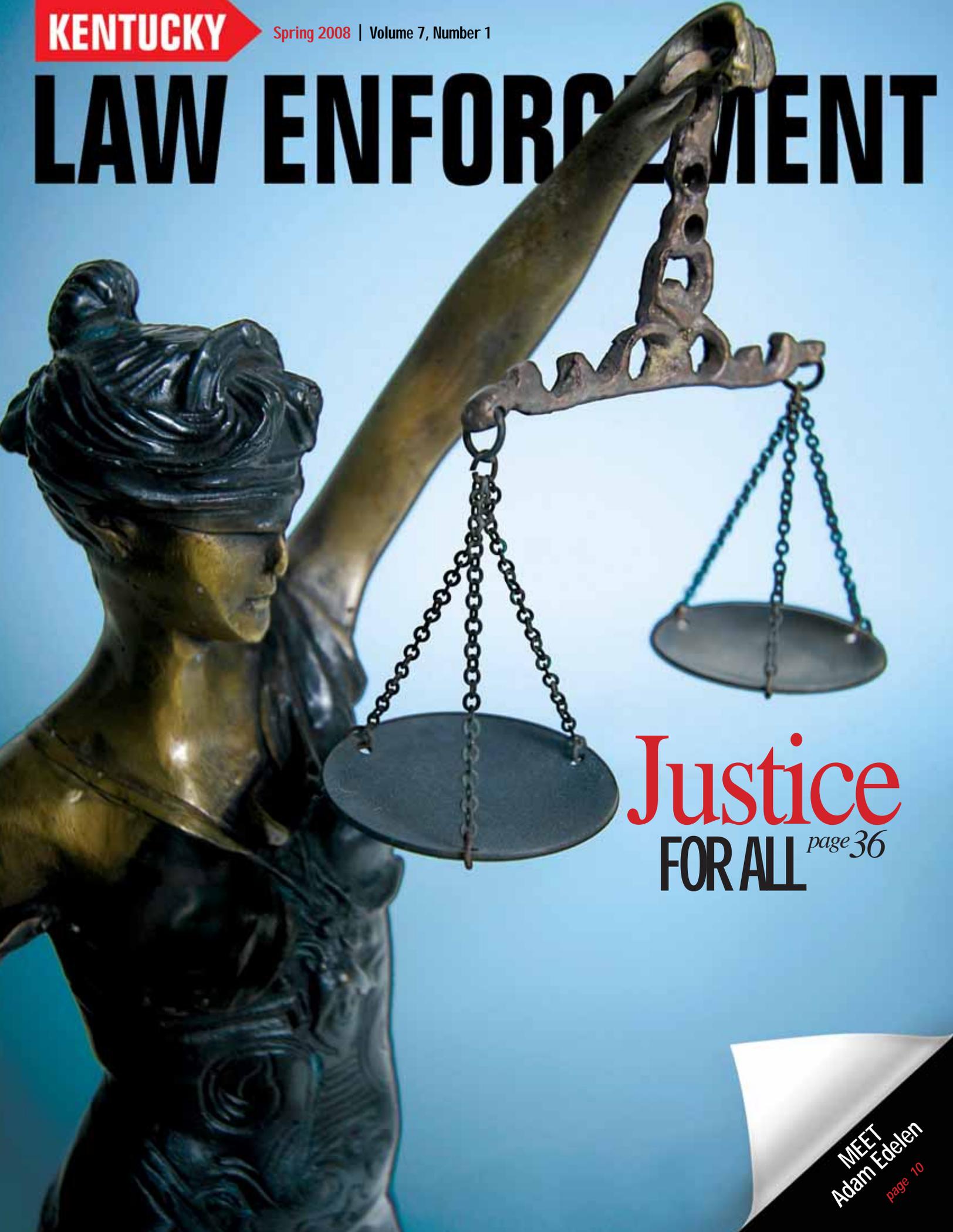


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Steve Beshear
Governor

J. Michael Brown
Justice and Public Safety
Cabinet Secretary

John W. Bizzack
Commissioner

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community.

Staff:

Dave Wilkinson, Editor
Diane Patton, Coordinator
Abbie Darst
Anna Leigh Homa
Amicheli Salyer
Elizabeth Thomas

Contributors:

Edliniae Sweat



Address all
correspondence to:
KLE Staff
Funderburk Building
521 Lancaster Avenue
Richmond, KY 40475
DOCJT.KLENN@ky.gov

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Facing the Challenges

/J. Michael Brown, Secretary, Justice and Public Safety Cabinet

As Kentucky's new secretary of the Justice and Public Safety Cabinet, I am tremendously honored to have the opportunity to return to public service in a capacity that lets me marry my experiences with the justice system.

However, since a more in-depth introduction of me occurs elsewhere in this publication, I won't spend space here with my background. Instead, I'd rather devote this column to spell out the challenges we face and to solicit your help in solving them.

As I'm sure you are well aware, the fiscal belt tightening being felt by agencies and programs throughout Kentucky is especially painful for departments within our cabinet. As a result, our system for implementing criminal justice is being severely strained. And criminal justice is truly a system – if any one part fails, the entire system is compromised.

Gov. Steve Beshear has directed me and this cabinet to develop strategies to help ease that strain. I am committed to working closely with the governor, General Assembly, law enforcement officers, the judiciary, Department of Corrections and all other involved parties to do just that.

Perhaps more than ever, the eyes of the commonwealth will be on us as we rethink what it means to pay one's debt to society and develop innovative and effective ways to ensure safety, pursue justice and administer both sanctions and treatment.

At the governor's direction, I will be working with all segments of the criminal justice system to develop recommendations for reform, including a comprehensive review of the state's penal code, bond schedule, pretrial release provisions, probation and parole policies and other factors that influence incarceration rates.

That review will include alternatives to incarceration for certain types of inmates, such as those with special needs or critical illnesses, flagrant non-support offenders, substance abusers, and certain other non-violent offenders.

I will evaluate our policies for treating and detaining juveniles, to ensure those who are entrusted to our care receive the treatment they need, for only as long as they need it.

In the midst of that, we cannot ignore other challenges that face us.

The growing prison population is having a dramatic impact on our budget. With more than 22,000 inmates in prisons and jails, the cost of incarceration has skyrocketed. Our corrections budget

for the current fiscal year stands at more than \$400 million, and it isn't enough.

An enormous, but often overlooked, cost of that is healthcare for inmates, which is estimated to cost upwards of \$49 million this year. We are dealing with a population that, in many cases, has abused drugs and alcohol, and these health issues manifest themselves in jails and prisons.

Likewise, Kentucky has an increasing number of juveniles who are adjudicated, presenting us with unique challenges in balancing housing and treatment so they are not detained beyond what is necessary.

Within the Kentucky State Police, the number of troopers has remained virtually flat over the past decade. Our force is currently just under 1,000 sworn officers. On top of being undermanned, outside factors such as rising fuel costs, are forcing us to look at how we patrol.

We have a world-class medical examiner's office, and our chief medical examiner is frequently called on as a national expert in death investigations. But the tragedy of Flight 5191 highlighted our inability in other parts of the state, including Louisville, to handle a mass casualty of that magnitude.

Federal Justice Assistance Grant funds, which are responsible for a significant portion of activity around the state to curb illegal drug activity, were cut by 67 percent for the upcoming fiscal year. If not reinstated, Kentucky's share would drop from \$5.3 million to \$1.7 million, seriously hindering our drug-control efforts at the community level.

Obviously, funding is the common denominator in our challenges. But challenges present us with an opportunity to do things better. They force us to take a hard look at the way we carry out our operation, and develop new, more efficient ways to achieve our goals.

In this respect, we're incredibly fortunate. We are a mission-oriented cabinet. Thinking outside the box is an attitude that is shared throughout the various departments. We take on whatever challenge we have to, because there is no option not to. I look forward to working with each of you to accomplish this mission. **J**

A handwritten signature in black ink, appearing to read "J. Michael Brown".



Professionalism: Merging the Rhetoric with Reality

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

Relying on his penchant for humor to deliver a serious message, President Abraham Lincoln used a story about the tail of a dog to illustrate to his generals the necessity of accurate labels and controlling perceptions during the Civil War. "If you call a tail a leg, how many legs has a dog?" he asked the generals. Almost collectively, the officers answered, "Five!"

"No. Four," Lincoln explained, "Because just calling a tail a leg doesn't make it a leg"

Similarly, policing and its collective leadership have rushed to slap the label of professionalism on law enforcement since the late 1960s. This sense of urgency resulted in attempts to skirt Lincoln's wisdom and declare instant professionalism by mere public proclamation.

The early architects of police science developed a very concrete notion of professionalism based on the influences of their time. August Vollmer's model focused on careerist orientation complimented by technical efficiency. He sought freedom from political influences for law enforcement; a well paid, highly trained, dedicated and respected police officer, who used every modern tool that technology could provide. His definition, coined some 50 years ago, serves us well today.

The very notion of policing as a profession is intrinsically tied to leadership. Unfortunately, for the past 75 years, leadership in the policing world was haplessly intertwined with the changeable moods of politics. Early policing leaders discovered the perception of professionalism provided powerful leverage against their critics. Trumpeting self-declared professionalism, while expedient at the time, sacrificed the true substance and without true substance, true professionalism was a mere myth.

Instant professionalism has been called an earnest plea for recognition from a field suffering from cultural and sociological schizophrenia. There are more educated police officers in this country today than ever before. Most are much

better suited for the work than those they followed; they are better trained and better prepared mentally for the job they are expected to perform. Unfortunately, these advances do not automatically translate into professionalism, but they are a gigantic step in the right direction.

The progressive advance from a lower or simpler form of labor to a higher or more complex form of professionalism cannot be accomplished without a deliberate, comprehensive plan. After all, professional status is earned and appointed — not yearned then self-anointed. The plan for professionalizing law enforcement has never been clear much less uniformly subscribed to by the more than 17,000 agencies in this country.

How can policing overcome the instant professionalism syndrome? As mentioned earlier, police leadership must develop a comprehensive plan that reflects and underscores, at the minimum, the following cardinal points of action:

- change is the only true constant,
- organizations will be effective when errors and mistakes are not repeated,
- police agencies will not isolate themselves from other dynamic organizations in society,
- police executives have an agenda for themselves and their organizations,
- agencies are unlikely to be better than their leaders.

These concepts, while hardly the last word, do establish specific parameters. Any executive or agency can use these cardinal points as a steady rudder. But we should all remember Lincoln's analogy, "calling a tail a leg doesn't make it a leg." Likewise, simply calling policing a profession does not make it professional. We must all do more to make the perception of professionalism a reality. J

DOCJT Dedicates Weber and Stone Buildings

The Department of Criminal Justice Training dedicated the Weber and Stone buildings to honor two individuals whose significant contributions to law enforcement training spanned decades. The L.J. Weber Fitness Facility is named after Leonard John Weber, DOCJT instructor from 1977 to 2004, and the vehicle operations building is named for Robert C. Stone, DOCJT commissioner from 1966 to 1981.

“The DOCJT family has been comprised of hundreds of law enforcement professionals over the years,” said DOCJT Commissioner John W. Bizzack. “Commissioner Robert Stone, whose vision helped launch DOCJT, and L.J. Weber, a recent retiree who instructed thousands of Kentucky officers during a 30-year career here, are two

who we can honor in this manner.”

As a distinguished educator and supporter in the field of law enforcement, Robert C. Stone was instrumental in founding what is now DOCJT. He was a retired FBI special agent, commissioner and attorney who devoted a lifetime to law enforcement, including establishing and advancing training in Kentucky. Stone is being honored for his leadership and commitment to overcome challenges for policing standards in Kentucky.

As a DOCJT instructor who taught thousands of recruits, Weber was committed to advancing law enforcement standards in Kentucky to enhance the overall ability and effectiveness of its officers. Weber retired in 2004 and lives in Richmond.

KSP Detective Named Kentucky Narcotics Officer of the Year

Kentucky State Police Det. Jasper White has been named 2007 Narcotics Officer of the Year by the Kentucky Narcotics Officers Association.

A 30-year KSP veteran, White continually maintains a large caseload for both KSP and the Drug Enforcement Administration, to which he is assigned as a task force officer.

In 2007, White received a written commendation from the former KSP Commissioner Jack Adams for his involvement with a murder investigation in Madison County.

In his role as DEA task force officer, Det. White was assigned as the lead investigator on three major federal investigations. The first was an investigation targeting a poly-drug organization (cocaine and marijuana) operating in the central Kentucky area. The second investigation was a large pharmaceutical case. The

third investigation involved a suspect who is a career criminal and has been incarcerated for 29 years of his adult life.

“Det. White has investigated these cases and his attention to detail resulted in the successful federal prosecution and sentencing against multiple targets’ Special Agent Dave Wilkerson, DEA supervisor in Lexington, states. “Furthermore, his exemplary performance and his constant mentoring to other investigators have made him an invaluable asset to the DEA.”

In addition to these drug trafficking investigations, White was also involved in numerous clandestine methamphetamine lab operations. He responded to and accounted for the clean up of 31 percent of the labs reported to Drug Enforcement Special Investigations East.

Shaw Named Director of Polygraph Institute

Pam Shaw, of the Kentucky Law Enforcement Council, was named director of the Kentucky Institute for Polygraph Studies in November 2007. Shaw previously served as assistant director with KIPS since its inception in 2005.

KIPS is one of four government-funded polygraph schools in the nation. KIPS of-

fers its 10-week Basic Polygraph Examiner course as a collaborative effort of the KLEC, Kentucky State Police and the Department of Criminal Justice Training. KIPS is accredited through the American Polygraph Association and is recognized by the American Association of Police Polygraphists.

Shaw holds a bachelor’s degree in exercise

science from Asbury College and a master’s degree in allied health education from Eastern Kentucky University. She has been with KLEC since 1999, is a licensed Kentucky polygraph examiner and is certified as a primary instructor for the APA. She is a member of the AAPP, vice president of law enforcement with the APA and serves as vice president with the Kentucky Polygraph Association.

■ Three KSP Troopers Receive Highway Safety Awards

On Jan. 29, KSP honored three of its outstanding troopers who went above and beyond the call of duty to make the highways a safer place. The awards, titled Excellence in Highway Safety, were based upon the highest number of occupant protection, speed and driving under the influence citations written in 2007. An additional award was presented to the public affairs officer who recorded the highest number of community education events relative to highway safety.

Tpr. Chris Steward, Post 6, received both the Speed and Occupant Protection Excellence in Highway Safety Award. Stewart

wrote 4,466 speed citations and 1,144 occupant protection citations last year.

Capt. Mike Crawford, KSP Post 6 commander, said that Steward has decreased fatalities in his patrol area by 21 percent.

Sgt. Steve Walker, KSP Post 11, received the Excellence in Highway Safety award for the highest number of DUI arrests in 2007. Sgt. Walker made 223 DUI arrests in his patrol area.

Tpr. First Class Barry Meadows, KSP Post 1, received the Excellence in Highway Safety Award for Education by hosting 451 community education events relative to highway safety issues.



▲ Excellence in Highway Safety Awards were presented to Tpr. Chris Steward (left) for Speed and Occupant Protection, Sgt. Steve Walker (center) for DUI and Tpr. Barry Meadows (right) for Education.

■ Gov. Beshear Appoints First Woman to Head State Corrections Department

Kentucky Native LaDonna Thompson is 18-year Veteran of DOC

Gov. Steve Beshear named LaDonna Thompson as Kentucky's Department of Corrections commissioner, marking the first time a woman has been appointed to head the state's DOC.

"Commissioner Thompson has dedicated her career to the Department of Corrections," Gov. Beshear said. "I am confident that her training and experience have prepared her well for this important post and given her a keen understanding of the issues and needs facing the department."

Thompson, 45, has spent the last two and a half years as deputy commissioner of the agency. She is an 18-year veteran of the Department of Corrections. While serving as a project manager, she was instrumental in implementing a statewide offender management system – a comprehensive project

that combined three large, outdated systems to allow for a seamless flow of information.

During her career in corrections, Thompson received numerous awards, including three honors for distinguished service to the department. A recent graduate of the Leadership Kentucky class of 2007, her awards also include two for recommendations that resulted in fiscal savings for the commonwealth. Thompson was a 2007 recipient of the "Breaking the Glass Ceiling" award presented by the National Center for Women and Policing.

"I'm honored to have been selected. I want to thank Gov. Beshear and Secretary Brown for the confidence they have expressed in me, and I look forward to the challenges and the opportunities that lie ahead," Thompson said. "I will be working

with a team of talented and professional men and women every day who work in our prisons, probation and parole offices, and county jails across this state."

Thompson replaces John D. Rees, who retired from the commissioner's post on Jan. 31. He has announced that after a very brief vacation he will return to his work as a private consultant in the field of corrections and criminal justice administration, the work he did before accepting the job as commissioner.

Under his leadership, the Kentucky Department of Corrections has undergone significant change and numerous accomplishments. Perhaps the most significant is national accreditation for the Division of Probation & Parole – a first in the department's history.

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

Covington Police Department

James Coots

Danville Police Department

Troy Davidson
Anthony Gray
James Monroe

Erlanger Police Department

Robert Arens
Gregory Aylor
Richard Bohl
Steven Castor
Douglas Eagler
Marc Fields
Kevin Gilpin
Mark Jolly
Darryl Jouett
David Lillich
Gregory Pohlman
Jon Sterling
Anthony Wilson

Fort Wright Police Department

Daniel Martin
Roy Russell

Lexington Division of Police

Michael Cornett
Joshua Yahr

Madisonville Police Department

Robert Burden
Michael Fugate
William Yandall

BASIC TELECOMMUNICATOR

Bowling Green Police Department

Amelia Bowen

Campbellsville 911 Communications

Jacob Hedgespeth

Erlanger Police Department

Matthew Allen
Martha Blackburn
Philip Clare

Carolyn Fultz
Mark Lawless
David Leonard
Yolanda Reis

Jessamine County 911

Margaret Brown

KSP Post 11, London

Miranda Luttrell

KSP Post 7, Richmond

Charles Broaddus
Christopher Freeman
Connie Taylor

Muhlenburg County 911

Barry Harvey
Kayla Mayhugh
Sherry Osteen

Versailles Police Department

Ann Mayes
Kishma Smith

Warren County Sheriff's Office

Wilson Foley

INTERMEDIATE LAW ENFORCEMENT OFFICER

Alexandria Police Department

John Branham

Bluegrass Airport Police Department

Robert Wainscott

Covington Police Department

James Coots
Theodore Edgington

Danville Police Department

Jonathan Courtwright
Jay Newell

Erlanger Police Department

Robert Arens
Gregory Aylor
Stephen Canfield
Patrick Collura
Douglas Eagler
Marc Fields

Kevin Gilpin
Mark Jolly
Darryl Jouett
Michael Leming
David Lillich
Eric Love
Todd Mitchell
Gregory Pohlman
Shawn Sims
Jon Sterling
Anthony Wilson

Fort Wright Police Department

Travis Brown
Roy Russell

Graves County Sheriff's Office

Richard Poole

Independence Police Department

Amy Schworer

Kentucky Alcohol Beverage Control

Bryan Purvis

Lexington Division of Police

Michael Cornett
Edward Duerson
Brian Maynard
Clayton Roberts

Madisonville Police Department

Robert Burden
Michael Fugate
Nathan Lutz
Kelly Rager
William Yandall

Radcliff Police Department

Sullivan McCurdy

Shelbyville Police Department

Jeffery McClellan
John Wilson

LAW ENFORCEMENT CHIEF EXECUTIVE

Shelbyville Police Department

Robert Schutte

LAW ENFORCEMENT EXECUTIVE

Erlanger Police Department

Robert Arens

Paris Police Department

Richard Elkin

Somerset Police Department

Douglas Nelson

LAW ENFORCEMENT MANAGER

Erlanger Police Department

Robert Arens
Marc Fields
Timothy Thames

Frankfort Police Department

Robert Richardson

Kenton County Police Department

Marc Chapman

LAW ENFORCEMENT OFFICER INVESTIGATOR

Campbell County Police Department

Barrett Champagne

Erlanger Police Department

Gregory Aylor
Douglas Eagler
Darryl Jouett
Shawn Sims

Independence Police Department

Amy Schworer

LAW ENFORCEMENT SUPERVISOR

Erlanger Police Department

Douglas Eagler
Marc Fields
Kevin Gilpin
Gregory Pohlman

LAW ENFORCEMENT TRAFFIC OFFICER

Erlanger Police Department

Richard Bohl
Michael Leming
Jon Sterling

Fort Wright Police Department

Travis Brown ■

GOVERNOR APPOINTS MEMBERS TO KLEC

Seven individuals have been newly appointed to serve on the Kentucky Law Enforcement Council. These individuals hail from all around the commonwealth and possess a wide spectrum of background experience. The new appointees are:



Carolyn Belcher
Bath County
Judge Executive



Luke Morgan
Kentucky Bar
Association



Chief Robert Ratliff
Ashland Police
Department



Sheriff Chris Eaton
Barren County



Mayor
Darrell Pickett
Glasgow



Chief Michael Ward
Alexandria Police
Department



Chief Wayne Hall
University of
Louisville Police
Department

The entire KLEC consists of four committees. The committee assignments for 2008 are:

EXECUTIVE COMMITTEE

Chair – William Walsh

Vice chair – Darrell Pickett

Certification Committee chair
– Keith Cain

Curriculum Committee chair – Randy Bratton

Professional Standards Committee chair
– Martin Scott

CERTIFICATION COMMITTEE

Chair – Keith Cain – sheriff

Carolyn Belcher – county judge executive

Wayne Hall – chief of police

Alan Martin – Kentucky Peace Officers
Association

Steve Sparrow – sheriff

Mike Ward – chief of police

Charles Williams – Kentucky Sheriffs’
Association*

Greg Reeves – Kentucky Association of
Chiefs of police*

CURRICULUM COMMITTEE

Chair – Randy Bratton – chief of police

Allen Ault – Eastern Kentucky College of
Justice & Safety

Chris Eaton – sheriff

Robert Foster – attorney general’s office*

Gary Howard – U.S. attorney

Darrell Pickett – mayor

PROFESSIONAL STANDARDS COMMITTEE

Chair – Martin Scott – Fraternal Order of
Police state president

Leslie Gannon – Kentucky State Police*

Charles Mayer – chief of police

Luke Morgan – Kentucky Bar Association

Robert Ratliff – chief of police

William Walsh – University of Louisville,
Southern Police Institute

*New members appointed to organizational assigned seat.



