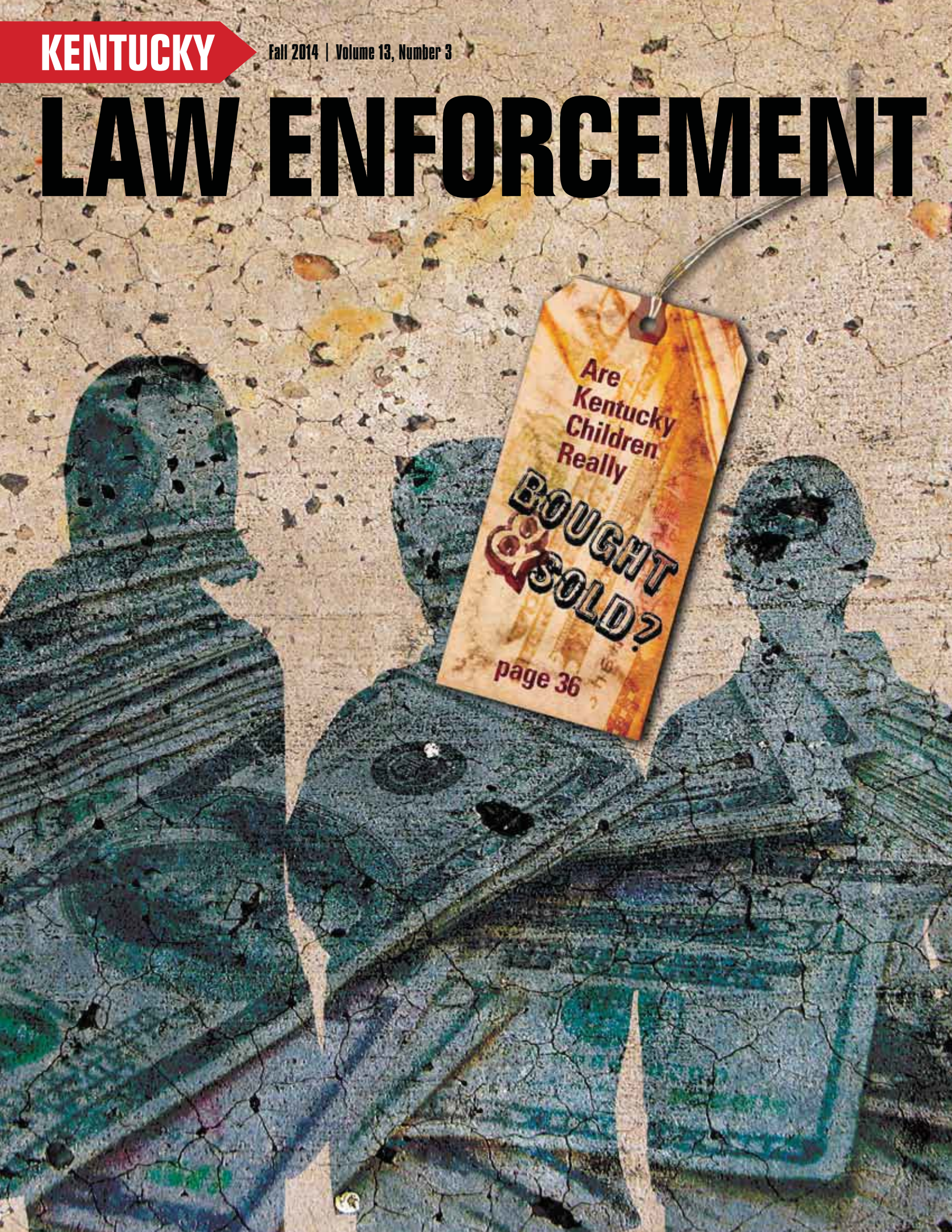
KENTUCKY
Fall 2014 | Volume 13, Number 3

LAW ENFORCEMENT



Volume 13, Number 3

Fall 2014

KENTUCKY LAW ENFORCEMENT

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CRIMINAL JUSTICE TRAINING

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This publication is produced quarterly as a training and marketing tool for the Kentucky law enforcement community as well as public officials and others involved with law enforcement or the oversight of law enforcement. It includes best practices, professional profiles, technology and law updates of practical application and news-to-use for professionals in the performance of their daily duties.

