Department
William D. Hopper, Madisonville Police Department
Michael D. Knight, Fort Wright Police Department
Mark J. Phaup, Madisonville Police Department
Douglas E. Puckett Jr., Shepherdsville Police Department
Jerry W. Robards, Madisonville Police Department
Marc T. Schworer, Fort Wright Police Department
Terry R. Steff, Bowling Green Police Department
David S. West, Bowling Green Police Department
Charles D. White Jr., Madisonville Police Department
BASIC TELECOMMUNICATOR
Wendy L. Brooks, Murray State University Police Department
Susan L. Browning, Kenton County Police Department
Crystal G. Capps-Durbin, KSP Henderson, Post 16
Rebecca A. Choate, Jessamine County 911
Gary M. Fraser, KSP Mayfield, Post 1
Dan A. Galloway, Calloway County Sheriff's Office
Joseph R. Hargrove, Murray State University Police

Department
Sandra M. Hart, KSP Mayfield, Post 1
Gary M. Holbrook, Kenton County Police Department
Richard Douglas Jones, Laurel County Sheriff's Office
Eva J. Lanham, Paris/Bourbon County 911
Kent A. McClanahan, Bluegrass Airport Police Department
Joy Lynn Murray, Campbell County Consolidated Dispatch
Amelia B. Pike, Adair County 911 Center
Judy G. Satraitis, KSP Henderson, Post 16
Karen L. Thomas, London/Laurel County Communications Center
Leisa R. Toman, KSP Henderson, Post 16
Peggy A. Zachritz, KSP Henderson, Post 16

INTERMEDIATE LAW ENFORCEMENT OFFICER
Kenneth R. Adams, Ashland Police Department
Kenneth G. Bernardi Jr., Shepherdsville Police Department
Jason W. Corbitt, Madisonville Police Department
Kenneth D. Coyle, Cincinnati/N. Kentucky International Airport Police Department
Brent M. Dawson, Shepherdsville Police Department
Jeffery C. Gentry, Murray State Police Department
Leslie R. Gregory, Madisonville Police Department
Randall J. Hensley, Berea Police Department
William D. Hopper, Madisonville Police Department
Jeffrey S. Hulker, Frankfort Police Department
Mark D. Jump, Covington Police Department
Frank C. Kron Jr., Shepherdsville Police Department
Michael Lunsford, Evarts Police Department
Dominic P. Ossello, Western Kentucky University Police Department
Mark J. Phaup, Madisonville Police Department
Douglas E. Puckett Jr., Shepherdsville Police Department
Phillip D. Reed, Pikeville Police Department
Jerry W. Robards, Madisonville Police Department
Marc T. Schworer, Fort Wright Police Department
Terry R. Steff, Bowling Green Police Department
Jon L. Troutman, Shepherdsville Police Department
Larry C. Vaden, Murray State University Police Department
David S. West, Bowling Green Police Department
Charles D. White Jr., Madisonville Police Department
INTERMEDIATE TELECOMMUNICATOR
Richard L. Holmes, Lawrenceburg Police Department
LAW ENFORCEMENT CHIEF EXECUTIVE
James J. Acquisto, Kentucky Department of Charitable Gaming
Anthony Q. Clark, Caneyville Police Department

LAW ENFORCEMENT MANAGER
Kenneth R. Adams, Ashland Police Department

LAW ENFORCEMENT OFFICER INVESTIGATOR
Hugh Alsup, Lewisburg Police Department
Joseph Cline, Morehead State University Police Department
Randall Isaacs, Richmond Police Department
Brett Kreilein, Bowling Green Police Department
Brian Lafferty, Richmond Police Department
William Reardon, Richmond Police Department
Rodney Richardson, Richmond Police Department

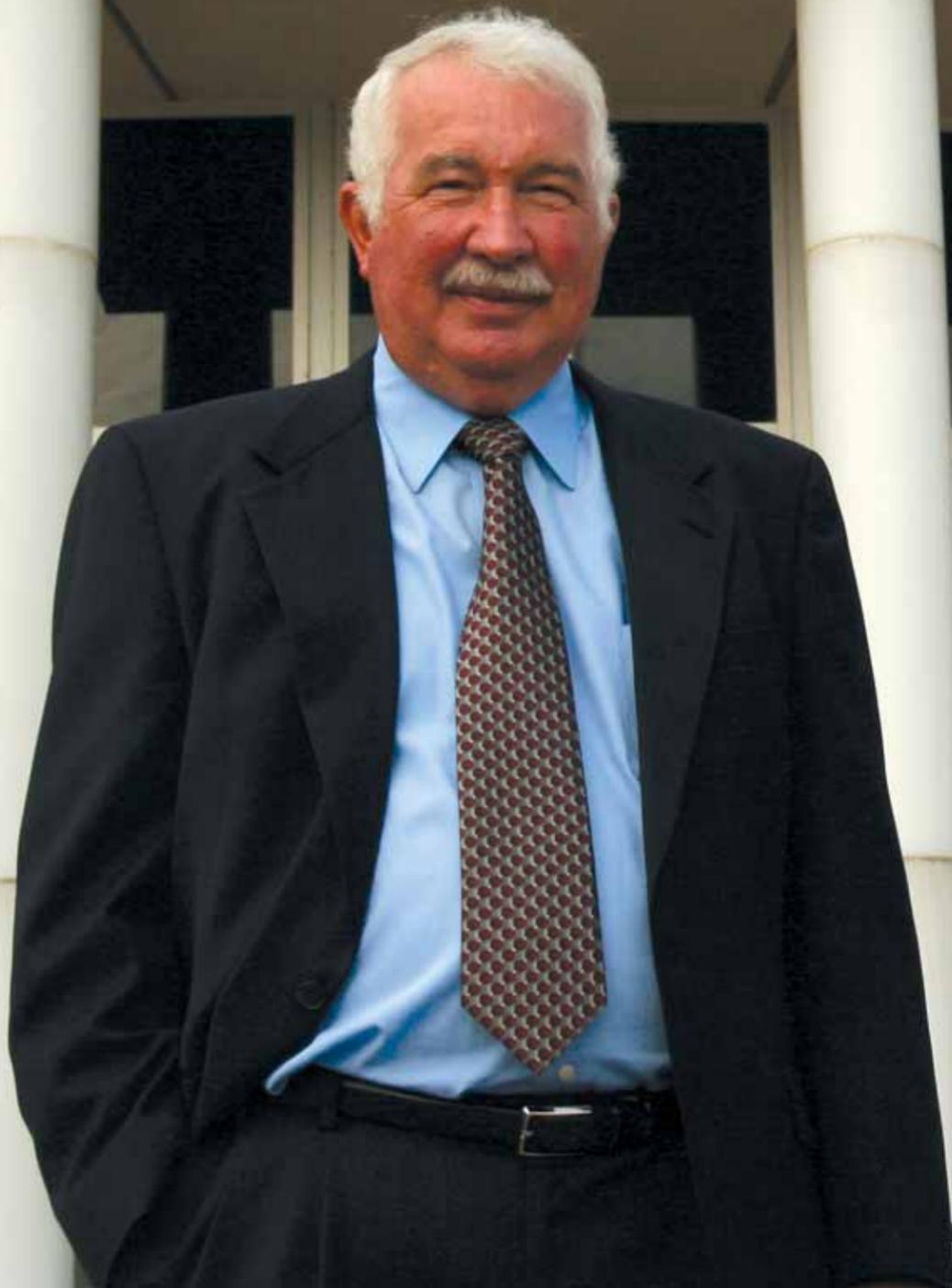
LAW ENFORCEMENT SUPERVISOR
Kenneth R. Adams, Ashland Police Department
Michael G. McGuffey, Covington Police Department
Terry R. Steff, Bowling Green Police Department
David S. West, Bowling Green Police Department

LAW ENFORCEMENT TRAFFIC OFFICER
John F. Bradley, Shepherdsville Police Department
Marc T. Schworer, Fort Wright Police Department

LAW ENFORCEMENT SUPERVISOR
Kenneth R. Adams, Ashland Police Department
Randall J. Hensley, Berea Police Department
William D. Hensley, Ashland Police Department
John E. Stewart, Bowling Green Police Department
Danny W. Williams, Madisonville Police Department

TELECOMMUNICATION SUPERVISOR
Barbara A. Lucas, Berea Police Department
Misty A. Starks, Murray State University Police Department
Jackie F. Stephens, Pendleton County Dispatch

Department of Criminal Justice Training Kentucky Justice Cabinet



/Photo by Elizabeth Thomas

“THE BEST JOB I EVER HAD”

/Jamie Neal-Ball, Public Information Officer

Upon finishing his stint with the military police in 1966, Herb Bowling decided that he did not want to continue as a law enforcement officer. Apparently, he had a change of heart.

Since then, he's made law enforcement his career, serving 21 years with the Kentucky State Police and what will soon be 17 years with the Department of Criminal Justice Training. He has been DOCJT's deputy commissioner since May 2002.

Through all of his work, Bowling has been able to make contacts across Kentucky. His skill in working with people has made him successful as DOCJT's liaison to law enforcement associations and the state legislature.

The deputy commissioner and his wife, Bonnie, live in Bath County and enjoy working on their Tennessee cabin in their spare time. They have four children, seven grandchildren and three step-grandchildren.

What are your main duties as DOCJT's deputy commissioner?

I'm second in command, of course. I do about anything in the agency that needs to be done. I've been pretty much all over the agency at one time or another – know how it operates. I act in the absence of the commissioner to take care of business as it goes along day to day. Also, I am the agency liaison for the legislature and all the police departments and organizations throughout the state. That takes a good portion of my time. I give direction to the executive staff – the directors and the Kentucky Law Enforcement Council, and some of the other folks that work out of the Commissioner's Office.

What do you enjoy about your work?

It's the best job I ever had. I really enjoy it. You get to not only interact with the people within the agency, but also practically everybody in the state at some point or another. You get to maintain all your police contacts and don't have to do the actual police work, so that's a big plus.

What appeals to you about the field of law enforcement?

I think the biggest thing that appeals to me in the area of law enforcement is you have an opportunity to improve the quality of life as it relates to police services, not only for law enforcement personnel, but also for everybody in the state.

Here at the Department of Criminal Justice Training – You can't go anywhere else and have the impact on law enforcement services that you can have here. You can be police chief in Lexington, police chief in Louisville, commissioner of state police, and you can have limited impact in certain areas, but at the Department of Criminal Justice Training – through our training programs and services that we provide – we impact every individual and every community in this state, so that's the big thing. >>

>> Why did you choose law enforcement for your career?
That's a long story.

I went into the military when I was 18 years old, and I saw these guys riding around Fort Knox wearing white hats, white gloves, sharp uniforms, and I thought, "That's what I would like to do."

When I graduated from basic training, they assigned me to the military police, so I went to Fort Gordon, Georgia, for training. I came back to Fort Knox Military Police.

I got out of the military, and I said there are two things I'm never going to do again: I'm never going to work for a job that doesn't pay good money, and I'm never going to be a police officer.

About a year later I joined the state police, became

“ I enjoyed doing those things that would help people and help the community, and I just liked doing police work. ”

a police officer making barely minimum wage, so here I am. That was in 1967.

Of course I was in the military police from '64 through '66, so I've been in law enforcement-related work since 1964.

Why did you say you would never be a police officer after you left the military?

Well, I was young and didn't really know what life was about outside the military. I found out I really missed being a police officer and being able to do all those things that police officers did. I never was big on the power syndrome or anything like that. I enjoyed doing those things that would help people and help the community, and I just liked doing police work.

Tell readers about your background.

I grew up in Breathitt County in a little community called Lick Branch. I went to Breathitt County High School and graduated there. I attended Lees Junior College for a short period of time. I was tired of school, so I joined the military and spent two years in the Army. I got out of the Army and went to Flint, Michigan, and worked at General Motors for about 10 months, applied for a job with the state police and came back to Kentucky.

I was hired by the state police in July of '67, graduated from the academy in January and went to the

Morehead Post. I worked there as a trooper for about seven years, was promoted to detective sergeant, went to Pikeville and worked about three months, and then transferred back to Frankfort in charge of minority recruiting. I spent about eight months in minority recruiting and went back to Morehead as a uniformed sergeant.

In November of '78 I was promoted to detective lieutenant and went to the Ashland Post, came back to Morehead in May of '79 and stayed there until I retired in July of '88.

I took a year off from work, at my own urging. I decided when I retired that I was not going to do anything for a year, and that's exactly what I did. I just traveled and fished. It was my time.

I always knew when I retired I wanted to come to the Department of Criminal Justice Training, and I was fortunate enough to get hired in November of 1990. I worked a year as an instructor in both Basic and In-service. The training division director's job came open, and I was fortunate enough to get that. That's the job I really wanted when I hired in, but it wasn't available. I was just very fortunate to be able to move into that job.

You went to college for a while before joining the military. What were your plans for your life then? I didn't have any. I was just going to college to be going to college.

Then after I joined the state police, I enrolled in Eastern Kentucky University and got a bachelor's degree in 1975. I enrolled in the master's program and earned my master's in 1983.

You spent most of your career up to this point working for KSP. Please talk about your time with KSP.

I had a great career with the state police. Actually, the most enjoyable period of time was working as a trooper on the road. I worked pretty much the entire 11 counties at some point or another during my road tender. Of course, I enjoyed my entire career with the state police.

As a detective lieutenant, you were in charge of all the criminal cases within post. We had several heinous-type murders, and I actually ended up involved with two cases that people got the death penalty. To be able to coordinate and bring all those cases together and end up with the final result is very rewarding. You really get an appreciation for the victims when you deal with those kinds of cases.

I had a great career and enjoyed it. Of course I enjoyed it so much, I guess three of my sons decided they wanted to try it too.



As you mentioned, working for KSP has been a family affair for the Bowlings. How did that happen?

I really never encouraged any of my kids to go into law enforcement, and I don't really know what attracted them to it other than just seeing me get up every morning and go to work.

But my oldest son joined the state police when he was 22, and I think he probably influenced the other two to get into the field more than I did.

Of course my second son worked as a dispatcher for about a year and then went to the state police. My youngest son was in high school at that time. He was getting ready to graduate, and they had some sort of a rally over at the school – and I thought this was very cool because they interviewed him on the radio. They asked him what he was going to do when he graduated from high school. He said, "I'm going to college for a couple of years." Of course, state police required 64 college hours. "Well what are you going to major in?" "I'm going to major in state police." They said, "Well, why are you going to do that?" He said, "Well I want to be a trooper." He said, "Why do you want to be a trooper?" He said, "Well, my dad's one – was one – my older brother's one, my second oldest brother's one; I just think it's the thing to do." That's kind of his route to getting there.

What do you do in your role as DOCJT's liaison with Kentucky's law enforcement associations?

Primarily, I answer all their questions. If they've got problems, I'll work on helping them get those problems solved. If there's something that needs to be coordinated between our agency and their departments, I'll make sure that happens. Those types of things.

What are some instances in which you have made a difference as DOCJT's law enforcement association liaison?

There are numerous instances.

Under the professional standards, when we got that in place I was pretty

much in charge of doing the sales pitch on that to get the support drummed up for it. So I traveled all over the state and met with every police group that I could think of and a lot of individuals and talked about the benefits of having professional standards. The sheriffs' association – a lot of members were opposed to professional standards. But after meeting with those folks and laying it out – the benefits and the pros and the cons – they signed on board with it. In fact, every professional association in the state signed on to the professional standards.

You are also DOCJT's legislative liaison, and, as such, you championed the passage of the Peace Officer Professional Standards Act. Next year is the 10-year anniversary of the POPS legislation. What are your thoughts on the standards now?

That has been the single-most favorable impact on law enforcement that I've experienced in my entire career. The quality of law enforcement has just increased so much. Everybody's involved. It's fostered much better working relationships with departments throughout the state because any officer in the state could go out now and know that he's got qualified, trained, competent people to back him up and assist him. That wasn't the case when I worked the road, because while you had a lot of good deputy sheriffs and a lot of good people out there, they just didn't really know what to do, and it kind of put you in a corner knowing that you were in a tight situation of >>

▲ Herb Bowling became a Kentucky State Police trooper in 1967 and spent most of his 21 years with KSP at the Morehead Post.

▲ DOCJT's deputy commissioner began his law enforcement career as a military police officer after joining the Army at age 18. He wanted to become a police officer after seeing the officers riding around Fort Knox wearing white hats, white gloves and sharp uniforms.

>> not knowing how the other person was going to react. There are several stories I could relay about that that I'm not going to.

Do you see a need to make changes to the POPS law at this point or in the future?

I think in the area of law enforcement you're always going to have changes and adjustments that need to be made. I can't go into anything really specific right now because that's kind of a circumstance or situational thing that you deal with as you come to it. In a lot of ways law enforcement still has the exact same duties and functions it did years ago but it's just expanded so much and has so many specialized areas that used to not be too much cause for concern or weren't dealt with very well by the law enforcement community. But I think if you look at law enforcement in general, and I like to think that law enforcement has something to do with crime rates – I think you've seen those go down since we've had professional standards in place. I think law enforcement's doing a great job. In fact, we're probably doing such a good job that we've overwhelmed the court system and the corrections system because there are so many people that are coming into the systems they can't adequately handle it.

Please share more with our readers about your role as DOCJT's legislative liaison.

I started working with the legislature on a limited basis back in '92, and then I picked up big time after Commissioner John Bizzack came here in '96. I was

pretty much designated the agency liaison for the Department of Criminal Justice Training and the legislative people. Primarily what I do is I coordinate and direct all of our legislative interests – try to get bills passed that we want passed and try to make sure the ones that are devastating to us don't get passed. We've been tremendously successful on our legislative issues in the past 10 years to 12 years.

POPS standards, getting this building – the Bizzack training complex – approved, expanding the basic training program to the current level, the tele academy and the telecommunications professional standards, getting the sheriffs and university police into pay incentive, I mean it just goes on and on and on.

What are your thoughts on being DOCJT's legislative liaison?

That's kind of a mixed bag. It can be very frustrating trying to deal with 130 legislators and coordinate what you can through the administration to make sure that everything falls in line.

When you go to the legislature as an agency liaison you can't go in there as an independent. You go in representing the administration – the Justice and Public Safety Cabinet as well as your agency – and you've got to be very careful that you don't do something to further your interest that might be detrimental to the other departments within the cabinet or to the administration's goal. So you've got to be very careful how you deal with it, but yet it's very rewarding when you can take legislation that you're interested in and see it follow the process – go through and become law and the governor sign it. We've had several of those.

What are some of your jobs in that role?

You have a lot of meetings that you go to. You have a lot of personal contacts with the legislators, people especially that are interested in the same legislation that you are and may sponsor your bills. Those are the kind of people you enjoy meeting with because you're on the same page. On the other hand, you also have to deal with those folks who are opposed to your bills. You've got to talk to those people too and explain to them why this bill needs to be passed and what benefit it's going to be to them. One of the things you absolutely have to do when you're dealing with those folks is be honest. If you've got a bill that's going to adversely affect some of their constituents, you need to just tell them up front – this is a good bill, this is what the bill is going to do, but this group of your constituents is going to be dissatisfied with it. That way they can have a heads up. I can convince them to change their stance and give them some talking points on talking to their constituents who are

opposed to the bill, say this is why we need it.

As the agency's liaison to law enforcement associations and the legislature, what are your days like when the legislature is in session?

I stay pretty busy. I usually will be in Frankfort four days a week during the session. I try to get back in the office on Friday to take care of what paperwork I have to. From Monday afternoons through late Thursdays a lot of time it's full time. You try to attend a lot of committee meetings, but I'm very fortunate here because we have a legislative team, and I assign people to go to certain legislative committee meetings. That way I don't have to sit in there all of the time, and they keep me posted on everything that's going on. It's really a team effort. It's not anything that I do personally; it's what everybody else does. It's not necessarily what we do as a legislative team, because quite frankly the legislators don't have a lot of concern about what the Department of Criminal Justice Training wants passed or what they don't want passed. It's their constituents back in their home districts. Part of my job is to make sure that all of the law enforcement officers and agencies, associations throughout the state are aware of what's going on in the legislature that deals with law enforcement and to give them a heads up that if they want their legislator to support this, they probably need to contact them because they listen to hometown people; they don't listen to me.

How did you get to be DOCJT's association and legislative contact? Are you politically savvy?

I am the absolute least politically savvy or connected person in state government. Absolutely. I have no political skills at all. I just deal very well with people one-on-one. I deal very well with people in small groups. I think the biggest thing is, over the years I've built up a lot of trust from these folks, and they know that whatever I tell them is going to be honest. It's not going to be a bunch of crap that they have to worry about second-guessing whether I'm telling them the truth or not. It's just evolved over the years. It actually started when I became training director here in 1992. I traveled all over the state going to police departments and every group that I could get into just to let them know who I was and what I was about and what I thought needed to be done, what didn't need to be done, and to get their input. So I built a great repore with the chiefs, and I think that just eventually led to me being legislative liaison. Of course, in the early years when John came down here, it was just John and Bernie (Bernard Thompson, former training support director) and me, so we had a lot we had to do. It just evolved that it came out that way.

What are some of the major changes you've witnessed in law enforcement during your career?

When I began at the state police, we didn't even have LINK and NCIC. If you wanted to run a license check, they called Frankfort, and if it happened to be at night, you would have to wait until the next morning before you could even find out who the car was registered to. If it was out of state, you didn't get a response until the next day. That's where telecommunications was. Our cruisers didn't have commercial radios, and they didn't have air conditioning. In fact the standard cruiser when I graduated and went to work, you had a radio, and of course you had a firearm. The radios were almost inoperable. You had to pick the locations in the county to go to in order to be able to talk to the dispatcher. You didn't have any form of instant communication. You didn't have backup out in rural Kentucky. You were probably the only law enforcement officer that was available within 40 miles, so whatever you got into, you better be well able to take care of it.

I remember one time I got called out on a car with three guys that had been slashing tires on people's cars. I went over there and found the car – a red, '64 Chevy, a beautiful car. I fell in behind it, turned the blue lights on, and the started running from me; they went north

“ [POPS] has been the single-most favorable impact on law enforcement that I've experienced in my entire career. ”

on 57. One of them shot out of the window. I shot back of course. They ended up wrecking. I just kind of pinned the driver's door. I got out with a shotgun. All I could see was six hands sticking up in the air. So I arrested those guys and put them in the Lewis County jail. I called in trying to get a check on this thing. They had Virginia plates. The next day I found out that these guys had escaped from prison in Hanover, Virginia. They had killed a prison guard and stolen his car. I was dealing with these guys not knowing who I was dealing with, by myself, and no other officers were able to help. That's the way it was back in the early days. You just did that stuff. Today, it's not that way. You've got instant communications. You know within 30 seconds that you've got a stolen car with dangerous people in it, and you know that before you start dealing with it. Those are the major changes that have come about. J



DOCJT HOSTS CAMPUS SAFETY FORUM

Higher-education administrators, law enforcement and state officials meet to discuss campus safety / Jamie Neal-Ball, Public Information Officer

Four months after the Virginia Tech shootings, administrators, law enforcement and other officials from colleges and universities across Kentucky recently came together to learn about and discuss preventing and preparing for such an attack on their campuses.

The 84 officials from public and private postsecondary institutions took part in the Kentucky Campus Safety Forum sponsored by the Department of Criminal Justice Training in Richmond.

The daylong event, which was held August 13, included presentations and conversations on a variety of topics, including campus emergency operations plans and model policies, law enforcement training for active-shooter situations, federal and state firearms laws, mental illness in college/university students and mutual-aid agreements between postsecondary schools and local law enforcement.

"I think it was excellent training, and it was especially good for bringing police, administrators and the state together," said one of the attendees, Jane Fitzpatrick, general counsel for Morehead State University.

Gov. Ernie Fletcher formed a steering committee to address security at Kentucky colleges and universities after a student at Virginia Tech killed 33 people on the campus in April. The forum at DOCJT was part of the committee's work, which also includes reviewing emergency-response plans from the schools and making recommendations.

Task force member Gen. Clay Bailey, director of the Kentucky Division of Emergency Management, talked at the campus safety forum about the essential elements for a university/college emergency plan in dealing with a Virginia Tech-like situation.

Bailey said each institution's plan needs to include:

- an incident management structure, which dictates how the school will proceed in an emergency. This

should include how administrators will get together and information for contacting key people 24 hours a day.

- an emergency declaration (like an alarm) to let people on campus know there is an emergency and a means of letting them know what the emergency is. The schools should also work with their local media to let people off campus know to stay away.

- policies regarding campus violence, including active-shooter scenarios. Plans should also include information on the response to those situations, such as what agencies will respond (like university/college law enforcement and/or local law enforcement, Kentucky State Police Special Response Team).

- information about medical care in emergencies, including what is available on campus and at area hospitals.

Universities/colleges need to have agreements with outside agencies that will work with them in an emergency, such as local law enforcement and hospitals, Bailey said. They also need to conduct exercises with everyone who would be involved in handling an emergency situation, including school administrators, faculty and staff, local law enforcement and hospital staff, he said.

None of the emergency plan the governor's campus safety committee received from schools contained all aspects of a complete action plan, Bailey said. Some didn't distinguish between hostage and active-shooter situations, most didn't include a medical mass-casualty concept and contact information for that scenario, and the plans didn't include enough emergency training for campus staff, he said.

Training is available through a variety of sources, including the Kentucky Office of Homeland Security, which will set up exercises for universities/colleges to practice their emergency plans, said Chuck Melville,

manager of the Department of Criminal Justice Training's Advanced Individual Training Branch.

School administrators should be familiar with the incident-command concept and how their institutions fit into it with emergency responders, he said. The federal National Incident Management System provides free, online training that includes the Incident Command System.

Melville also told the group that schools should cooperate with their local law enforcement and/or on-campus police in developing their emergency plans.

Of the university/college emergency plans the governor's steering committee reviewed, Morehead's was selected as having a model policy for active-shooter situations.

"Once we get this call – and I don't believe it's if, it's when – when we get a call that there's an active shooter, we're going to be prepared to respond and we're going to stop the active shooter," Morehead Police Chief Joe Cline said.

Cline and leaders from two other universities the committee designated as having best practices in a particular area presented their information at the forum.

Although Western Kentucky University Police Department was picked for having the best communication plan for emergencies, Chief Robert Deane said he had a request list for equipment to improve emergency communications at the university, including exterior and interior public address systems.

Presently, Western's emergency communications capabilities include outdoor warning sirens, a phone pyramid (a plan for calling every building on campus), an alert system through the university's cable TV station, and a radio station for broadcasting information.

Maj. Kenny Brown from the University of Louisville Police Department talked about its emergency-plan pamphlet. The pamphlets contain action plans for a variety of emergencies, including natural and manmade disasters and criminal acts. The plans are specific for each university building, Brown said.

At Virginia Tech, shooter Cho Seung-Hui shouldn't have been allowed to purchase the guns he used to commit his crime at the school because of his mental history, Hydee Hawkins, assistant U.S. attorney for the Eastern District of Kentucky, told those at the campus safety forum.

Under federal law, people who have been adjudicated as mentally defective or have been committed to a mental institution are prohibited from ever possessing firearms or ammunition, she said.

Virginia is among the minority of states that report to the National Instant Federal Background Check System for purchasing guns, but Seung-Hui apparently wasn't in the system because Virginia law didn't match the federal law regarding mental illness and gun purchases, she said.

Kentucky doesn't report mental status to the federal-background check system because of a law that classifies those records as confidential, said Brenn Combs, assistant general counsel for the Kentucky Justice and Public Safety Cabinet. A firearms dealer here wouldn't see that a person had been deemed mentally ill when running a check on them, he said.

Legislation in Congress proposes to give states financial incentives to develop a database that would report to the federal system; the cabinet will recommend that Kentucky participate if it passes, Combs said. The state legislature would have to pass a law to change the confidential status of the mental-health records regarding gun purchases, he said.

Most people with serious mental illness do not commit violent crime, said Dr. Ed Maxwell Jr., who spoke at the forum about mental illness in university/college students.

Maxwell, who is a clinical director for the state's Division of Mental Health and Substance Abuse, said school administrators should insist on mental assessments for students who exhibit dis-

“When we get a call that there's an active shooter, we're going to be prepared to respond and we're going to stop the active shooter.”

turbing behavior and have consequences for students who fail to get the ordered assessment.

Signs of a student in acute distress include paranoid thinking expressed in spoken or written words, marked social withdrawal and overtly aggressive behaviors, he said.

Universities/colleges need to develop and market mental health services available on campus, including crisis services, ongoing treatment and the ability to refer off campus for specialist services, Maxwell said. He said they should also provide programs about mental health awareness and work to reduce the stigma of mental illness.