READY & PREPARED

/Abbie Darst, Program Coordinator

Appointed as executive director of the Kentucky Office of Homeland Security December 13, 2007, Adam Edelen has an extensive career history in management, administration and strategic planning. Edelen has served as an aide to former Gov. Paul Patton and has worked as a senior executive with both Thomas & King, Inc and Commerce Lexington. In his new role with KOHS he is charged with ensuring that the commonwealth's families, first responders and communities have the resources they need to be ready and prepared, but showing concern for Kentucky families is not new to Edelen. He has been involved in community leadership for years with organizations such as Kentucky Educational Television and United Way of the Bluegrass. Edelen is a graduate of the University of Kentucky and he and his wife, Catherine, have twin two-year-old boys, Hamilton and Wade.

You have an extremely diverse background in management and administrative experience, most recently for Thomas & King, Inc. and the Lexington Chamber of Commerce. How has your professional experience prepared you for this position as KOHS director?

When Gov. Steve Beshear was making an appointment to run the Kentucky Office of Homeland Security, he felt the state needed somebody with a background in management. This appointee should be someone who had the relationships to go to Washington and make sure that Kentucky kept the federal funnel full of funds, ensuring first responders here have what they need. He was also looking for someone who has a background of working with and coordinating with local public and state officials to make sure Kentucky is able to accomplish its goals. My background as a former aide to a governor, a corporate executive, a non-profit leader, someone who has been active in his community, has developed for me a lot of skill sets that lend themselves very well to this job. We are blessed with 100 years of law enforcement experience on the staff. We have some really incredible, professional folks who have a lot of experience in working with first responders of all stripes. But to run the organization, it really takes someone who has a background in strategic planning, who can clearly define a goal, who is used to leading an organization in the direction of that goal and then measuring the results to make sure we've achieved that goal. As an executive with Thomas & King, which is one of the largest restaurant franchise companies in the country, as the number two at the Lexington Chamber of Commerce and as an aide to Gov. Paul Patton, I have seen all these – I developed all the attributes I think you need to run an organization like this effectively. But an organization is only as effective as its employees, and we're blessed with some terrific talent here. We've got >>

/Photos by Elizabeth Thomas



some folks who have some good institutional memory and have done a good job over the last period of years. We also have some new blood that we've brought in, and the two functions have been very complimentary. So far we're very pleased with the direction we're going in. There's good cohesion on the staff and we're working really well to move our agenda forward.

What were your most significant responsibilities and accomplishments in your service as an aide to former Gov. Patton?

I traveled with Gov. Patton a lot. I worked on constituent matters, and I focused on whatever great policy initiative that he was focused on. Specifically, I spent a lot of time on the workers' comp reforms and the higher education reforms of his administration. Now, I was a support staff. I was very young, so to take credit for any of those great accomplishments in that administration would not be appropriate. But what I did get was a Ph.D. in Kentucky and the issues facing Kentucky. It was a terrific way to be exposed to the challenges, opportunities and issues confronting Kentucky, and I'm forever grateful for that. It was the best job a young person could have and those were some of the most exciting, busiest and happiest times of my life. It was service that served me well in the long term because I became so familiar with the issues that Kentuckians confront every day, and it serves me well certainly in the job I have now.

Having demonstrated a record of community leadership, what is your motivation for your involvement in organizations such as United Way of the Bluegrass and Strong Start?

You have to start from the premise that I love Kentucky. I mean Kentucky is, besides my family, my great passion, so any effort I can give to making it a better place to live and a better place to raise children, I get immediately enthusiastic about. My involvement with United Way as chairman of the annual campaign, my work with the Prichard Committee in Strong Start Kentucky and the work I've done with KET is all focused on a belief that education is what helps Kentucky, over the long term, realize its potential. I'm particularly interested in early childhood development. It's an issue that Patton began to address while he was governor. Certainly Gov. Beshear has a large focus on expanding pre-K opportunities for young people across Kentucky, and I think that over the long term the way that we help Kentucky to realize its potential is by investing in young people and making sure we have a world-class system of education. If, over the long term, we're going to catch up, not just catch up with the rest of the nation, but be able to compete globally, our young people have to be skilled and educated in a way that lends them the opportunity to be able to compete. And I'm excited about being part of that.

You have accomplished a lot throughout your career at a relatively young age. What do think has been the key to your success thus far?

Wow, there have been a lot of people who have accomplished a lot at a young age. If I have had any successes it's first because of great mentors who've given me the opportunity to succeed and demonstrate my work ethic. Then second is work ethic. You have to be committed – you're only as good as your work is. I have a real passion for the things that I've been involved in. So when you're passionate about the subject matter, it's very easy to have the work ethic you need to move forward. But I've been blessed with a lot of good luck, a lot of good mentors and have worked really hard myself.

How long do you see yourself being involved with the Office of Homeland Security – where do you see yourself in five or ten years?

My leadership with the KOHS I don't foresee as being a short-term thing. In the past administration we had three directors in one term. While those were all good, quality people who made contributions in their own special way, what this organization really needs is some continuity of leadership. The governor, ultimately, will decide how long I'm here, but we're committed to being here for the long haul, to make clear to our partners in law enforcement and first responders that we're here, things aren't going to change, we're committed to a strategic plan and we're going to see it through. Also, our partner organizations need to know they can count on us and there's not going to be a significant change in leadership.

As the director of the Kentucky Office of Homeland Security, in what direction do you plan to take KOHS in the coming year?

We're going to maintain doing those things that the organization has done well. Most notably we're going to roll out the eWarrants program statewide, which is incredibly important. We're going to focus on excellence in training and providing a wonderful product to first responders across the state. And we're going to continue to make sure that they have the resources they need to continue to do their job. At the end of the day, the real role of the office of homeland security is to make sure that our first responders have the resources they need to protect the people of Kentucky. We define resources as training, equipment, knowledge and know how. So that's our focus. Where I'm going to put my own special stamp on the organization is bringing a much more external focus to the organization. To be focused on law enforcement, to be focused on what we do here and the coordination is a very good thing, but if you're not engaging policy makers in Washington, at the state capitol and in county seats, you're not realizing the full potential of the organization.

So I'm going to be spending a lot more time in Washington to make sure that our first responders are getting their fair share of the federal funding. I'm going to be working in cities and counties to make sure that we are working hand in hand with our local leaders to ensure we're doing all we can to be a great partner to them. We are also going to be working directly with the public to make sure they are engaged in helping us make this a safe state. Government can't do everything. The office of homeland security and first responders can't provide every bit of security for the people in Kentucky. The people themselves have an obligation to help us in this. We're going to take that message to them and I'm optimistic they will respond like Kentuckians always do.

Are there any programs you have set in place to get that message out to the public?

We're still in the early, conceptual stage, but we're trying to develop a program that will certify communities as ready and prepared. We will develop a really strong set of criteria that says if a community achieves these goals and objectives, we'll certify them as ready and prepared. Part of that is, obviously, having the correct training and the right equipment, but a major component is going to be having some kind of apparatus for engaging the public – our private citizens – in making their community safer. Again, government can't do it all, but we can help facilitate and create the relationships that will provide for a much more secure Kentucky.

How much of the groundwork for this type of program already laid by the Kentucky Community Preparedness Program will you use in this community certifying program?

“ ... we're committed to being here for the long haul, to make clear to our partners in law enforcement and first responders that we're here, ... and we're going to see it through. ”

It's provided a very good foundation, and certainly our partnership with Department of Criminal Justice Training along with the public awareness campaign has created some recognition of the Kentucky Office of Homeland Security. But now it's our mission to attach some meat to that recognition, let people know not just what we are, but what we do and how we can partner with them to create a more secure Kentucky for everybody.

How do you see KOHS interacting with local law enforcement and first responders in keeping Kentucky's communities safe and prepared?

This isn't one of these things where we can say it would be nice to really work hand in glove with each other, we must. The fact of the matter is, if we don't have a positive working relationship with our first responders, it puts lives at risk. Everyone here knows that we have made >>

>> clear to everyone involved that tornados and terrorists don't make partisan distinctions and neither will the Kentucky Office of Homeland Security. This is about not getting engaged in politics. It's not about pitting rural versus urban, this is about making all of Kentucky as safe as we can.

So, with that said, we think that approach creates trust, and anytime you're developing a stronger relationship, in this case between the office of homeland security and our first responders, they need to know we're not here to be political. Our only focus is to make sure they have the resources they need to provide for the safety of the people in Kentucky. So operating from that, we're going to be very aggressive in making sure that the training we do is relevant and effective for our first responders. We're going to make sure that the grant program is administered in such a way that supports them and their mission. We are here to be a strong supporter of first responders. There's not enough public support for first responders and we're here to be a coordinator and an advocate for the good work they do.

My background is not law enforcement and in that regard, when you have the leadership of law enforcement or first responders, a lot of times what you get is, 'well I'm for the red light guys or the blue light guys,' and I don't have a dog in that fight. My focus is to be an excellent administrator and to make sure the funds are coming to Kentucky so we can place them for the people who most need them to do their job. I'm interested in making sure everybody gets a fair shake. I do think, however, the rivalries created between these three entities are manufactured by folks who are not among those three entities. So, closer coordination among the three of them, closer coordination with this office and developing a reputation for not being political, but instead being focused on helping these folks do what they do so well is going to be the hallmark in my tenure here as head of homeland security.

“ ... if we don't have a positive working relationship with our first responders, it puts lives at risk. ... tornados and terrorists don't make partisan distinctions and neither will the Kentucky Office of Homeland Security. ”

What type of interaction would you like to see KOHS have with grassroots organizations geared toward public awareness and emergency response?

The grassroots leadership that has been involved in homeland security needs to know that they are a major priority of this office. They are the best vehicle we in the agency have for communicating with and engaging the public as a whole. We're not going to go around them, we're not going to go over them, instead we're going to partner with them – working hand in hand to get the message out to the public. There's been some very good citizen involvement in the office of homeland security. It has not, however, been the priority. As part of our external focus, it's going to be a major priority. We're excited about engaging the public. We're pleased that we have the citizen involvement we have now, but three or four years from now when we look back, we'll

know the involvement that existed presently served as a launching pad and it will be dramatically different and a lot better, even than it is today.

How will KOHS work with the governor's office and other governmental entities to ensure Kentucky's emergency response and preparedness needs are met?

It's important that people know that I report directly to the governor. I am a gubernatorial appointee and I have the governor's ear on homeland security and first responder issues. Beyond the governor, it's also working hand in hand with our federal congressional delegation, specifically congressmen Rogers and Chandler. A state this size is blessed to have two members of the Appropriations Committee being from here. We are in constant contact with both congressmen and their offices to make sure Kentucky gets its fair share. At the end of the day, we don't care if it's a republican approach or a democratic approach. We'll work with anybody, we'll coordinate with anyone, to make sure our first responders are getting the resources necessary to do their job. Frankly, we don't care who gets credit and when you don't care who gets credit, you tend to get a lot more done. My only focus and the only focus of this office is to make sure those resources are available.

What are you most looking forward to in your tenure as the director of KOHS?

At the end of my period of leadership here, I'm looking forward to a Kentucky that has a working, interoperable communications system. I'm looking forward to this office further developing its reputation as a really good and honest partner with first responders. We're looking forward to successful implementation of the eWarrants program, which we hope will help solve the backlog of 300,000 warrants in Kentucky, 20 percent of which are criminal warrants. We look forward to having had a very successful administration

in which our first responder partners, law enforcement partners and our partners in making public policy recognize this office as a truly outstanding partner – one who made a real difference and will continue to make an even larger difference in the future.

As far as making Kentucky's communication system more operable, what types of things do you plan to put in place to make that more of a reality?

Long before I became director of homeland security, I remember reading the 9/11 commission report, which essentially came back and had two real recommendations. One was information and intelligence sharing and the second was interoperable communications – making sure that our first responders can talk to one another. And the fact that six years later, while Kentucky has



become a national leader, we're still not where we need to be and that is a black mark against the organization and, beyond that, a black mark against the nation. Six years is a long time and we should have gotten our act together before now. I don't know whose fault that is and I'm not here to assign blame, but I am here to say it is a major objective of this office, at least in Kentucky, to make sure we allocate resources, equipment and training in such a way to create a truly interoperable system of communication that works for all our partners.

What do you foresee as one of the biggest challenges facing KOHS in the coming year?

The seminal challenge to this organization is the reduction in funding coming from the federal level. Since the formation of this office we have administered somewhere close to \$140 million in grants, but what we've seen in the last year or two is a marked decline in the federal allocation to Kentucky. That is our biggest challenge and it's also why I want all our partners and first responders to know that's why I'm going to be spending so much time in Washington working with our federal delegation, pleading our case to the Department of Homeland Security, being such a strong and passionate advocate for our partners. Because our ability to do the things we need to do, to create an interoperable communication system and to provide for the security of the people in Kentucky is directly related to the amount of funding we can get from the federal government, I'm going to be spending a lot of time focused on that issue.

Are there any additional information, issues or topics you want to share with the law enforcement community about KOHS?

I want to talk about the importance of continuity – I want to revisit that. I'm pleased to have retained Lt. Col. Shelby Lawson who, after 28 years with the Kentucky State Police, retired and has been deputy director for operations here. He is a real bright light in the department and he is someone that everyone, all of our partners at the local, state and federal level from the FBI to local departments of emergency management, trust. He's a major player here and, if law enforcement is concerned about where they stand with the office of homeland security, they need to look no further than Shelby Lawson's critical role here in the office. He is a major player and a significant leader here, and he is of the law enforcement community. I would encourage our partners to look at his placement in his leadership role here with a great deal of enthusiasm.

I'm also ably assisted by Chuck Geveden, who as Chief Administrative Of-

ficer, helps with the day-to-day operation of KOHS. Chuck has over a decade in law enforcement experience, having worked as an on-the-streets police officer. He also worked as an EMT, so his perspective and expertise on these issues is very important in working with our security partners.

Also, a big part of our awareness are the security summits we have begun to launch. We're going to be going around the state gathering local elected leaders, first responders and members of the law enforcement community together and we're going to have security summits. We are going to discuss where we are as a community, what our needs are and what our end goal is. Then we're going to work from that to develop a plan for how we get there in local communities. A big piece of that is folks being aware of the grants that are available. I think there is a misnomer people may have that there is this big federal allotment that is just given to us, and then we dole it out. Actually, that is not the case at all. Kentucky first must, based on the national security priorities, make an application to the Department of Homeland Security to get the money, and then, when the money is awarded to us, we're able to disperse it through a competitive application process. But the sense that we just get this lump sum of money and then are free to dole it out however we wish is a mischaracterization.

So a big part of doing that effectively under the system that we have is making sure communities are working hand in hand with the office of homeland security about awareness of how the grant program works, what types of things are most likely to get funding and what the critical areas that need funding are. We want to help them through the process and not just be an agency that says, 'this is the paperwork, you figure it out and we'll let you know – we'll give you the yay or nay sign.' That's not going to be our approach at all. Our approach is to be a good partner from the point the application process is begun, all the way to the end. Turning down applications is not what we are here to do. Our goal is to make sure as many people can be funded as possible. Because the need is great, we want to make sure that we're able to allocate as much as possible. But a big part of successful grant applications is an awareness of how the system works. Knowing what to avoid and knowing what to magnify – these are the sorts of things we need here. We have a terrific grant staff. Gene Kiser, our deputy director for grants and finance, is a career state government employee who's been a leader in many different areas, who has administered grants, both large and small, throughout his career. He is well regarded across Kentucky as one of the most able grant administrators in terms of making the applicants feel like they are part of the process and that we're there to assist them. Having a major customer-service mentality is going to be a huge part of how we run the office of homeland security. J



/ Anna Leigh Homa, Public Information Officer

WHEN THINGS GO BOOM

For some, hearing the word bomb might bring to mind the picture of a disgruntled individual sitting in a basement, surrounded by objects that individually would be harmless, but when expertly combined can wreak havoc. For explosive investigators it might bring to mind the aftereffects of what that bomb can produce: fire, death and destruction.

Explosives investigation, part investigative science and part forensic science, encompasses many different experts in varying roles: bomb squads; firefighters; safety professionals; insurance and private investigators; forensic chemists and other criminalists; and civil, electrical and mechanical engineers. According to Tom Thurman, former FBI special agent and current professor of fire, arson and explosion investigation at Eastern Kentucky University, each has a distinct role in a bomb investigation:

- The investigators at the scene, pick through the pieces, gather evidence and recreate the scene.
- The investigators out in the field interview witnesses, match the components to known bomb makers and develop the means, motive and opportunity.
- The experts in labs and on computers help piece it all together.

To investigate a bomb scene, you must take into account the different aspects. First, there's investigating the scene in order to find components of the bomb and second there's linking those components to the builder in order to put the person(s) responsible in jail, Thurman said.

Investigating a bomb scene poses a series of challenges to the investigator including:

- basic crime scene investigation skills, in conjunction with specialized disciplines,
- an understanding of the blast dynamics,
- the ability to recognize the components of a bomb (explosive and non-explosive)
- knowledge of what the forensic laboratory can do.

"When you gain the insight, experience and knowledge of how people – the bad guys – deal with explosives, it makes you a better detective and can better solve cases," said Lt. Rich Sohan, Louisville bomb squad commander. "It's like becoming a robbery detective – you want to learn as much as you can about the motives of the robber. I like to know how a bomber's mind works, so I'm better able to solve those cases."

An explosives investigator can be compared to a homicide detective trying to solve a crime, trying to recover shells or bullets, if it was a shooting, and interviewing people to identify the person who pulled the trigger or who was responsible for the murder, Thurman said.

"It's the same thing with bombings," he said. "It's just that with bombings the crime scenes are difficult because the scene is not such as an orderly scene as you would have in most crimes."

Bombing crime scenes are considered some of the most horrendous to investigate, not only because of the carnage to victims, but the destruction of property can make it difficult to locate any components of the bomb. Sometimes the blast is so intense ev- >>

>> Everything in the immediate area is destroyed and debris is shot through the air hundreds of feet away, Thurman explained.

But, contrary to popular belief, a bomb investigation doesn't always happen after an explosion. The Louisville bomb squad seldom deals with post-blast investigations. They usually get calls concerning problems like a box left in a place it shouldn't be or dynamite placed at an apartment door, Sohan said.

On average, the squad receives about 45 calls a year, many for the recovery of an explosive. When the squad gets a report of a bomb placed in a building or a suspicious package in an office, they grab their gear, get to the site and follow specific protocols to make sure it's safe.

"Safety for us is paramount," Sohan said. "It's always foremost in our minds."

Because of the merger of the Louisville and

Jefferson County police departments, LBS has two sets of gear and are probably one of the best equipped bomb squads in the United States, Sohan said. Their equipment includes two of everything: robots, trucks specifically designed and equipped for bomb squad operations, full sets of response gear, tools and six bomb suits.

Robots are the primary tool used, not only for bomb squad operations, but for SWAT and hostage negotiations as well. The robots are very versatile. Fire departments use them for handling hazardous materials and they can be used in mining incidents for search and rescue or recovery efforts, he said.

Squad members must stay physically fit due to the nature of their job and the full bomb suit weighs 90 pounds. Everyone in the squad goes through the Peace Officers Professionals Standards training at the Department of Criminal Justice Training and does a physical training test every year, ensuring their ability to handle the gear. The lighter 70 pound suits come with a self-contained breathing apparatus and are only used for situations involving chemicals, Sohan said.

The suits are made of Kevlar, like a bullet-proof vest, and are coated with a Nomex fire protectant, which protects the officers from five types of blast injuries. Most of the weight comes from the large ceramic plate that covers vital organs, from the neck to the upper part of the thigh and a 20-pound helmet to protect the head.

"It's fairly miserable, but it's better than the alternative," Sohan said.

With 14 people, the LBS is the largest bomb squad in the state. The squad is made up of volunteers, but each one had to undergo thorough testing and interviews before being accepted. Most squad members have a military background in explosives.

But regardless of whether an officer focuses on pre- or post-blast investigations, all squad members must have training and certification to perform investigations. LBS squad members can be gone for at least three months each year, attending conferences and training schools or doing demonstrations for other departments.

"It's a challenge learning new things in a constantly changing environment," Sohan said. "It's a challenge to gain the experience to be able to deal with explosives."

Investigating a bomb has multiple elements and technicalities.

"A successful investigation has a lot to do with the scientific method, once you figure out who it is, what they've done and why they've done it, you have to prove it in court," Sohan said. "A lot of different facets go into it, so it takes a great deal of education to be a bomb technician."

At a minimum, a basically-trained technician goes for six weeks of training at the FBI school in Huntsville, Alabama. Each member of the squad is required

▼ Below: Front of the north side of the Alfred P. Murrah Federal Building in Oklahoma City, killing 168 and injuring 800 people. ▼ Right: Pieces of a clock used in a timed bomb. Investigators are lucky to find any components of a bomb, and if they do, the pieces can be very small.



to keep up with 40 hours of training a year and at least one, eight-hour training class a month, Sohan said.

Education and certification is a must. During a trial, laboratory examiners are often considered expert witnesses and must testify that objects found at the scene were combined to make a bomb, or if only a few parts were found, what other components were needed to cause the explosion. If their testimony is questioned, which, despite what you see on television shows, doesn't happen often, they have to establish their credentials so what they say can be taken as fact, Thurman said.

But in the academic world, there is no certification one receives for explosive investigation. People may graduate from a school that teaches explosive investigation, like the FBI or the Bureau of Alcohol, Tobacco, Firearms and Explosives and they may get a certificate of completion, but there is no actual certification officers can attain, Thurman said.

At EKU, anyone graduating in fire and safety engineering and technology will be certified by the National Association of Fire Investigators, which focuses on investigating explosions due to gas or liquid, not on explosions caused by a bomb.

"There's a big difference between the two," Thurman said.

That is why the classes in fire, arson and explosion investigation Thurman teaches are very beneficial to the program.

"What our students know when they graduate is what the difference is between an explosion that is caused by what we call a diffused fuel – vapors and natural gasses – versus an explosives explosion," Thurman said. "And how will they recognize the difference?"

Thurman doesn't teach pre-blast investigation techniques. He avoids showing the students how to make a bomb in his classes. Instead, he teaches the components of a generic bomb. The students learn if they find certain materials together, it would indicate

a specific type of bomb was used.

Explosions aren't always a criminal incident, in fact many are done accidentally, Thurman said. An explosion can occur when someone reloads their own ammunition. Most of the fuel air explosions are accidental. Every investigation should start out fairly and impartially with no preconceived notions about the reason for the explosion until after the investigation has started, he said.