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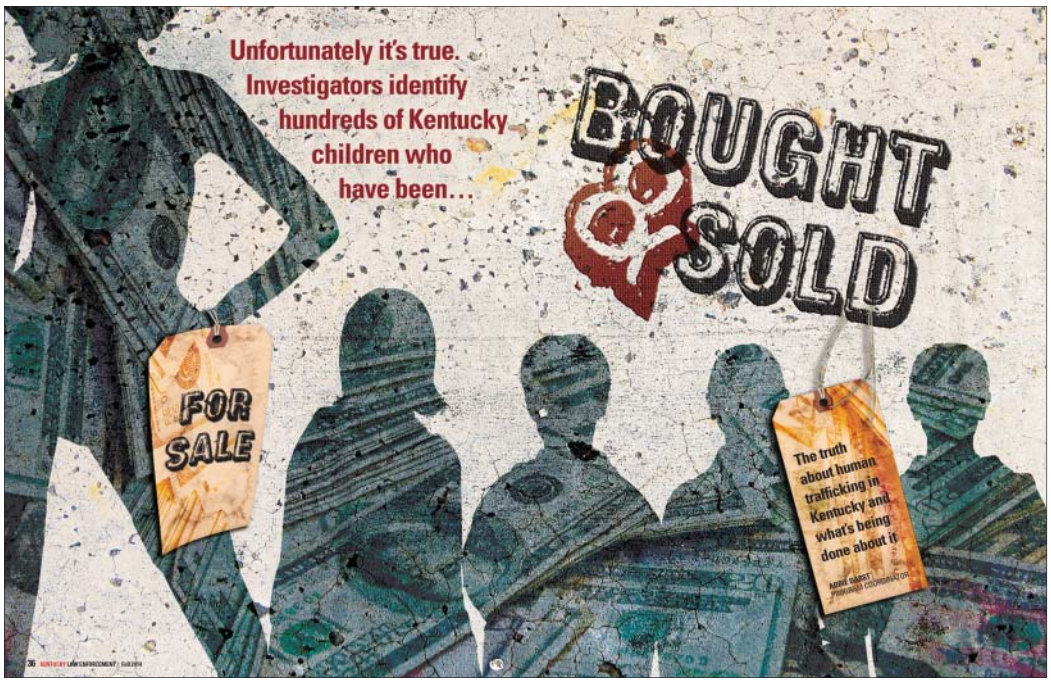


The Kentucky Law Enforcement staff welcomes submissions of law enforcement-related photos and articles for possible submission in the magazine and to the monthly KLE Dispatches electronic newsletter. We can use black and white or color prints, or digital images. KLE news staff can also publish upcoming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

Secretary's Column

Report Shows Overdose Deaths Steady, Heroin Deaths Rise

J. MICHAEL BROWN | SECRETARY, JUSTICE AND PUBLIC SAFETY CABINET

Kentucky overdose deaths stayed steady in 2013, while the number of deaths attributed to heroin continued to climb, according to a report by the Office of Drug Control Policy.

The report indicates 1,007 overdose fatalities in 2013, compared to 1,004 identified in the 2012 report. And of the 722 deaths autopsied by the Kentucky Medical Examiner last year that were determined to be from a drug overdose, 230, or 31.9 percent, were attributed to heroin, compared to 143, or 19.6 percent, in 2012.

In 2011, there were 1,023 overdose deaths in Kentucky, 3 percent of which were attributed to heroin.

The numbers, contained in the 2013 Overdose Fatality Report, were compiled from the Kentucky Medical Examiner's Office, the Kentucky Injury Prevention & Research Council and the Kentucky Office of Vital Statistics. The report was mandated under a provision in HB 1, which was passed in 2012.

Last year's report reflected Kentucky residents who died of a drug overdose regardless of where the death occurred; this year's report counts overdose deaths that occurred in Kentucky, regardless of where the decedent was from.

The law also mandated more stringent reporting requirements for deaths caused by overdose, which went into effect midway through 2012. As a result, drug policy leaders had anticipated that numbers for 2013 — the first full year of the more rigorous requirements — would be significantly higher.

I'm encouraged that even with the more demanding reporting stipulations, we appear to be holding steady, which tells me we may have crested in terms of overdose deaths. Now we need to continue defeating the problem through education, enforcement and treatment, particularly in the area of heroin use. I'm hopeful that we will be able to work with the legislature in 2015 to address these issues.