The next step for the governor's campus safety committee is to publish its emergency-operations recommendations for universities/colleges, which may use them as they see fit, said Brig. Gen. Norman Arflack, secretary of the state's Justice and Public Safety Cabinet. A timeline for completion has not been set. J

EMERGENCY

Kentucky Campus Safety Forum Resources for Universities/Colleges and Law Enforcement

► KENTUCKY OFFICE OF HOMELAND SECURITY

- The Kentucky Exercise and Evaluation Program designs, develops, conducts and evaluates exercises that test multijurisdictional responses. Agencies, including universities/colleges, that would like to schedule an exercise should contact Bryant Stiles, (800) 782-6823.
- Federal National Incident Management System training is available free and online to anyone. Visit <http://homelandsecurity.ky.gov/> and click NIMS on the homepage. There is also a link to other training information on the homepage.
- Through a KOHS program, law enforcement agencies and possibly university/college personnel who will respond to emergency situations on campus can have their communication radios programmed so they can talk with other responders during emergencies. Visit <http://homelandsecurity.ky.gov/> and click on Voice Interoperability Mutual Aid Agreement for more information, or call Mary Pederson at (502) 564-2081.

- Department of Criminal Justice Training active-shooter training and related courses for law enforcement: <http://docjt.ky.gov/trainingschedule/index.html>. For more information, contact the Advanced Individual Training Branch, (859) 622-2304.

- Kentucky State Police information on how they handle active-shooter calls and what students, faculty and staff should do in that situation: Cpt. Eddie Johnson, (502) 695-6366, or eddie.johnson@ky.gov.

- Kentucky Division of Emergency Management's Statewide Emergency Management Mutual Aid and Assistance Agreement for agencies to cooperate in responding to an emergency: <http://kyem.dma.ky.gov/mutualaid/3.doc>.

- Dr. Ed Maxwell, Division of Mental Health and Substance Abuse, for information about mental-health issues and training for university/college personnel in crisis-intervention and suicide and violence prevention, (502) 564-4456

- Assistant U.S. Attorney Hydee Hawkins, Eastern District, for information about federal firearm laws, (859) 233-2661

- Assistant General Counsel Brenn Combs for the Kentucky Justice and Public Safety Cabinet, information about state firearm laws, (502) 564-7554

► BEST EMERGENCY PRACTICES AT UNIVERSITIES/COLLEGES

- Morehead State University Police Department, active-shooter policy. Chief Joe Cline, (606) 783-2035
- Western Kentucky University Police Department, emergency communications. Chief Robert Deane, (270) 745-2548
- University of Louisville Department of Public Safety, emergency-plan pamphlets. Maj. Kenny Brown, (502) 852-6111 ■

LAW ENFORCEMENT RESPONSE TO ACTIVE SHOOTERS

DOCJT offers a rapid deployment course to enhance a department's response capabilities
/Eric Garner, DOCJT instructor, Patrol and Traffic Section

In the wake of the Virginia Tech University shooting rampage in Blacksburg, Virginia, our nation searches for answers. The fact is that these types of incidents have been happening for years.

In order for the Department of Criminal Justice Training to provide the best training on rapid deployment and responding to active shooters in Kentucky, the agency has redesigned the original course. The new-rapid deployment course still focuses on quick response, assessment and intervention, but the necessity of forming a four-man team prior to entry is left up to the responding officers. Situations may dictate only a three-, two-, or even a single-officer response.

The rapid-deployment course was expanded to 40 hours in order to train the officers to respond effectively with less manpower without jeopardizing officer safety. The officers are shown how to use problem-based-learning methods to enhance their response time during critical incidents. The course uses various teaching methods, such as classroom lecture, legal justification and liability exercises, problem-based-learning scenarios and simunitions training to further the officers' training experience.

It was the shooting spree of Charles Whitman at the University of Texas in 1966, commonly referred to as the Texas Tower incident, that served as the impetus for establishing special weapons and tactics teams. Since the conception of SWAT teams, they have continually proven themselves as a necessary means for handling extreme incidents, such as high risk warrants, barricaded persons and hostage situations. During these types of incidents, first responders contain the situation and await SWAT's arrival; however, with active shooter incidents, tactics must change. First responders can not afford to wait. Nationally, the average response time for a SWAT team is just under one hour. In a typical active-shooter incident, the shooting is usually over in a matter of minutes.

Even though the law enforcement community realized the need for change when responding to active-shooter incidents, it was not

until the massacre at Columbine High School in 1999 that any changes came. After the criticisms about the Columbine response, the law enforcement community established a more rapid-response plan. This rapid response would have to come from the first patrol officers on scene.

Since the Columbine tragedy, the law enforcement community has begun a nationwide effort to train law enforcement, fire/rescue, school and other officials on rapid-deployment techniques for active-shooter incidents with the emphasis on bringing such incidents to a quick conclusion, in order to protect innocent lives.

DOCJT has conducted rapid-deployment training for law enforcement officers throughout Kentucky since 2003. The original rapid-deployment program focused on quick response, assessment and intervention by the first responders. The typical patrol-officer intervention would consist of a four-man team in a diamond formation moving through the building rapidly to make contact with the shooter.

Early research by the Illinois State Police suggested that this type of response would only work 25 percent of the time. The research stated that response times were still too lengthy, especially in rural areas where law enforcement agencies only had a limited number of officers on duty at one time. Even the more metropolitan departments face delayed response times when having to form a four-man team to intervene in active-shooter incidents. Kentucky's ability to respond is similar, in that 65 to 70 percent of the law enforcement agencies in our state are comprised of 10 officers or less. In light of this limitation and the growing trend of active-shooter incidents, it is only a matter of time until we see another major active-shooter incident.

Tragedies like the shooting rampage at Virginia Tech will never be totally preventable. Law enforcement agencies have to continually train and prepare for these types of critical incidents. DOCJT's rapid-deployment course will provide law enforcement officers with the necessary tools they need to respond to active-shooter incidents more effectively. J





RCPI

DEDICATED TO BETTER POLICING STRATEGIES



/Laura Kersey, RCPI staff

In a low-income housing district of Louisville in the early 1990s, crime rates were high, police calls were frequent and officer patrols were seemingly ineffective. For then-District Commander Cindy Shain, some innovative strategies were needed.

The Louisville Police Department Second District began implementing some community-policing strategies by partnering with community groups to identify major concerns of residents living in this high-crime area. Police officers committed to working with residents on the problems they identified, such as gambling in the courtyards, disorderly behavior and loud music. This was a change. Police didn't usually view those crimes issues requiring a significant amount of officers' time. During the next three months, the district experienced a 40 percent drop in crime, which astonished the district officers working in the area.

"I saw community policing and philosophies at work," Shain said. "I became very much an advocate that this is the way we needed to do business as police. We needed to build effective partnerships with groups and people in the community and respond to the problems that most concerned them."

Shain's conversion to community policing led her to accept a leadership position with the Kentucky Regional Community Policing Institute after retiring in 1999.

Kentucky's RCPI was originally created with funds through the Office of Community Oriented Policing Services. In 1992, Bill Clinton's presidential campaign included a crime-fighting initiative to increase the nation's

police departments by 100,000 officers and implement a new policing style: community policing. After his election, Clinton signed the 1994 Crime Control and Law Enforcement Act, creating the COPS Office. The crime law allotted \$8.8 billion over six years in the form of grants from COPS to hire, train and retrain law enforcement officers throughout the nation.

COPS solicited proposals to fund Regional Community Policing Institutes to develop and deliver community-policing training to the new 100,000 officers and the existing 700,000 police across the nation. After submitting a proposal in 1997, an RCPI program at Eastern Kentucky University was funded and took its first steps in becoming an important resource to Kentucky law enforcement agencies and communities.

A key component of COPS' strategy for the RCPIs was the provision of no-cost training. Free training allowed many small and rural departments within Kentucky to receive instruction even if no money was allotted in their budgets. For Paducah Chief Randy Bratton, this availability has been beneficial, not only in dollars, but in the training outcomes.

"It was a tremendous benefit and saved our department thousands of dollars in travel costs and tuition that I would spend if I had to send them somewhere else," Bratton said. "It's obviously nice that we saved money, but the critical point is that it's helped us implement the initiatives of community policing and be successful with our citizens."

As Bratton mentioned, another benefit of the Kentucky RCPI is providing trainers who can travel to police departments and teach on-site, saving departments money on

officer-travel expenses.

"RCPIs were encouraged from the beginning to take the training to police departments or at least take them out into areas of the state," said Gary Cordner, co-director of the Kentucky RCPI. "With free training and free travel available for departments, RCPI was a fresh source of information and instruction with many benefits."

But before training could commence, RCPI needed to develop training materials and curricula. The course, entitled Community Policing Kentucky-Style, became what Cordner calls RCPI's "bread-and-butter course." Developed by Cordner and Mitchell Smith, the course focused on what community policing entails and how it is performed. The course guidebook taught community policing as a philosophy, influencing the actions of an entire agency, and as a program, using specific, practical measures, such as prevention and enforcement strategies.

The guidebook explains community policing as getting to know your community better and enlisting citizens' help in fighting crime. Community policing takes a unique approach in that it encourages people to think about crime and law enforcement and the methods it uses to prevent crime and enforce the law.

Although many courses are taught on a broad scale, Community Policing Kentucky-Style tailored community-policing training specifically to Kentucky law enforcement. Most importantly, it focused on practical applications for smaller towns and rural areas as compared to large, metropolitan areas.

"One of the raps on community policing was that it was just a big-city program," >>

>> Corder said. "So part of the challenge of that course was teaching Kentucky officers it was relevant to them."

Bratton's mission upon being appointed Paducah's police chief in 2001 was to provide that sense of relevancy and a strong community policing philosophy for officers. He immediately contacted RCPI to aid in his initiative.

"They have been a tremendous benefit to me, the department and the community," Bratton said. "(It's) helped to develop the community policing philosophy, which in turn builds better relationships between the citizens and the community and helps prevent and bring down crime."

Bratton looked to the Kentucky RCPI's trainers to teach Leading for

derstood the reasoning and the philosophies behind it, because of the RCPI coming in ... they supported the programs and the initiatives. And, of course, it can't be successful without the officers' support."

Encouraging officers to buy into the new training initiative in Kentucky was one of the first leaps the RCPI needed to take. To do this, staff of the Kentucky RCPI and the Department of Criminal Justice Training traveled to Canada to observe the Royal Canadian Mounted Police's problem-based learning methods. Corder advised that RCPI staff had heard that graduates of this new training in Canada were a year or two ahead of graduates from their former training program once they were in the field.

Instead of bringing in recruits and giving them lectures, the RCMP's method integrated

scenarios with hands-on learning, which was centered on community policing and

problem solving.

"You pull it out of them and get them to discover what they need to know in order to do that job so they realize they need to know what the law is," Corder said. "Instead of the instructor telling them, they learn how to go and find the answer they need to have. Everybody that we

took to Canada came back convinced it was a better way of doing training. DOCJT changed their training to mirror the RCMP approach and has continued to refine it since."

In 2005, the RCPI made another leap when trainers Ed Brodt and Tracy Schiller attended training in Sacramento, California on a new course called the Police Training Officer program. The PTO program was a new model for post-academy field training in law enforcement. The program outline says that in the PTO program, "the regular duties of policing are incorporated, but they are put into the context of specific neighborhood problems. Recruits are challenged to think creatively and use community resources to deal with disorder and crime. They are allowed to learn through their mistakes by failing forward and consequently gain confidence to use collaborative, ethical and creative approaches to policing"

Brodt said that the Kentucky RCPI was so impressed with the program that they sponsored trainers from DOCJT, the Kentucky State Police and the Louisville Metro Police Department to attend two-week training courses. In 2006, RCPI brought the program to Kentucky.

As a result, the Louisville Metro Police Department has transitioned from the older Field Training Officer program to the PTO program for its post-academy-training model. In addition, the DOCJT has revamped its basic training function to mirror the phases in the PTO program and has adopted the PTO program as its post-academy-training model.

The PBL and PTO programs are two of RCPI's most requested courses, as well as two favorite courses of trainers Brodt and Schiller. The PTO program is one of the most enjoyable courses to teach, Schiller said.

"Trainees become very invested and interested in the material through the PBL teaching methods," he said.

Lt. Donnie Chambers of the Louisville Metro Police Department said he became involved with RCPI after requesting PBL and PTO training in December 2005. RCPI trainers Brodt and Schiller taught the courses.

"RCPI has been a valuable resource to us here at the LMPD Training Academy," Chambers said. "We benefit from the expertise and experience of two law enforcement and training veterans in Ed and Tracy."

Chambers said having well-respected advisers like Brodt and Schiller endorse and train a program such as PBL or PTO lent credibility to the programs and helped his department overcome a resistance to change.

"Community policing has suffered from some misperceptions in the past," Chambers said. "But RCPI is helping to correct those misconceptions. They are also providing a practical application of community policing principles in the structure of the PTO program."

The PTO program also appealed to Paducah's Bratton. He said he brought the program to his department with amazing results. Bratton said Paducah is now at its "lowest crime levels in modern history."

Evaluation comments given by Paducah trainees about the PTO program show the impact the program has had on their policing techniques. One officer said he learned a lot about himself and negative things he had been doing while on the job.

"This course brought back the mindset of community service and the mission and vision that I needed to portray," the officer said.

Another officer said the PTO course's strength was its multi-faceted teaching techniques, saying it must be a breakthrough in course presentation.

Although many police departments receive training, the RCPI also provides and develops training for first responders and people in oth-

er sectors of the community, including public safety, schools and neighborhood representatives. RCPI has even performed training in other areas, such as terrorism awareness for communities, domestic violence and problem solving to show people in other fields how to address community problems.

"I think its one thing that makes us very different," Shain said. "It focuses on bringing

◀ Lt. Mills and participants at Terrorism Awareness for Communities training presented for Jefferson-town KY CERT team volunteers.

sectors of the community together and training them together. It provides them a way to work together and hopefully sew some seeds there to take on and use to deal with other issues in their own communities."

Trainers and trainees alike have also benefited from the RCPI's funding and courses. Sgt. Alice Leffler, a trainer at the Louisville Metro Police Training Bureau, was also a trainee in RCPI's PBL course in St. Petersburg, Florida.

"(RCPI) afforded me some opportunities that I normally would not have an opportunity to take," Leffler said. "One travel opportunity that comes to mind is going to St. Petersburg. The PBL course ended up being a career-changing course that currently stands as one of the benchmarks of my career."

Leffler aided in bringing the course back to Louisville, where the department began training its own officers. She said the training caught on like lightning. She and other trainers immediately began to see a difference in

the classroom. Students began to be focused and stay interested in the material, even leaning forward in their seats to talk to each other. Students' attitudes toward training wouldn't have changed if it weren't for RCPI.

"RCPI is providing a worthwhile training," Leffler said. "That opportunity would not have been afforded to me, even from as large a department as I come from, because it wasn't budgeted. Having those resources enabled us to do that."

Since its beginnings, the Kentucky RCPI has also sponsored national conferences on community policing for state and provincial police, sponsored youth violence summits, taught national curricula on police ethics, spearheaded bringing Situational Leadership to Kentucky, and co-directed gang summits in 47 U.S. Attorney districts with outside institutes, such as Florida's RCPI.

Eileen LaHaie, director of Florida's RCPI, has worked closely with Kentucky from the onset. Both programs often share instructors, co-sponsor events, share curriculum materials and open trainings to one another. LaHaie said she believes Kentucky's RCPI ranks among the top in the nation.

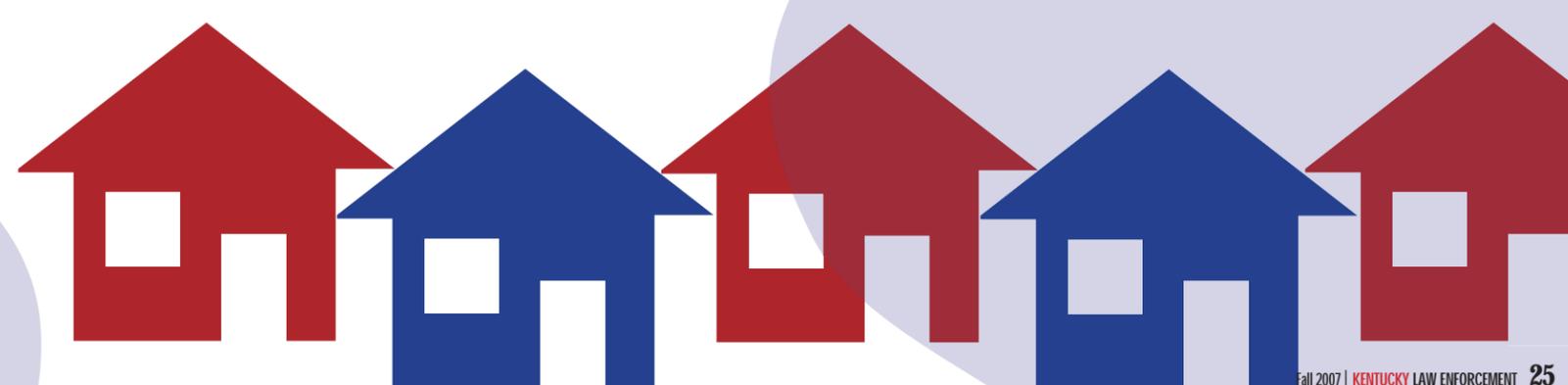
"Kentucky is in the top echelon. There is no doubt," LaHaie said. "It is number one because of Eastern Kentucky University's reputation in police education. Their reputation precedes itself and having such a quality institute lends credibility to the entire RCPI National Network as well."

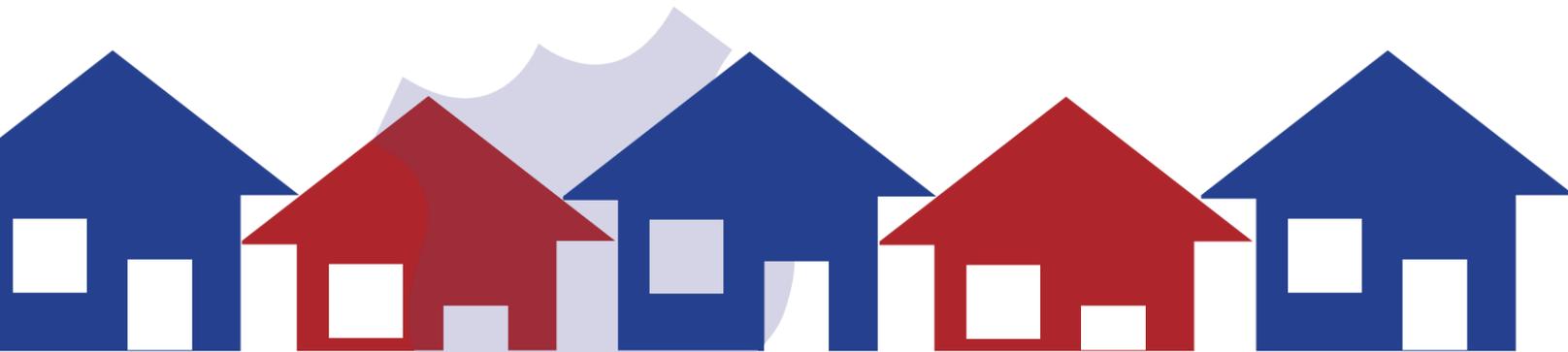
LaHaie said she's specifically impressed with Kentucky RCPI's relationship with the Kentucky League of Cities in Lexington. The KLC is an association of almost 400 Kentucky >>



Change, a course based on training law enforcement commanders on how to successfully lead community-oriented policing agencies and subordinates who may be reluctant to change.

"They helped explain the community-policing philosophy to the police officers here, and it helped support my initiatives," Bratton said. "Once they un-





>> cities and municipalities. The KLC provides cities, leaders and employees with a number of services, including insurance; loss control and employee benefits; policy development and research; finance; legal and information technology services; training and education; and legislative advocacy.

Paul Deines, KLC's deputy administrator of Insurance and Loss Control, works closely with RCPI in providing law enforcement and communities with insurance programs. Deines said the KLC insures virtually 75 to 80 percent of all municipal police in Kentucky by providing liability in incidences such as police arresting the wrong person or using excessive force. KLC provides the liability, defense and the damages, as well as workers' compensation.

The KLC and RCPI also work together to help law enforcement agencies work more closely with their communities.

"That's the intersection where the RCPI and KLC have worked very effectively," Deines said. "We build community bonds, changing the very culture of policing, while providing services that enhance that."

The Kentucky RCPI and KLC have co-hosted training programs around the state to spread the community-policing philosophy. The programs bring together community and police focus groups to identify community goals and common interests.

"The concept of community policing embraces the thought that this is our community, city and police," Deines said. "We're there to work together. We need to increase our effectiveness by cooperative endeavors, recognition, communication and involvement."

Deines says he has seen the very nature

of police departments change with RCPI's implementation of community policing.

"I believe they relate better to the community, the community to them, to help bring the flow of information both ways," Deines said. "This wasn't available before ... RCPI helped make that bridge."

Recently, RCPI added two new services: on-site community assessments and assisting local communities in the selection of their police chiefs. The new police chief selection service provides departments with technical assistance in setting up a process to identify police chief candidates that are community oriented. This includes assisting with devel-

► COPS meth lab awareness class and training in Louisville 2007

oping questions for interviews and helping with background investigations. Deines said he believes the selection service is a program many departments throughout Kentucky should consider looking into.

"I've seen RCPI work very effectively with communities who are having difficulty in this relationship puzzle," Deines said. "(RCPI) helps bring those parties together, complete with a review internally of the police department and how the police department responds to the community with recommendations on how to modify the structure or approach to policing."

Deines also said he's seen the RCPI bring structure to communities that have been in great turmoil.

"I think they bring great insight to the hir-

ing process with this community engagement by identifying community needs." Deines said. "They bring the concept forward, create quality policing and improve community life. And that's what they do. They've helped bring that service to our cities."

The on-site community assessment, the Kentucky RCPI's other new program, also allows an assessment team, led by RCPI staff, to evaluate the department's community connection and provide recommendations to improve the community's personal involvement in policing. Chief Marc Fields of the Erlanger Police Department was one of the first to request an assessment.

"Being a new chief, I wanted to see our department take community policing to a higher level and this assessment helped us accomplish that goal," Fields said.

Fields said it is often difficult to change the culture of departments into community policing because many departments become comfortable in their own style of policing. Several years ago, when he was a sergeant, Fields remembered telling the sitting mayor of a city that their department didn't have the manpower to be successful at community policing. Contacting the RCPI and receiving an assessment changed his perspective.

"I know now that I was completely wrong," Fields said. "Being short on manpower is a reason to embrace community policing. How else can you build cooperation that helps you solve and prevent crimes?"

Seven watch groups within Erlanger are now meeting on a regular basis to discuss crime problems and identify criminal activity and suspects for the police department. Fields said the groups are directly responsible for several arrests the city made for crimes

such as drug trafficking, theft, burglary and criminal mischief. In the past two years, Fields says he has seen an increase in the number of crimes solved as well as a change in his officers' performance.

"This success has encouraged our officers and proved that the work involved is worth the effort they put forth," Fields said. "I will say this, when you commit to this style of policing, it is more work. Seeing success and being able to measure it is the most important aspect for both the officers and the citizens."

Chief Fields said he now encourages others to look to RCPI for training and assistance based on the profitable results in his department.

"While we all do community policing in one fashion or another, RCPI brings the expertise to refine those actions for greater success," Fields said. "Without the training from RCPI we would not have these groups active today, not because the citizens did not want to be involved, but because we did not know how to organize and use them."

LMPD's Leffler also recognizes how invaluable RCPI has been. She said RCPI has not only aided in success in the classroom, but also provided many avenues for career development and will continue to enhance Kentucky law enforcement.

"I'd probably be still doing the same thing all along if I hadn't gotten to go to that two-week course," Leffler said. "They do a lot of things people don't get to see. The RCPI was something that was needed in the law enforcement community for a long time."

Paducah's Bratton agrees.

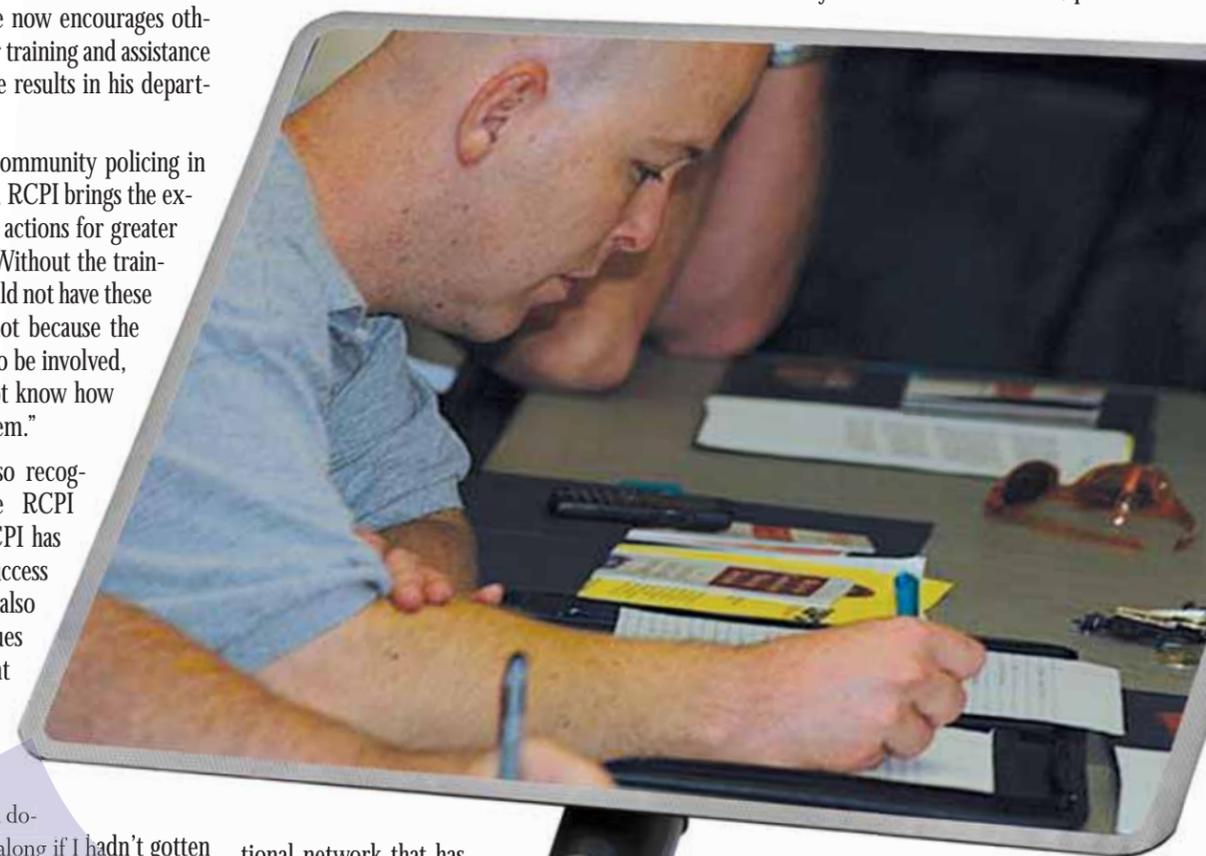
"(RCPI) has been a tremendous asset as far as moving departments forward throughout Kentucky in the last 10 years," he said. It's been one of the most significant accomplishments in Kentucky law enforcement."

The Kentucky RCPI is celebrating its 10-

year anniversary and looks forward to not only continued service in the commonwealth but also as an integral partner of the RCPI National Network. The RCPIs have moved beyond the scope of merely providing community policing training, which was the mission in the early years, and into the development of specialized training that meets local needs. The RCPI network serves as a model of cooperation and collaboration and demonstrates the spirit of community policing as large. The Kentucky RCPI is proud to be part of a na-

direct technical assistance.

With the decline in COPS funding, the RCPI network, with the support of COPS leadership, has embarked on a course to become even more independent. While maintaining its acronym, the network name has been changed to The Regional Centers for Public-safety Innovation (RCPI) to reflect its expanded mission of public safety. The 27 member RCPIs, constituting the national network, are undergoing transition to a viable business entity that will remain flexible, pro-



tional network that has been responsible for training more than 500,000 law enforcement officers, local government representatives and community members and that has become an effective and efficient mechanism for the delivery of training and

active and responsive to local, state and national needs. The Kentucky RCPI is proud of its accomplishments and will continue to shift resources and staffing to meet the challenges of the 21st century.

To contact Kentucky's RCPI for training, assessment or evaluation services or to find upcoming events, contact Cindy Shain or Pat Aldridge at (859) 622-2362 or visit the Kentucky COPS Web site at www.ky-cops.org J



Memorializing the Past Envisioning the Future

Please join us for the dedication of the new Kentucky law enforcement memorial in its new amphitheater setting at the Department of Criminal Justice Training. The ceremony will be held Wednesday, September 19 at 10 a.m.

The ceremony will be followed by the symposium "The Future of Kentucky Law Enforcement: The Next 10 Years" at 1 p.m. (EDT) at O'Donnell Auditorium, Eastern Kentucky University. A second identical symposium will be conducted at the Carroll Knicely Center, Western Kentucky University Thursday, September 20 at 10 a.m. (CDT)

/Photo by Elizabeth Thomas

and their survivors or dependents. The scholarships may be used at any accredited college or university, including two-year and community colleges and may also be used at recognized or certified vocational or trade schools.