In post-blast investigations, a team generally collects evidence and does the field investigation. Each person has a specific assignment and the team works in tandem to collect evidence. The investigation usually starts around the outside of the blast and works its way in.

By and large, the greatest number of actual explosions in the United States are created by juveniles as innocent, but dangerous, mischief, Thurman said. In contrast, statistics show the greatest numbers of people injured or killed from bombings is for revenge or hate, he said.

The skills of the bomber dictate what type of bomb they make (a pipe bomb is the simplest). It also dictates how carefully bomb makers handle the bomb. Sohan has worked bombing scenes when a bomb maker accidentally injured himself while building a pipe bomb and another when the bomb maker actually committed suicide by blowing himself up.

Thurman teaches that every bomb scene is not the same, although it may appear to be that way. Even if you use the exact same bomb, you will not get an identical signature. Similar, but never identical.

"I don't like repetition," Thurman said. "To me it was a fun challenge to go to another country or across the United States, someplace I've never been before, and you've got a crime scene. You start working that scene, develop camaraderie there as people start the investigation. As far as I'm concerned, you can't get any better than that." J

Fact or Fiction

A majority of the bomb calls LBS receives turn out to be hoaxes, Sohan said. Recently, LBS fielded calls about a man committing robberies by placing suspicious packages at the location and telling everyone it was a bomb. The last one was in a bank and the box had an antennae sticking out of it, making it appear to be a remote-controlled bomb. Sohan and another technician were dispatched to take care of it.

"I would say my heart rate was in the high 200s at that time," Sohan said. "That was pretty exciting."

Just because something may look like a hoax, doesn't mean it is, so every bomb call is always taken seriously.

"Everything we come in contact with we have to treat as if it's the real thing," Sohan said. "You never know until you look inside of it or X-ray it as to what it contains."

"When dispatched to dispose of a bomb, when walking up to it, the only thing you can concentrate on is doing everything safely and as properly as you can," he continued. "But that can be hard to do because the walk you take down there may be the last time you ever walk again. In the field that is called the long walk, because usually you're by yourself, you're walking a minimum of 300 feet with a 90-pound bomb suit on and your hands are filled with tools to handle whatever you're going to check out. It's a long, lonely walk down and a long, lonely walk back up until you make the determination what's inside of it."

CLOSE CALL

Recalling a chilling incident, Sohan responded to a call of a bomb at a school where two juveniles placed a pipe bomb in front of the school in a covered trash can. The squad initiated the bomb. Debris shot out about 600 feet from the trash can, Sohan said. No one was injured but if the bomb had gone off just before or just after school, the results could have been catastrophic.



Funding Cuts a Hurdle, Not Roadblock to UNITE

/Dale G. Morton, Communications Director, Operation UNITE

Core initiatives by Operation UNITE (Unlawful Narcotics Investigations, Treatment and Education) to counter the effects of substance abuse in southern and eastern Kentucky – particularly the emphasis of building high-quality cases against the region’s drug dealers – will continue despite recent funding reductions.

“The possibility of reduced funding has been anticipated since 2006, when Congressionally-designated spending was temporarily left out of the federal budget,” said Karen Engle, UNITE’s president/CEO. “We don’t view the reductions as a roadblock, but a hurdle that will ultimately make our organization stronger.”

Fifth District Congressman Harold “Hal” Rogers, who created UNITE in 2003, secured \$3.6 million for UNITE from the Department of Justice’s Byrne Memorial Justice Assistance Grant in the omnibus spending bill President George Bush signed in December. Another half-million was included in the Department of Labor/Health and Human Services budget.

“We have tightened our belts and restructured the organization so that UNITE can fight the drug scourge over the long haul,” Engle said. “Given the tough fiscal realities facing Washington, we are pleased Congress once again recognized the importance of UNITE, which has been hailed as a national model in the fight against drug abuse.”

UNITE’s cost-saving measures have focused on pre-identified variable costs, enabling progress on the core mission areas of law enforcement, treatment and education to continue. Implemented as a result of a review conducted in 2007, UNITE plans to realize reduced operating expenses by allowing some vacant positions to go unfilled and realigning personnel duties. Fixed expenses including vehicles, equipment and other costs were addressed in

previous budgets.

Anticipated changes included the layoffs of 10 detectives, and one person each from the



treatment and education initiatives.

“Even if we lose these quality individuals, UNITE still has the largest drug task force in Kentucky,” Engle said. “During the past four years our detectives have arrested more than 2,400 individuals and achieved a 98.1 percent conviction rate.”

Rogers added that the Fifth Congressional District is one of only two regions in the state showing significant decreases in the number of prescribed narcotics, according to the most recent Kentucky All-Schedule Prescription Electronic Reporting system trend analysis. The 29-county area as a whole reflects a 4.4 percent decrease, while 14 counties have posted an incredible 9.7 percent decrease.

“UNITE is having an impact. It’s saving lives,” Rogers said. “We simply cannot let the effort deteriorate. This issue has got to remain a priority.”

A bill allowing UNITE to continue providing uninterrupted services to communities through mid-year was introduced in the Kentucky Senate on Tuesday, January 22, by Sens. Robert Stivers and Tom Jensen. Senate Bill

97 would allocate \$450,000 from the Multi-County Regional Economic Development Fund, comprised of revenue from the coal-severance tax.

“Today is a day of commitment and dreams,” Stivers said when announcing the legislation. “It won’t happen on our watch that we fail to have the commitment to try to rid ourselves and give our children the dreams we want them to have.”

“Drugs cause so many problems,” Jensen said. “This is an issue that looks beyond district lines and party affiliation. This is something good for the region.”

The legislation, which includes an emergency clause allowing it to take effect upon the governor’s signature, was expected to draw bi-partisan support.

“I will certainly co-sponsor this legislation,” said Sen. Ray S. Jones II. “UNITE has been instrumental in helping treat those suffering from an addiction to illegal or prescription drugs, and is prosecuting the drug dealers who are profiting from the epidemic. In order for us to have any chance of combating this problem UNITE must be fully funded.”

As this article was written, SB-97 was making its way through the Senate Appropriations and Revenue Committee.

Regardless of how the bill fares, Rogers and state legislators plan to seek long-term funding solutions for UNITE’s successful programs, including substance abuse counselors in schools, treatment vouchers, and Drug Court.

“When we get into the budget that’s something we will look at,” Stivers said. “There is nothing that impacts eastern Kentucky more than getting rid of drugs.”

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

▲ State funding to allow Operation UNITE to continue providing full services through the end of this fiscal year was announced during a press conference in London on Jan. 21. From left are Congressman Hal Rogers, Sen. Robert Stivers, Sen. Tom Jensen, and UNITE President/CEO Karen Engle.

/By Van Ingram, ODCP

In the coming months, Kentucky will become the second state in the country to monitor pseudoephedrine sales electronically on a statewide basis. The passage of Senate Bill 88 during the 2007 legislative session will allow the commonwealth to link all Kentucky pharmacies electronically to a statewide database.

With the passage of Senate Bill 63 in 2005, Kentucky was one of 41 states to adopt legislation restricting the sale of products containing pseudoephedrine and ephedrine, and requiring a paper logbook to record transactions.

While the paper logbooks have been useful to law enforcement, most agencies report they do not have the human resources necessary to obtain the information from individual pharmacies and then enter the information into a database to

identify violators. With the adoption of Senate Bill 88, law enforcement will be able to use real-time data with 24-hour access to identify violators of the pseudoephedrine restrictions. Using the Kentucky All

appropriate law enforcement agency. Officers who are routinely involved in methamphetamine related investigations will be able to apply to KASPER for system access, and be assigned User IDs. Investigators are reminded that MethCheck, like KASPER, is designed to be an investigative tool, not the end of an investigation. Investigators are encouraged to look at other indicators such as buying patterns, criminal history and known associates, and conduct suspect interviews.

The program was initially piloted in Laurel County in November 2005, as an initiative between the Office of Drug Control Policy and Operation UNITE (Unlawful Narcotics Investigations Treatment and Education). Det. Brian Lewis spearheaded the effort on behalf of UNITE. Within a 12-month period, 16 meth labs were busted, 28 people charged with meth-related offenses, and 54 were under investigation.

“Our detectives immediately realized the potential of this real-time electronic reporting program, said Karen Engle, president and CEO of Operation UNITE. “The process to manually check pharmaceutical logs took days. Identifying purchasing trends by individuals could take weeks or even months. MethCheck allows us to do these investigations in a matter of minutes. The results over the past year and a half have exceeded initial expectations. Based upon the success in just one county, I believe there is a tremendous potential for MethCheck to make a significant impact if it could be expanded statewide.”

SENATE BILL 88 LINKS KENTUCKY PHARMACIES TO MONITOR PSEUDOEPHEDRINE SALES

Schedule Prescription Electronic Reporting Web site, law enforcement will be able to access pseudoephedrine data in the same manner that they now use to investigate individuals abusing controlled substances.

While the manual logs were a great start, the technology is now here to prevent the practice of meth abusers traveling store to store purchasing pseudoephedrine. Electronic monitoring is a crime prevention measure as well as an investigative tool which will attack the problem of small, clandestine labs.

The pharmacist will be alerted to individuals who attempt to exceed the nine grams/30 day limit, and block the sale. Investigators with the KASPER system will have the ability to identify individuals who are purchasing from numerous sources and notify the appro-

MethCheck was created and provided by Appriss Inc, a Louisville, Kentucky based provider of government technology services. The company's flagship product, VINE, Victim Information and Notification Everyday, was launched in Kentucky and currently serves in 41 states.

The cost of MethCheck to equip all 1,290 Kentucky pharmacies with the high-speed Internet system is approximately \$360,000 for the first year of operation. The first year of funding has been provided by KASPER, with second year funding provided by a federal earmark requested by Congressman Hal Rogers. MethCheck will be operating statewide by the end of 2008. As the system becomes operational, more information will be disseminated to Kentucky's law enforcement officers. Those with questions can contact Van Ingram at the Office of Drug Control Policy at (502) 564-8291. J





SECURING our Courts with

/Article and photo by Elizabeth Thomas, Public Information Officer



/Photo by Elizabeth Thomas

CERTIFICATION

Court-security officers, or bailiffs, are being certified across the commonwealth >>

>> Webster's Dictionary defines a bailiff as an official who guards prisoners and keeps order in a courtroom. But in Kentucky, and in many other states, bailiffs are sworn in as deputy sheriffs, with the same authority of a road deputy, but specifically assigned to the courtroom. Unfortunately, they have not been trained to professionally handle that authority.

"At times, these bailiffs were performing duties for which they were not trained," said Kentucky Law Enforcement Council Executive Director Larry Ball.

"That lack of training complicated their roles and responsibilities," he said.

Dealing with this dilemma on a daily basis prompted the introduction of the Certified Court Security Officers Act into legislation in 2007.

The CCSO Act (pronounced "see-so") also provided a solution to the lingering question of what job duties a bailiff was authorized and actually trained to do, Ball explained.

For instance, bailiffs are often responsible for transporting prisoners, for which many were not trained since they are not required to complete the basic instruction mandated of all road deputies to become sworn officers.

In 1998, bailiffs were included in the Kentucky Law Enforcement Foundation Program Fund bill, giving them the same benefits as sworn deputies. Sheriffs, who were responsible for providing security for the courts but often didn't have the financial resources to fund bailiff training, faced a seemingly insurmountable problem.

As a stop-gap, a 32-hour course was developed to provide training for court security

officers, but allowing them only to work on a part-time basis for the courts. It soon became apparent the training was not sufficient for job duties, which were clearly outside the confines of the courtroom, such as transporting prisoners.

An alternative was to require bailiffs to attend the 18 weeks of basic training required for all Kentucky law enforcement officers.

However, there was a major downside to that approach. "With the 18-week basic training as a standard for deputies, and by requiring bailiffs to attend the same training, some would say you're grossly overtraining bailiffs for duties they'll never face," Ball said.

Finally, legislators went to the table in March 2007 and the CCSO Act was implemented June 26.

"I've been trying to get this done for years," said Kenton County Sheriff Charles Korzenborn. "Separating the court security officers from the road deputies was vital. Before CCSO, when they were sworn in, they had the same authorities as a road deputy, but not the training, which was dangerous."

The CCSO Act not only requires a court security officer to attend the job appropriate two-week mandatory training implemented by DOCJT, but a myriad of pre-employment standards including:

- a high school diploma or the equivalent,
- a complete background investigation,
- an interview,
- a polygraph examination, and
- a drug screen.

"This is definitely a positive," said Dan Futia, a court security officer in Madison County. "With the change, it eliminates the one percent that might be bad who could fall through the cracks otherwise."

The act also specifically details the job description of a bailiff, or once certification is complete, a certified court security officer. A CCSO, once trained and certified, may transport prisoners, but may not patrol the roads or issue citations outside the general vicinity of the court facility, among other restrictions.

"By delineating their duties [between deputies and bailiffs], we're professionalizing their roles even more," Korzenborn said. "Training is paramount. It's good for everybody."

The CCSO Act now allows sheriffs' offices to hire court security officers on a full-time basis.

"Court security responsibilities have increased, which demands standards be put in place," said KLEC's Ball. "People don't see it, but the courtroom is a pretty dangerous place. Now the standards and the job duties line up."

That's not to say that the task of certifying these bailiffs has been easy.

KLEC took on the task even before the bill went into effect, alerting all sheriffs of what would be expected of their offices and their bailiffs in the coming months. The bill originally allowed for six months to complete the certification process. But with approximately 525 bailiffs across the commonwealth, the task would be impossible. KLEC received a six-month extension, giving them a deadline of June 26, 2008 to certify all court security officers.

Meeting the deadline has presented many challenges for the KLEC staff, such as getting through the certification process while working around the schedule of the courts, which still require security despite the CCSO process. KLEC has expedited the process by hiring contract polygraph examiners to ad-

minister the polygraphs on location.

With only a few months left, the team of certifiers is mainly in the polygraph stage. The majority of bailiffs have already been through drug and psychological suitability screenings.

While the process presents challenges to KLEC, some of the new standards have become stumbling blocks for bailiffs. One of the most significant hurdles has been bailiffs who did not have high school diplomas or the equivalent. Though they have until June 26 to complete their GED requirements, and some are pursuing completion, many have already resigned their position.

“There are court security officers who’ve been there a long time who won’t be able to meet the pre-employment standards, like the GED,” said Kentucky Sheriffs’ Association Executive Director Jerry Wagner.

“There’s certainly more to it than most sheriffs thought in the beginning,” Wagner added.

At the end of January, KLEC had tested approximately 450 court-security officers in suitability and drug screenings, and more than 300 of those had been through polygraph examinations.

“But with agencies hiring on a daily basis, this list is always changing,” said Kelly Adkins, administrative specialist with KLEC.

While KLEC is busy testing court security officers, they are also still testing telecommunicators and police officers. With testing all over the state, in the course of a week at one location there may be one candidate to test, and at times, there may be 50 candidates.

“One of our biggest challenges in administering the CCSO program has been scheduling,” Adkins said. “In addition to POPS testing, the KLEC office took on a 30 percent work increase when the [Telecommunications

Professional Standards Act] went into effect. Now that the CCSO program has been enforced, we’ve added over 500 court security officers to the scheduling process.”

For KLEC, scheduling also includes contacting test sites to verify dates and times for use of their facility, as well as scheduling six

KLEC examiners and seven contract examiners.

“This was the sheriffs’ legislation and we supported it,” Ball said. “This will have more benefit to them than anything since POPS standards included deputies.” J

CCSO ACT MINIMUM STANDARDS:

- Is a citizen of the United States
- Is at least 21 years of age
- Is a high school graduate or has received a general equivalency diploma (GED)
- Possesses a valid license to operate a motor vehicle
- Has not been convicted of a felony
- Is not prohibited by federal or state law from possessing a firearm
- Has submitted fingerprints to the KSP and the FBI for a criminal history check
- Has received, read and signed a copy of the Kentucky Law Enforcement Officer’s Code of Ethics
- Discharged under honorable conditions, if having served in the armed services
- Has undergone a background investigation
- Has been interviewed
- Has taken a psychological suitability screener
- Has taken a polygraph examination
- Has passed a drug screen

CCSO Duties A CCSO MAY:

- Attend sessions of any court of the Court of Justice in the county in which he or she is sworn
- Keep order in the courts
- Provide security services to the courts within the court facility or immediate area of the court facility
- Guard prisoners during court appearances
- Serve warrants and other court papers on individuals physically present in the courtroom

- Transport prisoners
- Arrest and take individuals into custody who are in the court facility or immediate area of the court facility, or while transporting prisoners
- Service of process and other papers relating to civil matters on individuals physically present in the courtroom

A CCSO MAY NOT:

- Go outside the immediate area of the court facility in which he or she is providing security services to make an arrest or take an individual into custody, except when transporting prisoners
- Patrol the roads, streets, or highways
- Issue traffic citations, except to enforce parking regulations around the court facility

■ Perform general law enforcement duties outside that of providing court security

The CCSO’s Basic Training Course (80hrs)

is not required for employees that are employed on or before June 26, 2007.

However, they are required to meet all pre-employment standards listed in the legislation. CCSOs that are currently drawing KLEFPF will continue to do so. New CCSOs will not participate in KLEFPF.

All CCSOs hired after June 26, 2007 are required to meet all pre-employment standards, attend the CCSO Basic Training Course (80hrs) and maintain 40 hours in-service training every two years. ■

IF YOU THINK YOU KNOW, YOU HAVE NO IDEA,

The job of today's telecommunicator takes patience, dedication and determination /Anna Leigh Homa, Public Information Officer

Imagine your job is to answer phones and talk to people all day while sitting at a cushy desk, playing on the computer and chatting it up with your co-workers about their weekend plans. A lot of people believe this is what it's like working as a dispatcher. But, if that's how you think the radio room is, you couldn't be further from the truth.

"There is no way, until you have slapped on a headset, and we call it 'Fly the Starship' yourself, that you have any idea what goes on in the radio rooms," said Ann Johnson, director of the Montgomery County 911.

In dispatch you're not just answering one phone at a time, you could have two phone calls, directing EMS to a traffic accident, running the license plate of a possible stolen vehicle and dealing with the girl at the counter requesting an Emergency Protective Order against her boyfriend, Johnson said.

If you find it difficult to focus on more than one thing at a time, you would never make it in telecommunications, said Donna Pharris, communication supervisor at the Montgomery County 911.

"You have to be able to divide your attention,

you can't have undivided attention in this job," Pharris said.

Pharris started in the radio room at the tender age of 18, with no experience at all and had no idea it would be so stressful. Her first day was a total shock, figuring she would just answer a few phone calls and talk to the officers. But before the end of that first day she was asking herself 'What have I got myself into?' and wondering how everyone knew the answers to all the officers' questions.

"It was a quite an interesting transition from what I was used to," Pharris said.

Before 2003, training at the Department of Criminal Justice Training was only a two-week course, not concurrent, consisting of the basics. The first week concentrated on how to answer the phones and what types of questions to ask. The second week taught courses on how to operate the Criminal Justice Information Services and the National Instant Criminal Background Check System, said Jamie Mosley, Telecommunications instructor at DOCJT.

The academy is a lot different now than it was then, Johnson said. They didn't discuss weapons

of mass destruction or how to recognize different threats and had little in domestic violence training. The instructors work at making the classes as real to life as they can, Mosley said. They created a simulated Model City with maps and realistic situations for the dispatchers to learn the appropriate responses.

In the radio room at the academy, they do a good job of throwing multiple, real life situations at the trainees, Johnson said.

"Even though it's a class, it can feel real," Johnson said. "The body still goes through some of the same reactions as if it was in a real situation."

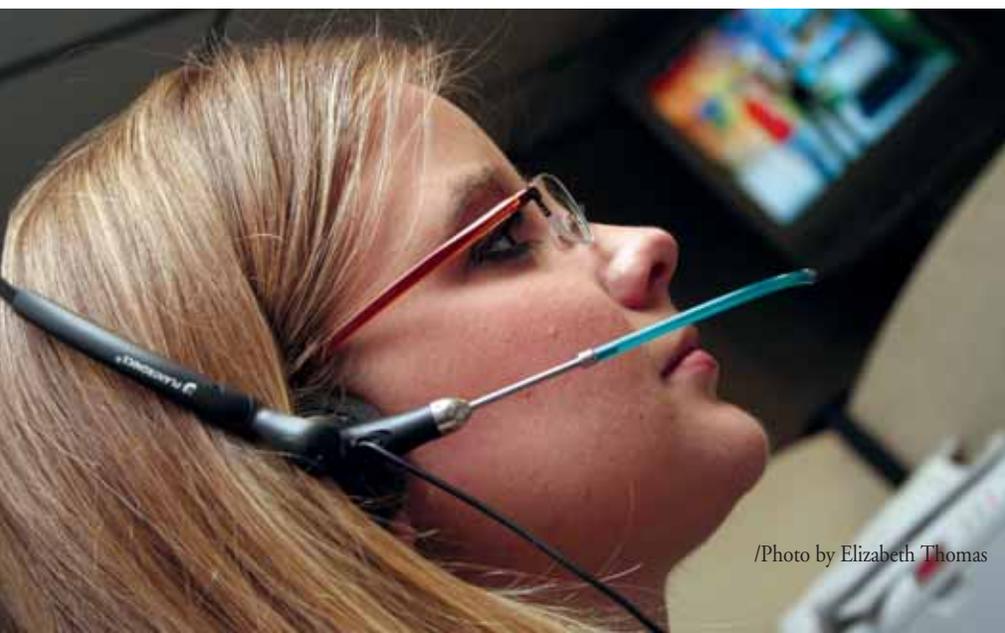
Years before, telecommunicators had access to computers, but they weren't hooked up to any huge database like they are now, Johnson said. Use of the Internet has changed the way they do their job.

Johnson took a call from a man in Wisconsin. He had been chatting over the Internet with a woman from the area. She sent him a message saying she had taken a bunch of pills and was going to kill herself. The man only knew part of her last name and that she had a son and she lived in the Montgomery County area.

Johnson and her colleagues got online and searched the Internet, where they found the woman's profile. She found a last name in a reference, called around and found the woman's sister-in-law. The woman had been found and transported to the hospital for an overdose. Johnson called the man and reassured him the woman would be OK.

"[We're taught] you've got to think outside of the box. Think about how you can find this person in your resources," Johnson said.

◀ A Montgomery County 911 telecommunicator takes a call during her mid-morning shift.



/Photo by Elizabeth Thomas

With all the stress it creates, it takes a certain person to do this job. There are people who do the job and then there are people that do this job well, DOCJT's Mosley said.