OTHER SIGNIFICANT FINDINGS IN THE REPORT INCLUDE:

Jefferson County had the most overdose deaths of any county, with 191.

The largest increase in overdose fatalities occurred in Fayette County, with 86 deaths in 2013 compared to 74 in 2012.

The largest decrease occurred in Campbell County, with 22 fewer fatalities in 2013 than in 2012 (33 versus 55, respectively). Other counties with significant declines in 2013 include Pike (12 fewer), Clark (10 fewer) and Madison (10 fewer).

Overdose deaths in many eastern Kentucky counties, when compared by 100,000 population, 2013 data showed high rates. The top six counties by overdose deaths per 100,000 people for 2013 include:

Bell County	93.2 per 100,000
Clinton County	49.3 per 100,000
Breathitt County	44.3 per 100,000
Floyd County	43.9 per 100,000
Perry County	42.8 per 100,00
Harlan County	42.1 per 100,000

The top five counties for heroin detected in overdose deaths, according to data from Kentucky Medical Examiner and coroner reports, include:

Jefferson County	105
Fayette County	35
Kenton County	34
Boone County	22
Campbell County	16

Of the overdose deaths autopsied by the Kentucky Medical Examiner's Office in 2013:

- Morphine was the most detected controlled substance in overdose deaths, present in 43.49 percent of all autopsied cases.
- Alprazolam was next at 34.76 percent, followed by 6-monoacetylmorphine (heroin) at 31.9 percent, hydrocodone at 24.79 percent, and oxycodone at 19.94 percent.
- The youngest overdose fatality was 18 years old, and the oldest was 78 years old.

Results of Statewide JTA Lead to Recommendation to Extend Basic Training

STAFF REPORT

A new training schedule is expected to launch at the beginning of 2015.

A recommendation to increase the hours required for basic training of new peace officers in Kentucky has been submitted by the Department of Criminal Justice Training to the Kentucky Law Enforcement Council.

The recommended increase — from the current 18-week requirement to 22 weeks — was rooted in Kentucky's recent statewide Jobs Task Analysis for entry-level peace officers, a year-long accumulation of data from focus groups, regional reviews and individual surveys, said DOCJT Commissioner John Bizzack. An advisory committee composed of law enforcement professionals from across the state oversaw the project.

"Our regularly scheduled JTA identified multiple high-priority job duties for new officers that require new training modules," he explained. "As a result of the in-depth analysis, the DOCJT staff is currently developing recommendations for new training modules and revising some current modules."

The last JTA — and the training curricula developed as a result — was completed six years ago.

"In order to assure liability protection for cities and counties by providing our police officers with state-of-the-art training in ever-changing laws, practices, techniques and technology, JTAs historically serve as >>

PHOTO BY TRANG BASEHEART

>> the foundation of modern law enforcement training around the nation," Commissioner Bizzack explained.

The increase from 18 to 22 weeks, Commissioner Bizzack said, reflects the evolving, complex nature of law enforcement in today's society.

"An officer is expected to do so much more than just six years ago," he said. "Added duties require added training to ensure the job is always done effectively, efficiently and safely."

KLEC will consider the training schedule proposal and review specific changes in training curricula before the November council meeting. A new training schedule is expected to launch at the beginning of 2015.

Despite the increase, Kentucky is merely catching up with the basic training requirements of several other states.

"Although quality of training is not necessarily defined by the duration of training, it remains true that more is generally better," Commissioner Bizzack said.

TASK:

1. *A piece of work assigned or done as part of one's duties.*
2. *A function to be performed; an objective. Multiple tasks make up a job.*

— WWW.THEFREEDICTIONARY.COM

National Training Requirements

	BASIC HOURS	IN-SERVICE HOURS
Kentucky (current)	768 hours	40 hours annually
Kentucky (proposed)*	**888 hours**	40 hours annually
Massachusetts	832 hours	40 hours annually
Connecticut	880 hours	60 hours over 3 years
Vermont	860 hours	full-time: 25 hours annually; (part-time: 30 hours annually)
West Virginia	835 hours	16 hours annually; (additional 8 hours every 2 years for supervisory level training)
Rhode Island	950 hours	None required after basic
Florida	770 hours	40 hours every 4 years

Source: IADLEST Survey 8/8/2014

Kentucky Basic Class tentatively beginning 1/1/15
22 weeks Basic Class @ 40 hours a week = 880 hours + 8 hours (pre-course) = **Total 888 hours**

Additionally, a 22-week schedule will alleviate most of the overtime currently compiled during training exercises which exceed 7.5 hours a day, Commissioner Bizzack added.