The scholarships, first awarded in 2004, continue to be an important part of KLEMF's mission to assist and honor law enforcement personnel in Kentucky.

Scholarship Recipient	School
Jonathan Tyler Adkins	Northern Kentucky University
Derek Christopher Allen	University of Louisville
James Garland Bland	University of Louisville
John Clark Bourne	Bluegrass Community and Technical College
Kiana Renee Bryant	University of Kentucky
Karla Jo Burnett	Western Kentucky University
James Bernard Clements Jr.	Campbellsville College
Crystal Dawn Flynn	Eastern Kentucky University
Ashley Marie Gray	Eastern Kentucky University
Bobbie Jo Harris	Eastern Kentucky University
Emily Ann Hill	Northern Kentucky University
Steven Christopher Howard	Morehead State University
Juliann Marie Lisanby	University of Kentucky
Robert Edward Matthew Martin	Georgetown College
Susan Beth Meeks	University of Kentucky
Elizabeth Rose Mills	Western Kentucky University
Lindsay J. Mousette	Bluegrass Community and Technical Kentucky
J. Chelsea Motsinger	Western Kentucky University
Jacklyn Page Nally	Eastern Kentucky University
David Patrick Nicholson	University of Kentucky
Jason Lynn Pohl	University of Louisville
Jacqueline Michelle Slone	Hazard Community College
Jana Deshae Treadway	West Kentucky Community and Technical College
Kasey Brooke Ward	Western Kentucky University
Alecia Jean York	Elizabethtown Community College

ORGANIZATIONS HELP PLAN BECOME REALITY

In 2005, the Kentucky Law Enforcement Memorial Foundation recognized the need to expand the law enforcement memorial. The project to expand and relocate the memorial that honors all Kentucky's law enforcement officers was completed in June of this year. Many law enforcement-related organizations in Kentucky contributed to help this concept become a reality. The foundation recognizes those organizations for their continued support:

- Kentucky Vehicle Enforcement
- Kentucky Sheriffs' Association
- Bluegrass Fraternal Order of Police Lodge No. 4

- Kentucky Coroners' Association
- Kentucky Women's Law Enforcement Network
- Kentucky Association of Chiefs of Police

In 2006, the Kentucky League of Cities pledged a sizeable donation to the foundation for the expansion project. Originally the funds were to be donated over a 10-year period, but in 2007, KLC gave the foundation a check for the total amount. This donation was one-fourth of the projected funds needed to complete the expansion/relocation project.

KLEMF Awards 25 Scholarships

The Kentucky Law Enforcement Memorial Foundation awarded 25 educational scholarships for the 2007 fall semester. This year's group of recipients represented 17 Kentucky law enforcement agencies. Recipients will attend 12 higher-learning institutions.

The educational scholarship program is available to law enforcement officers and telecommunicators (current, retired or disabled)

Approximately 40 officers from half a dozen Kentucky law enforcement agencies sat together in a classroom in the basement of a building on the University of Louisville's Shelby Campus and conferred about how they should respond to and investigate a troubling series of events.

During a two-week period, scores of people in a Kentucky community had fallen ill with an undiagnosed infection of unknown origin that caused fever, pneumonia and liver damage. Amid a local and national political climate charged with concern over the threat of terrorism, the circumstances surrounding the disease outbreak had begun to seem suspicious. But when local, state and federal public health authorities recognized unusual patterns in the occurrence of the mysterious illness across the community, those circumstances took on positively sinister implications. Based on the geographic distribution of the residences of those who had fallen ill, as well as other evidence from their investigation, health officials feared that people had been deliberately sickened by the intentional release of a biological agent.

This raised a number of difficult and unfamiliar questions for the Kentucky law enforcement officials gathered in that room. What was the best way to coordinate the public health and criminal investigations? How could information from the public health investigation be used as evidence to help discover, apprehend and eventually convict any criminal suspects? Who was available and qualified to operate in an environment that was both a potential crime scene and a hazardous materials incident or to process materials that could be both evidence and bio-hazardous?

Fortunately, the officers were not confronted with an actual instance of bioterrorism. They were participating in a training scenario that was part of a forensic epidemiology course sponsored by the Department of Criminal Justice Training. The course, officially titled Law Enforcement Response to Public Health Emergencies, was developed jointly by the Kentucky Department for Public Health and the Louisville Metro Department of Public Health and Wellness and is taught by public health professionals from the Kentucky Department for Public Health and local health departments throughout the state. The course was first offered in March at the Elizabethtown Police Department, and additional sessions will be offered at least through the end of the year. The goal of this course is to enhance the joint effectiveness of law enforcement and public health in conducting investigations of health problems associated with criminal acts or intent, or of crimes having public health consequences.

Forensic epidemiology is an unfamiliar term to most people in the law enforcement community, and defining the concept is not simple. While everyone in law enforcement understands the term forensic to mean "relating to the in- >>

FORENSIC EPIDEMIOLOGY:

Kentucky law enforcement officers train to investigate bioterrorism / Matthew Groenewold, MSPH
Louisville Metro Department of Public Health and Wellness

>> vestigation and establishment of facts or evidence suitable for use in a court of law,” the term epidemiology, referring to the public health discipline that studies the amount, causes and spread of diseases in populations, is much less familiar to those without considerable exposure to the public health or medical fields. Simply defining its component parts, however, does not convey all of the term’s different connotations, which can vary depending on the context in which it is used.

Forensic epidemiology is most commonly understood to refer to that area of practice where public health and criminal investigations overlap, especially as it relates to possible instances of bioterrorism (1). But this was not always the case. Over the course of the past three or four decades, there have been numerous examples of either parallel or joint investigations conducted by law enforcement and public health authorities into either health problems that were suspected to have been intentionally caused or crimes that had potentially significant public health consequences (1). These included investigations into the Atlanta child murders (2), a number of so-called angel of death scenarios in which nurses or other healthcare providers in hospitals and nursing homes were found to have intentionally administered le-

by such a witness is often required when a judge or jury must determine whether a particular exposure (to an environmental chemical contaminant, for example, or repetitively performed task) is related to a particular injury (a birth defect, for example, or carpal tunnel syndrome). Forensic epidemiologists have become regular fixtures in toxic tort cases, in which injuries or diseases are claimed to have resulted from exposure to an environmental toxin.

Around 1999, the term became associated with the threat of bioterrorism. The first use of the term in this context may have been by the former chief deputy of the Union of Soviet Socialist Republic’s bio-weapons program. Dr. Ken Alibek used the term to describe activities that would help distinguish natural from man-made epidemics (1). A few months after the September and October 2001 Anthrax attacks, Dr. Julie Gerberding – then a senior official with the Center for Disease Control’s National Center for Infectious Diseases, now the director of the CDC – used the term when describing the need for the CDC’s Epidemic Intelligence Service epidemiologists to be trained to respond to bioterror attacks as well as other public health emergencies (1).

Today, while epidemiologists continue to testify

“Forensic epidemiology is most commonly understood to refer to that area of practice where public health and criminal investigations overlap, especially as it relates to possible instances of bioterrorism.”

thal doses of unprescribed medications (3-7), and intentionally caused outbreaks of foodborne illness (8, 9). An example of the latter category is the 1984 case of intentional contamination of restaurant salad bars in The Dalles, Oregon with the bacterium *Salmonella typhimurium*, an instance of domestic bioterrorism carried out by religious followers of the Indian guru Bhagwan Shree Rajneesh (8). In their time, however, none of these investigations was thought of as an example of forensic epidemiology.

Until about eight years ago, the term forensic epidemiology was typically used to refer to the presentation of an epidemiologist as an expert witness, most often in civil proceedings (1, 10). Testimony

as expert witnesses in both civil and criminal court proceedings, the connotation of the term forensic epidemiology has shifted decisively in favor of the criminal/bioterrorism context. In consideration of this shift, a formal definition for forensic epidemiology was proposed in 2003:

- The use of epidemiologic methods as part of an ongoing investigation of a health problem for which there is suspicion or evidence regarding possible intentional acts or criminal behavior as factors contributing to the health problem, or
- The use of epidemiologic and other public health methods in conjunction with or as an adjunct to an ongoing criminal investigation. [1]



Additionally, the American Academy of Microbiology has proposed the following definition for the separate and more specific, but nevertheless related, field of Microbial Forensics:

- The emerging discipline of microbial forensics combines principles of public health epidemiology and law enforcement to identify patterns in a disease outbreak, determine the pathogen involved, control its spread and trace the micro-organism to its source – the perpetrator(s) (11).

The need for law enforcement and public health to work closely together and to be able to conduct effective joint investigations was dramatically underscored by the events of September and October 2001. As a result, a number of joint law enforcement/public health training programs have since been developed and implemented across the country. The prototypical joint training program of this type, titled “Forensic Epidemiology: Joint Training for Law Enforcement and Public Health Officials on Investigative Responses to Bioterrorism,” was developed by the CDC in 2002 and released nationwide in 2003 (12). Now, virtually all training billed as forensic epidemiology training, whether conducted by law enforcement or public health agencies, focuses on the response to and investigation of instances of bioterrorism (1).

The course offered in Kentucky is, in some ways, based on the CDC course and its related reference guide produced jointly by the

CDC and the FBI, the “Criminal and Epidemiological Investigation Handbook,” (13) but with one important difference. While the CDC course is intended to be a truly joint training in which law enforcement and public health officials are trained together, the Kentucky DOJCT course is designed specifically for law enforcement officers. The aim of the course is to enhance the ability of law enforcement officers to operate closely and more effectively with public health officials when they investigate public health problems that may have been intentionally caused or crimes that have public health consequences. It attempts to accomplish this by familiarizing officers with the basic principles of public health and the epidemiological approach to investigations. Also, the course introduces them to some of the difficult issues that are likely to arise and needs to be resolved in the course of a joint criminal/epidemiological investigation.

The eight-hour course makes use of both lectures and interactive, facilitated group discussions of both factual and hypothetical scenarios. These discussions reinforce the content of the lectures by giving the participants an opportunity to apply the concepts and principles they have learned to actual and hypothetical epidemiological investigations.

While the course focuses primarily on bioterrorism, such incidents are not the only instances where the principles of forensic epidemiology might be applied. Public health and law enforcement may also be required to work together to detect, respond to and investigate inten-





tionally caused problems that impact public health, which result from non-terrorist acts that violate other criminal statutes, state or federal. An example of this type of crime, which might be investigated using the principles of forensic epidemiology, is of environmental crimes, such as improper disposal of hazardous waste that results or threatens to result in human illness or injury. Such environmental crimes may involve violations of state or federal law, or both. Criminal negligence on the part of corporations or other parties that results in consumer injury or illness might also be jointly investigated by law enforcement and public health. Imagine, for example, a food processing plant that intentionally bypassed food safety procedures to save money and distributed contaminated products, resulting in a food-borne disease outbreak. Or imagine an auto mechanic shop that, with the intention of increasing profit, knowingly performs shoddy repairs or uses faulty parts, resulting in an increased risk of motor vehicle crashes. Investigation of these sorts of crimes might require joint public health and law enforcement operations without federal involvement, in contrast to investigations of terrorist acts, which always fall under federal jurisdiction.

Forensic epidemiology represents the intersection of criminal and epidemiological investigations, so the course focuses on the investigative aspects of joint law enforcement/public health operations and is well suited for detectives, criminal investigators or other officers with investigative responsibilities. However, forensic epidemiology, or joint investigations, is not the only context in which law enforcement and public health might officially interact, especially during emergencies. For example, public health officials might request assistance from police in enforcing isolation and quarantine orders. Occasionally, people with active tuberculosis, particularly the multi- or extensively drug-resistant forms, who do not comply with court-ordered treatment regimens must be detained in prison until their antibiotic therapy is complete. During an epidemic or pandemic that results in significant public panic, law enforcement may be called upon to enforce public order or even enforce compliance with stringent public hygiene measures put in place by the health department. Law enforcement may also be needed to protect critical medical or public health infrastructure such as hospitals, points of distribution or stores of medical supplies during an epidemic.

One of the byproducts of the forensic epidemiology class has been recognition on the part of DOCJT and its public health partners of the need for formal training in these other, non-investigative areas of law enforcement/public health interaction. DOCJT, the state Department for Public Health and the Louisville Metro Department of Public Health and Wellness are planning to develop a course to be offered in 2008 addressing these areas and specifically target officers whose primary responsibilities do not include criminal investigation. DOCJT also plans to offer the forensic epidemiology course for detectives, investigators and command staff in 2008.

DOCJT, the state Department for Public Health and the Louisville Metro Department of Public Health and Wellness are collaborating as part of their commitment to the safety, health and well being of all citizens of the commonwealth. For more information about forensic

epidemiology or other joint law enforcement/public health training opportunities, contact DOCJT, the state Department for Public Health's Preparedness Branch or the Louisville Metro Department of Public Health and Wellness' Office of Emergency and Public Health Preparedness. J

References

1. Goodman RA, Munson JW, Dammers K, Lazzarini Z, Barkley JP. Forensic epidemiology: Law at the intersection of public health and criminal investigations. *Journal of Law, Medicine & Ethics* 2003;31:684-700.
2. Blaser MJ, Jason JM, Weniger BG, et al. Epidemiologic analysis of a cluster of homicides of children in Atlanta. *JAMA* 1984;251:3255-8.
3. Buehler JW, Smith LF, Wallace EM, et al. Unexplained deaths in a children's hospital: an epidemiologic assessment. *N Engl J Med* 1985;313:211-6.
4. Istre GR, Gustafson TL, Baron RC, et al. A mysterious cluster of deaths and cardio pulmonary arrests in a pediatric intensive care unit. *N Engl J Med* 1985;313:205-11.
5. Sacks JJ, Herdon JL, Lieb SH, et al. A cluster of unexplained deaths in a nursing home in Florida. *Am J Pub Health* 1988;78:806-8.
6. Sacks JJ, Stroup DF, Will MW, et al. A nurse-associated epidemic of cardiac arrests in an intensive care unit. *JAMA* 1988;259:689-95.
7. Franks A, Sacks JJ, Smith JD, et al. A cluster of unexplained cardiac arrests in a surgical intensive care unit. *Crit Care Med* 1987;15:1075-6.
8. Torok TJ, Tauxe RV, Wise PR, et al. A large community outbreak of Salmonellosis caused by intentional contamination of restaurant salad bars. *JAMA* 1997;278:389-95.
9. Buchholz U, Mermin J, Rios R, et al. An outbreak of food-borne illness associated with Methomyl-contaminated salt. *JAMA* 2002;288:604-10.
10. Freeman MD. The epidemiologist as forensic scientist. In: Rossignol A. *Principles and practice of epidemiology*. New York: McGraw-Hill; 2007. p. 178-179.
11. American Academy of Microbiology. *Microbial Forensics: A Scientific Assessment*. [Web page on the Internet]. Washington D.C.: American Academy of Microbiology. [Accessed June 27, 2003]. Available at: <http://www.asmsa.org/acasrc/aca1.htm>.
12. CDC. Public Health Law Program: Forensic Epidemiology – Program Details. [Web page on the Internet]. Atlanta: CDC. [Accessed July 16, 2007]. Available at: <http://www2.cdc.gov/phlp/ForensicEpi/ForensicEpi.asp>.
13. Federal Bureau of Investigation, Centers for Disease Control and Prevention, Department of Justice, U.S. Army Soldier Biological Chemical Command. *Criminal and Epidemiological Investigation Handbook*, 2006 Edition. [Available on line at: <http://www2.cdc.gov/phlp/docs/CrimEpiHandbook2006.pdf>]

DOCJT Launches First Criminalistics Academy in Kentucky

Agency accepting applications for next course / Jamie Neal-Ball, Public Information Officer

Kentucky crime scene investigators now have the opportunity to attend the first criminalistics academy in the commonwealth.

The Department of Criminal Justice Training has developed the Kentucky Criminalistics Academy, an intensive, 10-week course for full-time crime-scene investigators, newly appointed crime-scene investigators and patrol officers who also serve as crime-scene investigators for their agencies. The academy is open to civilian CSIs who work for Kentucky law enforcement agencies.

At the KCA, which is located at DOCJT in Richmond, students will be trained with the most recent crime-scene investigation techniques and technology available. The academy is designed to meet Kentucky law enforcement's needs in evidence identification, collection and preservation.

Graduates will possess the knowledge to respond to and assist with investigations into any criminal activity, including those involving terrorism, as well as natural disasters that include mass casualties.

Twelve students from across the state have been selected for the first academy, which is scheduled for September 10 through November 16.

"This academy offers a very high level of training for crime scene investigators, and now their agencies don't have to send them out of the state or spend much money to get it," said Frank Kubala, DOCJT Investigation Section supervisor.

DOCJT has provided some training in the past

that is now included in the KCA, such as bloodstain pattern recognition, but the academy offers much more – including a week at the Body Farm (formally the Anthropological Research Facility) at the University of Tennessee.

"This is way beyond anything that we're doing right now," KCA coordinator and DOCJT instructor, Joe Wallace, said prior to the KCA opening.

Students will be given written and practical exams in various topics and will have the opportunity to become certified in many areas, including marijuana identification. Some of the certifications will meet the requirements of the International Association for Identification and the International Association of Bloodstain Pattern Analysts toward some of their certifications, Kubala said.

The next KCA is set to begin in July 2008.

DOCJT picked the agencies that are represented in the first KCA course, but the agency will accept applications from CSIs who

want to participate in the July 2008 academy. The course will be included in the class schedule book that agencies will receive in November.

To be considered for the academy, an applicant must be a full-time crime-scene investigator, newly appointed crime-scene investigator or patrol officer who also serves as a crime-scene investigator. Applicants must also be computer literate, prepared to participate in group activities and prepared to work outdoors with human cadavers.

For more information about the KCA, contact DOCJT's Wallace at (859) 622-6485. J



KCA training modules include:

- Alternate light sources and luminol
- Arson
- Bloodstain pattern recognition
- Bullet trajectory and shooting reconstruction
- Body Farm – includes lectures and field exercises in osteology, entomology, collecting surface skeletons and probing for buried bodies
- Computer and digital evidence
- Crime-scene management
- Computer Aided Drawing (crime-scene sketching, mapping and documentation using Total Station Crimes program)
- Techniques in case preparation and court presentation
- Death investigation – autopsy, postmortem fingerprinting and wound analysis
- Digital photography
- DNA
- Explosives investigations
- Latent-fingerprint processing
- Marijuana identification
- Trace evidence

When the Kentucky State Police was formed in 1948, its first commissioner, Guthrie Crowe, set out to make it a modern, scientific, crime-fighting organization.

One of his first moves was to acquire a \$1,200 comparison microscope with a camera mounted on top to assist in examining bullets and cartridge cases. Fred Watson, a young chemical engineering graduate from the University of Louisville, was hired and given an annual budget of \$600 to set up a crime lab. He was given two weeks of training in chemical testing, blood analysis, firearms identification and photomicrography at the Indiana State Police Criminal Investigations Lab in Indianapolis.

On May 15, 1951, the new lab formally opened with a public announcement that its services would be available to any city, county or other local police officer in the commonwealth. Operations were sparse at first.

"They didn't have much more than a microscope, a bottle of distilled water and an empty room," said Lt. Spercel Fayne, director of the lab's photography section at the time.

Cheap perfume bottles were scrounged for use as reagent atomizers, and the lab became known as the wrapping room, a place where evidence was often simply repackaged for shipment to the FBI in Washington.

Fifty-five years later, the state police crime lab has grown from a one-man show to a regional system of six labs with more than 86,000 square-feet of space and 136 employees. In 2006, the labs processed evidence from more than 46,000 cases involving arson, biology, firearms, gunshot residue, solid dose drugs, toxicology, trace, and forensic video and photography.

Under the command of Maj. Wayne Mayfield, a 33-year KSP veteran, the state police lab system continues its heritage of supporting law enforcement agencies throughout Kentucky.

"Our mission is to provide objective interpretations supported by validated science complemented by expert testimony," Mayfield said.

To accomplish this task, Mayfield leads a force of specialists with job titles such as forensic chemist, forensic biologist, forensic scientist specialist, firearms/toolmark examiner, breath alcohol technician, police polygrapher and forensic photographer, to name a few. They operate a variety of high-tech equipment with ominous sounding names such as gas and ion chromatographs, mass spectrometers, scanning electron microscopes, microspectrometers and genetic analyzers.

All this sophisticated technology and expertise is employed to examine and analyze materials such as paint, hair, glass, soil, cloth- >>

◀ Forensic biologist Brittany Ross prepares blood samples for DNA typing. Ross works out of the Central Forensic Lab in Frankfort.

Forensic Justice

Kentucky State Police Lab System is a valuable resource for law enforcement agencies throughout the state / Les Williams, Public Information Officer, Kentucky State Police

/Photo KSP submitted



Photo KSP submitted

▲ Forensic photographer Charity Hedges prepares a close-up photograph of a handgun for use in court.

ing, explosive debris and all types of body fluids including blood, semen, saliva, urine and sweat. The objective is always the same: identification and interpretation of evidence that will make a difference in solving a case.

“This may sound like glamorous work, using science and technology to catch criminals, but it often involves slow, tedious, detail work with undesirable materials,” Mayfield said. “It’s really a tribute to the dedication of our lab personnel that they achieve continual success when working with such material day in and day out.”

It is important to note that work done in the laboratory not only works for the prosecution, but for the defense. Objective interpretation can prove innocence.

Despite all the technology, it’s the lab’s people that often make all the difference, Mayfield said.

“Our lab personnel do a very good job with limited resources but they can’t work miracles,” he said. “They work best when there is ongoing, two-way communication between them and the investigator.”

A promising new tool to aid in this communication process was initiated in June of this year. KSP’s six lab branches are now linked by a state-of-the-art Labora-

tory Information Management System, which is a virtually paperless, online operation that streamlines evidence handling and processing. It enables administrative and technical reviews to be handled remotely, and evidence to be bar coded at intake for ease of tracking and accountability. Police and prosecutors will soon have access to lab reports through a remote log-in.

“Evidence audits are now less time consuming and accountability is enhanced,” Mayfield said.

Although most of their work is performed in the lab, KSP analysts also provide another vital service – expert testimony in the courtroom. Analyst must successfully complete a mock trial during their initial training, and their actual courtroom testimony is evaluated by prosecutors and/or supervisory staff on a yearly basis. Toxicology and drug chemists often appear in court three or four times a month. Trace chemists, firearms examiners and forensic biologists testify about once a month.

“This ability to personally speak in the courtroom provides an additional dimension to the services we provide,” Mayfield said. “It also gives the prosecution a tool with added impact and credibility.”

KSP Laboratory Branches

CENTRAL LAB

100 Sower Blvd., Suite 102
Frankfort, KY 40601
Telephone: (502) 564-5230 or 1
(800) 326-4879
Fax: (502) 564-4821

Services provided:

- Toxicology
- Breath alcohol maintenance
- Solid dose drugs
- Blood alcohol
- Trace/GSR/arson
- Firearms/Toolmarks/Imprint evidence
- DNA casework
- DNA database
- Photo
- Polygraph
- Forensic video analysis

WESTERN LAB

1081 Thornberry Drive
Martin Plaza Mall
Madisonville, KY 42431
Telephone: (270) 824-7540
Fax: (270) 824-7029

Services provided:

- Breath alcohol maintenance

- Blood alcohol
- Solid dose drugs
- Forensic biology casework screening
- Polygraph

JEFFERSON LAB

3600 Chamberlain Lane, Suite 410
Louisville, KY 40241
Telephone: (502) 426-8240
Fax: (502) 426-4531

Services provided:

- Blood alcohol
- Solid dose drugs
- Forensic biology casework screening
- Firearm/Toolmark/Imprint evidence

NORTHERN LAB

5690 East Alexandria
Cold Springs, KY 41076-9734
Telephone: (859) 441-2220
Fax: (859) 441-0848

Services provided:

- Breath alcohol maintenance
- Blood alcohol

- Solid dose drugs
- Forensic biology casework screening
- Polygraph

EASTERN LAB

1550 Wollohan Drive, Suite #2
Ashland, KY 41101
Telephone: (606) 929-9142
Fax: (606) 929-9364

Services provided:

- Breath alcohol maintenance
- Blood alcohol
- Solid dose drugs
- Firearms/Toolmarks/Imprint evidence

SOUTHEASTERN LAB

1001 West 5th Street
London, KY 40743
Telephone: (606) 877-1464
Fax: (606) 878-0643

Services provided:

- Breath alcohol maintenance
- Blood alcohol
- Solid dose drugs
- Firearm/Toolmark/Imprint evidence
- Polygraph ■

Establishing and maintaining credibility is of vital importance to the effectiveness of a crime lab, and the KSP lab goes to great lengths to achieve it. Mayfield points with pride to the three KSP lab branches (Central, Jefferson and Northern) that achieved accreditation with the American Society of Crime Lab Directors Laboratory Accreditation Board in 2005.

On an individual level, many KSP lab personnel maintain membership in organizations such as the Association of Firearms/Toolmark Examiners, the Society of Forensic Toxicologists, the Southern Association of Forensic Scientists, the American Polygraph Association, the International Association for Identification and the International Association of Bloodstain Pattern Analysts.

“This is a true testament to the high level of dedication and commitment of our staff and their understanding of the stringent standards and requirements of their work,” Mayfield said.

Hard work in the laboratory can lead to tremendous benefits for law

enforcement and the citizens of Kentucky. In the fall of 2006, several central Kentucky cold cases were linked and two serial criminals identified through DNA. One of the individuals was linked to four unsolved sexual assaults that dated from the early 1990s and the second to several unsolved homicides. Both are awaiting trial and several cold cases are now solved, bringing some degree of closure to several victims and families.

With successes like these and many others, the KSP Crime Lab system is a valuable resource that law enforcement agencies throughout the state can’t afford to ignore, Mayfield said.

“However, it takes a two-way partnership to make it work smoothly,” he said. “Don’t wait until the last minute to submit evidence. Field personnel must collect evidence properly and submit it in a timely manner for us to do our job. The result will be a win-win situation for everyone involved.” J

UNITE Detective Putting a Stitch in Crime

\ Dale G. Morton, UNITE Communications director

On any given day, UNITE Det. Sam Johnson can be found sitting behind his Brother-brand sewing machine stitching clothing or tinkering with pieces of men's and women's jewelry. Other days might find him working on a child safety seat or soldering electrical components.

The 35-year-old Pineville resident accepts occasional teasing from his peers as a compliment. He knows his special talents are in great demand and have led to the conviction of many individuals.

Johnson has become a specialist in creating equipment for the technical art of covert surveillance, especially for obtaining video and audio recordings of hand-to-hand illegal drug transactions.

"It's a passion," he said. "I like the challenge to see what I can do."

In addition to creating hundreds of items for fellow UNITE detectives, Johnson has shared his expertise with the Drug Enforcement Administration; Bureau of Alcohol, Tobacco, Explosives and Firearms; Kentucky State Police; Laurel, Clay and Pulaski County sheriffs' offices; and the Manchester and Middlesboro police departments. Most of the time he is tasked with constructing equipment for specific scenarios.

He also teaches a block of instruction called Covert Operations as part of a Department Of Criminal Justice Training 32-hour in-service class for narcotics officers.

Although there is no certification for this

specialty, the National Technical Investigation Association is developing criteria. Johnson said he hopes to be among the first to receive this certification when it becomes available.

Johnson was born in Charleston, West Virginia, but raised in Pineville. Since first donning a police uniform at age 6, he had always yearned for a law enforcement career.

"My mom, Wanda Johnson, was city clerk of Pineville," Johnson said. "By going around city hall after school, I just started hanging out with the police officers."

After graduating from Pineville High School, Johnson studied at Southeast Community College and Eastern Kentucky University before joining the Pineville Police Department in February 1998. By year's end he had graduated from the DOCJT Basic Training academy.

In January 2003 Johnson went to work for newly elected Bell County Sheriff Bruce Bennett, a retired Kentucky Alcoholic Beverage Control agent.

"I knew I would be able to do some drug work in that department, which would further my career," Johnson said.

To receive specialized training in covert surveillance, however, Johnson had to go out of state. Those classes piqued his curiosity and enthusiasm, and he began purchasing a variety of surveillance equipment. When the equipment needed maintenance or repairs, budget considerations at his agency forced Johnson to become responsible for fixing them.

Shortly after Operation UNITE's law-enforcement initiative began, Johnson jumped

at the opportunity to be assigned as a detective with the Cumberland Drug Task Force.

After taking a training class provided by surveillance equipment manufacturers, Johnson became interested in purchasing items to assist with his investigations.

"I was looking to buy a covert surveillance unit that cost thousands of dollars," Johnson said. "I realized I could buy the parts and build my own for a fraction of the cost. The secret is to read the manuals and keep them."