You definitely have to have a certain personality to work in this type of high stress environment. Dispatch is either in your blood, or it's not, Pharris said.

The one thing that always had Mosley on the edge of his seat was pursuits. Having to think far ahead, while doing a play by play in the present, trying to resolve the situation 20 minutes down the road can be very stressful. Hearing the officer's voice over the radio, with the screaming sirens in the background puts the situation on such a high level of excitement.

"When officers are being shot at is probably when you feel the most helpless," Mosley said. "But the biggest relief is when all your guys come back without harm."

According to Mosely, another must have for this job is the ability to understand it's not personal. A dispatcher must be able to let the negative comments, from callers and even sometimes from the people you work with, to roll off your back. A lot of people have difficulty dealing with the negative calls or with terrible situations that can, and sometimes do, include death, he said.

"You've got to have that sick sense of humor to kind of handle things and to deal with stress because if you took everything in here seriously, it would drive you crazy," Pharris said.

A call came in to the center from a directory assistance operator in New Jersey, who had another lady on the phone. The lady had received a call from a man obviously in distress and asking for his wife. He hung up, but recognizing the man was in trouble, the lady found his number on her caller ID and tried calling him back. He didn't answer. Her husband was a police officer and she understood the man was in serious distress and needed help, so she tried to find out where he was. That's how she got in touch with the Montgomery County 911.

Johnson did a reverse call from the center and was able to get him to answer. The man was in respiratory distress and was trying to call his wife, who worked at a factory in the area. He had reversed the numbers and reached the lady's cell phone in New Jersey instead. He was having a stroke, so an ambulance was sent out for the man and arrived at his home within nine minutes. They got in touch with his wife, rushed him to the hospital and admitted him into ICU where he remained for a week. He

ultimately survived the ordeal, Johnson said.

"This woman was going above and beyond, making the effort," Johnson said. "You really become hardened by some of the bad things that people do, and you find that there are still good people that will take that extra minute out of their hectic life to try to help somebody else. That's a good feeling."

Some calls are such an everyday occurrence for the dispatchers, they don't think about them and they don't seem like such a big deal anymore, Johnson said. "Non-injury accidents are the easiest

“You definitely have to have a certain personality to work in this type of high stress environment. Dispatch is either in your blood, or it's not.”

to deal with, so they don't think anything of them. But to the person it's happening to, it is a very big deal. That accident just debilitated that person's life for the next month.

"[We learn] we need to provide the same consistent service for that non-injury wreck as we do that 50-car pile up on the Interstate," Johnson said. "Never, ever, ever take those calls for granted, you just never know."

Even if the caller has a legitimate emergency, it can be easy to lose control of that phone call, especially when the person is upset. But maintaining that control is the most important thing because it can affect the amount of information they give, Johnson said.

"Sometimes we have to tell them to get quiet, and we have to get loud and take control of the call," Johnson said. "You've got to learn how to tell a person to shut up, but in a nice way so they say thank you when they hang up. The minute you lose control of that call and the caller is in control, that's when we can't get information out to our responders."

Maintaining control of a call can be especially difficult with a language barrier. With the influx of many Hispanics into the area, Spanish has been added to the telecommunication classes. It's a definite plus for a telecommunicator, police officer or

anyone involved in law enforcement to know the Spanish language, Johnson said.

A call came into the Montgomery County 911 from a very distraught woman, who could only speak Spanish. An officer knew a little Spanish and told them she was trying to find someone who had been taken to a hospital. They called around the hospitals, but couldn't find out anything. After getting nowhere, the woman was getting more upset. They found a Spanish-to-English book and figured out she was trying to find a car that had been towed after the owner was arrested and taken to jail, Johnson said.

"The [Spanish] training has proved to be very beneficial," Johnson said. "When they're in your jurisdiction and they need service, we have to provide the same service to them, even if we don't understand them."

Because of the job's high intensity and stress level, it can shape your personality and change the way you view the world around you, Pharris said.

"Someone's personality definitely interacts with the job," Mosley said. "You will see people's personalities change. Either it will change or they will leave."

For Mosley, after working in telecommunications for so long, it's hard for him to have a normal conversation on the phone. He's become so adept at getting the necessary information and getting off the phone, he does that even in his personal life. But he doesn't regret being in this line of work.

"Probably the number one thing is to understand the seriousness of the job and how much it can impact officer safety," Mosley said. "[I'm] proud of what I do. Nothing is more important than officer safety, everything is centered on it."

One thing he would tell all telecommunicators is, 'Be proud of what you do. Hold your head up high and take pride in that.' J

Kentucky Law Enforcement Memorial Foundation



/Photos by Elizabeth Thomas

STICKERS TO RECOGNIZE KLEMF DONATIONS

/Sylvia Lovely, Chair of the Kentucky Fallen Officers Trust Council & Executive Director/CEO of the Kentucky League of Cities

Over the past year, it has been a privilege to serve as chair of the Kentucky Fallen Officers Trust Council. It is clear we cannot do enough to honor fallen law enforcement officers and those who step up each day to take on the important task of protecting all of us. The council was formed in 2006 to assist the Kentucky Law Enforcement Memorial Foundation in securing contributions from individuals and businesses. The council is made up of outstanding Kentucky community leaders who are dedicated to providing KLEMF with the necessary resources to carry out its programs and services.

With the completion of our initial fundraising effort to expand and relocate the memorial, the council is now focused on securing donations for the KLEMF Scholarship Program and the Emergency Assistance Fund.

It is with great pleasure and excitement that the Trust Council announces a new initiative to honor fallen officers and to recognize the generosity of those who support KLEMF. Donors to KLEMF that make a gift of \$25 or more will receive a Fallen Officers Trust sticker that can be displayed on their vehicles. The stickers are issued according to the level of gift. Donors of \$5,000 or more will receive a gold sticker followed by silver — \$1,000 to \$4,999; bronze — \$250 to \$999, and white — \$25 to \$249. We invite every Kentucky citizen to become involved in making this new initiative a great success for KLEMF.

KLEMF Scholarships

For the fifth consecutive year, the Kentucky Law Enforcement Memorial Foundation will be awarding 25, \$1,000 scholarships for the fall semester. The application deadline is June 30. The program was established to help law enforcement officers, telecommunicators and their families pay for college for themselves and/or their survivors or dependents. Recipients are not required to major in law enforcement and may use the scholarship at any accredited college or university, including two-year and community colleges as well as recognized or certified vocational or trade schools. Please visit the memorial foundation Web site or contact the foundation at (859) 622-2221 to obtain a copy of the application form and criteria.

KLEMF Golf Tournament

The Kentucky Law Enforcement Memorial Foundation will host its seventh annual golf tournament at Gibson Bay Golf Course in Richmond on June 16. There will be several chances to win valuable prizes throughout the day. For more information or to sign up for the tournament contact DeAnna Boling at (859) 622-6218 or e-mail at DeAnna.Boling@ky.gov.

Lexington Police Golf Tournament

Lexington's 25th Annual Police Golf Tournament has been set for May 22 and a rain date of June 12. The proceeds will again be split between the Kentucky Law Enforcement Memorial Foundation and the Explorers post. The Police Cook Team will provide lunch.

Annual Law Enforcement Memorial Ceremony

The annual ceremony to honor Kentucky's fallen law enforcement officers will be held during the week of May 19 to 23 at the memorial site in Richmond. Regrettably, two Kentucky officers were killed in the line of duty in 2007. The officers' names will be etched on the memorial and they will be honored at this year's service. Constable Ronnie K. Jones, Barren County, was killed April 2, 2007, when his patrol car was struck by a vehicle. Chief Randy Lacy, Clay City Police Department, was shot and killed June 13, 2007, by a prisoner he was transporting. Historical names of fallen officers will be added to the Kentucky monument and recognized at the ceremony also.



New License Plate Design, 300 Applications Needed to Print Motorcycle Plates

Beginning in 2008 the new law enforcement memorial license plate design is available at the county clerk's office. Ten dollars from the sale of each plate goes to the Kentucky Law Enforcement Memorial Foundation endowment fund to provide assistance to law enforcement officers and their families. The funds from the sale of the license plate are used to provide emergency and medical assistance for officers and their families during a crisis and toward educational scholarships. Since establishing the endowment fund, the foundation has provided more than \$100,000 in emergency and medical relief and \$98,000 in educational scholarships.

Unless we act quickly, the emergency relief fund stands to lose a substantial amount of money generated by a statewide fundraising effort. The 2007 General Assembly approved a specialty Kentucky law enforcement motorcycle license plate. The measure allows \$10 from the sale of each memorial motorcycle plate to go to the foundation fund. The state must receive 300 applications by to begin production. If the deadline isn't met, the foundation loses the opportunity to generate thousands of dollars to assist officers and their family members in a crisis. The application for the specialty motorcycle tag is located on the Kentucky Transportation Cabinet Web site, www.transportation.ky.gov. The application requires a \$25 deposit and the additional \$13 balance would be due when applicants picks up their tags. Completed applications along with a deposit should be sent to the foundation. The foundation will forward the applications and funds to the Kentucky Transportation Cabinet in Frankfort when 300 are received. Deposit checks should be made to the Kentucky State Treasurer.

Thank you for your continued support. Together we can help build hope for families of fallen officers and any officer who faces an unexpected hardship.



Task Force Combats Cargo Theft

/Les Williams, Public Information Officer,
Kentucky State Police

The four interstate highways passing through Kentucky are part of a vast economic artery that plays a vital part in the supply chain of the country. They permit the transport of manufactured goods worth millions of dollars to and through the state each day. They also provide a tempting opportunity for criminals engaged in cargo theft.

According to the International Cargo Security Council, more than \$25 billion worth of products are stolen in transit each year in the United States. Some law enforcement officials believe the real value is 10 times more as many incidents go unreported or are classified as other types of crime.

“Cargo theft is booming nationwide,” said Kentucky State Police Sgt. Bobby Motley. “Situating at the crossroads of several major interstates, Kentucky is not immune to this trend. It’s a growing problem that we want to deal with before it gets out of hand.”

The Kentucky Criminal Enterprise Task Force was organized in July 2007 in response to this problem. A partnership between the FBI, KSP and the Louisville and Lexington police departments, its mission is to identify and investigate organized activity relating to cargo theft, vehicle and auto theft.

Concentrating on truck stops, rest areas and communities near interstates such as Louisville, Lexington, Bowling Green, Ashland and Covington during its first six months, the task force is currently working on about a dozen active cases.

“We’re looking for pre-planned activities, not just opportunistic, spur of the moment theft,” Motley explains. “These thieves target specific products that are easily marketable, often stealing entire trailer loads.” Such activity often requires a group effort: fences to find buyers, middlemen to counterfeit shipping paperwork and distribution networks to move the goods.

According to the FBI, the typical criminal enterprise has a leader who runs a regional or national operation. Beneath him are cells of thieves and brokers who unload the stolen goods on the black market. “Lumpers” physically move the goods, along with drivers, and there’s usually a specialist who is an expert at foiling anti-theft locks on truck trailers.

In Kentucky, cargo thieves have targeted goods such as consumer electronics, pharmaceuticals, automobiles, liquor and tobacco products and farm and construction equipment, Motley said.

“Modern society is highly mobile,” he said. “Targets are plentiful and goods can be moved quickly, which decreases the chance of detection and apprehension. This makes cargo theft an appealing and profitable crime.”

Despite this appeal, the task force claims several million dollars in recoveries during its short existence. Motley cites 47 motorcycles valued at about \$1.5 million in an eastern Kentucky case and the shutdown of a major auto-theft ring involving 60 vehicles.

The key to continued success, he said, is increased coordination and sharing of information by local law enforcement agencies.

“We need local agencies to be observant and notify the task force of any incidents or trends in their areas that may indicate an organized theft effort, whether it involves vehicles, commodities or high value farm or construction equipment,” Motley said.

If local thefts are not shared with agencies throughout the state, stolen cargo and equipment can often be transported long distances and pass by numerous law enforcement officers totally unchallenged. Motley points out an instance in Kentucky where a \$110,000 tractor was stolen and no statewide alert was issued.

“If we don’t aggressively share this information, stolen goods can easily slip through the cracks and be out of the state quickly,” he adds.

Local agencies can provide information to the task force by contacting the FBI Louisville office at (502) 583-3941, the KSP at (859) 293-4538, the Louisville Metro Police Department at (502) 574-7045 and the Lexington-Fayette Urban County Division of Police at (859) 258-3720.

“By working in a unified effort, we can contribute to the disruption and shutdown of this growing criminal activity that impacts the economies of both the state and the country,” Motley said. J





■ Elizabethtown Investigator Pete Chytla surveys the skull of a newly excavated burial site. Chytla, among the first class to graduate from the Kentucky Criminalistics Academy, was practicing excavation procedures during an exercise at the University of Tennessee's Body Farm. The next KCA is scheduled for this summer.

/Photo by Elizabeth Thomas

Melville Takes Helm of Training Operations



/Article and photo by Elizabeth Thomas, Public Information Officer

“We need to always be responsive to the ever-changing needs of law enforcement,” said Charles Melville, the newly appointed director of Training Operations at the Department of Criminal Justice Training.

Melville is well aware of the changes law enforcement has made throughout the years and,



will continue to face. His father was the chief of police with the city of Southgate, as well as officer, city councilman and mayor, spanning a 40-year career. Add to that a third generation of law enforcement, when his daughter Emily graduated with DOCJT's Basic Training Class 386 and is now continuing the family profession at the Cincinnati/Northern Kentucky Airport.

As one of seven children, Melville said, “We all learned about public service through the work my dad did.”

After serving 28 years himself with the Cincinnati/Northern Kentucky Airport, Melville retired and came to DOCJT in March 2005, as the executive director of the Kentucky Community Preparedness Program. He was appointed branch manager of the Advanced Individual Training Branch in August 2006.

While at the Cincinnati/Northern Kentucky Airport, Melville moved through the ranks as patrolman, sergeant of investigations, lieutenant of the administrative division and, finally, as chief of police from 1996 until his retirement in 2005.

At the airport department, we pretty much did it all, Melville said.

“His management and work at DOCJT since his retirement as chief positioned Melville very well and made him a valuable member of the executive staff,” said DOCJT Commissioner John W. Bizzack.

According to Bizzack, Melville has long been a strong supporter of Peace Officer Professional Standards and advancing progressive law enforcement training across the state.

Melville has been actively involved with many special committees, boards and consortiums affecting statewide law enforcement beginning during his tenure as chief of the Cincinnati/Northern Kentucky Airport, Bizzack added.

High on his list of challenges is the constraints that have been placed on the department by the new state budget mandates.

“We have a great staff that can do more with less,” Melville said. “It’s important to find a way to keep quality training and not have police departments suffer later from our

current budget constraints.”

Among Melville’s list of priorities is increasing staff rapport.

“First thing I really need to do is build my relationships with the staff and to formulate where we need to go and where individual sections need to go based on what supervisors see for their divisions,” he said.

Under his supervision at DOCJT are Basic Training, Advanced Individual Training, Leadership Institute, Telecommunications and Skills branches. He also serves as the point of contact for police departments, sheriffs and coroners.

“I’m delighted with still having the opportunity to work with the chiefs and sheriffs I’ve known throughout my career,” Melville said. “We have to be responsive to their needs while working within the constraints placed on us.”

There are technical aspects and changes that all departments are facing, he said. Continuing with such programs as leadership development courses and academies, like the newly implemented Kentucky Criminalistics Academy, is vital, he added.

Melville’s law enforcement career started while he was still in college and working part-time with the Southgate Police Department in Campbell County. He graduated from Eastern Kentucky University with a degree in police administration in 1977 and was soon hired by the Cincinnati/Northern Kentucky Airport.

January 1, Melville replaced Horace Johnson, who retired Dec. 31, as director of Training Operations Division.

Most important to Melville is his time with his family, but even more so with his two daughters, Erin, who married in October, and Emily. Both girls are busy, making quality time even more valuable. Melville and his wife Tina have been married 30 years.

Displaying proudly the law enforcement legacy of the Melville family, a three-generations frame with a photo of Melville, his dad and his daughter at her basic training graduation now sits in the living room of his dad’s home.

“My dad’s really proud of us,” Melville said. J

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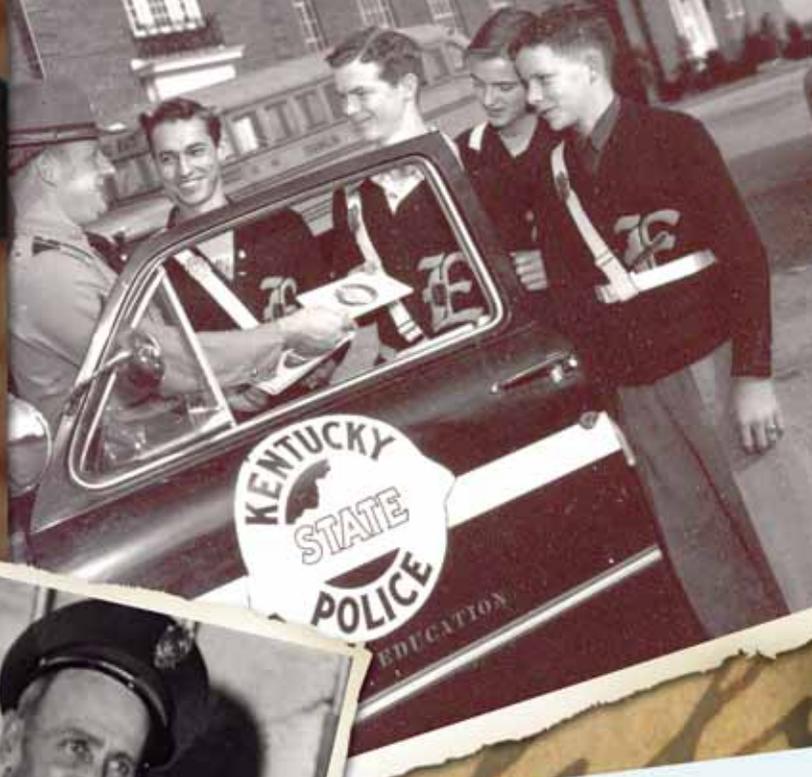


JUSTICE

FOR ALL

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“

Justice and public protection are fundamental rights of all Kentuckians,” according to J. Michael Brown, secretary of Kentucky’s Justice and Public Safety Cabinet. “It’s the joint responsibility of the commonwealth’s law enforcement and justice organizations to work hand in hand to deliver appropriate services and ensure those rights are never endangered.”

Appointed to his position by Gov. Steve Beshear in late 2007, Brown assumed the reins of a cabinet that was considered a model for the nation at its inception as the Kentucky Department of Justice in September 1973. At that time, DOJ, according to news reports, “pioneered productive and innovative approaches to curb crime and increase public safety.”

Nearly 35 years later the cabinet continues to lead the way with innovative thinking, problem solving and initiatives that shape the direction of Kentucky law enforcement and present a unified criminal justice front dedicated to the

protection of all Kentucky citizens.

“One of the beauties of this cabinet is its staff – 8,000 people – all are professionals and come out of trained, professional disciplines,” explained Brown. “Whether it’s dealing with Juvenile Justice, Kentucky State Police or law enforcement training, our people are all mission-oriented, and we all recognize that regardless of the challenges we must accomplish our missions.

“That just tends to make these folks think outside the box and find new ways of doing things. Whether it’s a budget or a manpower issue or any other challenge, at the end of the day we must do what it takes to get the job done.”

The six departments housed under the Justice and Public Safety Cabinet have been getting the job done effectively for decades, and as the Beshear administration takes command, additional resources and professional experience are being added to the cabinet’s arsenal.

Brown brings impressive credentials to his office.

“My experience of having met and served with a wide variety of professionals

who are either in, or peripheral to, the law enforcement function cuts across a wide spectrum,” he said. “All of which is going to play some role in my tenure as secretary here.”

Brown’s vast experience as a former district judge, assistant commonwealth attorney and private-practice lawyer provided interaction with judges, defense attorneys, prosecutors, corrections officials and elected executives as well as interaction with both state and federal legislators, giving him a real grasp on the issues that face Kentucky’s criminal justice system.

“Sec. Brown brings a steady hand and a deliberate, professional manner to work every day,” Dep. Sec. Charles Geveden emphasized. “In a position where you’re oftentimes dealing with the most difficult of circumstances, he’s a calming force that won’t be rattled. He can handle any situation.”

Pinpointing the challenges facing cabinet departments and seeking logical, prolific ways to combat and overcome these challenges will remain the top priority for Brown and his staff.

“There are always challenges and you >>



*road
runner*



don't just sit back and say, 'wow, there are all these challenges,' and then not do anything," Brown said. "When people come into these careers, they know what they have to accomplish despite the challenges and are always looking at new ways of doing things."

No matter what the challenge, Brown said, keeping lines of communication open and reaching out for assistance and resources is a must.

"Take the Kentucky State Police and Kentucky Vehicle Enforcement for example," Brown explained. "Their vehicles on the road need to ensure they talk to each other and communicate openly and effectively between the agencies. Commissioners Rodney Brewer and Greg Howard, respectively, have already discussed ways their officers on the roadways can more actively and efficiently communicate with one another."

Likewise, Brown added, the Office of the Medical Examiner reaches out to other resources such as the University of Kentucky, other coroners and local funeral directors to ensure that they are all in sync in preparations to respond to any major fatal catastrophe that might occur in the commonwealth.

These types of connections between cabinet agencies and outside resources are only examples of a much larger picture, he added.

There are also numerous challenges involved in law enforcement's interaction with other agencies, including federal agencies in the state such as the FBI, the Drug Enforcement Agency and others, said Brown.

"Bad guys don't understand borders and ignore jurisdictional restraint," Brown said. "They try to slip into areas where there is little or no interaction between entities, so part of the challenge is to avoid turf fights and share information."

To move Kentucky law enforcement quickly in that direction, Beshear and Brown have directed the Justice and Public Safety Cabinet and the Department of Criminal Justice Training to bring together representatives from the Kentucky law enforcement community along with FBI, Immigration and Naturalization Service and the Kentucky Office of Homeland Security, to discuss ways to mutually share intelligence information.

"The goal will be to highlight, from the Kentucky grassroots perspective, the all-crimes intelligence gathering and information sharing possibilities within the state and how to hone the mission of the Kentucky Fusion Center to meet everyone's needs," Brown explained.

The first and most obvious outcome of this effort, Brown expects, will be mutual

cooperation between agencies, which comes about when each entity understands the threats faced by each agency and the resources each agency brings to the table to tackle and alleviate those threats.