WHAT IS A JTA?

"Essentially a JTA provides a forum for active officers to identify what they do — what tasks they perform — on a regular basis as well as critical duties that may not occur as often, but which must be done well," Commissioner Bizzack explained. "While there are tasks performed by law enforcement that change little over the years, others have emerged that no one could have predicted, particularly when it comes to new laws."

As in past surveys — JTAs are generally conducted every six years — the 2014 analysis prioritizes tasks performed by today's officers based on both frequency and criticality.

This year's jobs task analysis will also mark the first time that all four academies in Kentucky will utilize the same jobs task analysis methodology to scientifically describe their respective entry-level peace officer positions, he added. The results will ensure uniformity in law enforcement across the state.

DEFINING THE BIG PICTURE

Completing the JTA is only the initial step toward the ultimate goal of providing basic training that is up to date and essential, said Commissioner Bizzack. Basic training courses will be developed or modified to address specific tasks essential to entry-level officers as identified by the JTA.

> *Completing the JTA is only the initial step toward the ultimate goal of providing basic training that is up to date and essential...*

"There is no magic machine that all of the compiled JTA data can be poured into and with a twist of a lever out pops an all-encompassing job description of an entry-level officer," Commissioner Bizzack said. "The process ranks the relative importance of one task against another — one table for frequency and another for criticality. Then the job becomes clearer and the academy's task of creating training courses becomes clearer as well. Prior to the use of JTAs, much of police training was simply conjecture by former police officers with no objective analysis."

Of course, not everything changes with each JTA.

"Much of the core content of current basic training will likely appear in the new course; after all, law enforcement as a job function is remarkably stable in terms of core tasks," Commissioner Bizzack said. "But changes emerged that require new elements of training. Likewise, there will be training elements that are eliminated, and others that are modified.

"This entire process — from surveys to curriculum development — gets better each time it is performed," Commissioner Bizzack concluded. "It does so because the law enforcement community of Kentucky understands the process and takes ownership and interest in both the process and the outcomes."

PHOTO BY TRANG BASEHEART

The Nuts & Bolts

DOCJT contracted Commonwealth Research (CwRC) to develop the 2013-2014 JTA. Their initial task was to ensure that potential tasks surveyed were exhaustive. Basing potential tasks on the 2006-2007 JTA, an advisory committee provided 50 recommendations to improve the former survey, including rephrasing, adding and deleting items.

Whereas most JTA methodologies stop at this point and consider their survey ready to administer, CwRC conducted 24 geographically-dispersed focus groups to ensure the task list was complete and valid.

More than 1,300 comments and recommendations for improving the task list were made by DOCJT, the advisory committee and the focus groups. Significantly, more than 1,100 of those comments and recommendations came from the 24 focus groups.

While non-supervisory officers were asked about how frequently they perform specific tasks, first-line supervisors were asked how critical those same tasks were. Additionally, first-line supervisors were asked to consider where each task should most appropriately be learned or trained. The range of options included learning the tasks prior to employment, during employment but prior to basic, during basic and post basic.

The resulting list of tasks was then distributed to law enforcement officers statewide for individual input. The resulting compilation of recommendations makes up the final JTA.

"The goal throughout this project has been to provide the opportunity to all certified peace officers to have their perceptions and experiences heard and counted," DOCJT Commissioner John Bizzack said. "Even after ensuring the respondents were scientifically representative, we pressed on to offer as many opportunities as possible for all Kentucky officers to have a hand in developing a report that will influence training for several years to come."

NEW LEADERSHIP

Howard Welcomed as Leadership Development Section Supervisor


PHOTO BY JIM ROBERTSON

Steven Howard was named supervisor of the Leadership Development Section at the Department of Criminal Justice Training, effective Aug. 1. Howard has completed more than 1,000 hours of leadership, supervision and management development training. He has served as an instructor in the DOCJT leadership section since March 2013 and was an instructor in DOCJT's Patrol and Traffic Section for two years prior.