"If you have an unlimited budget, anything is possible," he said. "With smaller police de-



partments you don't have that option. If you want something, you have to build your own. A lot of departments don't have the

knowledge to do that. I can go into a Wal-Mart or Radio Shack and get what I need to build something. It may not look the best, but it will work and produce quality audio and video evidence."

One reason departments do not use surveillance equipment is the lack of knowledge on what is available, Johnson said.

"They only see what the manufacturers send them in their catalog," he said. "Every piece of equipment you build, you want to have at least two applications to make it more cost effective."

Surveillance equipment can be hidden anywhere – in any article of clothing, jewelry, flowers, fake rocks, personal hygiene items and even dirty diapers.

"No one is going to look there," Johnson said, laughing. "I hide this stuff well."

Most of Johnson's creations are hardwired to a mini-DVD recorder, although occasionally the information is transmitted up to three-quarters of a mile away for officer safety.

"Sometimes we will transmit and not even let the confidential witness know," he said.

Hollywood has inspired the public's imagination for years in the area of surveillance. From the devious devices conjured by the ever resourceful Q of James Bond fame to the fanciful gadgetry used by the satirical Secret Agent Maxwell Smart, it is sometimes difficult to discern what is far-fetched and what is rooted in reality.

▲ Placing surveillance devices in clothing and other materials requires the ability to sew.

◀ Undercover video recording devices can easily be concealed in a button and attached to any material. This button camera was made by Det. Johnson.



"Criminals are always getting smarter," Johnson said. "It's up to the detectives' imaginations to what we can do with the equipment to get evidence to prosecute a case. You're caught in the middle with technology. What we have, the suspects can also have. Many times we run into surveillance cameras at suspects' homes."

"Only about 1 percent of the suspects we go after have the knowledge to detect these devices, or even have an idea of what to look for," Johnson said. "We often give the suspects too much credit, but it keeps us on our toes."

No department should underestimate the value of investing in covert surveillance.

"With the video, you get a visual confirmation as to who was at that location and who the transaction was made with," Johnson said. "What better evidence to show the jury than a video? It takes the deniability factor away."

Benefits include the ability to chronicle whether weapons were present, and the location where drugs were hidden.

The public expects more detailed evidence gathering today, Johnson said.

"It's called the CSI effect," he said. "People see it on television and they expect to see it in the courtroom. Audio and video make the case. We try to have them both."

A case is only as good as it is provable to a jury, agreed UNITE Prosecutor David L. Dalton.

"Today's juries watch television and expect to see the proof. A good investigation can be wasted if law enforcement isn't prepared to get their case to a jury in a manner the jury can trust."

"In a world of high-definition television, iPhones and the Internet, juries expect the police to use high-tech devices to catch criminals. In fact, juries often conclude the police are trying to hide something by not using the latest equipment," Dalton said. "Video recording of drug transactions improves the commonwealth's chances at trial. By showing the jury a defendant selling the drugs, it eliminates the argument that the police have identified the wrong person. Video evidence gives a jury one less defense to consider."

By taking the time to get video evidence before a jury, law enforcement makes a wise investment in the investigation, Dalton said.

"Just as an audio recording is better than mere memory, a video is better than only an audio," he said. "A video allows a jury to actually see inside the dark world of drug trafficking. Once shown the callous and casual disregard that drug traffickers have for the law, a jury is much more likely to convict."

Often, such evidence compels a criminal to enter a plea agreement, avoiding a trial altogether.

For more information about Operation UNITE visit its Web site at www.operation-unite.org J

KENTUCKY TASK FORCE RECOGNIZED FOR MAJOR DRUG-TRAFFICKING INVESTIGATION

/Appalachia High-Intensity Drug Trafficking Area

A Kentucky task force with a plan to dismantle drug-trafficking organizations has been nationally recognized for a two-year investigation that involved seizing thousands of pounds of illegal drugs, millions of dollars and uncovering public corruption, fugitives and more.

The Southeast Kentucky Organized Crime Drug Enforcement Task Force/Public Corruption Task Force received the Outstanding Investigative Effort award for 2007 from the federal High-Intensity Drug Trafficking Area program in February. John Walters, director of the White House Office of National Drug Control Policy, presented the award.

The federal HIDTA program provides resources to designated areas of the country to address drug-trafficking problems. The task force is an initiative of the Appalachia HIDTA and is led by the FBI in London.

In 2005, the task force, which consists of officers from the London Police Department and Kentucky State Police, began investigating organizations in Clay County that were trafficking in cocaine, marijuana and methamphetamine. By the time its inquiry wrapped up earlier this year, the task force's work had spanned 10 states and Mexico, dismantled drug-trafficking organizations and resulted in federal indictments against past and present Clay County officials.

In addition to drug trafficking, the early phase of the investigation revealed allegations involving election fraud, arson, money laundering, murder for hire, jury tampering and public corruption.

At the start of the investigation, the task force called upon 33 law enforcement agents to help conduct court-authorized electronic surveillance on a Clay County drug-trafficking organization. The agents were from the U.S. Drug Enforcement Administration, Kentucky State Police, U.S. Forest Service, Internal Revenue Service, U.S. Marshal Service, FBI, Laurel and Rockcastle county sheriffs' offices, the Eastern District U.S. Attorney's Office and the federal Bureau of Alcohol, Tobacco, Firearms and Explosives.

Based on more than 3,000 telephone calls intercepted through surveillance, the task force executed search warrants, one of which led to a garage with a false floor. Nine freezers containing a total of 500



pounds of marijuana were hidden under the floor.

Meanwhile, the task force officers had verified through paper trails and other sources that one of the Clay County drug organization's suppliers was using cargo/truck containers to transport narcotics. In May 2006, the investigators determined from shipping records that one of the containers was being shipped by a company in Phoenix, Arizona, to a warehouse in Newburyport, Massachusetts. The task force, in cooperation with Greater Boston HIDTA, conducted a search at the Newburyport warehouse. The search resulted in the seizure of \$1.1 million in cash and 1,000 pounds of marijuana. The task force also assisted the Violent Street Gang Task Force in Phoenix with the search and seizure of evidence at the company that had shipped the marijuana to Massachusetts.

In June 2006, the task force's investigation led it to San Diego, California. Working with the Major Mexican Drug Trafficking Task Force, a California HIDTA initiative, the investigators searched a residence that belonged to the owner of the Phoenix company that was shipping marijuana. Based on the search, investigators determined that the owner had been responsible for importing 44,000 pounds of marijuana from Mexico into the United States in the past 16 years.

◀ Bales of marijuana were found in closets of the Tucson, Arizona stash house. The Southwest Border HIDTA's counter-narcotics initiative in Tucson seized 7,000 pounds of marijuana.

▼ 500 pounds of marijuana were discovered in freezers under the subfloor of a Clay County garage.

Later that month, the task force officers worked with the Southwest Border HIDTA's counter-narcotics initiative in Tucson, Arizona, to seize 7,000 pounds of marijuana.

The officers accomplished this through a controlled delivery in which a cooperating witness made arrangements to have a Mexican supplier deliver 1,500 pounds of marijuana. After that delivery, the task force had the witness send the supplier back to get another 1,500 pounds of marijuana. Officers surveilled the supplier as he went to his stash house for the drugs and arrested him after he made the second delivery. A search of his stash house revealed another 4,000 pounds of marijuana, and he turned out to be a DEA fugitive wanted in California and Utah.

Another DEA fugitive was captured in London during the investigation. The fugitive, who had been wanted since 1999, had had plastic surgery to alter his appearance. He was in the process of developing 700 acres that he had purchased using drug proceeds into residential lots in Kentucky. The Southern Indiana Drug Task Force and the Southwestern Ohio Regional Drug Task Force with the Ohio HIDTA assisted the Kentucky task force with seizing 11 properties and a furniture business in Indiana in this case. The fugitive was responsible for distributing 10,000 pounds of marijuana in Kentucky from a supplier in Arizona.

Information developed by the task force also resulted in the DEA arresting an FBI fugitive in Lexington who had been wanted since 2002. He had been residing in numerous U.S. states and Mexico.



He pleaded guilty in federal court to the distribution of approximately 4,000 pounds of marijuana that he had provided to a Clay County drug-trafficking organization.

Subsequent investigation led to the arrest of a fugitive in Tucson, Arizona, a Canadian citizen who had been wanted by the DEA in Toledo, Ohio.

As a result of the task force's investigation, two major drug-trafficking organizations in Clay County were dismantled and numerous other such groups throughout the country were dismantled or disrupted. Among those who have been convicted based on the task force's work are past and present Clay County officials who have been federally indicted on drug conspiracy and related charges. There are other cases pending.

The national emphasis on drug enforcement concentrates on major cities and points of entries. This investigation illustrates how a Kentucky task force can also have an impact on the nation's drug enforcement strategy with effective use of intelligence and a commitment toward cooperation with federal, state and local agencies.

The investigation resulted in the seizure of 8,500 pounds of marijuana, five kilograms of cocaine, five pounds of methamphetamine, and more than \$10.6 million in U.S. currency, real property and other assets. Additionally, U.S. district courts have awarded \$15 million in money judgments against some of the 30 defendants who have been convicted.

Generally, law enforcement agencies that participate in investigations receive shares of currency and property that the government forfeits. Asset forfeiture laws allow the government to take possession of materials gained through criminal activity and use them for law enforcement purposes and to compensate crime victims.

The task force focuses on cases that the U.S. Department of Justice designates as Organized Crime Drug Enforcement Task Force investigations that involve public corruption. J

Governor Appoints Director of the Office of Drug Control Policy

Gov. Ernie Fletcher has appointed Bill Patrick as executive director of the Office of Drug Control Policy.

Prior to joining ODCP, Patrick had been the director of employee benefits in the Kentucky Personnel Cabinet's Office of Employee Relations since 2003.

"I am confident Bill will use his leadership and experience as executive director of the Office of Drug Control Policy to build on our successes to help our fellow Kentuckians break their addictions and make a difference in our communities," Fletcher said.

Patrick replaced ODCP's previous executive director, Laurie Dudgeon, who now works for the state's Administrative Office of the Courts.

Patrick's background in state and local government includes service as a principal assistant in the Kentucky Transportation Cabinet, a division director in the Kentucky Department of Agriculture and as commissioner of the former Department of Local Government. Patrick was judge-executive of Powell County for six years.

Brig. Gen. Norman E. Arflack, secretary of the Justice and Public Safety Cabinet, said Patrick's solid leadership and extensive background in local and state government are a great asset to ODCP. ■

'911, WHAT IS YOUR EMERGENCY?'

/Abbie Darst, Public Information Officer

It's just before 3 a.m., and the phones in Bowling Green's modern communication center have been reasonably quiet all night. For the most part, the city outside sleeps peacefully, content in the knowledge that police, firefighters and paramedics stand ready despite the hour. It's a typical scene throughout Kentucky in the early morning hours, but this morning, it is a scene that's about to change dramatically.

Shattering the silence, an emergency phone shrills in the communication center. Telecommunicator Steve Wilson instinctively grabs the phone before the first ring is completed. His senses are immediately inundated with discordant sounds of pandemonium and chaos. Someone in the background screams, "Get up, get up please!" Calmly, professionally, Wilson asks, "911, what is your emergency?"

"LoOK, there's been an accident – a bus accident – on the highway. I don't even know where I'm at," a frazzled woman answers.

"Is anybody injured?"

"No, I'm not injured real bad," she wimpers.

"Is there anybody on the bus injured?"

"Yes, there's a lot of people on the bus injured," she cries out.

As Wilson continues on the line

with the distressed woman, he routes the information to local law enforcement and fire dispatchers, and Warren County's emergency medical service, MedCom. A tour bus carrying 66 passengers has crashed into a bridge on Interstate-65 just outside town. Within seconds Bowling Green's emergency response units have been activated and are on the way to the scene.

This one call has changed the course of Wilson's shift, and forced the Bowling Green Communication Center into high gear for the next several hours.

True First Responders

In communication centers across Kentucky, telecommunicators handle similar situations regularly, every hour of every day, year round.

"In 15 seconds one phone call can change the rest of your day completely," said Ann Johnson, director of the Montgomery County 911 center. "You can either do [this job] or you can't. You can't be OK at this. You can be OK at sewing socks together in a factory and survive. You can't just be OK here; you've got to be able to go. You've got to be able to switch gears when something huge happens."

Life in a communication center can be compared to a never-ending rollercoaster. The ups and downs that telecommunicators experience during their eight-, 10- and sometimes 12-hour shifts fuel the tragedies and triumphs of their dichotomic careers.

Years ago, Johnson said, all the focus was on first responders as the paramedic, the firefighter, the police officer. >>

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>> “But your first contact in trying to get help are those people in [the communication center], and if that goes unanswered ... it’s really going to be devastating,” she said. “It has to start in a communication center and if you’re weak there, you’re weak everywhere.”

Fortunately, Kentucky’s nearly 1,500 full-time telecommunicators have proven that they are capable of answering the call and taking on that true first-responder role without missing a beat – but it’s not always

times. If you’re one of those people that have to know what happened, if you have to have the end result, this isn’t for you.”

Many telecommunicators identify lack of closure as one of the most difficult aspects of the job.

“I guess the hardest part is we start the process, but we never get to see the end results of it,” Pikeville Post’s Hunt said. “We never get to see when the fire department is able to put the house [fire] out and save it and it not burn down, when the ambulance

being held against her will by a man who had tied her up. She had been able to untie herself and said she was in a room in an auto body shop. She was able to give two cross streets, loosely identifying her location. Harley immediately dispatched the police while she continued to gather information from the victim. Harley recalls the phone becoming muffled and hearing a man’s voice. Assuming that the victim’s violator had re-entered the room and the victim had dropped her phone, Harley remained on the line. She could only listen as the victim was raped and sodomized for a fourth time. When the police arrived at the dispatched location, the building was locked up. Since it was Sunday, the officer assumed the business was closed and radioed Harley to say she could hear dogs barking, but was leaving the scene because no one was there. However, Harley could hear dogs barking in the background through the victim’s cell phone. She told the officer not to leave and that the victim was still inside being assaulted. Officers broke down the door to the auto body shop and found the victim and the assailant, who was later sentenced to 35 years in prison for sodomy, unlawful imprisonment and possession of a firearm.

◀ Lori Ochocki, advanced dispatcher at the Bowling Green Communication Center, dispatches a 911 call. The screens in front of Ochocki are part of the center’s CAD system and displays information about where the officers in the field are, what calls they are responding to and what calls have been recently dispatched. Bowling Green’s center is set up to accommodate dispatchers in a seated or standing position. The lower level of the desk is height adjustable and tilts to allow dispatchers the option to stand and move around during their shift.

easy. As the term first responder stipulates, the telecommunicator is the first person that a victim reaches when he or she has been violated, the first one a witness talks to after an accident, the first one a business owner contacts after their has been vandalized – and the first voice that emergency responders hear dispatching them to the latest run.

“We’re one-stop shopping. We take the call, we log the call, we dispatch the call out,” said John Hunt, a 24-year telecommunicator with the Kentucky State Police Post 9 in Pikeville.

However, being the first point of contact and setting the ball in motion is as far as most telecommunicators get. Often they must continue fielding other calls on the same incident, taking new calls that are coming into the center and keeping up with the fast-pace atmosphere the communication center demands. They do not know how many of the situations they handled throughout the day turned out.

“We don’t get a lot of closure here because once we get them there, we’re done with our initial task,” Montgomery County’s Johnson said. “It’ll drive you crazy some-

gets them, making sure they’re staying alive after we’ve done emergency medical dispatch and they get them to the hospital and they still live.”

Not knowing how the story ends can also lead to a sense of helplessness said Lori Cooper, advanced dispatcher at the Bowling Green Communication Center.

“Being on this side and not being able to fix what’s on the other side, not seeing it ... you’re limited,” Cooper said. “You send the help, you get the help on the way, and then you have to sit and wait for someone else to do it.”

Silent Heroes

But getting the help to an individual in need and remaining on the phone with the caller to offer the patient, calm reassurance that everything possible is being done to resolve his or her situation is one of the most important roles these responders play. Louisville MetroSafe call taker and dispatcher Melissa Harley knows that all too well.

In May 2002, Harley received a 911 telephone call from a woman who said she was

Despite receiving recognition for her outstanding handling of the call and an Award of Merit from the Louisville Police Department, Harley is still haunted by the events of that afternoon.

Harley received this particular call toward the beginning of her shift that day and after a short break returned to her terminal to finish out her long shift. Like many other telecommunicators across the state, Harley has learned how to deal with difficult and emotional calls and still manage to go on with her work.

“Every day, when you come to work you worry that something’s going to happen. It’s always in the back of your mind,” she said. “You come in and you have a job to do and you do your job, whether it be an officer calling for help or something else, and you hope nothing bad will happen.”

The hardest calls of all, those that involve family members, loved ones or co-workers >>

CRAZY CALLS

A man called wanting a bedtime story. - MetroSafe

A person called to report a stolen car found in their garage. - MetroSafe

People have called on Thanksgiving to ask how to cook a turkey. - MetroSafe

A family called to report that there was a green-eyed monster that had stolen their chickens and was chasing their uncle through the yard. - Winchester

A woman called requesting officers go get her husband from his girlfriend's house because it was time for him to come home. - Winchester

A bed-ridden woman with the "miserics" would call for an ambulance, and when they arrived she just wanted someone to get her chicken out of the fridge, turn off the air conditioner or get her a glass of water. - Winchester

A woman who had accidentally put her cat in the dryer called, and a KSP dispatcher talked her through performing CPR on the cat. - KSP Pikeville Post

A person called complaining that their neighbors were blowing heat on their house. - KSP Pikeville Post

A woman wanted to report a burglary to law enforcement, but had to drive to the communication center because she forgot the number to 911. - KSP Pikeville Post ■

>> are no different.

"You have to handle it like any other call," said Pikeville Post's Hunt. "You have to – you don't have a choice You just go on through it and do like you'd do any other call."

Last winter, three of Hunt's co-workers experienced a string of extreme calls that challenged how they deal with difficult situations and emotionally devastating events.

Pikeville Post telecommunicators Christy Runyon, Misty Shepherd and Melinda Thompson handled three major incidents in just seven days. On December 19, 2006, a call came into the radio room that Tpr. Jonathan Leonard had been involved in a vehicle accident. Runyon, Shepherd and Thompson immediately dispatched troopers, ambulances, fire departments and a medical helicopter toward the scene. Shortly afterward, they were responsible for notifying the coroner and informing all Post 9 personnel that Leonard had died. In the midst of dealing with the loss of a friend and co-worker, these three women fielded another 324 calls in the first two hours following the incident before they were relieved.

Six days later, on Christmas morning, KSP Det. Joey Howard was found unresponsive at his home in Pike County. These same women dispatched emergency responders to the scene and, when Howard was pronounced dead at his home, they were once again responsible for contacting Post 9 personnel to let them know another close friend and co-worker had passed away, all while still answering another 139 calls.

The next day, Tpr. B.J. Caudill was hit by a car while on the scene of an accident on U.S. 23 in Floyd County. The three telecommunicators dispatched the ambulance, fire department and other troopers to the scene. Caudill was rushed to Pikeville Medical Center. As the women dealt with their third emotional blow in a week, they continued to take 243 more calls before being relieved.

"Everything else stopped for the troopers, the supervisors, everybody going there. Everybody just focused on those officers at the

time," Hunt said. "Everything just went to a standstill on the law enforcement side, but in here, on the dispatchers, they had to still keep answering the phones, still keep doing all the other calls and the other jobs that they do, plus trying to keep up with their friend that something had happened to."

Sometimes it does get to you, said Bowling Green's Cooper, who found herself in a situation similar to these Pikeville Post telecommunicators. She was on the phone and heard the shots ring out that eventually killed Bowling Green Officer David Whitson in October 2006.

"There are times when I didn't want to come back," Cooper said. "I guess the time I really, really felt I would not come back was after Dave Whitson was shot because I was on the phone and heard the shots, and after all of that ... I said, 'I just can't do this anymore. I can't do it.' Then my husband said, 'Lori, if you don't go back, you'll never go back, and I know you love it.' He said, 'It's like riding a bicycle you've got to get back on there and you've got to do it.'"

In smaller communities where there may be only two individuals on a shift, telecommunicators are often required to work calls that hit even closer to home, said Rhonda Rogers, supervisor of the Winchester Communication Center. Winchester dispatchers Ronnie Blakemore and Jeanna Gwynne both worked calls involving their mothers, who later passed away.

Unfortunately, there is no way to escape the eventual toll that the job takes on a person, Montgomery County's Johnson explained.

"You can't, day in and day out, consistently listen to all the bad crap going on in the world and it not eventually get to you – it does," she said.

'Hardest job you're ever going to love to do'

Underneath it all, the thing telecommunicators say keeps them coming back is the fact that everyday they come to work they have the potential to help somebody, to save a

life, to make a difference in the communities they serve.

"There's never a routine day," Bowling Green's Cooper said. "Even a routine day is different from the day before. You really feel like you're making a difference in the lives of people. Though a call may be routine for us, it's not for the caller."

Winchester's Rogers said that it's been her experience that most telecommunicators are just regular people with big hearts and an even bigger desire to be that helping hand many people need.

"A lot of dispatchers are suckers – we're suckers for helping people," she said. "I guarantee you that you can call any dispatch center and you will find some dispatcher that's willing to give of themselves to help some-

one else."

It's that desire to help that keeps telecommunicators across the commonwealth coming back into the radio room after discouraging days and distressing nights.

"It's not only a job, it's a lifestyle," Rogers said.

Through all of the heartache and tragedy, there is a certain air of excitement that infiltrates the communication center and manifests itself in the telecommunicators, which develops these ordinary individuals into extraordinarily dedicated employees.

"I like it, I like what it does, I like the role that we play in the chain," Hunt said. "I guess it's like some of the others, we like being right in the middle in the mix of it. It doesn't matter if ... the fire department's out there,

EMS is out, police departments – we're right in the middle of it."

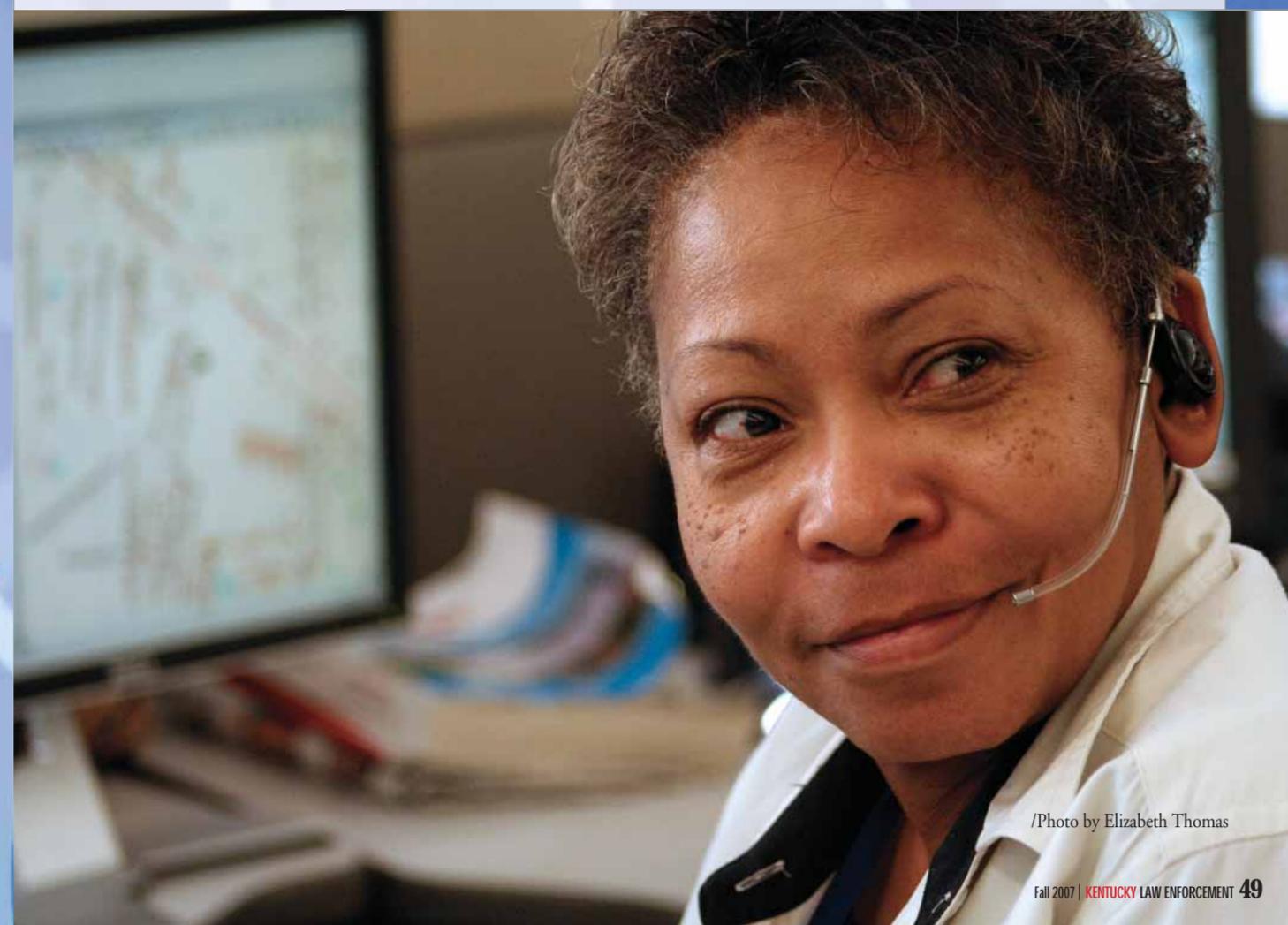
Montgomery County's Johnson makes it a point to tell new hires about the dichotomous nature of the job.

"One of the things we tell people when they first come in is, 'This is going to be the hardest job you're ever going to love to do,'" Montgomery County's Johnson said. "And it's either going to go one of two ways when we hire somebody – you're either cut out to do this craziness or you're not, and if you're not we'll know and you'll know really, really quickly."

A Shared Perspective

A sense of compassion for their fellow man coupled with long hours spent in often tight >>

▼ Carolyn Linton is in her seventh year as a call taker at Louisville Metro's MetroSafe Communication Center. Linton was the recipient of the Call Taker of the Year award as part of the department's recognition of National Telecommunicators Appreciation Week in April.



/Photo by Elizabeth Thomas



/Photo by Elizabeth Thomas

>> quarters and shared on-the-job experiences is what also binds telecommunicators together.

“A lot of folks are in the job for a job, a paycheck, unfortunately,” recently retired Hopkinsville Communication Center supervisor, Dee Hopper, said. “But this is a career. It’s a life, actually, because you spend eight hours in a room with people, 40 hours a week, sometimes more than that, and talk about anything and everything under the sun, and you become friends, almost family.”

Matter of fact, in Bowling Green, the whole police department has attempted to adopt this family mentality in the way in which their telecommunicators and officers interact.

“We have a real teamwork environment,” Bowling Green Communication Center Director Malissa Carter said. “In a lot of places there is a divide, a kind of us-against-them feeling between sworn and civilian. We have a history of having police chiefs here that believe that everyone is a police department employee. Our former chief, Bill Waltrip, and then our current chief, Doug Hawkins – they’ve both done tremendous things to break that divide down.”

Bowling Green telecommunicators at-

here is that teamwork between dispatchers and the officers and the dispatchers and firefighters.”

A trend that may help foster teamwork in an agency between telecommunicators and the officers is that many individuals interested in eventually becoming police officers choose to get their start in the communication center. In her 18 years of experience, Montgomery County’s Johnson has seen the benefits of this trend.

“For years this has been the breeding ground for policemen and firemen,” she said. “When you get a policeman or fireman or paramedic who has been on this side of the radio, it gives them a whole separate understanding of what’s going on when you key up the radio and there’s 16 phone lines ringing and printers are going off. For someone’s who’s sat back here and lived through that, they know. They know, OK, they’re a little covered up right now. It gives it a different perspective.”

It’s a perspective many communication center supervisors and directors would like for the public to see as well. Unfortunately, numerous people will get into the telecommunications field without fully understanding what all it entails. It is a career choice, not just a job, many communication direc-

◀ Kentucky State Police Pikeville Post telecommunicator, Christy Runyon, keeps her Dispatcher’s Medical Desk Reference book close by. In December 2006, Runyon, along with two other Post 9 telecommunicators, had to answer three difficult calls involving Post 9 troopers in one week.

tend shift briefings with the officers to hear what’s going on and are able to contribute a perspective from the other side of the radio that might be helpful to the officers going out on the street.