"Ultimately we all have the same goal," Brown said. "There's not a police agency in the state that doesn't have 'protect and serve' in its mission, nor a police officer in the state who doesn't want the best information, equipment and resources needed to respond to any threat against the public. Our mission is to share information about threats and resources and get to know each other better."

In addition to increased cooperation, this joint effort should enhance communication, making everyone more effective, and provide an atmosphere for learning, Brown said.

"Because law enforcement officers are primarily mission oriented, the tendency is not to complain or let distinct needs be known to other agencies," he said. "This forum will provide everyone an opportunity to get the problem, need or issue out, condense it, prioritize it and then pass it up either the executive or legislative chain to fix the problem. It will be a very effective tool."

Offering law enforcement the right tools and the necessary components for success is another of Brown's primary goals for the >>

1700s

1781 - Col. John Bowman named first sheriff in Kentucky territory.

1792 - Kentucky becomes a state.



1798 - The Kentucky legislature appropriated \$500 to build the Kentucky State Penitentiary at Frankfort, the first prison west of the Allegheny Mountains.

1850s

1850s - Two-thirds of inmate labor is devoted to the manufacturing of hemp.

1860s

1865 - Over one-third of prisoners sent to the penitentiary are between the ages of 15-20 years.

1869 - Governor John Stevenson calls reform, establishing a House of Reform for Juveniles.

1870s

1872 - Penitentiary inspectors urge that whipping be discontinued.

1879 - Governor Luke Blackburn recommends building three branch penitentiaries.



1880s

1880 - Judge R.H. Stanton named as Prison Commissioner under the new Warden system.

1890s

1898 - State Board of Penitentiary Commissioners created.



▲ Early Kentucky State Police troops perform tactical training.

KENTUCKY
LAW ENFORCEMENT

BY THE NUMBERS

8,068

Sworn law enforcement officers in Kentucky

226

POP's certified law enforcement officers currently not participating in KLEFPF

\$2,500

Annual KLEFPF stipend per officer in 1986

\$3,100

Annual KLEFPF stipend per officer in 2008

-18%

Buying power of KLEFPF stipend since 2001

233%

Gas price increase in past 22 years

\$91.8 million

Moved from KLEFPF for General Fund use by past legislatures and administrations between 1988 and 2007

1910s **1930s**

1911 - First electric chair is installed at the Kentucky State Penitentiary in Eddyville.

1935 - State Department of Welfare created with responsibility for penal institutions.

1938 - Kentucky Correctional Institution for Women founded.

1940s

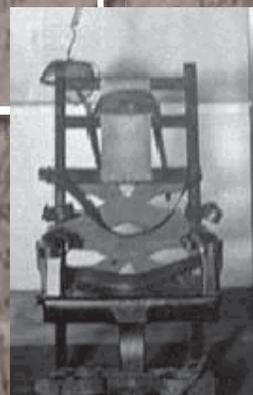


1948 - Kentucky State Police launched with 130 troopers, 12 detectives, and 96 vehicles. New troopers paid \$130 per month.

1949 - The gray uniform, similar to today's, was designed.

1920s

1920 - The State Board of Charities and Corrections created.



J. MICHAEL BROWN



Justice and Public Safety Cabinet Secretary

- 1970 – Commissioned as Army 2nd lieutenant, served in Airborne Infantry Branch
- 1979 – Graduated from University of Louisville Law School
- 1984 – Appointed district judge by Martha Layne Collins
- Served as first assistant commonwealth attorney for Jefferson County
- Served as director of law for the city of Louisville
- Worked for Wyatt, Tarrant & Combs private law firm
- 2003 – Became partner at Stites & Harbison law firm ■



Justice and Public Safety Cabinet. Accomplishing that goal will, in turn, strengthen the entire organization.

“Criminal justice is truly a system,” Brown explained. “If any one part suffers or succeeds, the impact reverberates throughout the system.”

Brown relies on proven management methods to ensure that the system thrives and grows under his tenure.

The first is reflected in his management philosophy: surround yourself with good people and delegate authority.

“There are too many people here for me to try to micromanage,” Brown said. “So I have to select and rely upon people I trust, empower them with authority and set up a system of communication so that they will come to me with both the good and the bad stuff, allowing me to be their front line of defense.

“My job is to then interact with the three branches to get the professionals in this cabinet the assets they need to do their jobs and help formulate policies on the information they give me. They can do a better job that way and so can we.”

Brown also wants to experience first hand what the individuals in his cabinet deal with and experience in their respective fields in

order to better understand what they do and what issues they face on a regular basis, he said.

One of his stops on this knowledge quest will be at DOCJT, where he plans to participate in the Peace Officers Professional Standards physical training entrance test. He intends to gain a deeper understanding of what it takes to complete 18 weeks of vigorous training in order to take on full duties as a law enforcement officer in the state.

He also plans to take part in a high-speed pursuit and firing-range tutorial to help further this understanding and appreciation for the duties Kentucky’s officers commit to and perform each day in their careers.

In addition to the DOCJT program, Brown plans to visit nearly all of the state’s correctional and juvenile justice facilities and residential complexes. He already toured the medical examiner’s office and KSP labs to view autopsies and get a better understanding of some of the challenges faced by the professionals there.

“I think the more you know about what someone does, the better your understanding when they communicate needs and concerns to you,” he said. “I’m not claiming to be an expert at their jobs; it just gives me the basic ability to better understand.”

1950s

1950s – “Incognito squads” patrolled highways in unmarked cars, checking for speeders and overweight trucks.

1952 – KSP uses first traffic patrol airplane at the Kentucky Derby.

1956 – Correctional Officers are placed in uniform and in-service training program started.

1970s

1972 – The Kentucky Law Enforcement Foundation Program Fund, KLEFPF, established by Kentucky legislature.

1973 – The newly formed Department of Justice, an umbrella agency housing of all the Commonwealth’s criminal justice agencies, called “A Model for the Nation”.

1976 – The Office of Crime Prevention responsible for leading efforts in a comprehensive, statewide assault on crime before it starts.

1978 – General Assembly mandates training of Kentucky coroners.

1960s

1966 – Bureau of Training, now the Department of Criminal Justice Training, created.

1968 – The Kentucky Law Enforcement Council created.



1980s

1986 – The Kentucky Information Network of Kentucky (LINK) establishes a computerized network providing crime information.



Another major challenge facing the Justice and Public Safety Cabinet, according to Brown, is the status of the Kentucky Law Enforcement Foundation Program Fund. The fund, which supports the Kentucky law enforcement community through an annual stipend of \$3,100 as well as funds the entire DOCJT facility, was a major source of concern at the two law enforcement symposiums held last fall. The future, security and integrity of KLEFPF directly affects more than half of the departments under the cabinet umbrella, Brown noted.

The two biggest concerns with the fund – its ability to replenish and continue to grow and its ability to cover all POPS-certified officers – are tightly interwoven, he said. State budgetary constraints have caused dedicated KLEFPF dollars to be siphoned into the general fund, forcing officer stipends to flatline and creating difficulties in expanding training and technology necessary to keep pace with changing societal needs. In addition, stagnant funding has created an inability to cover several statewide law enforcement agencies, such as the Kentucky Department of Fish and Wildlife Resources and the Alcoholic Beverage Control, despite requirements that they meet the same training standards.

Acknowledging these issues, Brown has a healthy outlook for where he wants to see KLEFPF in the future.

“My hope is that the fund gets back to a level that has enough money to conduct training and pay stipends to all who are eligible and develop a protected reserve,” he said. “We have to have our legislative folks work hand in hand with the folks at DOCJT (which administers the fund) to make sure that legislative packages that will benefit law enforcement get our support, as well as to ensure that we are educating the legislators on these issues.”

Though there are numerous challenges facing the Justice and Public Safety Cabinet in this new administration, the cabinet is one that encompasses multiple departments with a long history of identifying challenges and then successfully meeting them head on to emerge stronger and better able to serve the citizens of the commonwealth.

“As a cabinet full of mission-oriented people,” Brown stressed, “it’s never about whether the job will be accomplished, it’s only a matter of how creatively and differently the issues can be processed to bring about the most effective and efficient solutions. That particular function of the cabinet hasn’t changed in nearly 35 years.” J



CHARLES GEVEDEN

Justice and Public Safety
Cabinet Deputy Secretary

- 1962 - Bachelor of Arts from Vanderbilt University
- 1968 - Juris Doctorate from University of Louisville School of Law
- 36 years practicing law in Wickliffe, Kentucky
- Served as commonwealth's attorney for the First Judicial District
- Served 17 years as House District 1 representative in the Kentucky General Assembly, Member of House Judiciary Committee and Economic Development Committee, chair of State Government Committee ■

1990s



- 1 1996 - The Department of Juvenile Justice established.
- 1 1998 - The Department of Criminal Justice Training becomes the nation's first CALEA accredited public safety training academy.
- 1 1998 - The Kentucky Law Enforcement Foundation Program Fund (KLEFPF) restructured to include sheriffs and university police.*
- 1 1998 - Physical training standards established for the Peace Officer Professional Standards (POPS) and Basic Training.

* (Approximately 1,350 peace officers were added to the fund, which had increased the total number of peace officers to 5,600 by the end of 1998. The annual pay incentive for all KLEFPF participants was also increased from \$2,500 to \$2,750.)

2000s

- 2 2000 - The first statewide law enforcement memorial honoring all officers killed in the line of duty erected at DOCJT.
- 2 2004 - The Kentucky Office of Drug Control Policy created.
- 2 2004 - Kentucky Vehicle Enforcement moved to the Justice and Public Safety Cabinet.
- 2 2005 - Pilot program launched by ODCP and Operation UNITE to monitor pseudoephedrine sales electronically.



2 2005 - Kentucky launched the Intelligence Fusion Center to serve as central hub for information.

2 2007 - Kentucky Vehicle Enforcement accredited by CALEA.

2 2007 - J. Michael Brown appointed Justice and Public Safety Cabinet Secretary (2007 - current)

DEPARTMENT OVERVIEWS

Department of Corrections

Commissioner LaDonna Thompson

The Department of Corrections protects Kentucky's citizens and provides a safe, secure and humane environment for offenders while the mandates of the legislative and judicial processes are carried out.

- 4,000 employees
- 13 state-managed prisons
- Three privately-operated prisons
- Prison population of more than 22,000

Department of Criminal Justice Training

Commissioner John W. Bizzack

The Department of Criminal Justice Training provides quality criminal justice training and services to advance Kentucky law enforcement to advance their ability to provide a safe, secure environment in which to reduce crime and its costs to society.

- 182 employees
- Nearly 12,000 students attend training annually
- Provides 18 weeks of basic training for approximately 300 law

- enforcement recruits each year
- Provides four weeks of basic telecommunications training to approximately 196 students each year
- Was the first public safety training program to be certified by the Commission on Accreditation for Law Enforcement Agencies

Department of Juvenile Justice

Commissioner Ron Haws (acting)

The Department of Juvenile Justice provides balanced and comprehensive services that hold youth accountable and provide youth opportunities to develop into productive, responsive citizens.

- 1,545 full-time positions
- Eight regional detention centers housing 331 youth
- 12 youth development centers totaling 455 beds
- 10 group homes totaling 88 beds
- Private child-care facilities for 77 youth
- Supervises more than 1,500 youth within DJJ programs
- Provides prevention programs for at-risk youth
- Completes court intake services for new juvenile residents
- Offers transitional services through residential placement and treatment services

- Administers and oversees juvenile probation placement
- Provides community aftercare/reintegration programs and youth awaiting adult placement

Department of Public Advocacy

Kentucky Public Advocate

Erwin W. Lewis

The Department of Public Advocacy provides each client with high-quality services through an effective delivery system, which insures a defender staff dedicated to the interests of their clients and the improvement of the criminal justice system.

- 555 full-time positions
- 12 member public advocacy commission created to ensure independence in the department
- Represents 140,000 indigent and juvenile clients each year
- Protects the liberty and life interest of indigent persons accused of a crime
- Social worker pilot diverted defendants from incarceration to treatment at an 80 percent success rate and a \$1.3 million savings

Kentucky State Police

Commissioner Rodney Brewer

The Kentucky State Police promotes public safety through service and partnering to prevent,

reduce and deter crime and the fear of crime; enhance highway safety; and safeguard property and protect individual rights.

- 973 sworn personnel
- 776 civilian personnel
- 16 regional posts
- Areas of Service
 - Criminal investigations
 - Electronic crimes
 - Drug enforcement
 - Forensic services
 - Communications

Kentucky Vehicle Enforcement

Commissioner Greg Howard

Kentucky Vehicle Enforcement encourages a safe driving environment through education and safety awareness while enforcing state and federal laws and regulations, placing special emphasis on commercial vehicles.

- 169 sworn officers
- 47 civilian officers
- 28 inspectors
- 10 regional posts
- Areas of Service
 - Commercial vehicle enforcement
 - Coal truck enforcement
 - Special operations/drug interdiction
 - DUI enforcement/drug impairment recognition

GEVEDEN NAMED ASSISTANT JUSTICE SECRETARY

Gov. Steve Beshear appointed Charles Geveden, 67, as deputy secretary for the Justice and Public Safety Cabinet. Geveden has spent the last three years as the executive director of the Office of Criminal Appeals at the Attorney General's Office.

"Charles' qualifications and distinguished career in state government will make him a tremendous asset to the cabinet," Beshear said. "He has spent most of his career devoted to public service and I know he will continue to serve the people of the commonwealth while assisting Secretary Brown at the Justice and Public Safety Cabinet."

Geveden served 17 years in the Kentucky General Assembly representing House District 1, covering Ballard, Carlisle, Fulton, Hickman and McCracken counties. During his service as representative, he chaired the State Government Committee and was a member of the House Judiciary Committee and the Economic Development Committee. Geveden, who practiced law for 36 years in Wickliffe, Kentucky served as commonwealth's

attorney for the First Judicial District prior to his years in the legislature.

"Charles Geveden's extensive background, leadership and experience make him the ideal choice for this position," said Justice and Public Safety Cabinet Secretary J. Michael Brown. "As a member of the Judiciary Committee in 1996, he was instrumental in the passage of House Bill 117, which established the Department of Juvenile Justice. I am confident he will continue to serve the governor and this cabinet well."

"I am honored to be selected for this key role in Governor Beshear's administration," Geveden said. "I appreciate the opportunity to serve as the deputy secretary for the Justice and Public Safety Cabinet, looking forward to working with the staff to make Kentucky a better and safer place to live."

Geveden earned a Bachelor of Arts from Vanderbilt University in 1962 and then his Juris Doctorate from the University of Louisville School of Law in 1968. He resides in Frankfort with his wife, Patricia. ■



■ The Kentucky Intelligence Fusion Center provides a cutting edge tool to Kentucky's public safety entities. By maintaining criminal databases, compiling threat assessments around the commonwealth and providing a secure Web-based Homeland Security Information Network to law enforcement officers, among many other services, KIFC is propelling public safety into the 21st century for data and information sharing.

Kentucky Intelligence FUSION CENTER

What can the Kentucky Intelligence Fusion Center do for you?

New Federal guidelines change the focus of all Fusion Centers to a two-way street. The Fusion Center provides information to you; you provide information to the Fusion Center. Find out more and make your opinions known at a special open forum for Kentucky Law Enforcement on April 24.

Additional information at docjt.ky.gov



TEXTING FOR HELP KEEPS IDENTITIES PRIVATE

Students to have access to tip line /Sara Cunningham, The Courier-Journal

Reprinted with permission from The Courier-Journal

Asking for help from police is not as easy as adults make it sound, said Ellen Everett, 13, a Highland Middle School eighth-grader.

Sometimes, she said, teens feel that if they go to a police resource officer or guidance counselor at school, "something's wrong with them or that people will think negatively about them."

Maneuvering past that stigma is one of the greatest potential benefits of a new city and police department initiative announced yesterday.

Campus Watch, the latest addition to the Keep Louisville Safe campaign, includes technology that will allow Louisville students to text message crime tips using their cell phones, rather than having to call 574-LMPD.

In a matter of weeks, the city's anonymous hot line will be able to accept text messages in a way that blocks out information about who sent the message, according to Louisville Metro Police Chief Robert White and Mayor Jerry Abramson. Eventually any Louisville resident will be able to use the anonymous text-messaging option, White and Abramson said.

"We can already receive text messages with the tip hot line and we're in the process of working to keep it anonymous," White said. "We're just weeks away."

White acknowledged that most schools have policies forbidding cell phone use during school hours. But he said there are many other times when students could use their phones to text message.

Campus Watch is more than just the new text-messaging option for participating schools, colleges and universities, White said. Every Jefferson County public school will participate along with 13 area universities, including the University of Louisville.

Police officers will also visit schools to speak about issues that concern students. Those talks can be tailored to each school's needs, White said.

Officers' duties will include conducting surveys to check whether campus shrubs need to be trimmed back for better visibility or more security needs to be added to entrances and exits, among other topics.

Funding for the initiative is a \$5,000 donation from the UPS Foundation. The money will help provide signs and other promotional items for the students, such as pens and key chains with the 574-LMPD number.

Many campuses already have resource officers from the metro department or from the Jefferson County sheriff's office, and other security officers. This program will help expand benefits and communication, said Sheldon Berman, county schools superintendent, who spoke during the press conference.



"The key message for students is that what keeps us safe is communication and relationships," Berman said. "This provides more tools and a wider repertoire of access to adults."

Students have a lot of concerns to bring to police officers, said Alisha Davis, 13, a Highland Middle seventh-grader.

Schoolmates Ellen Everett and Amanda Allen, 13, another eight-grader at Highland Middle, said they agree with Alisha. Among the concerns are drug abuse and violence at school and in the community.

But those subjects can be hard to talk about.

The key for students, the girls said, will be the anonymity.

"It feels really good to be able to have other opportunities to ask for help," Amanda said. "I'm really shy and so are a lot of other kids, and sometimes it's hard to use your voice. This way, we could still help or get some help when it's too hard to call or walk up to someone. It's using technology the way we already do."

Reporter Sara Cunningham can be reached at (502) 582-4335. J

/Anna Leigh Homa, Public Information Officer

How one county is dealing with juvenile offenders

What does law enforcement do when large populations of juveniles, including repeat offenders, become increasingly involved in gang activities? In northern Kentucky, the Campbell County Police Department teamed with the Department of Juvenile Justice to develop a specialized, community-based Juvenile Intensive Service Team.

The program, launched in 2001, has been so successful that the Campbell County Police Department was honored with the Weber-Seavy Award from the International Association of Chiefs of Police. The award is presented annually to agencies and departments worldwide in recognition for promoting a standard of excellence that exemplifies law enforcement's contribution and dedication to the quality of life in local communities.

In 2000, Campbell County looked at recent statistics and noticed much of the crime in the area was being committed by juveniles who demonstrated a decline in attitude and demeanor toward police officers, said Campbell County Chief Keith Hill. In addition, statistics pinpointed a high number of juvenile re-offenders. The department immediately looked at ways to combat these specific problems, Hill added.

The team approach centers on partnering a uniformed police officer with a worker from DJJ to visit the homes of the high-risk juveniles specifically assigned to the JIST program. To be assigned to the JIST program, a juvenile must be a formerly committed, at-risk youth, convicted of crimes involving violence, drugs/alcohol or gangs, according to "Building an Offender Reentry Program: A Guide for Law Enforcement", published by the Bureau of Justice Assistance. To be consid-

ered a juvenile at high-risk, the DJJ considers the age on the first court appearance, prior criminal behavior, prior out-of-home placements, identified school problems, substance abuse and peer relationships.

Louisville and Newport had similar programs in their jurisdictions before the Campbell County program was started, and the city of Covington is involved with one now, said Rob Forrest, Juvenile Services Specialist at the DJJ.

The JIST program was modeled after a Boston program, Operation Night Light, but was tailored to fit the needs of Kentucky. The program helps juveniles transition from state commitment back to their homes and communities. The JIST team makes random visits to juveniles' homes to make sure they are sticking to the limitations and restrictions the judge set in court.

Although "we have quite a few [programs] across the state, mostly it's isolated to urban areas," Forrest said. "That's where it's designed for."

The police department and DJJ entered into a contract outlining each agency's boundaries, Hill said.

The officers gave the DJJ workers training on handcuffing, how to observe surroundings and remain safe in potentially hostile situations. They also let DJJ workers borrow bullet-proof vests, so they could help when needed.

"They trained us on what they're looking for and what they can and can't do, so we knew exactly what each other's responsibilities would be," Hill said. "But we also knew, more importantly, each other's jurisdiction, so we weren't asking each other to do things that they couldn't do." >>



THE
JIST



/Photos by Elizabeth Thomas

OF THE PROBLEM





juvenile's room for any drug or gang paraphernalia. The partnership is successful because the DJJ workers are allowed to search the room without a warrant, although they have no arrest powers. However, if the DJJ worker finds something, the police JIST team members are able to make an arrest and the juveniles face immediate consequences for their actions.

"[JIST] lets us meet those people who were re-offending at their house and see if there is gang activity involved, what was in their room and who they were hanging out with," Hill explained.

In turn, identifying known associates helps school resource officers know who is involved in gang activity and to watch for problems. While searching juvenile's rooms, officers find different gang symbols or colors and relay those to the school resource officer. Feeding JIST information to school resource officers also encourages the recognition of gang activity in the schools.

"We don't have the Crypts and the Bloods coming here, none of the national organizations," Hill said. "But [gangs] are here, and they have the graffiti signs and their own language and symbols. We're able to recognize it, photograph it and show it to officers and say 'if you see this, this is what you're dealing with.'"

Because officers also serve warrants, some juveniles have attempted to run. One juvenile attempted to get away by jumping out of a two-story window, but few are hostile or put up a fight, Forrest said.

"The problems we usually run into in Campbell County are either kids not home when they're supposed to be or kids with drugs," Forrest said. "Those are the two main things."

By showing up at the juveniles' homes unannounced, police found that many were hanging around adults known for criminal activity and who openly used drugs around the kids. The officers also run any adult's name in the house and check for outstanding warrants

>> Abiding by the curfew is one of the main things looked for when visiting a juvenile at home. Workers can also perform drug screens in the home if the JIST team feels it is needed, the juvenile is caught in the act or at a parent's suggestion. If the field test is positive, the sample can then be sent to the lab for a more thorough testing.

"I've caught kids in the act a couple of times," Forrest said. "We've walked in and they're sitting with their buddies smoking."

They talk with the parents and search the

and occasionally arrest adults too.

“You don’t want those kinds of people around people you are trying to rehabilitate,” Hill said.

JIST has proven valuable in other ways, too.