Howard is a 21-year veteran of the Morehead Police Department, where he rose through the ranks before retiring as assistant chief in 2009. Howard also served as a military police officer in the U.S. Marine Corps Reserves before joining the Morehead Police. He earned a bachelor's degree from Morehead State University and is working toward his master's degree in Leadership Administration.

Howard replaces Rich Hanzes, who retired July 31.

Covington Police Take Top Honors at Shooting Competition

The Covington Police Department is team champion at this year's Northern Kentucky Law Enforcement Pistol Match.

Covington won first place and Sgt. Matt Winship was named Top Shot for 2014.

The team wore pink shirts in honor of breast cancer awareness. The sleeves had names of breast cancer survivors and victims that are close to the team members.

The officers now advance to the Ohio vs. Kentucky competition.

Addiction Medicine Suboxone Now Being Abused

Kenny Stearns III first took Suboxone to help him kick OxyContin after an overdose. But it wasn't long before he began dissolving Suboxone strips in water and shooting the mixture into his veins.

"The first few times I used it, I could get really high from it. Then I just felt normal ... I wasn't high, but I wasn't sick either," said the 25-year-old from New Castle, Ind. "To me, it's just trading one addiction for another."

Stearns' story reflects a cruel irony in a region long plagued by addiction. Suboxone, a popular and highly touted medicine designed to get people off opioids such as painkillers and heroin, is increasingly being abused, sold on the streets and inappropriately prescribed, according to doctors and drug control and law enforcement officials.

Dr. James Patrick Murphy, a specialist in pain and addiction medicine, said Suboxone can be a "lifesaving" treatment when prescribed correctly, monitored closely and coupled with therapy or a support group.

Since the state began cracking down on prescription drug abuse, "we've seen a drastic reduction in pill mills. In lieu of that, now people are opening Suboxone clinics. Many are cash-only," said Leanne Diakov, general counsel for the Kentucky Board of Medical Licensure. "We have seen some doctors in trouble with licenses or finances opening these clinics."

Diakov said the medical board is drafting regulations on Suboxone prescribing and aggressively investigating complaints against doctors. Law enforcement officials said they are pursuing cases against doctors and dealers — while working to ensure that Suboxone remains available for patients who truly need it.

2015 KLEC Meeting Dates

The Kentucky Law Enforcement Council meets quarterly to discuss issues that affect law enforcement across the state.

The remaining 2014 and 2015 meeting dates are:
– November 12 and 13, 2014
– February 4 and 5, 2015
– May 13 and 14, 2015
– August 12 and 13, 2015
– November 4 and 5, 2015

All meetings are scheduled at Embassy Suites in Louisville.

KLEC
KENTUCKY
LAW ENFORCEMENT COUNCIL

Crider Named 2014 Chief of the Year

The Kentucky Association of Chiefs of Police named Chief William Crider of the Dawson Springs Police Department as its 2014 Chief of the Year at its 42nd Annual Training Conference July 27 through July 31.

The award was presented to Crider at the conference banquet for his many accomplishments during his 18 year career as the Dawson Springs police chief as well as his dedicated service to KACP. Crider is credited for successfully transitioning the Dawson Springs Police Department into a fully equipped and up-to-date police agency which is fully accredited, as well as garnering strong community support for his agency.

Crider also has a track record of dedicated service to the KACP. He served as the western region chair, sergeant at arms, third vice-president, second vice president, first vice president, and president. He also has hosted an annual training conference and continues to serve the association as chair of the Professional Standards Committee.

DOCJT Human Resource Specialist Graduates from Governor's Minority Management Trainee Program

Renata Simmons was accepted into the Governor's Minority Management Trainee Program in August 2012. As part of the graduating class of 2014, she has had the opportunity to receive in-depth, practical training through classroom instruction, on-the-job training and special projects. This program has enabled Simmons to cultivate the skills needed to serve Kentucky's citizens in an effective and responsive manner.

Simmons joined the Department of Criminal Justice Training in January 2011 as a human resource specialist I, and was promoted to her current position of human resource specialist II in 2012. She has served on the EEO Committee since July 2011 and is lead committee chair for recruitment. Simmons received the DOCJT Professional Service Award in December 2011. She also is a member of the Kentucky Women's Law Enforcement Network.