“I think the dispatchers realize they really wouldn’t have a job without all the officers out there, and the firefighters and the officers know that they really depend on these people in here to give the information to them and keep them safe,” Carter said. “So that’s something that we’re really proud of

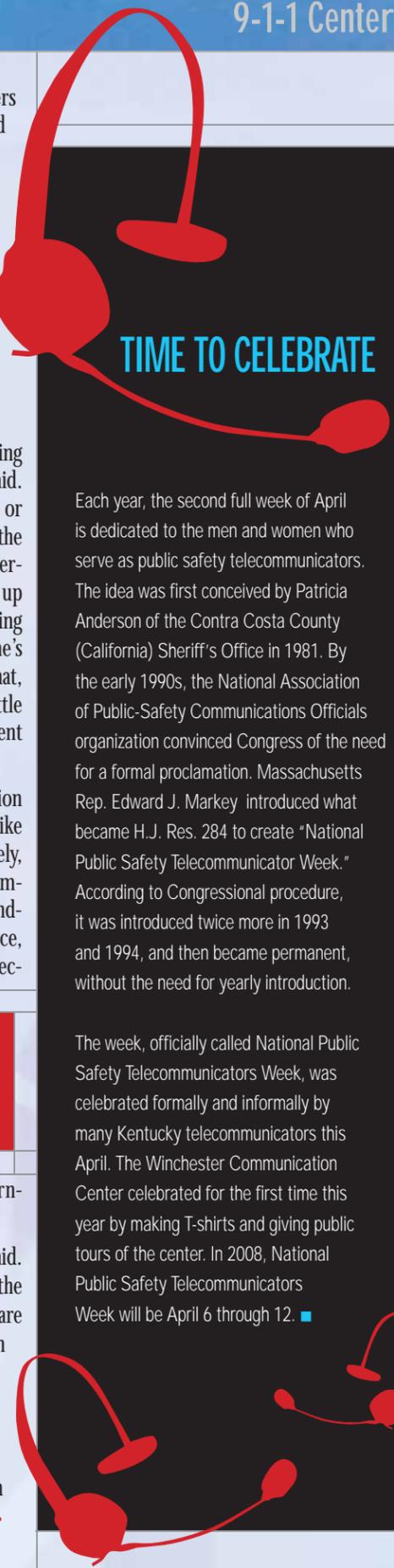
tors agreed. This often leads to high turnover rates among new hires.

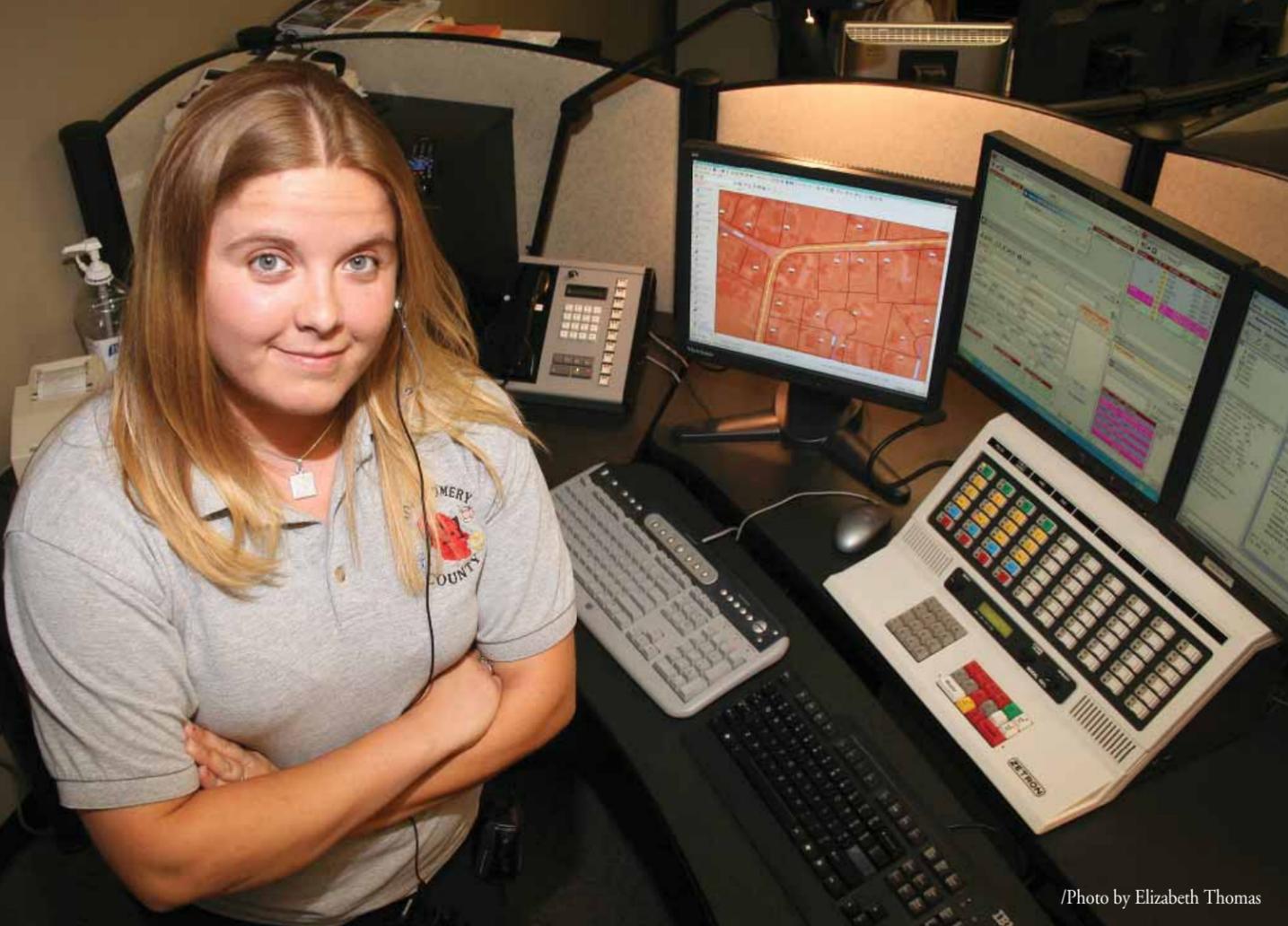
“We do have high turnover,” Carter said. “A lot of people don’t understand what the job is; it’s very stressful and the hours are bad. Though people say, ‘Oh yes, I can work evenings and I can work weekends and I can work holidays,’ once they actually have to do it, if they’ve never done that before, the hours are hard on people, especially if you have a family and children or commitments outside of here.” >>

TIME TO CELEBRATE

Each year, the second full week of April is dedicated to the men and women who serve as public safety telecommunicators. The idea was first conceived by Patricia Anderson of the Contra Costa County (California) Sheriff’s Office in 1981. By the early 1990s, the National Association of Public-Safety Communications Officials organization convinced Congress of the need for a formal proclamation. Massachusetts Rep. Edward J. Markey introduced what became H.J. Res. 284 to create “National Public Safety Telecommunicator Week.” According to Congressional procedure, it was introduced twice more in 1993 and 1994, and then became permanent, without the need for yearly introduction.

The week, officially called National Public Safety Telecommunicators Week, was celebrated formally and informally by many Kentucky telecommunicators this April. The Winchester Communication Center celebrated for the first time this year by making T-shirts and giving public tours of the center. In 2008, National Public Safety Telecommunicators Week will be April 6 through 12. ■





/Photo by Elizabeth Thomas

▲ Donna Pharris, supervisor at the Montgomery County 911 Center, stands in front of one of the department's newly purchased CAD systems. Montgomery County used grant money to purchase CADs and went live with them June 22, 2006. Pharris is also a recent graduate of the first Telecommunications Executive Development course.

>> To combat some of those issues, some agencies, like the Bowling Green Communication Center participate in community awareness activities like citizen police academies and job fairs. They also give tours to the public and school groups and participate in the 911 for Kids program in schools.

But it all comes down to a certain mindset and personality that is required for a successful telecommunicator. Those individuals who stay in telecommunications for 15, 20 or 25 years possess a certain enthusiasm for the fast-paced, high-speed atmosphere.

"I like it busy, the busier the better," Winchester's Rogers said. "I like it when it's so busy that you don't have time to think about it, you just do it. I don't know if it's the

adrenaline, or that every time I answer the phone I may be saving someone's life. God put me on this Earth for a reason, and I think this is mine."

But success in a communication center hinges on more than just enthusiasm and fast pace. There has to be a conscious determination to handle situations flawlessly.

"The old phrase, 'If you're human you're going to make a mistake,' that's OK because people have accepted that as a standard. That's not a standard here," Montgomery County's Johnson said. "We cannot tolerate those kinds of mistakes – we can't tolerate any because when we do make them, people don't go home, people don't wake up – it's bad."

Out with the old, in with the new

Johnson cited a societal shift that has lowered expectations for employees and customer service in our country today and that lower standard is one she is unwilling to accept in her communication center from her staff.

Changes in cultural expectations have also changed the type of calls that come into today's communication centers, said Hopper, who retired July 31 from the Hopkinsville Communication Center after 28 years.

"People are calling more readily now than they used to – things that you would normally handle neighbor to neighbor," Hopper said. "We're getting more calls on those things that

years ago could have been handled over a cup of coffee."

In 1979, when Hopper began dispatching for the Hopkinsville Police Department, more than just the people and the calls were different. She recalls using patch cables at a telephone switchboard, reminiscent of the show *Mayberry R.F.D.* or Lily Tomlin's comedic skits, in which she played a telephone operator. Though this kind of antiquated system was not the norm in the late 1970s, telecommunications technology has certainly come a long way in the past three decades.

Today most agencies throughout the commonwealth use computer-aided dispatch systems with enhanced 911 lines. These two components provide and keep track of information electronically, as opposed to manually collecting information for each call that comes into the center, typing radio logs with each call and dispatch time and keeping track of all officer locations via punch cards. Though CADs have not made telecommunicators' duties less demanding, they have made transactions in today's communication centers easier, more efficient and more accountable for every piece of information that filters in and out of each terminal.

And with the millions of calls that Kentucky's telecommunicators take each year – 1.3 million in 2006 for Louisville Metro-Safe alone – anything that makes the rollercoaster of this career easier and faster, in turn, makes the communities and officers they help safer.

"I could tell you a story about everybody in there, something they've done because eventually you're going to save somebody's life," Montgomery County's Johnson said.

At the end of the day, that's the overall goal of each and every telecommunicator – that something they did that day played an important role in protecting someone else in their agency or community.

"Bottom line," Bowling Green's Carter said, "we're here to keep the officers safe and keep the citizens safe." ■

DOCJT OFFERS PROGRAM FOCUSED ON TELECOMMUNICATOR HEALTH

For many telecommunicators across the state, inactivity is a huge issue because they spend long periods of time seated at their terminals with little opportunity to get away or move around.

Physical inactivity and unhealthy eating contribute to obesity and a number of chronic diseases, including some cancers, diabetes and cardiovascular disease, which kills nearly 700,000 people in the U.S. each year, according to the Center for Disease Control.

For this reason, The Department of Criminal Justice Training's Physical Training and Defensive Tactics Section has developed a Limited Space and Equipment lesson plan for Kentucky's telecommunicators and office personnel. The plan targets small changes in routine that can have a significant impact on the overall health of an individual who may not have the opportunity to be as active as he or she may like.

"Dispatchers don't have anything like this," said Jeff Knox, DOCJT Physical Training and Defensive Tactics instructor. "Especially sitting behind a desk all day, it is important for us to get them and other office personnel active and doing something."

The lesson plan will educate students on the health benefits associated with physical



training such as less stress, more energy and stamina, better sleeping patterns and improved overall appearance. It will also provide simple strategies for improving overall fitness level, including parking at the end of the parking lot and taking the long way into the building, using stairs instead of elevators and drinking more water. The lesson also includes a video that demonstrates exercises that can be performed at work stations using elastic bands or a tennis ball.

The Limited Space and Equipment lesson plan and video will be incorporated into basic and advanced telecommunications classes in 2008. ■

DOCJT 2008 TRAINING CLASSES

The Department of Criminal Justice Training's Telecommunications Section will offer a wide variety of classes in 2008 to further develop the skills and abilities of Kentucky's telecommunications community.

Advanced Telecommunications

- CJIS Full Access Inquiry Only In-service (offered for classroom and online)
- Advanced CJIS/TAC
- Cultural Awareness
- Law Enforcement Mobile Data Terminal Recertification (offered for classroom and online)
- Effective Telecommunications Supervisor
- Telecommunications Supervision Basic
- Managing a Communications Center
- Leaders Role in Developing Their Followers
- Telecommunications Executive Development
- Tactical Dispatch
- Enhanced Telecommunications Skills
- Fire/Hazmat Incident
- Law Enforcement Support Team
- Law Enforcement Support Team In-Service

Leader's Role in Solving Problems

- Team Building
- Ethics
- Customer Service
- Communications Training Officer
- Communications Training Officer In-Service
- Advanced Emergency Medical Dispatch

Basic Telecommunications

- Telecommunications Academy
- Telecommunications Academy for the Non-Terminal Agency
- Emergency Medical Dispatch/CPR
- Crisis Negotiations
- Family Violence Across the Lifespan
- Spanish for the Telecommunicator
- Criminal Justice Information Systems Full Access
- Criminal Justice Information Systems Inquiry Only
- Administrative Office of the Courts Criminal Justice Information Systems Inquiry Only
- Law Enforcement Mobile Data Terminal ■



Path to Professionalism

The past, present and future of Kentucky telecommunications training / Abbie Darst, Public Information Officer

The path to professionalism is marked by dedication, training, education and an unwillingness to settle for second best. The professionalization of telecommunications in the commonwealth has journeyed down that path, and today Kentucky's telecommunications are meeting or exceeding standards aimed at helping them take the next step on that path.

Communication centers are critical information hubs that provide federal, state and local law enforcement and other emergency responders with valuable information on a continual basis. But until the late 1990s, Kentucky's telecommunications were not held to as high of a training standard as their law enforcement counterparts.

"At any given time a police officer can pick up that phone and find out anything he or she wants to know about you, from your credit to your criminal [history] to your family, the people you hang around with," Montgomery County 911 Director Ann Johnson said. "Well, the big question here – where do you think they get that information? Who do you think supplies those officers with that information? It's [telecommunicators.] So if they're not held to the same standards, there could be some serious problems."

Prior to 1999, telecommunications training in the commonwealth consisted of a voluntary two-week training course and yearly in-service classes. Though this training proved informative and valuable, the Department of Criminal Justice Training Telecommunications Section staff realized that the training did not cover some critical areas due to time

constraints. They began to analyze training needs in Kentucky and eventually developed and implemented a four-week, academy-style training program.

The first telecommunications academy began in January 1999 and on August 10, 2007, the 52nd class graduated from DOCJT's telecommunication basic training academy.

"It is very heartwarming to see how far that telecommunications in Kentucky has come," said Pat Carter, branch manager for the DOCJT Telecommunications Branch. "We have not generally been known as one of the most forward states in some areas ... but in law enforcement, which includes telecommunications, I don't know of any state that can compare to us. This has been due to the diligence and caring of the agencies we serve and this agency's vision. When there is a milestone graduation, it is a visual reminder of just that. It is a celebration of the hard work on everyone's part."

In the eight years since its inception, the basic academy has undergone some changes, including legislative mandates, which have revolutionized telecommunications training in the commonwealth.

In March 2003, then-Gov. Paul Patton signed House Bill 406, which mandated the four-week academy. According to Carter, the passage of this legislation meant that Kentucky's telecommunicators would be choosing a professional career, not just taking a job. Communications personnel across the state today agree.

"The academy going to four weeks is a good thing. It probably needs to be expanded and

include more hands-on, more intensive training on some things, because of the nature of what we do," said former Hopkinsville Communication Center Supervisor Dee Hopper, who retired July 31. "It's no longer the case of being offered the position, you show up the next day and they say, 'Here's the radio, here's the microphone, here's the unit numbers that you talk to and you're on your own.' Back in the day that's pretty much the way it was. And now, you can't do that. There's too many things that you need to know."

It's that vast need for knowledgeable, confident individuals in communication centers that drives DOCJT's training.

"There is a direct link between how the call is initially handled and how effectively the responders will be able to provide service," DOCJT Telecommunications Section Supervisor Margaret Johnson said. "If a telecommunicator does not obtain and relay the proper information to responders, the results can be devastating."

The main goal of DOCJT's academy is to provide that centralized hub where telecommunicators across the state can learn and be on the same page in training.

During the first week of the academy, trainees learn the role of a telecommunicator, problem solving, proper telephone and radio techniques, and handling fire, Hazmat and critical incidents. Each trainee is taught the importance of obtaining information on location, nature of the incident, injuries, weapons, chemicals and other information that responders may need to adequately respond to requests for service. There are 25 hours of classroom training and

15 hours of practical exercises and tests during the first week. Each trainee works through two rounds of practice scenarios. During the practice as well as the test, trainees receive and dispatch units to non-emergency and emergency police and fire incidents. Each trainee receives a TDD, or Telecommunication Device for the Deaf, call and responds to a traffic stop. Instructors monitor and provide feedback to the trainee after each practice scenario.

"Almost anyone can memorize classroom materials and pass a written test," Carter said. "However, requiring each trainee to pass a practical exam gives better insight into their ability to actually perform the job in real-life situations at their agency."

In the second week, trainees learn the basics of Criminal Justice Information Systems. CJIS provides timely and relevant criminal justice information to the FBI and other qualified law enforcement, criminal justice, civilian, academic, employment and licensing agencies concerning individuals, stolen property, criminal organizations and activities, and other law enforcement related data. Each trainee performs inquiry, entry, modification and cancellation transactions into the CJIS files. In week three, trainees receive training in CPR, emergency medical dispatch and family violence.

During the final week of the academy, trainees are trained in Spanish for the telecommunicator, family violence, and crisis incidents, and they participate in practical exercises. It is during this last 20 hours that trainees demonstrate that the classroom training, studying, teamwork and practice has provided them with the necessary skills to perform their duties in the communication center at their agencies. These exercises are specifically designed to depict what a shift might be like in their communication center. Trainees will respond to numerous police emergency and non-emergency incidents, hostage and critical incidents, fire and/or Hazmat incidents and give pre-arrival instructions for a medical emergency. Trainees will perform CJIS transactions and will answer numerous calls for information. In this final week, trainees are able to put into practical application everything that they have learned over the past four weeks.

DOCJT also offers a three-week telecommunications basic academy for agencies that do not have access to CJIS. This academy is identical to the four-week academy, except week

two of CJIS training is omitted. However, trainees are given a basic overview of the CJIS system and the information they can provide for their law enforcement officers.

Due to the importance of well-trained telecommunicators, some agencies offer extensive on-the-job training to supplement the basic academy training.

"It's pretty standard in Kentucky because everybody, just about every department, goes to the Department of Criminal Justice Training for training, so everybody gets the same base-line training, and then they come back to their own [agency] for different 'how-they-do-it training'," said telecommunicator John Hunt of the KSP Pikeville Post.

To further emphasize the importance of adopting more professional standards for telecommunicators, KRS 15.530-15.590 was passed in 2006, creating the Telecommunicator Professional Standards. The state legislation established pre-employment standards and a certification process for all full-time law enforcement telecommunicators. Similar to the Peace Officers Professional Standards, TPS requires that, prior to employment, applicants must:

- be a citizen of the United States.
- be at least 18 years of age.
- be a high school graduate or have received a general equivalency diplom.a
- never been convicted of a felony or other crimes involving moral turpitude.
- submit fingerprints to KSP and the FBI for a criminal history check.
- take a psychological suitability screener.
- take a polygraph examination.
- pass a drug screen.

"I believe that TPS is one of the best initiatives for the telecommunications profession since mandatory training," DOCJT's Johnson said. "TPS will ultimately enable agencies to hire better qualified, more suitable and desirable people for the job. This should cut down on the turnover rate in our communications centers, which will enable communications supervisors to keep professional, efficient telecommunicators in their communication centers. This will ultimately assist the physical responders in providing better service to the citizens."

Carter agrees that TPS is already changing the face of Kentucky's telecommunications community.

"TPS has already changed telecommunications in Kentucky," she said. "To have some pretty strenuous standards met prior to hiring and training will only bring the best people forward to fill the positions of this important job I cannot imagine any agency wanting to know less about an employee who will have privy to sensitive and confidential information, handle each call that comes in and have such impact on the outcome."

Though these standards became effective July 2006, some communication centers across the state have been operating under such standards for several years.

"I was very supportive of those standards when they were proposed by DOCJT because that is something that we always followed here," said Malissa Carter, director of Bowling Green's communication center. "We just always believed that telecommunicators are exposed to so many confidential records and so many important things – the same things that police and fire are exposed to, sometimes more ... so TPS didn't cause us to have to adjust what we did, but I think it is very important, and I am very glad they passed those standards statewide."

The passing of TPS was just one more step on the path to professionalizing telecommunications in the commonwealth.

"Pat Carter at the Department of Criminal Justice Training took this from a job into a career," Montgomery County's Johnson said. "There are levels now, within not just your training, but within a lot of communication centers across the state where you can promote, you can advance, you can get a job where you can eventually get to work Monday through Friday with weekends and holidays off."

The search for the best, most professional training practices for telecommunications continues to be the focus of DOCJT's training staff.

"The group of people in this branch are always enthusiastic about changing things for the betterment of the people we serve," Carter said. "As for what is on the horizon in telecommunications training, only the very best and newest ideas possible." J

The Technology Horizon

Telecommunications technology is rapidly changing to increase efficiency, effectiveness

Abbie Darst, Public Information Officer

Communication centers have come a long way technologically in the last decade. From punch cards, typed logs and written notes to sophisticated computerized dispatch systems, the fast pace of today's communication centers can barely keep up with the newest horizon of available technology.

Since the creation of the National Crime Information Center in 1967 and the Law Information Network of Kentucky in 1974, the most predominant technological advancement in today's communication centers was the introduction and adoption of computer-aided dispatch systems or CADs. CADs use one or more servers located in a central dispatch office, which communicate with computer terminals in the communication center or with mobile data terminals installed in police vehicles. Though there are various forms of CAD programs that suit department needs, the logistics of each system are the same. CADs allow tele-

agencies to keep track of a plethora of information automatically. CADs

- log on/off times of law enforcement personnel
- generate and archiving incidents that begin with a phone call from a citizen or originate from personnel in the field
- assign field personnel to incidents
- update incidents and logging those updates
- generate case numbers for incidents that require an investigation
- time stamp every action taken by the telecommunicator at the terminal

With the advent of enhanced 911, when a 911 call comes into a communication center, the caller's phone number, name and address are automatically dumped into the CAD system. There is special privacy legislation that permits emergency operators to obtain the caller's information. This information is gathered by mapping the calling phone number to an ad-

dress and emergency service number or ESN in a database. This database function is known as ALI, automatic location identification.

However, as technology as a whole continues to change, communication-center technology has to keep up in order to provide the best service to its citizens.

"Cell phones changed the world of communication," Montgomery County 911 Director Ann Johnson said. "Used to be we'd get a call on an accident 15 to 20 minutes after it happened when somebody got to a pay phone. Now we get 35 calls on the same incident while it's happening."

In an effort to better serve the ever-increasing number of wireless customers in the commonwealth, the state Office of the 911 Coordinator in cooperation with the Commercial Mobile Radio Service Board (an agency of the Kentucky Office of Homeland Security) are working to improve the effectiveness and reliability of Kentucky's wireless 911 service. They are providing 911 telecommunicators with the greatest possible information on wireless 911 calls. The wireless enhanced 911, or E911, project is divided into two phases. Phase I requires wireless carriers, upon request from a

local public safety answering point, or PSAP, to report the telephone number of a wireless 911 caller and the location of the cell tower antenna that received the call. Phase II requires wireless carriers to provide far more precise location information, within 50 to 300 meters in most cases. Most agencies in Kentucky are either already Phase II compliant or working toward it. Unfortunately, a big misconception among the public is that telecommunicators are capable of precisely locating an individual calling from a cell phone. Even those agencies that are Phase II compliant can usually only pinpoint within 200 meters of the caller, Bowling Green advanced dispatcher, Lori Cooper, said.

After wireless Phase II capabilities are achieved, technology referred to as Next Generation 911 is on the horizon, which will allow communication centers to receive streaming video, text messages and photos from cell phones directly into the 911 system.

In addition, some agencies have interactive maps linked to their systems that plot the location of the 911 call on the map. In Bowling Green, aerial photos have been loaded into their CAD systems so they can hone in on a specific place and see the exact locations, houses, fire hydrants and more. Similarly, at the Kentucky State Police Pikeville Post, every residence in Pike County has been photographed and loaded into their system, so they have a picture of the residence to which they are dispatching emergency response. These images allow them to pinpoint certain features of the home or surrounding yard that may be useful to the responders in route, KSP Pikeville Post telecommunicator, John Hunt, explained.

Another advantage interactive maps can offer is the use of emergency notification systems, often referred to as reverse 911. Reverse 911 systems allow an agency to call a predefined subset of subscribers within the population that needs to be notified of a specific event or disaster, according to Mary Pedersen, chief information officer of the Kentucky Office of Homeland Security.

KOHS and the Kentucky Intelligence Fusion Center have generated a reverse 911 program for the four-county area below the Wolf Creek Dam as a proactive step to protect citizens in the event that the area needed to be evacuated at any point during the dam construction and reinforcement project. This reverse 911 system is a Web-based system that can be activated from the fusion center in Frankfort or anywhere there is Web access. With just a few clicks a KSP dispatcher can initiate the notification, which is based on a preset notification from the Army Corps of Engineers, Pedersen said. There are approximately 18,000 phone numbers loaded into the system.

"We did a lot of testing, and it worked," Pedersen said. "Folks were notified. We didn't receive any negative response from that testing."

KOHS is also exploring other possible uses for the reverse 911 system.

"After the Virginia Tech incident – that's very big on the minds of universities . . . How effective was their system of student notification, faculty notification?" Pedersen said. "What do we have in place in Kentucky, and what can we do better to ensure we get the word out on any type of emergency event immediately to the student population? That's got us cracking the whip and making us move a little faster."

KOHS is also exploring the possibility of getting a statewide reverse 911 system, but it is a very costly system to make available in such a large capacity, Pedersen said.

"Our goal is to always offer the essential tools and technologies for free when and where we can," she said.

KOHS is not the only agency who has reverse 911 capabilities in the state. Through grant funding, other agencies have been able to get various forms of local reverse 911 systems.

In 2003, the Daviess County Communication Center received a \$1 million federal grant to improve its emergency-responder and 911-operations system. A portion of the money was used to install a reverse 911 system for the county. The system allows telecommunicators to draw a circle on a map, tell the computer to dial every house in the encircled area and put out a particular message notifying the people in the community of a major event within seconds or minutes, said Paul Nave, supervisor of the Daviess County Communication Center. The computer will call 20 people every minute, he said.

In addition to the reverse 911 system, the grant enabled Daviess County to bring numerous technological advancements to the agency, including card access doors and video projection throughout the agency for increased security, mobile data units in patrol cars and an interoperability radio repeater and other radio equipment upgrades that allow county and city law enforcement officers to communicate.

In case of a disaster, such as an earthquake, chances are the phone systems will be down, so this new technology provides Daviess County the capability to talk directly to the Owensboro city dispatch center, Indiana State Police and every county that surrounds Daviess County through the radio system, Nave explained.

"We were pretty much in a world of our own, but now that we've opened up the walls, the walls have come down and we talk to pretty much any agency surrounding us," Nave said. "One of the hardest things for a criminal to do is to beat a radio. We can save someone's life. For example, if they're doing a pursuit in Indiana, if we can put strips across the road and save that pursuit from killing someone, then it's worth every penny that we've done."

As demonstrated in Daviess County, >>

branch manager of the DOCJT Telecommunications Branch.

FIRST TELECOMMUNICATIONS EXECUTIVE DEVELOPMENT CLASS GRADUATES

The Department of Criminal Justice Training's first Telecommunications Executive Development class graduated August 17. The class, made up of communication center directors and supervisors from across the commonwealth has spent nearly two years refining their leadership and management skills.

"Instructors, students and courses such as these help develop the skills needed to maintain the highest standards of professional excellence in Kentucky's telecommunicators," said Pat Carter,

Designed to develop the leadership abilities of telecommunications supervisors, managers and directors, the course enhances each student's ability to perform at an executive level and provides insight and analysis to help students develop their leadership potential. The course focuses on contemporary theories relating to leadership, emotional intelligence and personnel development.

"We're undervalued in our field, but when people are properly trained, we can let people know that we're a profession that's here to help you," said graduate Andrea Jones, telecommunicator at the Northern Kentucky University Police Department. "They think we're just there answering phones, and they don't realize the underlying responsibilities. But there's so much more. Classes like this will bring respect to our profession." ■



(Photo by Elizabeth Thomas)

>> grants can have a significant impact on the technology and services that a communication center can supply to its agency and citizens.

Montgomery County received a \$500,000 grant in 2005 that allowed it to install CAD systems in the communication center. In January, 2007, Gov. Ernie Fletcher announced 911-improvement grants that provided eight local communities funds to upgrade 911 services from basic 911 to enhanced 911, which totaled nearly \$950,000.

"As soon as we catch up to technology we turn around and man, where'd it go, it's gone again," Montgomery County's Johnson said. "A lot of your big bells and whistles are in your communication centers, they're kind of the hub for that; I don't think it'll ever stop. ... As needs change the services change. And as the services change our role in that is always going to change."