“We are sometimes able to solve other crimes by just talking with the juveniles,” Hill said. “It is helping to rehabilitate those juveniles so that they are not becoming re-offenders and having them successfully move through the system and become a productive part of the community instead of being a criminal.”

When first proposed there was some apprehension from law enforcement officers about the scope of the program.

“Officers wondered if they would really be able to arrest anyone,” Hill said. “Would they be able to do their job, or just be there to watch the DJJ worker? Everyone was skeptical at first. They saw it as being social work.”

“What we found out is that [social work] is part of our job, because it lowers the crime in your community and increases your knowledge of what’s going on with the juveniles in your area, and that’s a win-win for both your community and yourself,” Hill said.

During one home check, Hill recalls, they couldn’t find the juvenile but his parents said he was just there. When they looked, they found him in a storage shed at the back of the house, trying to hide his heroin. He was charged with trafficking.

“So, officers got very excited because they were learning things, they were making arrests and solving other crimes just by talking to these kids,” Hill said. “We had a zero-tolerance policy. We weren’t going to put up with anything and we were going to arrest when and if necessary. It went really well with the police doing police work.”

In another incident, police identified a male juvenile as a suspect in a burglary near his residence, but didn’t have any proof, Hill said. The juvenile’s name was on the JIST list,

allowing the police and DJJ worker into his house where they found stolen items from the burglary.

Officers made 11 arrests in the first year of the JIST program, but by 2004 that number had dropped to only three. In 2001, at the start of the program there were five repeat offenders, by 2004 there were zero repeat offenders. In three years, the charges to juveniles dropped from 137 in 2001 to 56 in 2004, Hill said.

Visitation days are completely random, scheduled for the convenience for the police officer and the DJJ worker.

For the officers, the program is strictly voluntary. None of them are forced to do it, because not everyone likes to deal with juveniles.

If an officer doesn’t have a good rapport with kids, they won’t be sent on the detail. Participating officers are usually the ones interested in becoming a detective or drug officer. They want assignments that prove they can do more than traffic detail. JIST helps them develop their investigation, communication and observation skills, Hill said.

Since the program started, juveniles’ attitudes toward police officers have improved.

“They’re starting to understand and they’re expecting us now, so they’re not being as spiteful,” Hill said. “They’re still guarded talking with the officers, but they’re demeanor has improved and they’re not as rude, crude or arrogant.”

JIST has also made the juveniles more accountable.

“The kids that know they’re on the JIST list are at home, because they know if they’re not, they’re going to be held accountable and go to placement or go back to detention,” Forrest said. “It definitely keeps kids off the street who would possibly be out wandering around or getting into trouble.”

The program has made such a strong impact in the county that the juvenile-drug court asked to become a part of it as well.

OFFENDER PARTICIPANT CRITERIA

- Formerly committed at-risk youth
- Convicted of crimes involving violence, drugs/alcohol or gangs

UNIQUE COMMUNITY CHALLENGES/STRATEGIES:

This is one of the few offender reentry programs in the country that specifically focuses on juveniles.

KEY PROGRAM FEATURES:

- Targeted Police Enforcement
- Enhanced Supervision
- Immediate Sanctions
- Transitional Support Services

“We piggybacked off the DJJ program,” said Paul Dierig, case specialists with the Campbell County Juvenile Drug Court. “The judge was giving juveniles in drug court certain restrictions, but nobody was going out to check on them to make sure they were following those restrictions.”

Officers and drug court representatives now monitor the juveniles on the court’s drug program about once a month.

“I think it’s helped out tremendously. It shows that these kids better be home when their supposed to be home because they never know when we’re coming around,” Dierig added.

For more information on how to start a JIST program, contact Chief Keith Hill at the Campbell County Police Department or Robert Forrest at the DJJ. J

◀ DJJ workers can do a search of the juvenile’s room during a home visit. They can only search the area occupied by the juvenile; their room, dressers, closet, etc. If any drugs or gang paraphernalia are found, the officer can then make an arrest and the juvenile faces immediate consequences.



Chief W. Mark Wilhoite

Frankfort Police Department

Chief Walter M. Wilhoite is a Frankfort native and 27-year veteran of the Frankfort Police Department. Throughout his career, he served in patrol and investigations. He was operations commander for eight years before assuming the chief's position. Wilhoite has been chief for three years. Wilhoite attended Kentucky State University and Eastern Kentucky University and is a graduate of the Department of Criminal Justice Training Police Academy Class No. 126 and the FBI National Academy, Session 176. He is a member of the International Association of Chiefs of Police and is the East Region Representative for the Kentucky Association of Chiefs of Police. Wilhoite is active in civic organizations. He is married and has three children.

"In order to promote professional police service in the community, it is imperative for the community to feel as if they have a stake in the police department."

What has kept you at the Frankfort Police Department for more than 27 years?

I really had no intention of working at my hometown police department. In college, I was hired to work at the Kentucky State Police Auto Theft Unit as a records clerk. We filed automobile registrations for look up by the headquarter's radio room. The head of the Auto Theft Unit was a KSP lieutenant who really got me interested in investigations, plus the detective assigned to that unit was a real inspiration. As luck would have it, by the time I was eligible for the cadet test, the state had a budget crisis and froze new academy classes. The Frankfort Police Department had gone through some leadership changes and expansion. I decided that I'd get into the business there and move on later. After taking the job, I never thought about leaving again. I enjoyed the challenges of police work and felt my local ties gave me an advantage.

The Frankfort Police Department is about to move to a new facility. How did this come about?

The Frankfort Police Department outgrew the facility it was in within 10 years of moving. The city's leaders explored several options over the years like rehabilitation of the existing building, adding on or locating new property. The city commission decided to address multiple public safety needs. The city wanted to build a downtown public safety center to house police, fire administration, central dispatch and an emergency operations center. We hired Architects Design Group from Florida to conduct a needs assessment and project future growth in the design of the new facility. The \$10 million project is scheduled for completion this summer.

How do you promote professional law enforcement services in your community?

In order to promote professional police service in the community, it is imperative for the community to feel as if they have a stake in the police department. Everything we do affects the community in one way or another. We take every opportunity we can to help educate our citizens about our mission, the tools we have and training we receive, which allows us to serve the community. Our officers share their experience during presentations to schools, local civic organizations and our popular citizens' police academy.

How is your department responding to the growing immigrant community within your jurisdiction?

Like all communities, our immigrant population is growing. With that growth we share some of the same challenges that other departments have experienced. We are trying to catch up. Presently, we do not have an officer fluent in Spanish, although several of our officers have learned enough Spanish to communicate on the street. Immigration, however, is not only limited to the Hispanic population. We reflect the trends of the state. In Kentucky, it is not difficult to see the effects of globalization as we see a rise in people from other countries settle here. We will need to recruit or develop more officers with the ability to communicate effectively to an increasingly diverse group of people.

What impact has the increasing gas prices had on your department?

Gas prices have not yet affected us negatively on an operational level. Like all households we are paying more and more at the pump and, for now, our budget has weathered the storm. When I started with the Frankfort Police Department in 1981, we were suffering from a severe gas crisis. We had weekly mileage limits for patrol that were strictly enforced. I'd hate to see us go back to those measures, but with the uncertainty of gas prices you never know. Hopefully, future technology will reach a point where a reliable alternative-fueled vehicle or hybrid-fueled vehicle suited for law enforcement will be developed. Until then, we will just try to forecast the cost of fuel and hope we don't have to cut equipment budgets to pay for gasoline.

What are your long-term goals for the department?

Accreditation is the number one long-term goal that I have for the department. We are beginning to put all the pieces in place that will help us achieve this goal. I appointed a lieutenant to serve as the Professional Standards and Training officer. Soon we will be moving into a state-of-the-art facility, and we are currently reviewing our policies and procedures. I feel strongly that accreditation is important for agencies to achieve. J



Sheriff Ronald Byars

Marshall County Sheriff's Office

R. Kevin Byars was elected sheriff of Marshall County in November 2006. He is a life-long resident of Marshall County. He and his wife, Jennifer, have been married for more than 20 years and they have two daughters Olivia, 14; and Emily, 9. Byars enjoys golfing and spending time with his family.

“The one thing that I am very passionate about is serving the people of the county. I want to do everything possible to preserve the way of life I grew up with and offer the same opportunities I had as a young person.”

How do you promote professional law enforcement services to your community?

There are several programs and boards that I am a member of throughout the community. I take an active part in the Neighborhood Watch programs scattered about the county. The staff also participates in several events throughout the year. I am also part of the Kentucky Sheriffs' Association Boys and Girls Ranch Committee and I help promote that as often as possible because the ranch is in our back yard. One other way that I promote the sheriff's office is through the local radio station with a weekly report on Mondays.

What are you passionate about in law enforcement?

The one thing that I am very passionate about is serving the people of the county. I want to do everything possible to preserve the way of life I grew up with and offer the same opportunities I had as a young person. The fight against drugs is a very passionate struggle to keep our children and our citizens safe. I am very involved with the Pennyrile Drug Task Force, which has led the state with arrests, seizures and forfeitures this past year.

What impact has the increasing gas prices had on your department?

It has had a large impact. This past year we have had to buckle down on spending elsewhere and had to do without supplies to make up the difference.

We patrol more than 900 miles of road in Marshall County, which used more than 32,000 gallons of fuel this year.

How did working for the Kentucky park rangers help you in your career as sheriff?

The time I spent in the parks system taught me the skills of dealing with people of all walks of life and gave me a better understanding of how folks like to be treated. I am very friendly and approachable. My ability to talk to anyone and everyone was developed there.

Do have any special projects you want to share with your criminal justice peers?

This year I started the water patrol and ATV patrol, which have turned out very well, and I hope they will continue to be an asset to the community and the sheriff's office. We have a boat which helps combat our marina theft problem. For the last couple of years we have been getting hit with thefts of this nature in the thousands of dollars. After we announced our water patrol we had two or three theft complaints all summer long, so the program did its job very well. The ATV patrol was started because of the four-wheeler complaints we have been getting for several years, but we had no way to go out in the fields to take care of the problem. Now we have the means to get into the fields and take care of the problems of crop damage. The farmers of the community have been very pleased with our results. J



Chief Ronnie Bryant

Hazard Police Department

Ronnie Joe Bryant is a life-long citizen of Hazard and began his career with the Hazard Police Department in 1974 immediately after graduating from the University of Kentucky. Before becoming a patrolman he worked as a dispatcher and evidence technician. His father, James Bryant retired from the department in 1999. Bryant was appointed chief of police in March, 2001. He is active in many local organizations and law enforcement programs. He began serving as chairman of the Eastern Region of the Kentucky Association of Chiefs of Police in 2002. Bryant is married and has two daughters.

“Regular police patrols and answering complaints will always be necessary for police departments to provide safe conditions for their communities.”

How has accreditation helped you strive for excellence?

A police department doesn't have to be accredited to be a good department, but being accredited is definitely a confirmation. Though the accreditation program is not easy, it is only the beginning of becoming an excellent police department. Meeting all the required standards and professional objectives, developing a preparedness program, improving community relations, and meeting other required goals validates you are a very effective department and able to provide the best service possible to the public. When your department receives accreditation, the officers take more pride in working at the department and citizens are also proud to be served by an accredited department. There are many positive aspects of achieving accreditation and from the chief's perspective, one is knowing that you helped improve your department and will eventually be leaving the police department in a better condition.

What impact has the increasing gas prices had on your department?

One of the most difficult duties any chief has is having to work within a budget, and the soaring price of gasoline is a serious concern for all departments. Regular police patrols and answering complaints will always be necessary for police departments to provide safe conditions for their communities. The Hazard Police Department is fortunate at this time because we have not had to cut back on any patrols or activity because of the cost of fuel. Our city leaders want the best police protection possible for the community and requested we try to make adjustments to be conservative in other areas of our budget.

Tell us about the working relationship you have with the Hazard city council and the mayor.

As chief of the Hazard Police Department, I am thankful to have the opportunity to work with a mayor and city council who are very dedicated and committed to the improvements of the city and our police department. William D. Gorman has served as mayor of Hazard for more than 30 years. Gorman, the city commissioners and our

city manager have shown their dedication to the improvements of Hazard, especially assisting with our accreditation. They helped by allotting the finances to remodel our police department, purchase new equipment, send officers to additional training, and bought 10 new cruisers in 2003 and seven more new cruisers last year. The mayor and city council also are very cooperative when we need to hire new officers. It is very important to have a good working relationship with your mayor and city council. You must work together as a team with your city leaders because if you are not able to do so, your department and the community will suffer the consequences.

What are your successes and long-term goals for the department?

When I was appointed chief, the drug problem was at its most serious level. Many serious types of crimes were occurring and deaths and overdoses from illegal drug use were increasing at a frightening pace. We had an officer working with one drug task force and assigned another to work with the new program called UNITE. The extremely exhausting work by these two officers, and the task force they worked with, made an impact on improving the drug problem in our community. We purchased some needed modern equipment with the asset forfeiture money obtained from many of their convictions. The success I am most proud of is hiring and retaining professional and competent police officers. One of the most serious problems any department has is being able to retain their best officers. Success is measured in many ways. The most important is when your community respects you and your department, and knows they are living in a safe environment because of the professional services and protection the police department provides. Our long-term goal as a police department is to continually adapt to the ever-changing multiple challenges. We must continue to improve our public relations, maintain or even exceed our level of training, continue to hire the best personnel, and go above and beyond what is expected of an accredited department. J

New Chiefs of Police Across the Commonwealth

CHRISTOPHER PROCTOR, EARLINGTON POLICE DEPARTMENT

Christopher Proctor was appointed chief of the Earlington Police Department in June 2007. Proctor began his law enforcement career in 1998 and graduated from the Department of Criminal Justice Training basic training class No. 269. He formerly served as chief of the Nortonville Police Department for two and one half years and served at the Morganfield Police Department for one year. Proctor has secured grant monies to purchase firearms, ammunition and Tasers for the department and is currently working to secure additional grants for vehicles and body armor to bring the department up to date on equipment.

TOM HAYNES, FLATWOODS POLICE DEPARTMENT

Tom Haynes was appointed chief of the Flatwoods Police Department in November 2007. Haynes' career with the department spans more than 24 years with the department where he began as a dispatcher in 1983. He moved from dispatching to become a law enforcement officer in 1989 and was appointed assistant chief of the department in 1999. He received college credit hours from Eastern Kentucky University and Ashland Community College. Haynes has obtained grant monies to install mobile data computers for the department. He plans to seek accreditation for the department and attain technology updates.

ALAN SHIRLEY, HORSE CAVE POLICE DEPARTMENT

Alan Shirley was appointed chief of the Horse Cave Police Department in January 2008. Shirley went to work for the Glasgow Police Department in 1991, as its animal control officer for approximately one year. In 1992, he transferred to dispatch for the department and was hired as a police officer in 1994. In April 2002, Shirley left Glasgow and went to the Horse Cave Police Department. During his 17-year law enforcement career, he has completed numerous hours of training from robbery and domestic violence investigation to community-orientated policing. Shirley's goals for the department are to attempt to prevent criminal activity and work with the people of the community.

RONNIE BASTIN, LEXINGTON DIVISION OF POLICE

Ronnie Bastin was appointed chief of the Lexington Division of Police in January 2008. Bastin started his career with the department 23 years ago and moved through the ranks to become assistant chief in 2001. Bastin has a bachelor's degree from the University of Kentucky and a master's degree

in criminal justice from Eastern Kentucky University. He is a graduate of the Administrative Officers Course, Southern Police Institute at the University of Louisville, and the FBI Law Enforcement Executive Development Seminar. Bastin will continue a strong emphasis on community involvement to make Lexington a safe place to live and work.

GLEN SKEENS, OWENSBORO POLICE DEPARTMENT

Glen Skeens was appointed chief of the Owensboro Police Department in November 2007. Skeens has a long-spanning career with the department. He has held several positions and was promoted to lieutenant colonel in 2002. He received a Bachelor of Science in criminal justice from Roger Williams University and is a graduate of the FBI National Academy. He is a certified law enforcement instructor through the Kentucky Law Enforcement Council and an adjunct law enforcement instructor at the Owensboro Community College.

TODD TOUT, OWINGSVILLE POLICE DEPARTMENT

Todd Tout was appointed chief of the Owingsville Police Department in November 2007. Tout started his career in law enforcement as an officer with the department 16 years ago and has progressed through the ranks to chief. He holds a bachelor's degree in police administration from Eastern Kentucky University. Tout has secured grants to obtain Tasers and thermal imaging for the department. He is seeking grants for updated equipment and plans to increase the number of officers in the department.

KENNETH PUCKETT, SHEPHERDSVILLE POLICE DEPARTMENT

Kenneth Puckett was appointed chief of the Shepherdsville Police Department in November 2007. Puckett began his career in law enforcement at the Louisville Police Department in June 1974. He was promoted to sergeant in 1982 and in 1999 went to work for the Louisville/Jefferson County technical operation's narcotic unit. Puckett retired from Louisville in October 2001. After retirement, Puckett worked for the Jefferson County School Systems before coming to the Shepherdsville Police Department in 2003. Puckett plans to enhance the evidence unit by having an officer attend the DOCJT's Kentucky Criminalistics Academy. He has encouraged community-oriented policing with his officers and has increased the bike patrol to assist in this area. He plans to increase the number of officers, obtain accreditation and procure additional equipment. ■



/Photo by Elizabeth Thomas

PROFILE BIO

RANDY BAIRD

Randy Baird is a law enforcement training instructor in the Firearms Section and has approximately 39 years of police service. He began his career at the Department of Criminal Justice Training in 1976. Before coming to DOCJT he served the U.S. Army Military Police from 1968 until 1971, and the Richmond Police Department from 1971 until 1976. He is a 1985 graduate of Eastern Kentucky University and holds a Master of Science Degree in Police Administration. Baird and his wife, Donna, have been married almost 40 years and have a daughter, Christina, and a granddaughter, Olivia.

Randy Baird

How have you seen training progress in your more than 30 years of service to DOCJT?

I think one of the biggest areas of progress for DOCJT has been in how we use our resources. For many years, budget constraints forced academies to restrict their training to the bare essentials. There was not enough funding available for topics beyond the big three: firearms, self defense, and driving. Often even those classes were short staffed.

As our staff has increased, additional instructors have been assigned to the most critical areas, which are also the most labor intensive. We are able to maintain an acceptable instructor/student ratio in the critical skills training sessions. We can give each student adequate attention, and can maintain a safe environment for effective

learning. Likewise, in the non-skills courses, we are able to devote adequate time to research, staff training and course preparation to stay ahead of the curve.

Probably the most visible progress in training over the last three decades has been the standardization of practices for dealing with ambiguous situations. Agencies now recognize that we all face pretty much the same problems and we can learn from the experiences of others, both successes and failures. As a result of increased communication, we can all benefit from the best collective knowledge available to legislatures, police agencies and individual officers. Even the newest officer benefits in that he or she doesn't have to make complicated decisions in a policy vacuum.

Less visible but more important is an in-

creased focus on the psychological aspects of police work. Better efforts are being made to help officers deal with the stresses and strains of daily work on the street. Such efforts start at the point of employment, with the evaluation process, and continue throughout officers' careers. Unlike the old days, when post-traumatic stress was an unknown term, nowadays training and counseling are available even throughout retirement. It is no longer taboo to evaluate, discuss and train in the psychology area. Everybody benefits from having officers who are a part of, instead of apart from, their community.

Share with us the history of the DOCJT Competition Shoot, as well as your role and the importance of the shoot.

The DOCJT Competition Shoot was developed in 1991 to give regular police officers a chance to compete in a statewide shooting match. Most of the matches in Kentucky placed few restrictions on the competitor or the firearm. As a result, an officer with an issued duty weapon might have to compete with someone using a competition gun. Several officers who attended our firearms classes suggested that we develop our own match. So, with the patrol officer in mind, the DOCJT match rules were designed to level the playing field.

My role in the DOCJT match was originally to make suggestions to my supervisors, also known as nagging, until one of them said, 'Go ahead and write it up.' I am pleased to say that the combat match was my idea. It has been fun and successful for several reasons. Since the details of the combat match are never publicized ahead of time, the winner is likely to be the officer with the most innate skill, rather than the officer with the most practice time. Also, the times are always close and the competition is always keen for all three trophies. Most times the combat match is still hotly contested long after the main match is done.

The officers enjoy the environment of friendly competition and the DOCJT staff en-



▲ Randy Baird instructs an advanced individual training class at the Boonesboro firing range, which is DOCJT's outdoor firearms training range.

joys the opportunity to work together outside the traditional work setting. Many bring their families to watch the activities. And, we have the best charcoal grill chefs in the commonwealth.

Who and what has made the greatest impact in your life and career?

Jesus Christ's life and teachings have been the most important influence on my life. I must not pretend to have lived up to those standards, but I'm trying. As far as career influences, it is impossible to say. To name some would be to overlook others. I have been fortunate to work around people I like and respect all my life. In general, the most memorable colleagues are the ones who genuinely want to help the officers we train.

How would you describe DOCJT's relationship with the law enforcement community?

DOCJT has a remarkable relationship with its clients. We get along well with them, they trust us to keep their best interests up front, they feel free to tell us what they want and think. When I have the opportunity to train with agencies from other states, I am always

amazed at the contentious relationships between some of them and their clients. They tell stories of officers and agencies filing grievances, job actions, lawsuits, and all sorts of other complaints. We just don't have that here. To be sure, there are occasionally bumps in the road, but they are few and far between. Most of our students feel like we are working for them, and most of our staff feel the same way.

Certainly our relationship with our clientele has changed over the years. When I started here, most police agencies had only recently enrolled in the training program, and about 20 percent of Kentucky officers weren't in it at all. There was quite a bit of wariness on the part of both the students and the trainers. They were suspicious of the new requirements, worried their jobs would be at risk, and worried they would not do well in the classes. We were worried about the exact same things. Nobody admitted it. As time went on, our relationship with the police community sort of relaxed and evolved so we now pretty much work together toward the common goal of better training. J

**“CANADIAN
RESPONSE”**
technique...

/Force Science Research Center

...brings quick restraint of combative, super-strong subjects

A technique for working smarter rather than harder to restrain unusually strong, combative subjects was described by an advisor to the Force Science Research Center at an international conference on in-custody deaths that featured presentations by nearly 20 of the world's leading authorities on excited delirium (ED).

The technique, which requires a coordinated effort by several officers, involves "humanely misaligning" a struggling suspect's muscles and joints to control his movements and reduce his capability of resisting while restraint devices are applied, explained Chris Lawrence, who outlined the tactic at the second annual symposium of the Institute for the Prevention of In-Custody Deaths.