Simmons graduated from Eastern Kentucky University with a Bachelor of Business Administration in Computer Information Systems in 2003 and received a Master of Science in Physical Education in 2008.

The Governor's Minority Management Trainee Program was created by Executive Order in August 1995. It is the first program of its kind in the nation. This recruitment and professional development tool was established to increase the representation of minority managers in state government.

No Immunity for First Responders Using Anti-overdose Drug on Heroin Victims

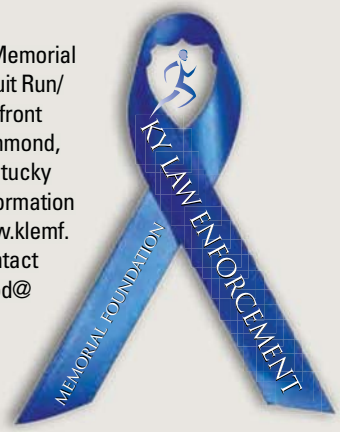
Gov. Steve Beshear and his lawyers decided the governor doesn't have the power through an executive order to give immunity to first responders who use Naloxone to help someone in the throes of a heroin overdose.

The objectives of a bill aimed at curbing Kentucky's heroin problem will have to wait until lawmakers return for the 2015 session in January.

Immunity for first responders was a key provision of a heroin-related bill that failed to pass the General Assembly this spring. Beshear looked to use his executive powers to accomplish some of the goals of the unfinished bill, starting with the wider use of Naloxone, which has been found to counter the effects of a heroin overdose. Police, firefighters and emergency personnel are increasingly turning to the drug to save lives of addicts. Other officials would like to make Naloxone widely available to Kentuckians through over-the-counter sales at drug stores.

Registration Open for KLEMF 5K Race in October

The Kentucky Law Enforcement Memorial Foundation's annual 5K Foot Pursuit Run/Walk will be Oct. 18. Beginning in front of the memorial monument in Richmond, the race will traverse Eastern Kentucky University's campus. For more information or to register for the run, visit www.klemf.org/KLEMFEvents1110.html or contact Pam Smallwood at pam.smallwood@ky.gov or (859) 622-8081, or Race Coordinator Gina Smith at gina.smith@ky.gov or (859) 622-8548.



NEW CHIEFS

BRYAN S. ALLEN

Villa Hills Police Department

Bryan Allen was appointed chief of Villa Hills Police Department on May 25. Allen has more than 23 years of law enforcement experience. He began his career with Covington Police Department and retired as captain. Before coming to Villa Hills last fall he served Northern Kentucky University Police Department for two years. Allen graduated from the University of Cincinnati with a bachelor's degree in criminal justice and earned his master's degree in public administration from Northern Kentucky University. He also is a graduate from the University of Louisville's Southern Police Institute, Class No. 106. Allen plans to become more involved in the community to better enhance the community relationship.

KEVIN GREEN

LaCenter Police Department

Kevin Green was appointed chief of LaCenter Police Department on May 15. Green has seven years of law enforcement experience. He began his career with the Ballard County Sheriff's Office and served there until being named chief of LaCenter. Green graduated from the Department of Criminal Justice Training Basic Training Class No. 395. He plans to make a diligent effort to provide a law enforcement presence in LaCenter.

JASON WILSON

Whitley County Police Department

Jason Wilson was appointed chief of Whitley County Police Department on Feb. 17. Wilson began his law enforcement career in 1998 with the Corbin Police Department. He also served as Whitley County E911 director, in the Whitley County Sheriff's Office and the Kentucky Department of Correction, division of Probation and Parole. Wilson has a bachelor's degree in police administration from Eastern Kentucky University and graduated from the Department of Criminal Justice Training Basic Training Class No. 268.

RUSSELL BITTLE

Hurstbourne Acres Police Department

Russell Bittle was appointed chief of Hurstbourne Acres Police Department on April 10. Bittle began his law enforcement career in 1985 with the University of Louisville Police Department. He also served Oldham County and Anchorage Police departments and retired from the Jeffersontown Police Department. After a two-year break in law enforcement service he joined Jefferson County Sheriff's Office before coming to the Hurstbourne Acres Police Department, moving through the ranks to become chief. Bittle graduated from the University of Louisville with a bachelor's degree in police administration and is a graduate of Department of Criminal Justice Training Basic Training Class No. 175.