One of the latest technologies acquired by MetroSafe, the Louisville Metro communication center, is software that assists dispatchers in monitoring the locations of ambulances and paramedic units. The software will automatically flag situations where an ambulance may be needed and the dispatcher can set that in motion with a couple of keystrokes and a call to the ambulance service. This capability allows Louisville EMS to always stay a few steps ahead of what's about to happen, Louisville EMS Director Neal Richmond said.

Another form of technology that was made more widely known by the popular TV show

Extreme Makeover – Home Edition is being used in several Kentucky communities and communication centers, including Winchester and Lexington. Project Lifesaver established as an initiative of the 43rd Search and Rescue Company of the Chesapeake, Virginia, Sheriff's Office, is a national program now operating in more than 30 states. In Kentucky, the state coordinator is the Franklin County Sheriff's Office.

Project Lifesaver's mission is to use state-of-the-art technology to search for and rescue people with Alzheimer's disease, autism and related disorders who become lost. According to public safety experts, a lost person with Alzheimer's or other dementia represents a critical emergency, since more than half of them will become injured, fall victim to predators or die if not found within 24 hours.

Project Lifesaver is an active system that relies on state-of-the-art technology and specially trained search-and-rescue teams. People in the program wear a personalized bracelet that emits a tracking signal. When care givers notify agencies that the person is missing, a search-and-rescue team responds to the wanderer's area and starts searching with the mobile locator tracking system. The Lifesaver bracelet is a radio wrist transmitter that emits an automatic tracking signal every second, 24 hours a day. The signal is tracked on the ground or in the air over several miles. Each bracelet has a unique radio frequency.

In Clark County there are approximately five individuals using the wristbands and files containing personal information that may assist in narrowing down the search area for these individuals are located in the communication

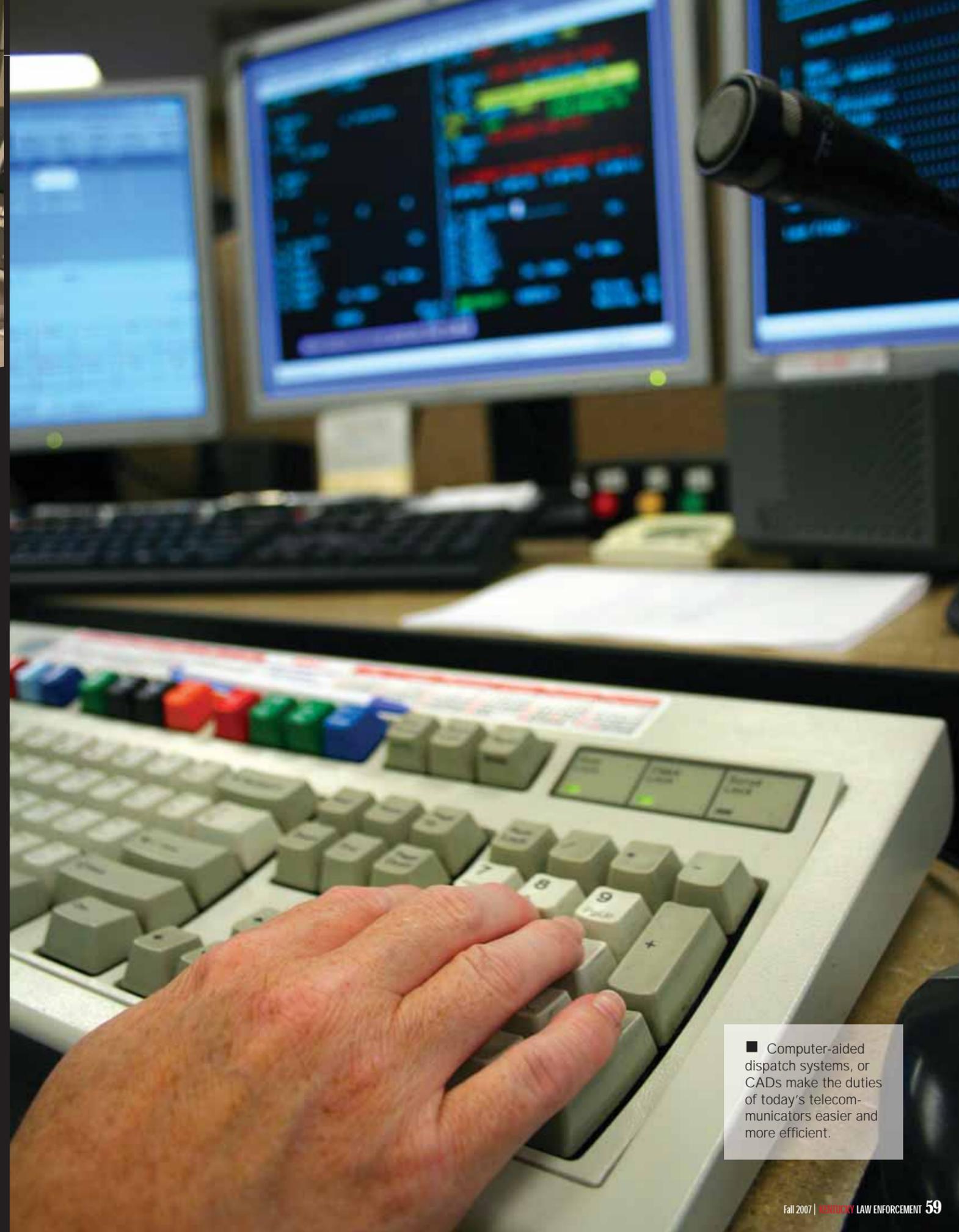
▲ Ronnie Blakemore has served as a telecommunicator with the Winchester Communication Center since 1995. Winchester is one of few departments in Kentucky involved in both 911 for Kids and Project Lifesaver.

center at the Winchester Police Department.

"I think it's an awesome program," said Rhonda Rogers, supervisor of the Winchester Communication Center. "How many times do you hear about somebody wandering off ... and that they've frozen to death or end up dead?" Winchester communication supervisor Rhonda Rogers said. "Our county is working on a scholarship program to make these bracelets available to those individuals who could greatly benefit from the program, but can't afford it."

These are just some examples of the new technology that is becoming available to law enforcement and telecommunicators all of the time. As the communities they serve continue to change, agencies must keep up with technology that will increase the efficiency and effectiveness of today's first responders.

"After enhanced 911 took over, yearly it's changing. You've got cell phones coming in with wireless Phase II to track cell phones and the next generation [911] coming on, it's just exploding," said recently retired Hopkinsville Communication Center Supervisor Dee Hopper. "Like your personal cell phone, you don't keep it for very long, you change them out often – technology is changing rapidly in our business." J



■ Computer-aided dispatch systems, or CADs make the duties of today's telecommunicators easier and more efficient.



U.S. Marshal's Western Kentucky Fugitive Task Force Supports Law Enforcement

/Rick McCubbin, U.S. Marshal, Western District of Kentucky

One of the most frustrating areas in law enforcement is not the number of warrants for which beat officers are responsible, but the lack of time they have to serve the warrants. I spent many years as a patrol officer in Louisville and diligently worked my warrant pack on slow nights, holidays, and even delivered the early, Sunday morning wake-up call to alleged offenders. No matter how hard I worked the warrant pack, how creative I was, or how intensely I looked for a fugitive, my warrant pack seemed to grow overnight.

Most officers have their personal pet peeves, and one of mine was people who fled from justice, no matter how severe the charge, and did not return to court when ordered or did not comply with a judge's order, thus leading to the issuance of a warrant. At that point, it almost became a game – Who could outsmart who? Could I be creative enough to catch the person and arrest them, or would that person continue to outsmart me, running the streets as a fugitive?

I spent most of my career with the Louisville Police Department working the midnight shift in the downtown area. Though one would think this particular shift was a good one to work a warrant pack, it was not always the most conducive. Like all officers, I was attached to the radio and was at the mercy of the dispatcher. The amount of investigation that was put into a warrant depended on the number of radio calls during the shift. Sadly, working warrants became nothing more than knocking on a door and finding no one home, or at least, no answer. If I did get information such as a new address, where the fugitive worked, what they drove, who they ran with, or other leads, I often could not follow up due to the radio and beat restrictions.

At one point in Jefferson County, it was reported that more than 70,000 outstanding warrants were tucked away at the clerk's office. It seemed as if there was no solution or end in sight to this problem. Amnesty initiatives were used to encourage those with outstanding warrants to appear and take care of their obligations. Local and district task forces were developed along with overtime that allowed officers to work several hours a day with partners, outside their normal shifts, to ride together and do nothing but investigate war-

rant cases, but we still made only the slightest dent in the amount of outstanding warrants.

When I left the police department in 2002 to accept the appointment as the U.S. marshal for the Western District of Kentucky, I soon realized that I had an opportunity to continue my quest to clear warrants. During my first week in office I realized that there was an opportunity to put more officers on the streets to investigate local and state warrants and to use deputy U.S. marshals to investigate those warrants.

Assigning four deputies from the Louisville office to a full-time multi-jurisdictional task force we began to investigate warrants from every level. Over the next year, covering the 53 counties, meeting and talking with police chiefs and sheriffs, I received positive feedback. Unfortunately, most agencies could not afford to assign an officer to the task force.

Since the inception in 2003, the U.S. Marshal's Western Kentucky Fugitive Task Force has arrested 828 fugitives and cleared 1,184 cases. The fugitives' arrests occurred in the 53 counties of the Western District of Kentucky included many of Louisville's most wanted fugitives, three of America's most wanted, and several from out of state who fled to Kentucky attempting to hide from their actions.

The task force has arrested several notable fugitives such as Byron Perkins and Lea Ann Howard, who fled after a judge allowed Perkins to be released for medical tests to see if he was a match and could donate a kidney to his ailing son, but instead chose to flee to Mexico. This fugitive investigation led to weeks of national television coverage.

Memorable fugitives include George Ferrell, who was on the run for 25 years for a 1978 rape, kidnapping and robbery. He had been living in Louisville under an assumed identity. Donald Britt, wanted for assault and unlawful imprisonment, thought that a foot chase would end if he swam across Rough River. But, he was arrested wet, tired and angry on the banks of the river as the task force officers doggedly swam across the river behind him.

The most common question I get is, "How does the task force catch its man?" It is just good, hard, diligent police work. There are resources that the U.S. marshals have that

are not readily available to most local or state agencies and are certainly used to the fullest extent, but it still goes back to teamwork and cooperation. The task force members have the ability to work together without jurisdictional or arrest boundaries, and most importantly, no radio calls to tie them down.

When the task force adopts a case, we ask that it be handed over and that the task force becomes the sole investigative group working the case in order to prevent duplication. The lead investigator always stays in touch with the agency's case agent or detective, but when the task force adopts a case, it is their responsibility. Sheriffs and chiefs particularly appreciate that we bear the costs of any investigative expenses.

When a police department or sheriff's office puts an officer on the task force, that agency literally just hired 10 more officers. At the request of a chief or sheriff, the task force will give priority to working warrants in that jurisdiction.

Although the task force gives slightly more priority to agencies represented on the task force, the marshal's office is available to assist all agencies, not just the ones represented on the task force.

From a part-time program in 2004, we have launched the U.S. Marshal's Western Kentucky Satellite Fugitive Task Force. Since so many agencies cannot come to us, we will not only continue to go to them, but also will have members of their agencies deputized as members.

The satellite task force will be a conducive way to build resources, ideas, and networking by strategically training and deputizing law enforcement officers to investigate fugitives in the same

manner as the full-time task force, but officers will never leave their jurisdiction.

By placing satellite task force officers throughout the district, we will build a network of officers who will begin the investigation while maintaining contact with the task force in Louisville. They will work leads and other information on the fugitive to determine if he or she is still in the area or if our efforts must be concentrated in other parts of the state. The satellite task force officers will use our system and programs to enable them to locate addresses, vehicle information, or a place of employment.

The first agencies to take advantage of the satellite task force were the Nelson County Sheriff's Office and the Bardstown Police Department. Both agencies support the task force, but have suffered from personnel issues that have prevented them from assigning a member. By having off-site, trained, and deputized task force members, these agencies will have two officers that can get a head start on an investigation in their area and contact the task force for assistance. Also, the task force in Louisville now has contacts in that region that can begin an investigation from a lead that is received in this office.

The satellite task force has the potential to become a successful, two-way street of cooperation and networking; and, most importantly, assisting local and state agencies to arrest as many fugitives possible. The U.S. Marshal's Western Kentucky Fugitive Task Force will assist in any way possible in apprehending fugitives from their areas. Please visit the U.S. Marshals Web site at www.usmarshals.gov to learn more about the agency. J

Members of the U.S. Marshal's Western Kentucky Fugitive Task Force

FULL TIME MEMBERS

4 Deputy U.S. marshals
1 Jefferson County sheriff's deputy
1 Louisville Metro police officer
1 Kentucky State Police trooper
1 Kentucky Probation and Parole officer

2 Oldham County Sheriff's deputies
1 DEA agent
1 ATF agent
1 U.S. Fish and Wildlife agent
1 Representative from the U.S. Attorney's Office

PART TIME MEMBERS

1 University of Louisville police officer
1 New Albany, Indiana police officer

SATELLITE

2 Nelson County sheriff's deputies
2 Bardstown police officers



Chief Steve Wheat

Burkesville Police Department Chief Steve Wheat and his wife, Sarah, have been married 23 years and have five children, one granddaughter and one grandson on the way. He is a native of Burkesville. He attended Western Kentucky University for five years. Wheat and his family are members of Highland Chapel United Methodist Church.

“We have a wonderful rapport with the people we serve. We are a very small town with a population of about 2,000 people. We all know one another and care about each other.”

Your department recently received an exciting grant. Share with the readers about that.

Our department has just recently received a grant for an enhanced 911 system. I have literally been going to E-911 meetings for 20 years hoping to discover a way to afford this new system, but unfortunately each meeting would end like the one before. We just did not have the money. Then one day, we received a letter from Gov. Ernie Fletcher informing us that we would be receiving the necessary funds to install E-911, and now, thanks to the governor, we are up and running and extremely proud of our new system.

What is your department's relationship with the community?

We have a wonderful rapport with the people we serve. We are a very small town with a population of about 2,000 people. We all know one another and care about each other.

All of our officers have spent countless hours sitting in our homes, off duty, listening to complaints or problems of our citizens.

What improvements have you seen in law enforcement during your career?

The greatest improvement that I have seen in law

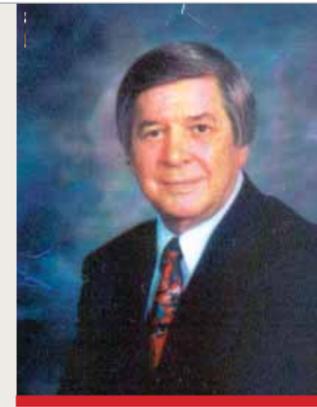
enforcement during my career is without a doubt Peace Officers Professional Standards. POPS is very strenuous on small departments such as ours, but I know that the pros far outweigh the cons. We are getting better quality police officers because of the higher standards that are created by POPS.

What is your biggest tourist attraction, and how does it affect the Burkesville Police Department?

We stay busy during the summer months because of our location. Burkesville is located in south central Kentucky on the Tennessee border. We lie between Lake Cumberland and Dale Hollow Lake and the beautiful Dale Hollow State Resort Park. Our lakes are beautiful and attract boaters from Indiana, Ohio and Illinois. We appreciate our tourists, but the massive congestion keeps us busy during the summer holidays.

What are some tips for other law enforcement executives based on your experiences?

I don't have a lot of tips to offer other chiefs across the state. I have always applied the Golden Rule and common sense, and they work well for me. J



Sheriff Charles "Fuzzy" Keesee

Pike County Sheriff Charles "Fuzzy" Keesee was first elected sheriff in 1961, succeeding his father, the late Moss Keesee. He began his ninth term as sheriff in January. Keesee has established several neighborhood watch programs, which encourage private citizens to join with law enforcement in making their communities safer. He has established a branch office of the Pike County Sheriff's Office in Belfry. Keesee has served several terms on the board of directors for the Kentucky Sheriffs' Association and also as its president. He has served on the Bylaws and the Nominating committees with the National Sheriffs' Association. Keesee and his wife, Edie, have been married for 10 years. His hobbies include helping people and attending sporting events, and he is a member of the all-terrain-vehicle club.

“Professional training to law enforcement with yearly in-service updates has greatly improved the quality of law enforcement, especially on the local level.”

What changes have you made at the Pike County Sheriff's Office since you were elected sheriff?

The sheriff's office has the largest geographical area in the commonwealth and extremely limited resources. Salaried deputies were few, and non-paid officers performed much of the work. If we compare today to the time when I first came into office, it would be almost like daylight to darkness.

What are the top issues facing Kentucky sheriffs?

Recognizing and responding to the issues are totally two different items. The commonwealth is truly in tune with problems, but responding is not as rapid as law enforcement might like it to be.

How do you think Kentucky is answering the call to keep up with crime?

I believe one has to examine the diversity of population in Kentucky. The urban areas have significant population concentrated in small areas. The rural areas have population pockets scattered throughout each county. Therefore, the crimes and needs may be similar, but response time and backup for the officer is extremely different.

What is your perspective on the Department of Criminal Justice Training?

Kentucky recognized the need and responded by creating the Department of Criminal Justice Training. We feel the training has been very successful.

Professional training to law enforcement with yearly in-service updates has greatly improved the quality of law enforcement, especially on the local level. The complexity of the law and the requirement for ongoing training has improved the officers' self image and the public's perception of law enforcement.

What steps have you taken to improve the criminal justice system?

Communication with other agencies has been limited for too long. The improvement on communication has made all of our jobs easier and will continue to eliminate the territorial attitude of prior years.

What is your philosophy on law enforcement in Kentucky?

I have been fortunate to observe the progress of law enforcement over the years. Law enforcement is an ongoing process of instilling duty, honesty, respect and self sacrifice between the agencies and the communities that we serve.

What new projects do you have underway?

This office is directing efforts in two directions. We are establishing functional neighborhood watch programs. Also, we are developing a unified effort, from law enforcement to treatment, with our partners in the fight to overcome the drug scourge in eastern Kentucky. J



Chief Mark Welker

Mark Welker is the chief of police at Eastern Kentucky University. He was raised in Danville, Illinois, and is a graduate from Northern Arizona University with a bachelor's degree in Police Science and Administration. He is also a graduate of the FBI National Academy. Welker has 21 years of experience in university law enforcement and has served as a police officer, sergeant and lieutenant at Indiana University-Purdue University at Indianapolis. He served as director of public safety at DePauw University, assistant chief of police at the University of Tennessee and executive director of public safety and facilities at Robert Morris University.

"Clearly, the safety and security of every student, faculty and staff member, and visitor is a critical component in establishing a positive learning environment."

What is your department's mission?

The mission of the Eastern Kentucky University Police Department is to enhance the quality of life by providing a safe and secure environment through professional service to the community. The success of our mission depends on this partnership using a community-policing philosophy. The department places high priority on honesty and integrity, and values the need for effective and open communication with the community we serve. We value our employees and are committed to their professional development.

How do you think training ranks in Kentucky compared to other states?

I have served in a law-enforcement capacity in four states and, I can say without hesitation, that the Kentucky Department of Criminal Justice Training is the most impressive. Although I did not attend Kentucky's DOCJT Basic Training Academy, I have attended several specialized courses there and sent many police officers through it as well. The two things that stand out in my mind about DOCJT are the obvious level of professionalism, competence of the staff and administration, and the outstanding training resources and facilities. Although I am not extremely knowledgeable about its entire history, I have to give a lot of credit to Commissioner John Bizzack and his team for having the vision and leadership to establish a training center of national and international distinction with which every police officer in Kentucky should be proud to be associated.

What improvements have you seen in law enforcement during your career?

I think the single-greatest improvement in law enforcement I have seen during my career has been the introduction, implementation and ongoing commitment of a community-policing philosophy that most agencies have adopted. Although there have been volumes written on the subject regarding the meaning or definition of a community-police philosophy by people far more qualified than I am, I feel strongly that ultimately it's about providing

timely, professional and caring law enforcement services to each individual within the respective communities that we serve. I also believe that the majority of law enforcement executives and officers that I've come in contact with over the years have truly embraced the concept and that has played a critical role in enhancing both the image and quality of service that the public demands.

As we sympathize with the entire campus of Virginia Tech, how are you and your department prepared to handle such situations?

Clearly, the safety and security of every student, faculty and staff member, and visitor is a critical component in establishing a positive learning environment. I'm confident in saying that we at EKU, like the other state institutions throughout the commonwealth, agree that safety and security on our campus is of paramount importance, and we place a very high priority on providing the services, technology and programs that help to enhance it within the campus community. Unfortunately, campuses are not immune from crime or other types of emergencies, and one of our challenges is to continue to find creative ways to inform our community about the importance of emergency preparedness and crime prevention awareness. Although we believe that our campus is relatively safe, we know that a serious incident or disaster could occur here. Our job, with help from the campus community, is to be prepared for such an eventuality in an effort to prevent or mitigate injury or loss of life or property.

What tips would you offer other law enforcement executives?

As for tips or advice for other law enforcement executives based on my experiences, I would like to say something really profound, but this is what I can offer – listen carefully to people and be as empathetic as you can possibly be, develop and maintain a fair and consistent approach to your management style, use every resource available to you, and don't look for all the answers in one place, you probably won't find them there. By the way, if you do please let me know. J

New Chiefs of Police Across the Commonwealth

ADAM RAINWATER, BRADFORDSVILLE POLICE DEPARTMENT

Adam Rainwater was appointed chief of the Bradfordsville Police Department in November 2006. He worked for the Corrections Corporation of America for four years and the Marion County Detention Center for three years before coming to the department. Rainwater plans to increase the department staff, starting with auxiliary officers, to assist the agency. He worked to get a neighborhood-watch program for the community, and he plans to increase community involvement.

JEFFREY KING, CLARKSON POLICE DEPARTMENT

Jeffrey King was appointed chief of the Clarkson Police Department in March. King had 10 years of law enforcement experience before being appointed chief. Prior to his law enforcement career, he worked at a correctional detention center. King's career began in the military where he received military police training. He plans to do his best to make the community a better place. He will seek to obtain grants to expand department resources.

JAMES WERNER, DAYTON POLICE DEPARTMENT

James Werner was appointed chief of the Dayton Police Department in June. Werner began his career in law enforcement at the Cincinnati Police Department and retired from there with 29 years of service. He came to work for the Dayton Police Department in February 2005. Werner holds a degree in criminology from the University of Cincinnati and plans to continue the fine tradition of policing expected of the Dayton Police Department. He plans to work on improving training and camaraderie among the officers, and modernizing equipment. Werner said he does not expect the officers at the department to do anything he has not done, or is not willing to do, himself.

JOHN C. REED, JR., HENDERSON POLICE DEPARTMENT

John C. Reed, Jr. was appointed chief of the Henderson Police Department on July 2. Reed comes to the department with more than 27 years of law enforcement experience. He retired as a major from the Louisville Metro Police Department in May serving as commander of the Third Patrol Division, which is the department's second largest patrol division. Reed served in a number of positions while at the Louisville Metro Police Department that gives him a broad range of experience. Reed has a

master's degree in justice administration and is completing his dissertation requirement for a doctorate in Urban and Public Affairs at the University of Louisville. He is an adjunct faculty member at the University of Louisville and attended the FBI National Academy.

STEVEN GARRETT, LIBERTY POLICE DEPARTMENT

Steven Garrett was appointed chief of the Liberty Police Department in June 2007. Garrett has five years of law enforcement experience. He served in the Kentucky Air National Guard out of Louisville before coming to the department in October 2002. He plans to continue in the footsteps of the former chief. He plans to advance the department including purchasing equipment and working to get additional manpower.

LARRY BROCK, RICHMOND POLICE DEPARTMENT

Larry Brock was appointed chief of the Richmond Police Department in July. Brock began his career serving in the U.S. Army as a sergeant in the military police corps. He then went to work for the Richmond Police Department in 1979. In 1983 Brock went to work for the U.S. Bureau of Alcohol, Tobacco and Firearms and served in several positions at that agency. Brock has a bachelor's degree in police administration from Eastern Kentucky University. Brock plans to improve community relations and deliver professional police service to the citizens. He plans to restore the public's confidence and respect for the police department and improve the workplace environment to maintain a high level of morale among police department employees. Brock will seek accreditation for the department.

JEFF CARTER, STRATHMOOR VILLAGE POLICE DEPARTMENT

Jeff Carter was appointed chief of the Strathmoor Village Police Department on May 18. Carter has 14 years of law enforcement experience beginning with street patrol and progressing up the ranks to chief. His career started at the Eminence Police Department. He worked at the LaGrange Police Department for eight years before coming to the Strathmoor Village Police Department. Carter holds an associate's degree in criminal justice from Suffield University and has 1,325 hours of job-related training. Carter plans to seek accreditation for the department. One of his goals is to update the department, and he plans to write grants for improvements. ■

ER on the Beat:

Many law enforcement officers are also EMTs

/Jamie Neal-Ball, Public Information Officer

For officers like Lt. Tracy Steinhoff of the Sturgis Police Department, a traffic stop can be a life-saving event.

Steinhoff was running radar in downtown Sturgis when a sports-utility vehicle whooshed by his cruiser going at least 75 mph. After having to block the SUV with his cruiser to force it to stop, the officer discovered the reason for the rush: a family was trying to get a baby boy who wasn't breathing to the hospital, which was still another five miles away.

"The way they were driving, none of them were going to make it to the hospital," Steinhoff said.

The officer knew what to do. He had recently earned his certification as an emergency medical technician.

Steinhoff is among the many law enforcement officers in Kentucky who are also EMTs. These officers patrol a beat and know about getting hearts to beat – and babies to breathe.

After not finding an object blocking the baby's airway, Steinhoff placed the infant face down on his arm, patted his back and pinched his leg. He immediately began to cry and turned a normal shade of pink, the officer said.

"I don't know what would have happened if I had let them go on to the hospital, but I felt like the baby had a whole lot better chance

that I took it when I did and forced them to stop and get it breathing there and have the ambulance come to us," Steinhoff said about the 2003 incident. "One or the other or all of them weren't going to make it."

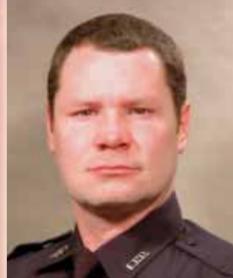
There are more than 10,000 EMTs working in the commonwealth, according to the Kentucky Board of Emergency Medical Services, the certifying body for EMTs in Kentucky.

While the board is approximately a year away from being able to provide statistics on how many of those EMTs are also law enforcement officers, the officer-EMTs "play a crucial role" in delivering medical assistance in their communities when ambulances aren't readily available, said Jon Muncy, director of certification and licensure for the Kentucky Board of Emergency Medical Services.

Some of the officer-EMTs work part time for their local emergency medical service, while others are volunteers with their EMS. But like Steinhoff, the officers said they have needed to put their EMT skills to work while on law-enforcement duty.

Last year, a Shelby County sheriff's deputy was able to help save the life of a fellow deputy because of his training as a paramedic, which is the highest-ranking EMT.

The deputy, Eddie Whitworth, was nearby when he learned that a train had hit Deputy Paul Dugle's vehicle. When Whitworth got to the deputy, he was unconscious, had a mouth full of blood and his breathing was weak, >>



Officer Ric Bohl



Officer Bryan Hammons



Deputy Don Howard



Lt. Tracy Steinhoff



Deputy Eddie Whitworth



Whitworth said.

Whitworth called for EMS, the fire department medical-transport helicopter from Louisville. He cleaned out Dugle's mouth and opened his airway. The deputy didn't have his paramedic kit nearby. Using a plastic CPR mask that Shelby County deputies carry in the first-aid kit in their cruisers, Whitworth blew air into Dugle's mouth to help him breathe. When EMS arrived, Whitworth inserted an endotracheal tube through Dugle's nose to give him air.

Dugle and his family moved to Texas in May so that he could get treatment at the Center for Neuro Skills in Irving for the injuries he sustained in the train wreck. People who know him have called it a miracle that he lived.

Based on his experiences, Whitworth said he would encourage other officers to further their medical training.

"I would at least do the first responder, if not the EMT, because you just never can tell when you can be put in that situation where you may have the knowledge and the skills to save someone's life," he said.

Law enforcement officers who are also EMTs are vital in many cases because they are often the first to arrive at the scenes of vehicle accidents and other calls that include medical emergencies. This is especially true in large counties, rural areas with lots of hard-to-travel roads and places where the EMS stays busy, because these factors make the response time for ambulances longer, officer-EMTs said.

"If the ambulance is out on the west end of the county, you might be 20 minutes waiting on a truck coming from Grayson," said Chief Bobby Hall of Olive Hill Police Department. "If somebody is having a medical emergency, that's a long time to wait. It really comes in handy knowing somewhat what to do, even if you don't do it every day."