"A resisting subject can generate significant power with his arms, legs and shoulders," Lawrence said. "If you take these out of their natural power alignment, the individual can be controlled with less effort and with greater safety."

Initially conceived as a response tool for ED confrontations, the procedure can be used effectively in managing a wide variety of strong, combative subjects, from drunks

to the violently enraged and drug-fueled, said Lawrence, a prominent Canadian defensive-tactics trainer and a technical advisor to FSRC at Minnesota State University-Mankato.

The technique was devised, tested and refined by a cadre of Canadian police trainers led by Lawrence, in consultation with street officers, DT instructors and ED medical experts scattered through North America. Lawrence, a columnist for FSRC's strategic partner PoliceOne.com, has researched and reported on ED developments to law enforcement audiences for about nine years.

Benefits

"Often when officers try to control a resistant person who's exerting tremendous strength, as in excited delirium, they end up trying to out-muscle him," Lawrence told Force Science News. "This requires significant exertion, and unless the officers' efforts are greater than the suspect's, they won't prevail. Even if they succeed, there's a risk of injury to the officers, the subject, sometimes even to innocent bystanders."

"Rather than work harder, the suggestion is to work smarter," with the coordinated

application of leverage and body mechanics. With this method, which Lawrence informally calls the Canadian Response, "even officers whose size and strength can't begin to match that of the suspect should still quickly prevail, with a greater margin of safety for everyone involved."

In training sessions, Lawrence selects the biggest guy in the class to role play the subject and five other big people to try to control him. The officers are told to use any technique you want to get the subject into a prone, controlled position, while the subject is instructed to do anything you want to get out.

Typically, Lawrence claimed, within four to five seconds, the subject has been able to rise up at least to his hands and knees.

After instruction in the Canadian Response, five of the smallest people in class take on the biggest one. "I stand there ordering him to get up, but he can't. The usual reaction is, 'I can't believe this.'"

"The Canadian Response shares the key component of all good physical control techniques," said FSRC's executive director, Dr. Bill Lewinski. "It allows officers to maximize >>



their biomechanical advantages and diminishes the biomechanical advantages of the subject. When done well, it should literally rob the subject of his power, regardless of his size, strength and physical and emotional intensity.”

Maximizing speed and minimizing exertion in achieving effective restraint is especially important when dealing with ED subjects who are not compliant with verbal persuasion, Lawrence explained.

“There’s nothing a police officer with a first-aid certificate can do to help the subject at the side of the road,” Lawrence said. “Experts agree that getting these people to a medical facility as promptly as possible without unnecessarily intensifying their agitated, overstressed state with a prolonged struggle appears to increase their chances of surviving what can be a fatal episode. Unless they are physically controlled, however, ambulance crews won’t transport them, so restraint, when necessary, becomes imperative as a first step in receiving medical care.”

Ground Positioning

The Canadian Response works best with four to five officers concentrating on a subject who’s on the ground, front side down. (Lawrence does not specifically address how he gets there, but the presumption is that he’s tackled, Tasered, tripped or otherwise brought down and maneuvered to a prone position. Pain compliance will not reliably do the job because the subject may

well be impervious to pain.)

“The ground provides a consistent, reliable platform that works to the officers’ mechanical advantage,” Lawrence said, “and getting the subject prone out actually results in lesser force being necessary than if he were on his back. So long as the subject is face down, you’re in less danger from his natural weapons – his limbs.”

Arm Control

Experimentation showed that even highly-muscled individuals display the least strength in weight-lifting when their arms are straight out at their sides, Lawrence said, so this is the position the first two officers want to get the prone subject’s arms into – extended out at an angle of 90 degrees or slightly higher from the ribcage.

If the officers sit facing away from the subject, they can each grab an arm, fully extend it, clamp it with the crook of their elbow, and lock it in against their side and across their thigh – a seated variation of the arm-bar maneuver. With one hand controlling the subject’s wrist, they turn his palm up, then use their upper-body weight to lean against and apply pressure to the back of his deltoid (shoulder) muscle, pushing toward the ground.

“This pins him, without causing injury,” Lawrence said. “By keeping his arms locked out and anchored, his wrists turned and off the ground, and his shoulders down, you misalign his muscles and joints. His arms are less effective in offering resistance, but his ability to breathe remains uncompromised.”

In some cases, Lawrence pointed out, subjects may go prone with their arms tucked under them, hands clasped tight against their chest – what Lawrence called a powerful “turtle position.” To avoid a strenuous struggle to get the arms

free, you are often best off to use a baton as a leverage tool and pry them out.

Leg Control

The next two officers secure the subject’s legs.

“Again, the principle is misalignment of the muscles to reduce the subject’s ability to generate power,” Lawrence said.

These officers each capture a foot and get on the ground between the subject’s legs to move the heels as far apart as possible. Pushing against each other back-to-back can help gain leverage in parting and extending the legs.

Continuing to face away from each other, each officer then wraps his or her body around an ankle, turning the toes out and bringing his or her weight to bear against the end of the long leg bones to hold the limbs down securely.

“This positioning substantially reduces the subject’s ability to raise his legs and exert himself with the most powerful parts of his body,” Lawrence said.

Fifth Officer

If an additional officer is present, he or she can be plugged in where needed most.

If more control is necessary, this officer, kneeling at the subject’s head, can apply pressure through his or her hands to the subject’s shoulders, roughly where the rotator cuffs are (not on the spine).

“This tends to be more effective than holding the subject’s head,” Lawrence explained, “because a head hold leaves more possibility for the subject to torque his shoulders, move his upper trunk substantially and try to get up or buck to a more powerful position.”

If the subject seems well controlled, the fifth officer can also work as a quarterback, overseeing the process and scanning for threats. Or, he or she can move in to begin the handcuffing process.

Handcuffing

The Canadian Response involves the use of multiple pairs of handcuffs, not only for easier initial application but also because this allows the subject to be transported by ambulance in

a more desirable position for monitoring.

If an extra officer is not available, the arm-control officers must handle the cuffing on their own. If they have trouble reaching their cuffs, a leg officer may be able to hand up a set to get the process started.

“This is very flexible,” Lawrence said

One arm-control officer goes first, transitioning from the pin position by raising the subject’s wrist high, turning the arm and bending the elbow so the arm folds behind the subject’s back in a cuffing position. The officer turns to face the subject’s spine as he or she brings the arm around. The subject’s upper arm is held firmly between the officer’s knees, one of which is placed over the subject’s scapula, the other on the ground. Once a cuff is on that wrist, the other officer repeats the process with the other arm.

Now the unused portions of the two handcuff sets can be hooked together. Or, with large subjects, they can be connected to a third set of cuffs interposed between them.

“The idea is to create enough separation between the subject’s hands that he can lie flat, without riding on his cuffed wrists, once he is turned over on his back for ambulance transport,” Lawrence said.

He warns, however, that a subject who must be transported by patrol car rather than by ambulance should not be handcuffed with extended space between his wrists.

Important: The subject should not be turned onto his back until his legs are firmly restrained.

Leg Restraint

Once the subject is handcuffed, his legs are then brought together, under control, and are securely strapped together. Once the strap is cinched snug, the loose end can be stood on to keep the subject from moving his legs. Note: This is a hobble restraint, not hog tying.

Transport

After the legs are strapped, the subject can be rolled to his side. When he’s transferred to a gurney for transport to a medical facility, the strap can be tied to the end of the stretcher to keep the subject from raising or thrashing

his legs. EMS personnel will apply additional restraints of their own, but at least one officer should still ride in the ambulance for added security.

“With the daisy chain of handcuffs, the subject should be able to lie on his back with his hands beside his hips so that the paramedics or EMTs can better monitor him,” Lawrence said. “With him supine [face up], they’re better able to watch his breathing, use a stethoscope to check his heart, apply a blood pressure cuff, start an IV, and so on. “The usual gurney strapping will prevent him from sliding the cuffs below his butt and attempting escape.”

Lawrence cautions that use of this control procedure is by no means an iron-clad guarantee against injury to officers or subjects. Nor can it assure that a subject beset by ED won’t still die suddenly and unexpectedly, despite the best efforts of police and medical personnel.

“There is still a great deal that’s unknown about this complicated phenomenon,” he said, “including exactly why the ED experience culminates in death for some of these subjects. Plus, no tactic is guaranteed to work on a particular subject, and every control technique has some element of risk.

“But based on what we know so far, the Canadian Response seems to provide hope for safely handing an afflicted subject off to medical personnel. It requires no new equipment for officers to buy or to carry on their belts or in their car, and it incorporates the kind of simple DT movements that they are already familiar with.”

Obviously, performing smoothly as a team requires practice. “But officers who’ve trained in the technique are amazed at how successful it can be,” Lawrence said.

He plans to demonstrate the technique at the International Law Enforcement Educators and Trainers Association 2008 training conference, April 1 to 5 in Wheeling, Illinois. Lawrence can be reached at chris.lawrence@policeone.com. For previous articles on challenges and recommendations related to controlling ED subjects, search the Force Science News archives at www.forcesciencenews.com. J

A POSSIBLE END TO POLICE PURSUITS

Between 1982 and 2004, an average of 323 people died each year nationwide due to high-speed police pursuits, according to an article on police.com. But, soon many lives may be saved and accidents avoided with the introduction of the StarChase Pursuit Management System, now going into the last stages of development.

A compressed-air laser-guided launcher targets the vehicle and discharges a projectile containing a GPS receiver, transmitter and power supply. The launcher can either be hand-held or installed into the grille of the police cruiser. The projectile transmits the coordinates back to dispatch, who can view the location and movements of the tagged vehicle in near real time on a digital roadmap using a secure Internet connection. It uses signals from cellular carriers to pinpoint the vehicle’s position every two to three seconds. No special hardware is required to operate the equipment.

The system should be available for commercial market some time this year. www.starchase.org. ■

Expert Witness

What qualifies an officer as an expert witness?

/Shawn Herron, Staff Attorney, DOCJT

The term expert witness is one that is often misunderstood and somewhat intimidating to law enforcement officers. Sometimes, prosecutors will seek to have an officer testify as an expert witness in a trial. The obvious questions that come to mind are: What does an expert witness do? How do you become qualified as an expert witness? What may you testify to as an expert witness?

What is an expert?

A quote, generally attributed to the folk humorist Will Rogers, said that an expert is a “man 50 miles from home with a briefcase.” One accepted definition of an expert is a person with extensive knowledge or ability in a particular area of study. Another, longer definition specific to legal expert witnesses is that an expert is, by virtue of training, education, profession, publication or experience, believed to have special knowledge of a subject beyond that of the average person, sufficient that others may officially (and legally) rely upon the individual’s opinion.

Next, the Court must decide if expert testimony is needed in a particular case. Certain types of testimony, even opinion testimony, may be provided by lay – or non-expert – witnesses, such as an estimation of speed, a degree of intoxication, etc.¹ As examples, in *Mills v. Com.*², an officer describing his observations at a crime scene and in *Hinkle v. Com.*³, a trooper’s testimony concerning the hard kick of a shotgun, were both found to be admissible as lay observations, even though both were made by law enforcement officers. Further, in *Thompson v. Com.*⁴, the Court ruled that the investigating officer did not need to be qualified as an expert to testify as to his observations concerning the freshness of blood at

/Photo by Elizabeth Thomas

the crime, as that was within his ability to do so as a lay witness.

In some cases, the Court is permitted to take judicial notice of “scientific methods, techniques, and theories so well established that they can be accepted without the necessity of a formal hearing.”⁵ Certain techniques have been so well established, and have “been generally accepted in the relevant scientific community,”⁶ that the judge may elect to forgo the need for a separate hearing to determine the validity of the actual process. For example, it is unnecessary to bring in an expert on the validity of the process of fingerprints for every case involving fingerprints,

to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or otherwise.”⁹ Federal evidence law adds, in addition to the above language, “... if (1) the testimony is based upon sufficient facts or data, (2) the testimony is the product of reliable principles and methods, and (3) the witness has applied the principles and methods reliably to the facts of the case.”¹⁰

Prior to an expert witness providing testimony to a jury, however, the Court must, at the request of an opposing party, provide a hearing to decide if the expert

“... it is unnecessary to bring in an expert on the validity of the process of fingerprints for every case involving fingerprints, although it will still be necessary ... to provide a witness to actually make the comparison identification.”

although it will still be necessary, of course, to provide a witness to actually make the comparison identification. Most recently, in *Bridgers v. Com.*, the Court found that it was unnecessary to put on proof that field sobriety tests (such as the walk and turn and the one-legged stand test) were scientifically reliable, as they had previously been accepted as such.⁷ However, officers who perform the tests must still be properly qualified to perform the tests and interpret the results. Judges are also permitted to take judicial notice of an officer’s expertise, as occurred in *Dixon v. Com.*⁸ In that case, the Court ruled that Henderson police detective was qualified and permitted to testify as to the meaning of notations on a small piece of paper found in a suspect’s vehicle glove compartment – the detective claimed that such markings were consistent with drug trafficking and was, in effect, a transaction ledger. The trial court concluded that the detective’s 13 years of experience, of which nine were specific to narcotics investigations, was sufficient to allow the trial court to accept him as an expert in such matters without the formality of a *Daubert* hearing – as the judge, in effect, took judicial notice of his expertise.

But what if an expert really is needed? Kentucky evidence law permits a party to a case to use an expert witness in situations in which “scientific, technical or other specialized knowledge will assist the trier of fact

does, in fact, meet the qualifications of an expert. Such proceedings are now referred to as *Daubert* hearings, from the case of *Daubert v. Merrell Dow Pharmaceuticals, Inc.*¹¹ In *Daubert*, the Court provided four factors to assist lower-trial courts in determining if evidence is reliable: what is the theory subject to testing, has it been subjected to peer review and publication, its potential rate of error and is the technique generally accepted in the relevant scientific community? In the subsequent case of *Kumho Tire Co. v. Carmichael*,¹² the U.S. Supreme Court ruled that is not necessary, however, in each case, that all four of these factors be used, and in addition, that the judge is free to use other relevant factors in meeting the gatekeeping function of the court and making the initial determination of reliability before the evidence is presented to a jury. The *Kumho* Court also clarified that *Daubert* hearings are to be applied to all expert testimony, not just that based upon “scientific” principles.¹³

How and when might an officer be called upon to testify as an expert?

In *Gray v. Com.*, a Louisville police officer testified that the way certain drugs were packaged indicated that it was being sold, rather than being held for personal use. The trial court held a *Daubert* hearing, and found >>



/Photo by Kirk Schlea

>> that the detective “had acquired specialized knowledge – knowledge that was helpful to the jury in determining whether Gray possessed the crack cocaine for personal use or for resale. The defense argued that the Court was wrong in permitting the officer “to offer expert testimony pertaining to narcotics and customs of the drug culture,” but the appellate court agreed that the testimony of the detective as an expert witness on drug trafficking, was properly admitted. (The courts have been very willing in recent years to admit the testimony of law enforcement officers concerning the conduct of suspects as being consistent with drug trafficking.)

In *Martin v. Com.*,¹⁴ the Kentucky Supreme Court agreed that the trial court committed no error in admitting the testimony of a detective concerning the behavior exhibited by a child sexual-abuse victim. The Court agreed that the detective’s training in interviewing child victims and experience, more than four years in the bureau that handled such cases, was sufficient to qualify him as an expert in the process. In *Hibbitt v. Com.*,¹⁵ the criminal defendant in an arson case argued the procedure used by a Kentucky State Police arson investigator was unreliable because he lacked certain information and because he did not properly apply the methodology to the facts. However, the appellate court quickly determined the investigator’s method was reliable and satisfied the *Daubert* requirements. In an unusual case, *Debruler v. Com.*,¹⁶ the criminal suspect argued that the use of police tracking dogs is scientific

expert testimony. The Court, however, ruled it did not “involve scientific knowledge,” and while canine tracking might apply technical or specialized knowledge, the *Daubert* factors “provide[d] little guidance as to the reliability of canine scent-tracking testimony” – which is “non-scientific, experience-based knowledge,” and “not a technique amenable to peer review or scientific standards and testing.” In such cases, the Court ruled, “foundational evidence of the canine’s scent-tracking record; the qualifications of its handler, its training and history [would] provide far more insight into the general reliability of the testimony than a *Daubert* analysis.”

Even if a Kentucky court accepts, however, that a particular procedure is admissible per se, as it did, for example, with restriction fragment length polymorphism and polymerase chain reaction methods of DNA analysis,¹⁷ that does not mean that the evidence will be admitted unchallenged. The opposing party might still “question the handling of the samples, the chain of custody, the accuracy of the procedures,” ... or “the quality of training of the particular person or persons who conducted the actual tests,” for example.

The testimony of investigating officers, however, is not always admitted. In *Standifer v. Com.*,¹⁸ the appellate court overturned the admission of testimony by a homicide detective that stab wounds on the victim were “very aggressive.” The court agreed the detective, although an experienced homicide detective, was not sufficiently qualified to “express an expert opinion”

concerning the stab wounds. In *Mondie v. Com.*,¹⁹ the trial court permitted two investigators to testify as to the ejection pattern of cartridge casings found at the scene of a crime. Even though the officers had years of experience, and even though the testimony, had been offered as lay rather than expert testimony the appellate court ruled as the record stood, “the officers’ qualifications [were] insufficient to allow them to testify on retrial as to the ejection pattern of [Mondie’s] .45 caliber pistol. In *Moore v. Com.*,²⁰ the Kentucky Court of Appeals agreed that the admission of a detective’s interpretation of physical findings in a child sexual-abuse victim was improper, as the detective was not properly qualified to render such opinions.

Over an officer’s career, he or she will likely develop expertise in one or more law enforcement topics. In addition to the usual topics, such as accident reconstruction and patrol practices, officers in Kentucky

have qualified as experts in arson investigation and forensic videography and still photography analysis. Officers who have completed the coursework necessary to become Drug Recognition Experts are in the process of developing the expertise required to be successful in a *Daubert* hearing, both to qualify the process and to qualify the individual officers. All officers should be cautious before offering any evidence in the form of an opinion without discussing the issue with the prosecutor. Officers who might be expected to offer an official opinion in a case, particularly opinions tied to scientific evidence, should prepare to be asked questions concerning their training, experience and success rate, as well as if the process is relatively new or novel. They must also be prepared to assist the prosecutor with proving the validity of the science that supports that process. In any event, officers should not hesitate to accept the title of expert when they qualify as such. J

WHERE ARE THE VIOLATION CODES?

In 2003, the Kentucky Department of Criminal Justice Training’s Legal Section made the decision to remove the Violation Codes from the material in the Kentucky Criminal Law Manual. Because the violation codes are subject to change, including the codes in the manual, it often caused problems when officers depended upon the KCLM and used an outdated violation code. The violation codes can be found on the Kentucky State Police Web site, Crime and Traffic Information, at www.kentuckystatepolice.org/data. Scroll down that page to find the current version of the Kentucky Uniform Crime Reporting Codes. ■

¹See KRE 701 - which states that opinion testimony from lay witnesses may be accepted if it is “rationally based on the perception of the witness” and not based upon “scientific, technical, or other specialized knowledge...”

²996 S.W.2d 473 (Ky. 1999)

³2006 WL 436129 (Ky. 2006)

⁴147 S.W.3d 22 (2004)

⁵See *Johnson v. Com.*, 12 S.W.3d 258 (Ky. 1999) – involving hair comparison analysis.

⁶Prior to the *Daubert* case (see footnote 10), most states, including Kentucky, had adopted the test given by *Frye v. U.S.*, 54

App.D.C. 46, 293 F. 1013 (C.A.D.C. 1923). That test required only that the judge determine if a particular process had obtained sufficient acceptance in the relevant scientific community before finding it admissible. *Daubert* is considered to have overruled *Frye*, but in fact, *Daubert* simply expands upon *Frye*, adding additional factors.

⁷*Kidd v. Com.*, 146 S.W.3d

400 (Ky. App. 2004)

⁸149 S.W.3d 426 (Ky. 2004)

⁹Kentucky Rules of Evidence (KRE) 702

¹⁰Federal Rules of Evidence (FRE) 702

¹¹509 U.S. 579 (1993)

¹²526 U.S. 137 (1999)

¹³This standard has been accepted in Kentucky in the cases of *Stringer v. Com.*, 956 S.W.2d 883 (Ky. 1997), *Goodyear Tire & Rubber Co., v. Thompson*, 11 S.W.3d 575 (2000) and *Mitchell v. Com.*, 908 S.W.2d 100 (1995)

¹⁴170 S.W.3d 374 (Ky. 2005)

¹⁵2007 WL 706855 (Ky. App. 2007)

¹⁶231 S.W.3d 752 (Ky. 2007)

¹⁷See *Fugate v. Com.*, 993

S.W.2d 931 (Ky. 1999)

¹⁸2003 WL 21254858 (Ky. 2003)

¹⁹158 S.W.3d 203 (Ky. 2005)

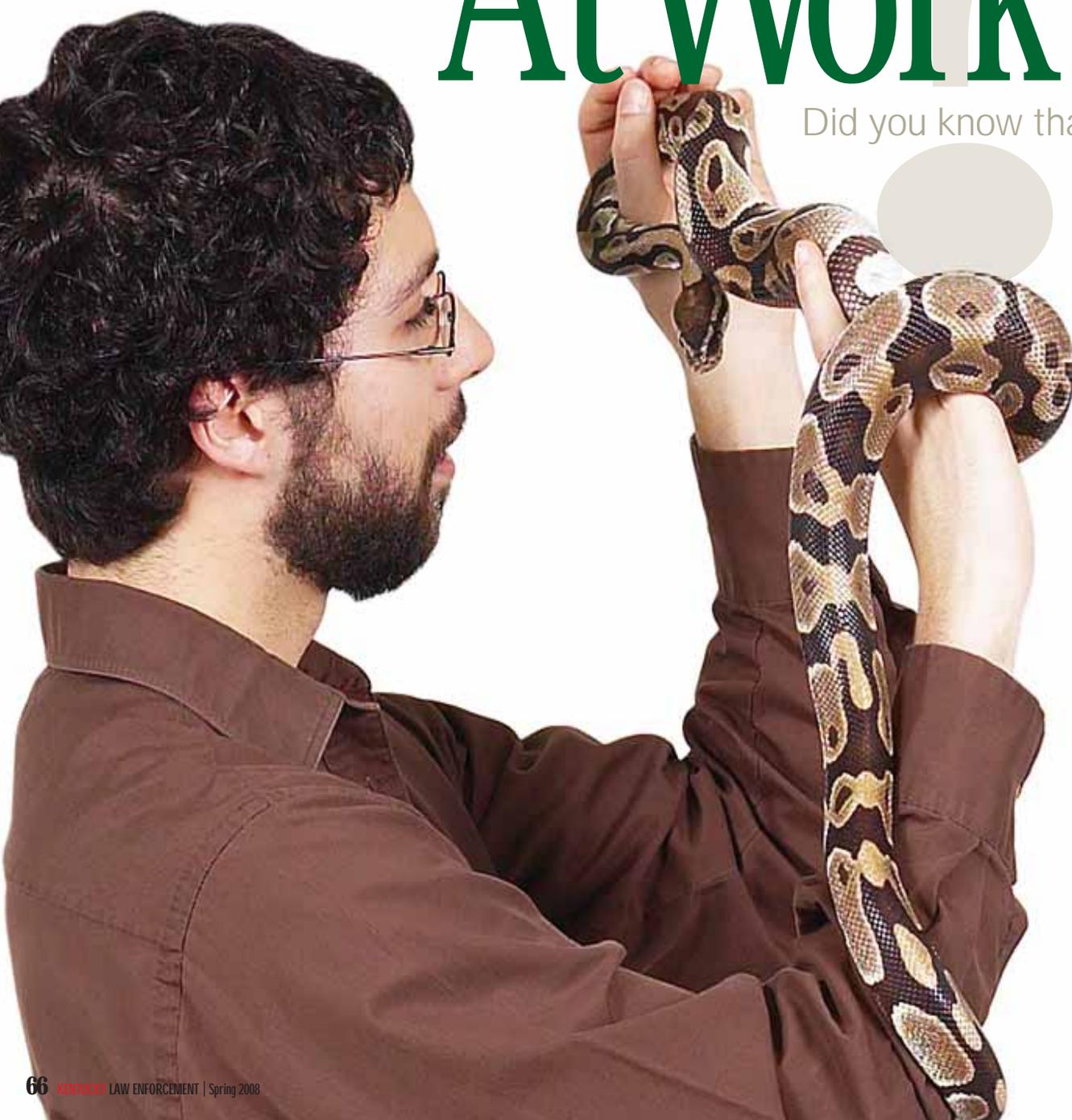
²⁰2007 WL 1192005 (Ky. App. 2007)

THE LEGAL TRAINING SECTION

regularly adds material to the Department of Criminal Justice Training’s Web site, including case law summaries and new, statutory law. See www.docjt.ky.gov/legal/ for details. In addition, should your agency have a question with which we might be able to assist, please feel free to call us at (859) 622-3801 or e-mail docjt.legal@ky.gov.