Three of Olive Hill's six full-time officers are also volunteer EMTs, and a part-time officer is a paramedic for the local EMS.

In many communities, officers who are EMTs can have such an impact in emergency-medical situations that their chiefs and sher-

iffs have given the officers the green light to respond to dispatched calls for medical assistance whenever possible.

"Unless I'm tied up on a police call in town, I jump into any medical call in town – whether it's a little old lady that has fallen out of bed, or somebody is in labor, or a heart attack, or whatever it may be," said Cynthiana Police Officer Brian Hassall, who estimated that he responded to up to three medical calls a week while on the job for the police department.

Hassall, who has worked as a volunteer EMT for about five years, is also a volunteer firefighter and search-and-rescue team member.

"We live in a small town, so we all try to throw in, help out when we can," he said.

Dispatchers in Grayson County know that they can call upon Leitchfield Officer Bryan Hammons to respond if he's not working on a police emergency.

"If you can get there within three or four minutes versus the ambulance that's going to be there in 15 minutes, you can make a big difference in somebody's life," Hammons said.

A young girl named Briana is proof of the importance of having an officer-EMT like Hammons available to respond for EMS.

On May 29, 1999, Hammons was on duty with the police department when Grayson County Dispatch sent him to a call where a newborn baby wasn't breathing. The mother had just given birth in the bathroom of her home, and all of the county's ambulance crews were on other runs.

In those days, Hammons didn't carry his medical equipment with him when he was on duty with the police department, so when he arrived at the home, he had to improvise.

The officer cut off the tip of an oral syringe typically used to give children medicine and used it to suction fluid from the baby's airway, and she cried – a sign that she could breathe.

The baby's mother, who said Hammons was "God sent," named her new child Briana – with the alternate spelling of Bryan as the base – in honor of the officer who she believed saved her baby's life.



/Photo by Jamie Neal-Ball

▲ Shelby County Sheriff's Deputy Eddie Whitworth restocks his paramedic kit outside the Oldham County Emergency Medical Service, where he works part time. Whitworth, who also works for the Shelby County EMS, helped save a fellow deputy's life last year after a train hit the car he was driving.

"He's my hero," mother Loretta Mercer said. "Without him I wouldn't have my daughter today, and I know it."

Hammons, who works part time for EMS, said he began carrying his EMT kit at all times after that call.

Erlanger Police Officer Ric Bohl said it was the feeling of being unprepared that made him take a CPR course in high school and then become an EMT seven years before he joined the police force.

Bohl was 10 years old and shopping for school supplies at a K-Mart when a man went into cardiac arrest, he said.

"It kind of scared me and stunned me," he said. "I just didn't know what to do. His wife was yelling for help, and one of the employees

at K-Mart came up and started CPR. From what I understand, he didn't make it ... but just the fact that I felt helpless, and I didn't like that feeling."

Bohl is still a volunteer EMT and said he responds to calls for medical assistance about once per shift with the police department, including vehicle accidents, general illness, and asthma and diabetic attacks.

The officer said that he thinks other officers should at least keep up their CPR and first-aid skills. All Kentucky officers receive at least 12 hours of emergency medical training while in basic training – eight hours of CPR and four hours of first aid.

Some officers should continue on and become certified EMTs "to be able to better





help their community," Bohl said.

"That's why we got into policing is to help the community," he said. "This is just another asset to be able to assist them."

Fellow officers have told Bohl that they benefited from having some medical training when responding to law-enforcement calls, he said.

"It gives them a little bit of comfort because when they go there, they would get there first and they didn't know what to do," Bohl said. "They would just be standing there,

and the family would automatically expect them to know how to assist their loved one. It's uncomfortable for them to stand there that 10, 20 minutes – whatever it might take for the ambulance to get there – and not be able to do something."

In some instances, like Bohl's, law enforcement agencies will pay for their officers' EMT training and/or recertification every two years. At least one agency in Kentucky – the Blue Grass Airport's public safety department – requires its officers to be EMTs. The officers are also certified firefighters.

In settings like those that officers working for the Kentucky Department of Fish and Wildlife Resources and Kentucky's parks patrol – the woods and the water – officers said it's especially important for them to have some medical training, although they are not required to be EMTs.

"We are the ambulance until the ambulance gets there or until we can get them to the ambulance," said KDFWR Officer Richard Waite, who also works part-time for the Jackson County EMS.

Larry McClanahan, a recently retired park ranger at Kincaid Lake State Park in Falmouth, said that many people who visit the state's parks are out of their element and end up hurting themselves performing activities that they wouldn't normally do, like chopping wood.

"We've done everything out here from air lift to put a Band-Aid on it," McClanahan said.

McClanahan said being an EMT allowed him to keep ambulances from unnecessarily making trips to the park to treat minor injuries.

While most people would be happy to discover that the officer at the scene of a medical emergency was also an EMT, sometimes the law enforcement uniform confuses them.

Hardin County Deputy Don Howard, who has been a paramedic for 19 years, was preparing to transport a prisoner from a local hospital when the prisoner collapsed in the hospital parking lot.

Nurses who had arrived in the parking lot with a crash cart, which includes emergency medical equipment like defibrillation paddles, would not hand him the paddles so he could determine the prisoner's heart rhythm, Howard said.

The nurses were thrown by the fact that Howard was wearing a sheriff's uniform, not a paramedic's, the deputy said.

Eventually, a doctor arrived, the prisoner's heart was defibrillated, and he was fine, Howard said.

In Frankfort, an officer who is an EMT is going a step further to help his fellow officers, as well as his community.

Officer Frank Fallis, who is a member of the Frankfort Police Department's tactical response unit, decided to get certified as a paramedic so he could provide medical assistance to officers or citizens injured at hostage situations or other calls where the tactical unit would be involved, he said.

Fallis said he became inspired to get certified after a squad of paramedics with the local fire department began training with the tactical unit to serve as combat medics during crisis situations.

As an officer and paramedic, Fallis said he would be able to go even further into the "danger zone" at a scene than the squad of paramedics.

Fallis said he also thought all law enforcement officers should at least be certified as EMTs.

Although officers get CPR and first-aid training while in basic training, they may not use or practice those skills after they graduate, Fallis said. EMTs, on the other hand, may keep their skills sharp by using them, and they are required to meet continuing education requirements, he said.

Deputy David Warner of the Graves County Sheriff's Office, who has been an EMT for 20 years, agreed that officers should consider increasing their medical training.

"The more training, the better – especially in the medical field – because you're going to be in a situation," he said. "There's no doubt about it." J

■ The Kentucky Law Enforcement Memorial Foundation hosted its sixth annual golf tournament on June 18 at the Gibson Bay Golf Course in Richmond. One hundred players participated in the tournament, and the top four teams were awarded prizes. Other valuable prizes were awarded for closest to the pin, longest drive and the putting contest. Door prizes were also awarded.

The foundation raised more than \$7,000. Proceeds go to the memorial foundation to aid in providing emergency, medical and educational assistance to survivors of fallen officers and serving peace officers and their families. The foundation extends its appreciation to the sponsors and players who helped make the tournament successful.



▼ Leitchfield Officer and EMT Bryan Hammons poses with 8-year-old Briana Manley, who was named in honor of Hammons. Her mother credits Hammons with using his EMT skills to save her daughter's life the day she was born.



Successful Program Comes to a Close

Kentucky Community Preparedness Program ends after more than two years of assessing Kentucky's communities, airports and academic institutions
/KCPP staff

"Homeland security begins at home," the first national head of the Department of Homeland Security Tom Ridge once said.

The Kentucky Community Preparedness Program delivered security directly to the commonwealth's communities, making them safer and more secure, according to (Ret.) Maj. Alecia Webb-Edgington, director of the Kentucky Office of Homeland Security.

The KCPP project, a joint initiative between KOHS and the Department of Criminal Justice Training, recently completed vulnerability assessments of 141 communities, 37 airports and more than 50 additional specialized locations across the state.

"KCPP created assessment criteria from scratch, using the expertise of professional law enforcement and emergency responders," said Drexel Neal, KCPP executive director. "That has directly made an influential and important impact on the security and preparedness of the communities we have worked with."

Focusing on the prevention of hostile acts and crime in small- and medium-sized communities, KCPP identified how to stop an event before it happened.

"Most programs only focus on responding to a natural or man-made disaster," Webb-Edgington said. "That's what has made KCPP unique, not just in Kentucky, but nationally."

KCPP assessment teams covered everything from access security at schools, courthouses and public venues to bridges, dams and water systems. In all cases, local government leaders voluntarily requested the assessment. Through the assessments, communities quickly learned where their weak spots were and how those weak spots could be repaired.

"For example, too many folks simply take the safety of their kids at school for granted," explained Webb-Edgington. "Despite shooting rampages in the news virtually every day, they felt it couldn't happen to them. Many of those same folks were shocked to learn that the front door of their local school was unlocked, there was no formal security on the premises and any stranger could walk through that unguarded

door at any time with no questions asked."

KCPP assessors would find a community's potential vulnerabilities and make recommendations to eliminate security flaws.

"We're not necessarily talking about an al-Qaida extremist here," said Webb-Edgington. "We are talking about some fellow with a grudge and a pipe bomb that could take the lives of Kentuckians."

Each assessment took a team of seven trained professionals approximately one week and was followed up by a public presentation on the findings with team members available to answer questions.

"None of it could have been accomplished without the leadership of KOHS," Neal said.

Each assessed community became immediately eligible for up to \$10,000 in reimbursements from KOHS if they fixed a problem highlighted in the assessment. More than \$750,000 in reimbursements have been made. Others are expected to become eligible even though the assessment portion of the program has now ended. **J**

◀ A city street in downtown Paducah. KCPP assessed Paducah November 14 to 18, 2005.

▶ KCPP assessor Jim Rutherford during the Ashland assessment March 14 to 18, 2005.



/Photo by Jacinta Feldman Manning

KCPP-Assessed Airports

Albany – Dale Hollow Regional Airport*
Ashland Regional Airport
Bardstown - Nelson County
Bowling Green – Warren Co. Regional Airport*
Lake Barkley State Park Airport*
Taylor County Airport
Columbia - Adair County Airport
Cynthiana - Harrison County Airport
Danville - Boyle County Airport
Tradewater – Dawson Springs Airport*
Elizabethtown -Addington Field
Rough River State Park Airport*

Falmouth – Gene Snyder Airport*
Fleming – Mason Airport*
Frankfort – Capital City Airport*
Fulton Airport*
Georgetown - Scott County Regional
Kentucky Dam State Park Airport
Glasgow Municipal Airport*
Muhlenberg County Airport
Breckinridge County Airport
Tucker – Guthrie Memorial Airport
Hartford – Ohio County Airport
Wendell H. Ford Airport
Henderson City - County Airport
Hopkinsville – Christian County Airport*
Julian Carroll Airport*
Russell County Airport*

Grayson County Airport*
London - Corbin Airport
Louisville Bowman Field*
Madisonville Municipal Airport*
Marion – Crittenden County Airport*
Mayfield – Graves County Airport*
Middlesboro - Bell County Airport
Wayne County Airport*
Morehead - Clyde Thomas Airport
Mt Sterling Montgomery County Airport*
Murray – Calloway County Airport*
Olive Hill Airport
Owensboro - Daviess County Regional
Barkley Regional Airport
Pikeville – Pike County Airport*
Pine Knot – McCreary

County Airport*
Big Sandy - Prestonsburg Regional Airport*
Princeton - Caldwell County Airport
Providence – Webster County Airport
Richmond - Madison County Airport
Russellville – Logan County Airport*
Somerset – Pulaski County Airport*
Stanton –Powell County Airport*
Sturgis Municipal Airport
Tompkinsville – Monroe County Airport*
West Liberty Airport*
Williamsburg – Whitley County Airport
FAA VOR Beacon – York

* airport assessed individually



/Photo by Elizabeth Thomas

COMMUNITIES ASSESSED BY KCPP

- | | | |
|----------------|----------------|---------------------------|
| Albany | Cynthiana | Hartford |
| Ashland | Danville | Hawesville |
| Barbourville | Dawson Springs | Hazard |
| Bardstown | Dayton | Henderson |
| Bardwell | Dixon | Hickman |
| Beattyville | Dry Ridge | Hindman |
| Bedford | Eddyville | Hodgensville |
| Benton | Edgewood | Hopkinsville |
| Berea | Edmonton | Hyden |
| Bowling Green | Elizabethtown | Inez |
| Brandenburg | Elkton | Irvine |
| Brooksville | Falmouth | Jackson |
| Brownsville | Flemingsburg | Jamestown/Russell Springs |
| Burkesville | Florence | LaGrange |
| Burlington | Fort Wright | Lancaster |
| Cadiz | Frankfort | Lawrenceberg |
| Calhoun | Franklin | Lebanon |
| Calvert City | Frenchburg | Leitchfield |
| Campbellsville | Ft. Thomas | Liberty |
| Campton | Fulton | London |
| Carlisle | Georgetown | Louisa |
| Carrollton | Glasgow | Madisonville |
| Cattlesburg | Grayson | Manchester |
| Cave City | Greensburg | Marion |
| Central City | Greenup | Mayfield |
| Clinton | Guthrie | Maysville |
| Columbia | Hardinsburg | McKee |
| Corbin | Harlan | Middlesboro |
| Covington | Harrodsburg | |

- Monticello
Morehead
Morganfield
Morgantown
Mt. Sterling/Montgomery County
Mt. Vernon
Munfordville
Murray
New Castle
Newport
Nicholasville
Olive Hill
Owensboro
Owenton
Owingsville
Paducah
Paintsville
Paris
Pikeville
Pineville
Prestonsburg
Princeton
Radcliff
Richmond
Russellville
Sandy Hook
Scottsville
Shelbyville
Shepherdsville
Smithland
Somerset
Springfield
Stanford
Stanton
Sturgis
Taylorsville
Thompkinsville
Vanceburg
Versailles
Warsaw
West Liberty
Whitesburg
Whitley City
Wickliffe
Williamsburg
Wilmore
Winchester

◀ KCPP assessor Ron Meadows discusses issues at a school during the Benton-Calvert City assessment in October 2005.



/Photo by Jacinta Feldman Manning

KCPP-ASSESSED COLLEGES AND UNIVERSITIES

STATE COLLEGES AND UNIVERSITIES

- Asbury Theological Seminary
- Eastern Kentucky University – Corbin Campus
- Morehead State University at West Liberty
- Morehead State University
- St. Catherine's College
- University of the Cumberlands
- Western Kentucky University

COMMUNITY AND TECHNICAL COLLEGES

- Crittenden County Educational and Technology Building
- Gateway Community and Technical College – Edgewood Campus
- J. D. Patton Area Technology Center – Edgewood
- Fulton County Area Technology School
- Garrard County Area Technology Center
- Green County Area Technology Center
- Hazard Community and Technical College – Lees Campus
- Hazard Community College – Leslie County Campus

- Henderson Community College
- Jackson County Area Technology Center
- Jefferson Community and Technical College – Shelbyville Campus
- Jefferson Community College – Carrollton Campus
- Jessamine Career and Technology Center
- Kentucky Tech Area Technology Center – Knox County
- Ashland Community and Technical College – College Drive Campus
- Ashland Community & Technical College – Technology Drive Campus
- Ashland Community and Technical College – Roberts Drive Campus
- Breckinridge County Area Technology Center
- Butler County Educational Complex
- Carroll County Area Technology Center
- Corbin Area Technology Center
- Corbin Center for Technology and Community Activities
- Madisonville Community College
- Marion County Area Technology Center
- Martin County Area Technology Center
- Maysville Community and Technical College – Licking Valley Campus
- Maysville Community and Technical

- College
- Montgomery County Area Technology Center
- Muhlenberg County Campus – Madisonville Community College
- Big Sandy Community and Technical College, Pikeville Campus
- Rockcastle County Area Technology Center
- Somerset Community College – Somerset Campus North
- Southeast Community College
- Southeast Kentucky Community and Technical College – Harlan Campus
- Southeast Kentucky Community and Technical College – Middlesboro Campus
- Kentucky Community and Technical College System Office
- University of Kentucky Regional Technology Center

▲ KCPP assessors Don Alwes and Paul Root during the Brandenburg assessment in August 2005.



/Photo by Jacinta Feldman Manning

KCPP ASSESSED COMMUNITIES



ALBANY

County: Clinton
Population: 2,200
Size: 3.4 square miles
Class: Fourth class city
Mayor: John Smith
Chief: Ernest Guffey
Sheriff: Ricky Riddle
Date of Assessment:

Elementary School; Dixon City Hall; Providence-Webster County Airport; Providence Municipal Center; Providence schools; Providence water and wastewater plants; Sebree City Hall; Sebree Elementary School; Slaughters Elementary School; Webster County 911 Center; Webster County Courthouse and Judicial Center; Webster County Emergency Medical Services; Webster County Health Department; Webster County High School; Webster County Water District

April 30 to May 4

Sites assessed: Albany City Hall; Albany Elementary School; Albany Fire Department; Albany Police Department; Albany water treatment plants A and B; Clinton County Area Technology Center; Clinton County Courthouse; Clinton County Early Childcare Center; Clinton County High School; Clinton County Hospital; Clinton County Middle School; Clinton County Schools Superintendent's Office; Emergency services building



CALHOUN

County: McLean
Population: 836
Size: 0.7 square miles
Class: Fifth class city
Mayor: Galena Fulkerson
Chief: Russell Nichols

April 23 to 27

Sites assessed: Dukes Volunteer Fire Department; Hancock County Administration Building; Hancock County Courthouse; Hancock County Emergency Operations Center; Hancock County High School; Hancock County Middle School; Hawesville City Hall and Fire Department; Hawesville Water Plant; Kentucky Transportation Barn, Hancock County; Lewisport Volunteer Fire Department; Lewisport Water Works; Lincoln Trail Bridge; North Hancock Elementary School; Pell Administration Building (Lewisport City Hall); South Hancock Elementary School; South Hancock Volunteer Fire Department

Sheriff: Frank Cox

Date of Assessment: May 21 to 25

Sites assessed: Calhoun Elementary School; Calhoun City Hall; Calhoun Water Works; Livermore City Hall; Livermore Elementary School; Livermore Water Treatment Plant; McLean County Board of Education; McLean County Courthouse and Annex; McLean County High School; McLean County Middle School; Sacramento Elementary School



DIXON

County: Webster
Population: 630
Size: 0.9 square miles
Class: Sixth class city
Mayor: Colin Todd
Sheriff: Frankie Springfield
Date of Assessment:

Date of Assessment: April 16 to 20

Sites assessed: Campbellsburg City Hall; Campbellsburg Elementary School; CSX Railroad, LCL Subdivision; Eastern Elementary School; Eminence City Hall; Eminence Independent Schools; Henry County Courthouse; Henry County Emergency Medical Services; Henry County Fairgrounds; Henry County High School; Henry County Middle School; Highland Renaissance Festival; Kentucky State Police Post

May 7 to 11

Sites assessed: Clay City Hall and fire department; Clay



HAWESVILLE

County: Hancock
Population: 980
Size: 1.3 square miles
Class: Fifth class city
Mayor: Charles King
Chief: Alva Ray Patton
Sheriff: Dale Bozarth
Date of Assessment:



NEW CASTLE

County: Henry
Population: 920
Size: 0.4 square miles
Class: Fifth class city
Mayor: Judy Diederich
Chief: John Porter
Sheriff: Danny Cravens

5; New Castle City Hall; New Castle Elementary School; Pleasureville City Hall



SANDY HOOK

County: Elliott
Population: 680
Size: 0.9 square miles
Class: Fifth class city
Mayor: James Adkins
Sheriff: Ronnie

Stephens

Date of Assessment: May 7 to 11

Sites assessed: Elliott County 911 Dispatch Center; Elliott County Courthouse; Elliott County high and middle schools; Elliott County Road Department; Isonville Elementary School; Isonville Volunteer Fire Department; Lakeside Elementary School; Rattlesnake Ridge Water District; Route 504 Volunteer Fire Department; Sandy Hook City Hall; Sandy Hook Elementary School; Sandy Hook Fire and Rescue; Sandy Hook Municipal Wastewater Treatment Plant; Sandy Hook Water Treatment Plant



SMITHLAND

County: Livingston
Population: 400
Size: 0.6 square miles
Class: Sixth class city
Mayor: Joe Ward
Sheriff: Tommy Williams
Date of Assessment:

May 14 to 18

Sites assessed: Barkley Dam, Cumberland River and Tennessee River bridges; Crittenden-Livingston County Water District; Livingston Central High School; Livingston County Central Communications Center; Livingston County Courthouse; Livingston County Emergency Medical Services; Livingston County Repeater Tower; Livingston Hospital and Healthcare Services, Inc.; North Livingston County Elementary School and Livingston County Middle School; Salem Community Volunteer Fire Department; South Livingston County Elementary School



STURGIS

County: Union
Population: 2,000
Size: 1.5 square miles
Class: Fourth class city
Mayor: Thomas Holt
Chief: John Ricks
Sheriff: Mike Thompson
Date of Assessment:

May 16 to 20

Sites assessed: Dr. John A. Arnold Arena; Little Sturgis Motoplex; Little Sturgis Rally and Races for Charity; Sturgis City Hall; Sturgis Elementary School; Sturgis Fire Department; Sturgis Police Department; Sturgis Wastewater Treatment Plant; Sturgis Water Plant; Uniontown Elementary School



TRIMBLE COUNTY

Population: 8,125
Size: 156 square miles
County Judge Executive: Randy Stevens

Sheriff: Tim Coons

Date of Assessment: May 29 to 31

Sites assessed: Bedford City Building; Bedford City Sewer; Bedford Elementary School; Bedford Fire Station No. 1; Bedford Fire Station No.2; Bedford Health Care Nursing Home; Henry County Water District No. 2; Milton-Madison Bridge; Milton City Building; Milton Elementary School; Milton Fire Station No. 1; Milton Fire Station No. 2; Milton Wastewater Plant; Milton Water Plant; Stat Flight Air Ambulance; Tri-County Community Action Agency; Trimble County Courthouse; Trimble County Emergency Medical Services; Trimble County Extension Office; Trimble County Health Department; Trimble County High School; Trimble County Middle School; Trimble County Property Valuation Agency building; Trimble County Water District; Valley View Landfill



WILMORE

County: Jessamine
Population: 5,905
Size: 2.6 square miles
Class: Fourth class city
Mayor: Harold Rainwater
Chief: Stephen Boven
Sheriff: Kevin Corman

Date of Assessment: January 15 to 19

Sites assessed: Asbury Theological Seminary, Ichthus Ministries Festival Site, Jessamine Early Learning Village, Thompson-Hood Veterans Center, Wilmore City Hall, Wilmore Day Care Center, Wilmore Elementary School, Wilmore Volunteer Fire Department, Wilmore Water Treatment Plant

PROFILE BIO

MIKE LEAVERTON

While serving in the Marine Corps, Leaverton graduated from Columbia College in Columbia, Missouri with a bachelor's degree. After military service, he returned to his hometown of Georgetown and joined the Scott County Sheriff's Office as a road deputy. During the next 13 years Leaverton served as a deputy, chief deputy and sheriff. He received the distinguished honor of being selected as Deputy of the Year in 1988 and Sheriff of the Year in 1991 by the Kentucky Sheriffs, Association. He also served as KSA director and first vice president. Since coming to the Department of Criminal Justice Training in May of 1996, he has taught a variety of subjects, including firearms and vehicle operations. During that period he received more than 450 hours of professional emergency vehicle operation training. In 2003 Leaverton was appointed supervisor of the newly created Vehicle Operations Section. Since then he has trained close to 4,000 officers from across the state. He and his wife Chandra have two children each and seven grandchildren between them. They reside in Richmond.



/Photo by Elizabeth Thomas

Mike Leaverton

Who has been your most positive influence during your career?

If I had to choose one person, it would have to be Paul Cleveland. He was a former California Highway Patrol Officer and my coordinator/instructor when I was a recruit at the academy in 1978. Paul exemplified the values of professionalism, pride, integrity and honesty to all his law enforcement students. He always emphasized that you are obligated to serve your communities with the utmost responsibility and seriousness and should always try to treat people with kindness, but never let your guard down with regard to caution and officer safety. I have always tried to live my professional life and career as he would have me do. I will always enjoy sharing his experiences with those who knew him and those that still learn from him through me.

Was law enforcement your first career choice?

As a young man growing up in Scott County, I never had a desire to be a police officer. My next-door

neighbor was the chief of police and my friend, but he never encouraged me in that direction. All I ever really wanted to be was a Marine and, fortunately, I was honored and privileged to serve in the United States Marine Corps for more than 14 years. After five years of infantry, my unit was re-designated military police, and as is obvious, I fell in love with law enforcement and devoted the rest of my life to serving it in the sheriff's office and now as a police instructor.

If you had to share a single thought to encourage someone going into the field of law enforcement, what would it be?

Are you a compassionate person? Do you care about others and want to help them? Can you professionally deal with their shortcomings when you see them at their worst? Law enforcement doesn't deal with people when they are at their best for the most part, but when they have made bad choices or are at a low point in their life. The best people in the

world make mistakes. You make mistakes. You have to have courage in order to protect those you are sworn to serve even if it means putting someone in jail. You have to be willing to find time for the victims and provide as much assistance as possible. If this is you, then law enforcement will be a great career, as it is extremely rewarding, exciting and very enjoyable.

What is the most rewarding part of working in the Training Operations Division?

The most rewarding part is the feeling of accomplishment and the camaraderie associated with being able to work with some of the best and most professional people in their field. Even though we are no longer behind the badge, we still have the opportunity to work in the field of law enforcement, not on the street serving the people but behind the scenes enhancing the quality of the new centuries with our training and experience. All of the instructors that I have had the

privilege of working with over the last 11 years have demonstrated the same great quality – a passionate desire to produce the best-trained officer possible. They meet this great responsibility with the highest level of professionalism, that's why we are number one. When I retire I will be able to walk away with that satisfaction. This has been the most rewarding aspect of my career.

How does it feel to be the oldest DOCJT instructional staff person?

At 62, I don't feel a day over 32. However, I guess I have been elevated to the status of instructor emeritus by longevity. I hope I make it to 92 and all of you are here to help me celebrate. I am looking forward to retiring and passing this distinguished honor along to the next in line. None of us like to think that one day we will be older and be grandparents but it comes quicker than you think, and here I am and loving it.

You play two roles, as a DOCJT instructor and supervisor. How do you balance the two?

It's a daily challenge to devote adequate time to do justice to both. If it wasn't for the hard working, outstanding staff that I have the privilege of working with, it would be almost impossible to do both. I like being able to maintain my instructional duties. I am an outside, hands-on, type of person, and I take pleasure in teaching. It gives me the opportunity to pass along all the years of my experience and training in hope that all those that I have trained will come home safe at the end of their watch.

How do you like to spend your time when you are away from the DOCJT?

I have been collecting and restoring antiques for several years and hope to have a shop after retiring. Last year I purchased a big pontoon cruiser with a cabin on it, and my wife and our children and grandkids have really enjoyed boating and fishing on Lake Cumberland. We spend a lot of weekends there just relaxing and spending quality time with family. I am also devoted to church and the Marine Corps League here in Richmond. I also love vegetable gardening, but since moving to the city I haven't really been able to indulge in that passion as much as I would like. J

Danny Smith

U.S. attorney's office law enforcement coordinator retires



▲ (top left) Danny Smith reads a letter from his granddaughter to Amul Thapar, U.S. Attorney for the Eastern District of Kentucky, as part of his retirement ceremony.
 (top right) Smith stands with his daughters Amy Althouse, Kelly Mitchell and Kristi Grubbs.
 (directly above) Smith addresses the crowd gathered at his retirement ceremony May 31 at Good Ol' Days Farm outside of Lexington.

Danny Ray Smith retired as the law enforcement coordinator from the U. S. Attorney's Office May 31.

Danny taught history at Lebanon High School from 1967 to 1968 where he coached the high school football team. He then joined the Secret Service and retired from there in 1990. Danny began his service in the U.S. Attorney's office in 1992 as the victim witness coordinator, before he became the law enforcement coordinator. As law enforcement coordinator, Smith was designated to serve as the chief information officer for the Anti-terrorism Advisory Council, which was established to investigate the terrorist attacks of September 11 and to, hopefully, prevent future attacks.