Kentucky State Laws At Work!

Did you know that... ▶



- ▲ Challenging someone to a duel with deadly weapons is illegal (KRS 437.030), and that sending, accepting or knowingly carrying a challenge to such a duel disqualifies you forever from public office? (KRS 61.100)
- ▲ It is illegal to possess baby chicks or ducklings (or other fowl or rabbits) that have been dyed or colored, and that you can't sell or give away the same, under the age of two months, unless you do so in quantities of six or more? (Rabbits may be sold at 6 weeks if they weigh at least three pounds). (KRS 436.600)
- ▲ Sheriffs and their deputies (and other like officers) may command and take with them the power of the county and may summon as many persons as they deems necessary to aid them? In effect, the sheriff can summon a posse? (KRS 70.060)
- ▲ If you share a party line, you must yield the use of the line to the other party if they need to report an emergency? (KRS 438.170) And, if you falsely represent such an emergency to gain the use of the party line, you can be charged with a crime? (KRS 438.180)
- ▲ The sheriff is responsible for inspecting every nudist society licensed in their county to ensure that they are in compliance with the laws that apply to such locations? (KRS 232.041)
- ▲ The governor may offer a reward (not exceeding \$1,000) for the apprehension and conviction of a cattle thief? (KRS 433.255)
- ▲ It is illegal to use reptiles in religious services? (KRS 437.060)
- ▲ Constables may collect fees, ranging from 50 cents to \$3, for such tasks as killing a mad dog, taking up a vagrant and altering a stud, jackass or bull? (KRS 64.190)
- ▲ The state apiarist (beekeeper) is vested with the powers of police officers when it comes to enforcing the beekeeping statutes? (KRS 252.180)
- ▲ Sheriff's offices are required to inspect monthly every place where dancing is permitted, or any place where intoxicating liquors are sold, or any place where persons are provided furnished rooms for lodging? (KRS 70.160)
- ▲ An individual struck by another with any of the following: colts [handguns], brass knuckles, slung shots [what a slingshot fires] or sandbags, or any imitation or substitute therefore may recover for the injuries sustained? (KRS 411.020)
- ▲ It is a crime to destroy any marker (even trees) that is intended to designate a boundary? (KRS 433.770)
- ▲ A trainer of a guide or assistance dog is entitled to take the dog into any public accommodation, provided they have with them identification that they are in fact trainers of such dogs? (KRS 258.500)
- ▲ There is a special statute that covers the theft of dairy/milk cases or other equipment? (KRS 433.865)
- ▲ Dogs wearing identification and valid rabies tags are considered property and, if stolen or destroyed, may be subjects of larceny? (KRS 258.245)
- ▲ You can be removed as a peace officer if you allow a prisoner in your custody to be taken from you, and the prisoner is killed or injured? (KRS 63.140)
- ▲ It is against the law for a peace officer (or anyone else having custody of a person charged with a crime) to attempt to sweat information from that individual, or to permit anyone else to do so? (KRS 422.110)
- ▲ All Kentucky peace officers are required to take, in addition to the constitutional oath of office, an oath to suppress gaming, (KRS 62.040) and that sheriffs and their deputies are required to take an additional oath to do right, as well to the poor as to the rich and that they will do no wrong to any one for any gift, reward or promise, nor for favor or hatred? (The oath is required for the elected sheriff at KRS 70.010 and for the deputy sheriffs at KRS 70.030(1).) J

What is the Life Expectancy of CDs and DVDs?

/Jim McKinney, DOCJT Instructor, Investigations Section

Law enforcement agencies responsible for the preservation of digital evidence in their possession are beginning to ask questions about the life expectancy of CDs and DVDs. If a CD/DVD manufacturer claims their products will last 20, 50, 100 or even 300 years, how reliable are these claims? CDs emerged in the 1980s and DVDs were introduced in the late 1990s. Both CDs and DVDs are optical storage devices, neither of which has been around 50 or 100 years. If your agency is storing crime scene photographs or other data of an evidentiary nature on optical media, can you rely on manufacturer claims when selecting a product for long-term storage?

The National Institute of Standards and Technology published the Optical Media Longevity Study in November 2005. The NIST study used a procedure called accelerated aging to estimate the life expectancy of recordable CD and DVD media. By accelerating stressors, researchers can simulate long periods of time and thus estimate disk longevity. However the NIST testing procedure only addressed the effects of temperature and humidity. A number of other factors can play a role in the life expectancy of optical media.¹ Both manufacturing variables and how we handle, use and store optical disks may shorten their life expectancy.

One could assume that a small plastic device with no moving parts would be practically indestructible. Optical media are actually made up of several layers of material. A typical single

sided DVD has two layers of polycarbonate bonded together by a resin adhesive. Between these layers is a reflective surface and a recording layer of organic dye. By using a reasonable amount of care and avoiding extremes of heat and ultraviolet radiation it seems reasonable that optical storage devices should last several lifetimes. What we now know to be true is that due to a number of variables, CD and DVD storage can be much less than anticipated. Temperature, humidity, label adhesives, types of ink/felt tip markers used for labels, and variations in quality control during the manufacturing process can affect the life expectancy of optical storage devices.

One question for consideration is how long is long enough for storage of digital information, including evidence, for a police agency? Obviously it depends on the type of information and/or the type of case that is documented on optical disks. What an officer does not want to happen is to discover, at the time you need to access the crime scene photographs on that major case that is now going to trial months or even years later, that your files are corrupted and unrecoverable.

Before heading down the technical path and addressing specific issues about storage devices the first step for a law enforcement agency should be the development of policies and procedures for handling and preserving electronic data and the long-term storage of this electronic data. The agency policy should include procedures for archiving

digital material and at the same time address issues related to day-to-day needs of investigators who require access to the information.

Your agency head may be impressed by your thriftiness when you purchase cheap disks from an online discount vendor, but if those disks fail due to poor quality, what have you gained? The expense of trying to recover files on a corrupted disk will far outweigh the added expense of purchasing archival quality disks for long-term storage. Even more problematic would be the total loss of evidence and the resulting liability an agency could face in this scenario. Less expensive disks can be used for day-to-day work-related storage, while archival quality disks should be used for long-term storage. The policy should address best practices for the archive copy and provide guidance for what type of disk is purchased for long-term storage.

Another safeguard that should be mandated in the policy are procedures for redundant storage methods for critical files. Storing material on a computer's hard drive, creating archive disks on CD or DVD and making a copy on a solid state device (USB thumb drive or external hard drive) could provide multiple copies in the event of a catastrophic failure of one or more storage devices.

Both CD and DVD disks are read by a laser and are referred to as optical disks. Information is burned on the disk when a writing laser heats a layer of dye inside the disk which in turn changes the dye's transparency. Some disks use

a phase change technology where a crystalline layer of material is heated by the write laser causing it to change into an amorphous state. As a result, the reflectivity of the disk is altered and when the crystalline layer cools the changes are permanent. The old adage, you get what you pay for, really does apply here.

Disk quality is an issue because the dye layer can vary from one manufacturer to another. Cyanine is one example of dye used by many manufacturers of optical disks. The cyanine dye formulations must be changed to accommodate different writing speeds of a user's device. This can result in some disks not being able to be read in some devices. Sometimes additives are used to improve the resistance to UV light and heat. All of these variables can result in a wide range of disk quality from one manufacturer to another.

In an article published by PCWorld, Melissa Perenson noted the following, "Vendors like Maxell and Verbatim manufacture discs on their own production lines, as do Asian manufacturers CMC Magnetics, RiData, Taiyo Yuden, and others; other name brands contract with a third-party manufacturer to produce discs to their own specs; and still others just buy third-party produced media wholesale, without imposing their own set of quality controls on the media production."²

Matsui Advanced Media, Inc. uses a patented dye, phthalocyanine, which reacts faster to the writing laser than other dyes and their dye formulation has remained unchanged for several years enabling drive manufacturers to know what to expect. When heated by the writing laser, phthalocyanine produces a burst mode resulting in sharper edges on the recording surface. Other dyes melt when in contact with the writing laser resulting in rounded edges on the recording surface which can impact recording quality. According to research conducted by Matsui, disks using their dye layer work in any type of drive or player.³

Another factor in disk quality is the reflective layer imbedded in the disk. The reflective layer sends information back to a photosensor when the disk is read. This reflective layer is usually silver in color and can corrode if exposed to pollutants in the air. Optical disks are sealed with lacquer to limit this exposure to the atmosphere and humidity. Exposure can happen if the disk cracks, or is scratched. In some optical players the hub is too tight and

over time the disk will break down at the point of this contact resulting in delamination of the disk. Delamination can also occur when peel-and-stick labels are used.

In order to reduce the occurrence of disk failure due to slip shod manufacturing practices and/or poor quality control, buy the highest quality archival media available. Archival quality disks use gold for the reflective layer and will not corrode over time, even if exposed to air or pollutants. These disks range in price from \$2 to \$3 each but are the best option for long-term storage of critical data.

After investing in high quality archival disks, steps can be taken to properly handle and store the devices to further reduce the incidence of lost data. The following information offers suggestions for proper handling of optical media.

Avoid using disk peel-and-stick labels. Label adhesive may affect the disk down the road and should be avoided. If you cannot verify the long-term effects of label adhesives the best practice would be to avoid their use. One solution would be to write case numbers or other

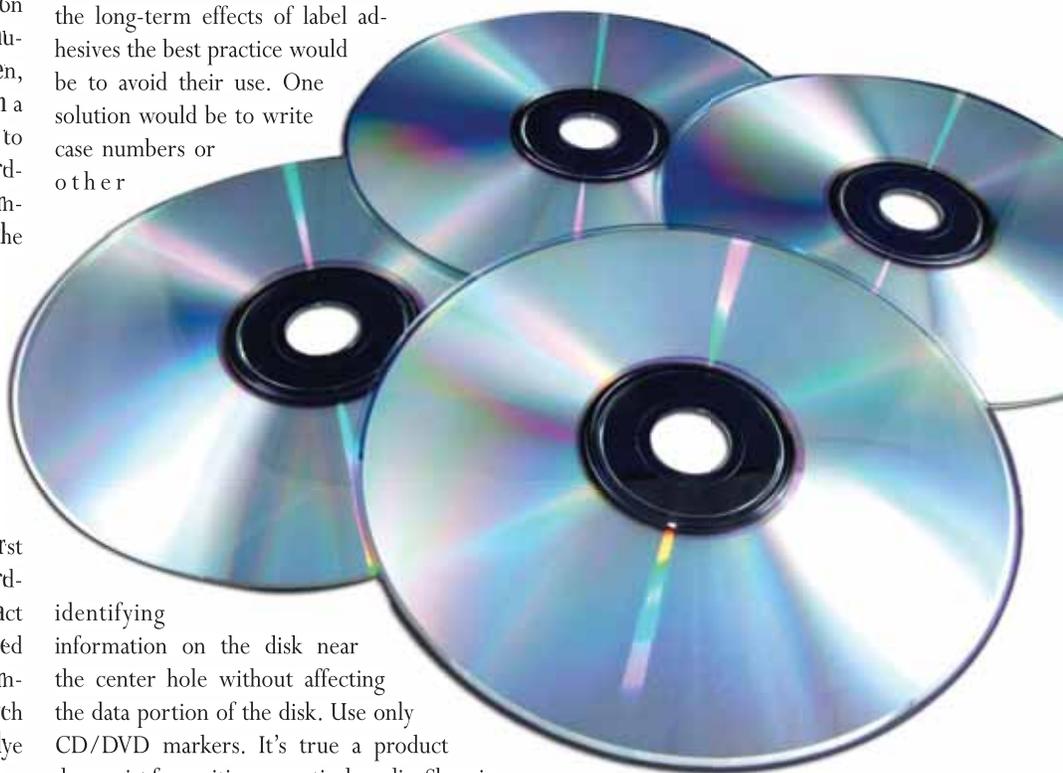
identifying information on the disk near the center hole without affecting the data portion of the disk. Use only CD/DVD markers. It's true a product does exist for writing on optical media. Sharpie makes a CD/DVD marker specifically for optical disks. The tip is non-abrasive and the ink is specially formulated for use on digital media. Ink pens and other writing instruments may scratch the surface and affect reflectivity on the disk.

Use a good quality CD/DVD case for storage. The thin jewel cases and paper slips we all use from time to time are not the best choices for long-term storage. The thicker jewel case

provides more protection for your archived information.

The number one hazard facing optical media is heat. High temperature in automobiles can warp CDs and DVDs in a relatively short time. Avoid temperature extremes when using and storing optical media. For best results store optical media out of direct light, avoiding sunlight whenever possible.

One final consideration. The high quality disks you purchase for archival storage may last far longer than the CD/DVD technology we are currently using. What storage options we have 10 years down the road is anybody's guess. When you need to access that information on an optical storage device years from now the only reader available may be on display in a museum. Think about a policy for migrating your files to a new technology as it becomes available and cost effective to do so. **J**



¹NIST/Library of Congress Optical Disc Longevity Testing Procedure. NIST Special Publication 500-263. U.S. Department of Commerce. November 2005.

²Perenson, Melissa. Burning Question: When Good Disks Go Bad. PCWorld. June 2004

³Why MAM CD-R? MAM Technical Papers. <http://www.mam-a.com>

HELLS ANGELS

by H. S. Thompson, Random House, New York, New York, 1966

/Reviewed by, Roy Jude, DOCJT Instructor

In 1964, Hunter S. Thompson was granted full unrestricted access by Ralph “Sonny” Barger to the Hells Angels Motorcycle Club. Thompson approached this project partially as an investigative reporter to provide credibility and accurate accounts of rebel motorcyclists terrorizing small towns. In addition, he became an ethnographic researcher by immersing himself as a participant in club activities including interactions with the police. Thompson, who is a Kentucky native and former student of Louisville Male High School, is able to provide readers with a rare account on the internal actions of truly “American” organized crime.

The time period of this project is critical as it encompasses the evolution of rebel motorcyclists from “Saturday night partiers” to an intricately organized criminal force. Outlaw motorcyclists adapted the “1 percent” moniker in response to early statements from the American Motorcycle Association that 99 percent of motorcycle riders are honest, law-abiding citizens. The 1 percent badge became a protected symbol of social identity whose authorization for wear is still protected today.

In many aspects, the Hells Angels Motorcycle Club is considered the modern outlaw image and is often compared to the gunfighter personalities of the Old West. Thompson’s book, however, provides authenticity that the Angels are a violent criminal element and not just folklore. The earlier accounts portray Hells Angels members as social misfits, losers and societal savages. By 1964, the club re-

portedly grew to approximately 450 members in California. They boasted of 874 felony arrests, 300 felony convictions, 1,682 misdemeanor arrests, 1,023 misdemeanor convictions, and with only 85 members that have ever served time in prison. These types of numbers would later begin to decline as interactions with law enforcement would become an educational two-way street.

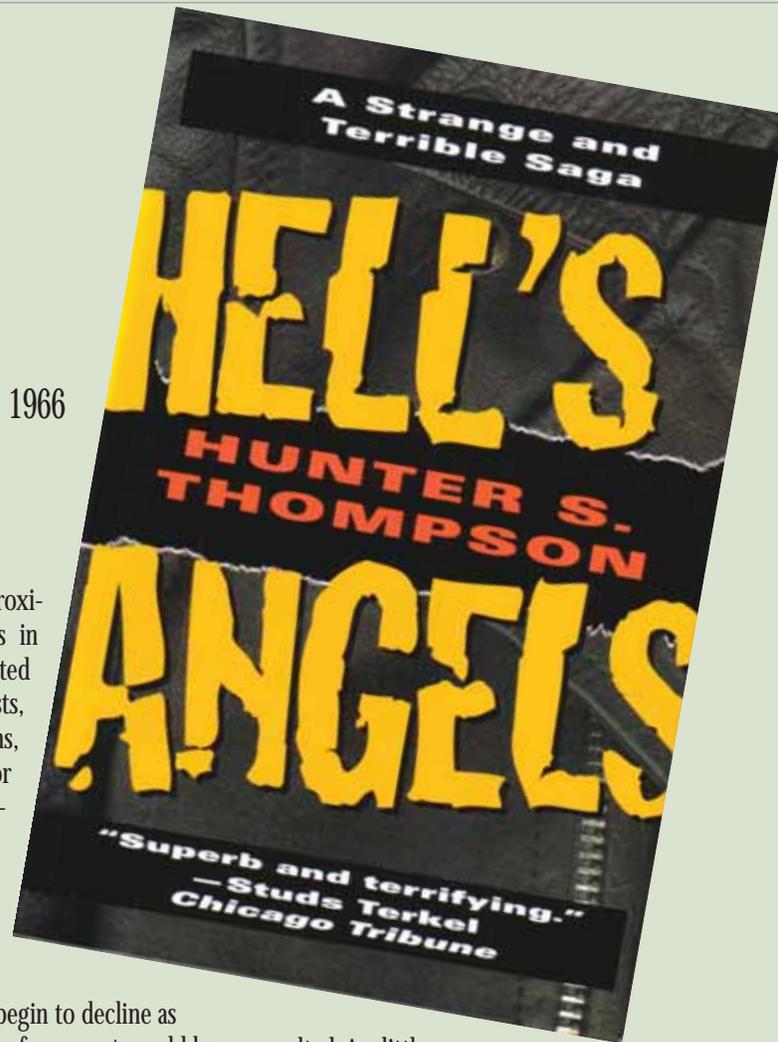
Members of the Hells Angels Motorcycle Club realized they are learning police tactics and techniques in the most difficult method. A much needed change provided a breath of fresh air and allowed the club to organize into a tighter unit. Angels began to only challenge law enforcement if it was a situation that obviously called for restraint on the part of the police. The club, in fact, began favorable publicity stunts such as handing out business cards to stranded motorists and other people when they may have provided assistance.

This evolution led to a more educated agenda for the club. Thompson had observed that the outlaws do not share the same middle-class respect for authority, have no reverence for the badge, and only measure a law enforcement officer’s authority by their power to enforce it. The California attorney general, Thomas C. Lynch, led an investigation into the exploits of the Hells Angels, which linked together months of inter-agency efforts but

resulted in little or no convictions of Angels. The Lynch Report prompted many requests for membership and new Hells Angels expansion chapters. This era became a transitional period where the club began to sway from political protest and became more interested in the financial benefits of drug trafficking.

Law enforcement officers that are interested in the development of criminal organizations may read this publication from a different perspective. Those with experience will appreciate the leadership ability and caginess of Sheriff Baxter at Bass Lake Run. His ability to give but have the Angels feeling indebted to him saved a tourist community from lawlessness during a holiday weekend.

The Hells Angels have transformed into one of the most dangerous criminal organizations in the United States. This book provides an opportunity for the reader to ride with the Hells Angels and experience the development of a forceful organized crime group. J



STRANGE STORIES FROM THE BEAT



Wearable Wanted Poster: It wasn't too difficult for cops to track down Trend LaTodd Hamm. After all, as the state (South Carolina) pointed out, Hamm, wanted on assault charges, was the guy walking around the streets wearing a T-shirt imprinted with his own wanted poster – photo and all. – Warren Schulthess. ■ **A Clean Dashboard:** When an officer pulled over an elderly Utah motorist for speeding, he found something he'd never seen before. According to the Associated Press, when the cop asked why there was a vacuum cleaner whirring away on her dashboard, the driver said it was her grandchildren's idea. "They told me if I put a DustBuster in my car, I wouldn't get a ticket." ■ **No Manners:** An Odessa man reported an unknown person shot him without his consent. – Carolyn Mayo ■ **Illegal Crossing:** A semi was east-bound on 240th Street when it struck a deer which failed to yield the right of way. –Don Boehler ■ **Delivery Mishap:** 11:30 a.m. A delivery truck was hit by a parked car. – Janet Stoikes

If you have any funny, interesting or strange stories from the beat, please send them to elizabeth.thomas@ky.gov



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Department of Criminal Justice Training
Kentucky Justice and Public Safety Cabinet

Funderburk Building Eastern Kentucky University
521 Lancaster Avenue
Richmond, KY 40475-3102

615-010