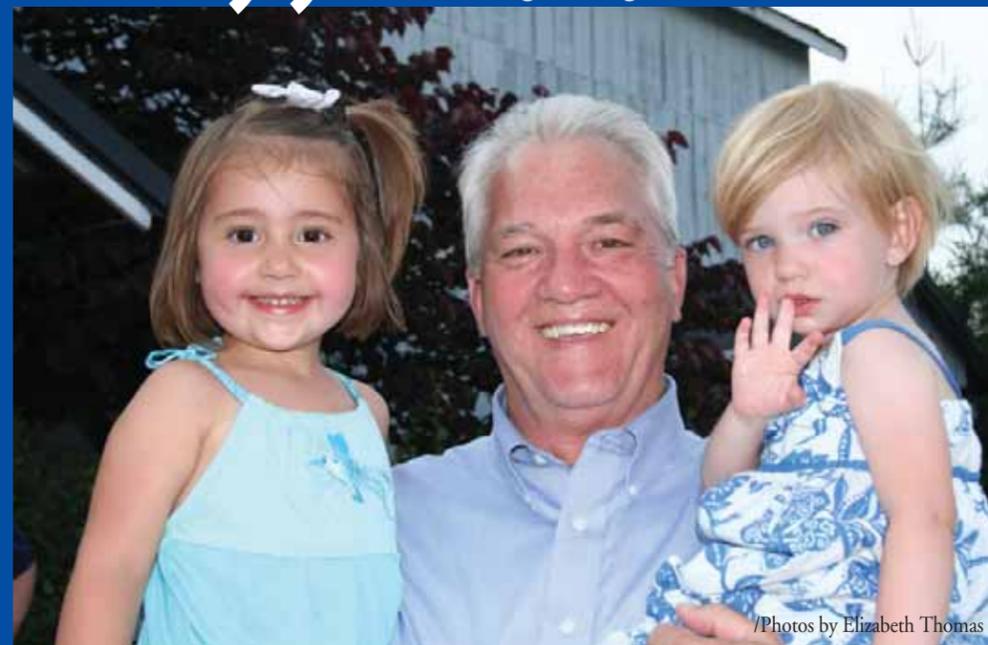
Smith's retirement celebration was held at the Good Ol' Days Barbecue Barn in Midway. Judge Greg Van Tatenhove and Amul Thapar, U.S. Attorney for the Eastern District of Kentucky shared a few remarks and memories of working with Smith. ■



◀ U.S. Attorney Amul Thapar, Danny Smith and District Judge Greg VanTatenhove.

▼ Smith celebrates with his two granddaughters Mia Grubbs and Emily Aulthouse. Smith said he is looking forward to spending more time with his family now that he is retired.

“ Danny is leaving behind a great legacy. One of the greatest things I admire about him is he has never been defined by what he did. What matters is not what we do, but how we treat other people. Danny has built great relationships over the years and that will serve him well in this next season. ” District Judge Greg Van Tatenhove



/Photos by Elizabeth Thomas

Love Replaces Smith as Law Enforcement Coordinator for U.S. Attorney's Office

Former Versailles chief, William Allen Love, is now the of law enforcement coordinator for the United States Attorney's Office for the Eastern District of Kentucky. As law enforcement coordinator, Love is responsible for improving the collaboration and partnerships between law enforcement groups at all levels to enhance their effectiveness in investigations.

“The law enforcement coordinator is a critical role in our office that helps to maintain coordination and cooperation between local, state and federal law enforcement,” said Amul Thapar, U.S. attorney for the Eastern District of Kentucky. “Mr. Love's extensive experience in law enforcement will prove valuable to our district in continuing the success of the criminal justice system.”

Prior to starting his service in the U.S. attorney's office in May 2007, Love served as Versailles' police chief for 12 years and worked at the Kentucky Office of Drug Control Policy.

Prior to his tenure as police chief, Love worked for the Richmond Police Department, where he attained the rank of assistant chief. Love is a graduate of the FBI National Academy and Eastern Kentucky University. He is a certified police instructor for the Kentucky Law Enforcement Council. He was named Police Chief of the Year in 1999 and received the Governor's Award for Outstanding Contribution to Kentucky Law Enforcement in 2002. ■

2006-07 Supreme Court Updates

/Shawn M. Herron, Staff Attorney, Legal Section

The Kentucky Department of Criminal Justice Training provides the following case summaries for informational purposes only. As always, please consult your agency's legal counsel for the applicability of these cases to specific situations. This summary may be copied, for educational purposes only, with attribution to this agency.

A longer summary of each of these cases may be found on the DOCJT Web site at <http://DOCJT.ky.gov/legal>. A link to the full text of each opinion follows each summary.

Carey v. Musladin 127 S.Ct. 649 (2006)

ISSUE: Is there clearly established federal law providing guidance to a court in deciding whether to regulate non-disruptive courtroom behavior by spectators?

HOLDING: The Court discussed several cases that "addressed the effect of courtroom practices on defendants' fair-trial rights." In *Estelle v. Williams*, the Court held that it was improper to force a defendant to stand trial in "identifiable prison clothes."¹ In *Holbrook v. Flynn*, the Court found that having "four uniformed state troopers" sit directly behind the defendant "was not so inherently prejudicial that it denied the defendant a fair trial."²

The Court noted, however, that prior cases had "dealt with government-sponsored practices," not the conduct of private actors. And, it noted "although the Court [had] articulated the test for inherent prejudice that applies to state conduct, ... [it had] never ap-

plied that test to spectators' conduct."

The Court observed that since the U.S. Supreme Court had issued no rulings on the propriety of using that state test for private conduct, and because the U.S. Circuit Courts of Appeal had "diverged widely in their treatment of defendants' spectator-conduct claims," the Court concluded that there was no clearly established federal law on the issue. As such, it could not say that the California state courts "unreasonably applied" federal law, since no previous decision "required that the California Court of Appeal to apply the test of *Williams* and *Flynn* to the spectators' conduct here." As such, the U.S. Supreme Court held that the "state court's decision was not contrary to or an unreasonable application of clearly established federal law" and vacated the Ninth Circuit's decision.

Full Text:
<http://www.supremecourtus.gov/opinions/06pdf/05-785.pdf>

Wallace v. Kato 127 S.Ct. 1091 (2007)

ISSUE: Does the statute of limitations on a false arrest claim, filed under 42 U.S.C. §1983, begin to run when the detention actually occurs?

HOLDING: The Court began its discussion by noting that although the cause of action in the case is federal, that the statute of limitation in a §1983 case is that which is set by the state in which the incident occurs – it is the statute of limitation set for personal-injury tort actions. In Illinois, that would be

two years.³ Under the principles of *Heck v. Humphrey*⁴ and *Carey v. Piphus*,⁵ the case accrues "when the plaintiff has a 'complete and present cause of action.'" As such, Wallace could have filed suit immediately upon his arrest.

However, the Court noted, false imprisonment/arrest cases are the subject of "distinctive treatment" by the common law. In such cases, the courts have held that "[l]imitations begin to run against an action for false imprisonment when the alleged false imprisonment ends."

Wallace argued that the appropriate statute of limitations began to run when he was actually released from custody. He further argued that under *Heck v. Humphrey*, "his suit could not accrue until the state dropped its charges against him." "In *Heck*, a state prisoner filed suit under §1983 raising claims which, if true, would have established the invalidity of his outstanding conviction." In effect, *Heck* "delays what would otherwise be the accrual date of a tort action until the setting aside of an extant conviction, which success in that tort action would impugn." The Court noted that what Wallace was seeking was "the adoption of a principle that goes well beyond *Heck*: that an action which would impugn an anticipated future conviction cannot be brought until the conviction occurs and is set aside." That rule, the Court found, would be impractical. The court noted that if a plaintiff files a "false arrest claim before he has been convicted," that the trial court will simply "stay [or place on hold] the civil action until the criminal case or the likelihood of a criminal case is ended." If the plaintiff

escapes conviction, or if the conviction is set aside, the lawsuit will then be permitted to continue. If the individual is convicted, *Heck* would require dismissal of the lawsuit.

The Court concluded that "the statute of limitations upon a §1983 claim seeking damages for a false arrest in violation of the Fourth Amendment, where the arrest is followed by criminal proceedings, begins to run at the time the claimant becomes detained pursuant to legal process." In Wallace's case, that time had run prior to the filing of the lawsuit, and thus, was "out of time." The Seventh Circuit's decision was affirmed.

Full Text:
<http://www.supremecourtus.gov/opinions/06pdf/05-1240.pdf>

Whorton v. Bockting 127 S.Ct. 1173 (2007)

ISSUE: May an appeal be based upon *Crawford* during the collateral appeal of the criminal case?

HOLDING: The Court noted that the Ninth Circuit's decision, that *Crawford* is to be applied "retroactive to cases on collateral review" is in conflict with "every other Court of Appeals and State Supreme Court that [had] addressed [the] issue."

Bockting's conviction "became final on direct appeal well before *Crawford* was decided." As such, the Court only had to decide "whether *Crawford* applied an old rule or announced a new one." Because *Crawford* was not "dictated" by prior precedent" but was in fact, "flatly inconsistent with the prior governing precedent" – the *Roberts* case – the Court found that a "reasonable jurist" ... "could have reached the conclusion that the *Roberts* rule was the rule that governed the admission of hearsay statements made by an unavailable declarant." As such, the Court held that *Crawford* created a new rule.

Since it was a new rule, the Court moved to the second prong, whether the *Crawford* case was so fundamental that it could be considered a "watershed" case. Such a case would have to meet two requirements: a) it "must be necessary to prevent an 'impermissibly large risk' of an inaccurate conviction and 2)

it must "alter [the Court's] understanding of the bedrock procedural elements essential to the fairness of a proceeding."

Applying these criteria to *Crawford*, the Court agreed that the substance of the decision did not alleviate an "impermissibly large risk of an inaccurate conviction." It found that the "*Crawford* rule is much more limited in scope, and the relationship of that rule to the accuracy of the fact-finding process is far less direct and profound" and not because the *Crawford* Court had reached its decision as a way to "improve the accuracy of fact finding in criminal trials." There was simply no proof whether *Crawford* "on the whole, decreased or increased the number of unreliable out-of-court statements that may be admitted in criminal trials." It did not find that *Crawford* effected a change of sufficient magnitude so has to make it retroactive.

The Supreme Court reversed the Ninth Circuit's decision, overturned Bockting's conviction and held that *Crawford* may not be raised in a case on collateral review.

Full Text:
<http://www.supremecourtus.gov/opinions/06pdf/05-595.pdf>

Scott v. Harris 127 S.Ct. 1769 (2007)

ISSUE: Is a law enforcement officer's conduct "objectively reasonable" under the Fourth Amendment when the officer makes a split-second decision to terminate a high-speed pursuit by bumping the fleeing suspect's vehicle with his push bumper, because the suspect had demonstrated that he would continue to drive in a reckless and dangerous manner that put the lives of innocent persons at serious risk of death?

HOLDING: In *Saucier v. Katz*, the Court noted that the "threshold question" for an analysis of qualified immunity is "Taken in the light most favorable to the party asserting the injury, do the facts alleged show the officer's conduct violated a constitutional right?"⁶ Only if the Court finds such a violation, will the Court take the next step to determine if "the right was clearly established" at the time, and "in light of the specific context of

the case."

The Court noted that Harris's "version of events (unsurprisingly) differs substantially from Scott's version." Usually, that requires the Court accept the plaintiff's version in all matters in dispute. "There is, however, an added wrinkle in this case: existence in the record of a videotape capturing the events in question." As Harris did not argue that the "videotape was doctored or altered in any way," the Court accepted the tape as valid. The Court noted that the "videotape quite clearly contradicts the version of the story told by [Harris] and adopted by the Court of Appeals."

As an example, Harris asserted that "during the chase, 'there was little, if any, actual threat to pedestrians or other motorists, as the roads were mostly empty and [Harris] remained in control of his vehicle.'" The Court noted, however, that "[t]he videotape tells quite a different story." The Court extensively discussed the videotape and stated that Harris's "version of events is so utterly discredited by the record that no reasonable jury could have believed him." Further, it emphasized that the Eleventh Circuit "should not have relied on such visible fiction; it should have viewed the facts in the light depicted by the videotape."

The Court found that although the termination of the pursuit was a seizure, "Deputy Scott did not violate the Fourth Amendment." The Court was "loath to lay down a rule requiring the police to allow fleeing suspects to get away whenever they drive so recklessly that they put other people's lives in danger," adding that would serve to only encourage such behavior.

The U.S. Supreme Court found that Deputy Scott was entitled to summary judgment and the decision of the U.S. Court of Appeals, Eleventh Circuit was reversed.

Full text:
<http://www.supremecourtus.gov/opinions/06pdf/05-1631.pdf>

Video (in Real Player):
http://www.supremecourtus.gov/opinions/video/scott_v_harris.rmvb >>



Los Angeles (CA) County v. Rettele
127 S.Ct. 1989 (2007)

ISSUE: Does the discovery that occupants of a home subject to a search warrant are of a different race than those of the suspects require that the law enforcement officer immediately stop the search and not take action to temporarily secure those occupants?

HOLDING: The Court first addressed the Ninth Circuit's assertion that "[b]ecause [Rettele and the others] were of a different race than the suspects the deputies were seeking" that the deputies should have immediately recognized that they were not the suspects and that they "did not pose a threat to the deputies' safety." The Court found that to be an "unsound proposition" as the deputies would have "had no way of knowing whether the African-American suspects were elsewhere in the house."

Instead, the Court agreed that it was reasonable to secure occupants during the execution of a search warrant.⁷ The Court found that "[u]nreasonable actions include the use of excessive force or restraints that cause unnecessary pain or are imposed for a prolonged and unnecessary period of time."⁸

The Court found that the "orders by the police to the occupants, in the context of this lawful search, were permissible, and perhaps necessary, to protect the safety of the deputies." In this case, the "deputies needed a moment to secure the room and ensure that other persons were not close by or did not present a danger" nor were they "required to turn their backs to allow Rettele and Sadler to retrieve clothing or to cover themselves with sheets."

The Court did not give the deputies freedom to force the two "to remain motionless and standing for any longer than necessary." However, the "deputies left the home less than 15 minutes after arriving." There was no assertion "that the deputies prevented Sadler and Rettele from dressing longer than necessary to protect their safety, and in fact, Sadler stated that "once the police were satisfied that no immediate threat was presented," the couple were encouraged to get dressed.

The Court concluded that the "Fourth Amendment allows warrants to issue on probable cause, a standard well short of absolute certainty."

The decision of the Ninth Circuit was reversed, and the case remanded for further proceedings consistent with this opinion.

Full opinion:
<http://www.supremecourtus.gov/opinions/06pdf/06-605.pdf>

Brendlin v. California
127 S.Ct. 2400 (2007)

ISSUE: Is a passenger in a vehicle subject to a traffic stop "detained" for purposes of the Fourth Amendment?

HOLDING: The Court began stating that a "person is seized by the police and thus entitled to challenge the government's action under the Fourth Amendment when the officer, 'by means of physical force or show of authority,' terminates or restrains his freedom of movement."⁹ A seizure may be made by a simple "show of authority" without physical force, but there is "no seizure without the use of actual submission."

The Court noted that the test for finding if a seizure has occurred is that, "in view of all of the circumstances surrounding the incident, a reasonable person would have believed that he was not free to leave."¹⁰

Although the "law is settled that in Fourth Amendment terms a traffic stop entails a seizure of the driver 'even though the purposes of the stop are limited and the resulting detention quite brief,'"¹¹ the Court observed that it had not yet "squarely answered the question whether a passenger is also seized."

To resolve the question in this case, the Court asked "whether a reasonable person in Brendlin's position when the car stopped would have believed himself free to 'terminate the encounter' between the police and himself." The Court continued, stating that it thought "that in these circumstances any reasonable passenger would have understood the police officers to be exercising control to the point that no one in the car was free to depart without police permission."

The Court also agreed that it is "reasonable for passengers to expect that a police officer at the scene of a crime, arrest or investigation will not let people move around in ways that could jeopardize his safety."¹² The Court noted that the "risk of harm to both the police and the occupants is minimized if the officers routinely exercise unquestioned command of the situation."

The Court also found that "what may amount to submission depends on what a person was doing before the show of authority: a fleeing man is not seized until he is physically overpowered, but one sitting in a chair may submit to authority by not getting up to run away." The Court concluded its opinion by noting that any other decision would lead to the situation where "[h]olding that the passenger in a private car is not (without more) seized in a traffic stop would invite police officers to stop cars with passengers regardless of probable cause or reasonable suspicion of anything illegal."

The Court vacated the decision of the California Supreme Court and remanded the case back to California for further proceedings consistent with the opinion.

Full opinion:
<http://www.supremecourtus.gov/opinions/06pdf/06-8120.pdf> J

¹425 U.S. 501 (1976).
²475 U.S. 560 (1986).
³In Kentucky, it is one year.
⁴512 U.S. 477 (1994).
⁵435 U.S. 247 (1978).
⁶533 U.S. 194 (2001).
⁷452 U.S. 692 (1981).
⁸Graham v. Connor, 490 U.S. 386 (1989); Muehler v. Mena, 544 U.S. 93 (2005).
⁹Florida v. Bostick, 501 U.S. 429 (1991); Brower v. County of Inyo, 489 U.S. 593 (1989).
¹⁰446 U.S. 544 (1980).
¹¹Delaware v. Prouse, 440 U.S. 648 (1979); Whren v. U.S., 517 U.S. 806 (1996).
¹²Maryland v. Wilson, 519 U.S. 408 (1997); Pennsylvania v. Mimms, 434 U.S. 106 (1977); Michigan v. Summers, 452 U.S. 692 (1981).

■ The Pedestrian/Bicycle Collision Investigation class conducted a bicycle/vehicle collision on August 2. This crash-test dummy has been involved in numerous accident-reconstruction accidents as part of the Patrol and Traffic Section's advanced individual training courses.



/Photo by Elizabeth Thomas

OBTAINING TESTIMONY AND DOCUMENTS FROM FEDERAL EMPLOYEES FOR STATE COURT ACTIONS: APPLICATION OF TOUHY REGULATIONS¹

■ Marianna Jackson-Clay, Assistant United States Attorney, Eastern District of Kentucky

State prosecutors and defense attorneys alike are often surprised to learn that a state court subpoena will not necessarily ensure that a federal employee will provide either oral testimony or documentary evidence in a state judicial or administrative proceeding.

The issue usually raises its head after a subpoena is served upon a federal employee or agency and the practitioner receives a phone call from the U. S. Attorney's Office informing counsel that there will be no compliance with the subpoena unless counsel complies with something called the *Touhy* Regulations. Needless to say, this statement by the Assistant U.S. attorney is usually met with skepticism on the part of counsel who has issued a perfectly valid state subpoena. When the requestor is further informed that to enforce the subpoena a letter outlining what testimony is sought and its relevance is required, disbelief often gives way to incredulity.

The *Touhy* Regulations present a little known twist to the law of sovereign immunity for the unsuspecting state practitioner. While even a first-year law student knows that sovereign immunity protects the United States from civil lawsuits without waiver, that same principle also operates to protect the United States from the disclosure of privileged information. Sovereign immunity also protects federal government functions and balances various policy concerns of the federal sovereign.² Thus when testimony or evidence is sought from the United States, the sovereign has an interest in protecting not only the privileged information, but also the use of resources to provide information to those requesting it.³

These procedural safeguards have been codified as federal regulations and upheld by the U.S. Supreme Court in the case of *United States*

*ex rel Touhy v. Ragan*⁴, thus these regulations are typically referred to as *Touhy* Regulations. Each federal agency has its own administrative procedures governing the giving of official testimony by its individual employees.

While most of the regulations are found in the Code of Federal Regulations, some agencies rely on the general housekeeping statute, 5 U.S.C. 301 or general administrative authority. Thus, if the information sought is from a Bureau of Prisons employee, you would look for the regulations governing Department of Justice employees. If the information sought is from a Veteran's Administration Hospital, however, a different regulation – that of the Department of Veterans Affairs – would apply.⁵

Touhy Regulations Apply Only to Information of the Sovereign

Because the *Touhy* Regulations arose out of the principles of sovereign immunity, the starting point to determine application is to analyze what type of information is sought by the subpoena or other demand.⁶ Compliance with *Touhy* is required only if the information sought is *government information*. Thus, if a federal employee is subpoenaed about a matter arising from the scope of his or her federal employment, the regulations would apply. However, if the employee is subpoenaed to testify about a personal matter, the regulations would not apply.

A simple example highlights the difference. Suppose an FBI agent were in a government vehicle on surveillance and witnessed a bank robbery. Clearly, to obtain testimony concerning this incident from this agent, the requirements of the *Touhy* regulations would have to be met. On the other hand, suppose the same employee were on a private vacation and witnessed a car accident. In that case, *Touhy* does not apply because there is no federal interest in the testimony

and no loss to the administration of the government if the employee has to leave his or her official duties to testify.

It is important to remember that it is the information of the sovereign that is protected, not the employee. Thus the regulations will apply to current and former employees if the demand is for government information acquired while they were employees.⁷

Questions have arisen as to whether *state or local law enforcement* officers who acquire *federal* information in the course of performance of their official duties are also covered by the regulations. Again, because it is the information itself that is covered, it would seem clear that *Touhy* regulations would apply in those cases as well. In fact, any doubt about the matter has been recently dispelled by a Proposed Rule Change to the Department of Justice *Touhy* regulations.⁸ The proposed rule expressly makes the regulation applicable not only to federal employees but also to "any information acquired by any person while such person was an employee of the department as part of the performance of that person's official status or because of that person's official status, or any information acquired by a state or local law enforcement or prosecutive official while serving ad hoc or formally as a task force official on a Department of Justice task force."⁹

Application of the Department of Justice Regulation

Because most of the various agency regulations are similar, analysis of the Department of Justice *Touhy* regulation is instructive.¹⁰ The Department of Justice Regulation, like most of the other agency regulations, initially recites a duty on the part of the employee to notify the United States Attorney's Office if served with a sub-

poena or other demand for either testimony or documents arising from his or her official federal employment.¹¹ The employee is prohibited from disclosing any information, or providing any testimony without following the *Touhy* regulations.

The appropriate U.S. Attorney's Office to handle the matter is *the district where the issuing authority is located*.¹² Thus if the subpoena were issued in Lexington for a federal employee in Huntington, West Virginia, the U.S. Attorney's Office for the Eastern District of Kentucky would handle the matter. The United States Attorney's Office then is charged with ensuring that no disclosure is made until the appropriate *Touhy* process is followed. The initial step in handling the matter is usually the phone call (or a letter) referenced in the opening paragraph of this article where the requesting attorney is notified that certain steps in addition to a valid subpoena will be necessary to secure the testimony or evidence sought.

The *Touhy* regulations do not act to prevent or prohibit testimony but rather serve as an administrative method to obtain authorization for the employee to testify. In order to process the subpoena, the regulations require that an affidavit or statement be submitted to the U.S. Attorney's Office setting forth exactly what testimony or evidence is sought and its relevance to the proceeding.¹³

The purpose in requiring the statement of relevancy is to enable the agency to determine if there is a governmental privilege or policy reason to object to disclosure. Once the statement is received, the U.S. Attorney's Office, in conjunction with the agency, will review the request to see if there are such factors present. The Department of Justice regulation specifically outlines certain factors which are to be considered. For example, general procedural law as well as substantive privilege law is to be considered.¹⁴ If there is either a substantive or procedural reason not to provide the testimony, for example, a privilege of some sort, a motion to quash the subpoena may be filed if an agreement cannot be reached with opposing counsel to withdraw the subpoena.

Disclosure cannot be authorized if the relevancy statement calls for certain enumerated types of information such as classified information, confidential sources, informant information, investigative techniques, trade secrets, and investigatory records or if it would violate a statute such as income tax or grand jury secrecy laws or any specific regulation. Cases raising those issues are referred to higher levels in the Department of Justice. A motion to quash is generally not filed on these grounds. Rather, there will be

an attempt to negotiate around these items or to obtain a continuance until a higher-level review can be obtained and authority for a motion to quash can be acquired.

After review of the relevancy statement, if both the U.S. Attorney's Office and the originating agency (*i.e.*, the agency which holds the records or employs the witness) agree that disclosure is appropriate, a letter of authorization will issue to the employee, giving him or her permission to comply with the subpoena. The authorization will be limited to the matters disclosed in the relevancy statement.¹⁶ If prohibited matters are included in the request, they will be expressly excluded from the authorization but the nonprohibited matters will generally be authorized. The authorization letter will instruct the employee not to testify to any other matter or to exceed the scope of the relevancy statement. The same type of authorization letter will also be sent to counsel that provided the relevancy statement.

Unless both the U.S. Attorney's Office and the originating agency agree that disclosure should be made, the matter must be referred to higher levels within the Department of Justice. No disclosure can be made until the process is complete. If there is an issue with disclosure, an attempt will be made to negotiate a compromise to provide the information requested while preserving the sovereign's interest. If an agreement can be made to redact or limit the disclosure, the demand may be renegotiated at this level. If no compromise can be reached, the matter will be ultimately referred to the deputy or associate attorney general.¹⁸

FAILURE TO COMPLY WITH THE PROCESS = NO DISCLOSURE

As is evident from the above discussion, there are situations where the *Touhy* procedures either are not followed by the requestor or there is an insufficient amount of time to process the request before the return date on the subpoena or other demand for testimony. There are several possible outcomes to such a scenario.

Initially, the U.S. Attorney's Office will contact counsel issuing the request and advise them of the proper procedures. If there is no issue with disclosure, the matter might end there with the authorization letters. However, if there is an issue with the disclosure, attempts will be made to negotiate a continuance until the matter can be resolved via the *Touhy* procedure.¹⁹ If that is not successful, a motion to quash pending compliance with the *Touhy* regulations will be made before the state court or administrative body issuing the subpoena.

If there is an adverse ruling by the issuing

court and the employee is directed to testify or produce evidence before the *Touhy* process may be completed, the employee must respectfully decline to answer.²⁰ Because this act could subject the employee to contempt action, the subpoena action may then be totally removed from the state/administrative arena to the U.S. District Court.²¹ If the employee is actually found in contempt and ordered jailed, a Petition for Writ of Habeas Corpus will be filed on behalf of the federal employee.²² Such a situation is extremely rare, and most disputes can be easily resolved by negotiation so that the needs of both the requestor and the federal government may be met.

In some cases, the assistant U.S. attorney handling the subpoena matter may appear in state court when the testimony or evidence is given. The assistant's job is not to represent the employee, but to protect the integrity of the *Touhy* process so that should there be an issue about the scope of the authorization, objections and motions may be made on behalf of the United States.

Balancing the Needs of the Sovereign and the Needs of the Litigant

Touhy regulations were enacted to protect the integrity of government processes and information, yet provide for the need of litigants to obtain facts necessary for justice. While the regulations do place an additional requirement on the practitioner seeking to subpoena federal information, they are not difficult to apply. Proper application from the outset can serve the needs of both litigant and sovereign with minimal disruption to either. J

¹The views expressed herein are not necessarily those of the Department of Justice or the United States Attorney's Office but that of the author.

²*Baron Oil Co. v. Dowrie*, 873 F.2d 67 (4th Cir. 1989); *Larson v. Domestic and Foreign Commerce Corp.*, 337 U.S. 682 (1949).

³See generally *Larson*, 337 U.S. at 703-04. To require the federal government to continually respond to subpoena requests would obstruct the efficient operation of the government.

⁴*Baron Oil*, supra at 71-72 (agency has a compelling interest in keeping investigators free to conduct official business without distractions of testifying in private litigation). *Environmental Enterprises, Inc. v. United States E.P.A.*, 664 F. Supp. 585, 586 (D.D.C. 1987) (if courts could easily subpoena federal employees, agencies might end up doing nothing but complying with state court orders and be unable to perform their important government responsibilities).

⁵340 U.S. 462 (1951).

⁶The Department of Justice regulations cover the Federal Bureau of Investigation, Bureau of Prisons, Drug Enforcement Administration, Offices of the United States Attorney and United States Marshals Service, among others, and are found at 28 CFR 16.24, et seq.

⁷Department of Veterans Affairs regulations are found at 38 C.F.R. 14.800-810.

⁸The regulations apply to judicial and administrative subpoenas as well as "any other demand for testimony." For purposes of this article, however, references are to a judicial subpoena.

⁹E.g., 28 C.F.R. § 16.22.

¹⁰The proposed rules are found at 72 FR 34205-01, 2007 WL 1768653 (June 21, 2007).

¹¹Id. 28 CFR § 16.21.

¹²*Touhy* regulations apply to all manner of cases – both state and federal and whether the United States is a party or not. Moreover, the regulations make no distinction between civil and criminal cases. For purposes of this article, the discussion is limited to cases in state court where the United States is not a party.

¹³In reality, the employee will notify his or her supervisor, and the supervisor works up the chain of command of his own agency until the appropriate level notifies the U.S. Attorney's Office of the demand. Most agencies, including the Department of Justice, have their own agency counsel who act as liaison between the U.S. Attorney's Office and their individual agency such as the Bureau of Prisons or the FBI. Agency counsel ordinarily reports the subpoenas to the U.S. Attorney's Office in those cases.

¹⁴28 CFR § 16.22(b).

¹⁵28 C.F.R. § 16.22(d).

¹⁶28 C.F.R. § 16.26 (a) (1), (2).

¹⁷28 C.F.R. § 16.26 (b).

¹⁸28 C.F.R. § 16.22 c.

¹⁹28 C.F.R. § 16.24 (d)(1).

²⁰28 C.F.R. § 16.24 (d), (e).

²¹28 C.F.R. § 16.27.

²²28 U.S.C. § 1142.

²³28 U.S.C. § 2254.



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