TOM HAYNES

Flatwoods Police Department

Tom Haynes was appointed chief of Flatwoods Police Department on May 29. Haynes began his law enforcement career as a dispatcher for Flatwoods Police Department and has 29 years of law enforcement experience. He also served as a dispatcher for Oxford Police Department in Alabama before returning to Flatwoods in 1989, where he moved through the ranks to become chief. Haynes retired from Flatwoods Police Department in 2012 and was reappointed this year. He graduated from the Department of Criminal Justice Training Basic Training Class No. 202.

JAMES FOX

Lynch Police Department

James Fox was appointed chief of Lynch Police Department on April 11. Fox began his career as a corrections officer for the Laurel County Detention Center before coming to Lynch as a patrolman in 2013. He graduated from the Department of Criminal Justice Training Basic Training Class No. 455. His goals are to work with the mayor and citizens to implement a more community-oriented policing style. He plans to implement an Intense Training-Cross-Fit Officer's Program.

WILLIAM BIRKENHAUER

Highland Heights Police Department

William Birkenhauer was appointed chief of Highland Heights Police Department on June 14. Birkenhauer began his law enforcement career with Alexandria Police Department in 1988. He also served Cold Spring Police Department until 1991 when he joined Campbell County Police Department. He then spent the majority of his career assigned to the Northern Kentucky Drug Strike Force both as an agent and supervisor. Birkenhauer also spent many years as a member of the Newport / Campbell County SWAT team and the FBI Safe Street Task Force. Birkenhauer retired from Campbell County before coming to Highland Heights in 2011 as a lieutenant detective. He graduated from the Department of Criminal Justice Training Basic Training Class No. 205.

JOHN EDWARD HIGGINS IV

Auburn Police Department

John Edward Higgins, IV was appointed chief of Auburn Police Department on June 17. Higgins has 13 years of law enforcement experience. He began his career with Russellville Police Department serving 10 years before joining Auburn Police Department in 2011. Higgins has a bachelor's degree from Western Kentucky University, a master's degree in business from Indiana Wesleyan University and is working on his doctorate from the University of the Cumberlands. He graduated from the Department of Criminal Justice Training Basic Training Class No. 307.

BRIAN ATKINSON
Elkton Police Department

Brian Atkinson was appointed chief of Elkton Police Department on June 19. Atkinson has 14 years of law enforcement experience. He began his law enforcement career with Hopkinsville Police Department. Atkinson joined Elkton Police Department in November 2006, moving through the ranks to become chief. He graduated from the Department of Criminal Justice Training Basic Training Class No. 302.

KOHS Honors Officers for Seat Belt Efforts

The Kentucky Office of Highway Safety recently honored 137 law enforcement officers from 119 agencies across the commonwealth for their efforts to increase the use of seat belts and child restraints in motor vehicles.

The fourth annual Governor's Occupant Protection Awards ceremony was held at Embassy Suites in Lexington. Awards were presented to officers with the most occupant protection citations in each agency and division. First place awards in each category went to Johnson County Sheriff's Office Lt. Billy Hall, Grayson Police Department Patrol Sgt. Tony Cantrell, Franklin County Sheriff's Office Sgt. Matthew Green, Richmond Police Department Sergeant Don Waldrop, Louisville Metro Police Department Traffic Officer Michael Weathers and Kentucky State Police Post 1 Sr. Trpr. Nathan Clinkenbeard.

"Despite a wealth of data showing that seat belts and child restraints save lives, each year hundreds of unrestrained motorists lose their lives on Kentucky roadways," KOHS Director Bill Bell said before presenting the awards. "These officers, their departments and agencies render a great service for public safety by enforcing our occupant protection laws."

Grand Canyon Hike Supports KSP Memorial

The Kentucky State Police launched a fundraising effort to build a memorial that will honor KSP troopers who currently serve and those who gave the ultimate sacrifice with their lives. 'The Trooper Project' is sponsored by the Kentucky State Police Citizen's Academy Alumni Association, or CAAA, and will include a seven-and-a-half foot tall bronze statue of a trooper that will be centrally located at the new KSP Training Academy in Frankfort. KSP is partnering with the CAAA to raise funds to build the memorial, as tax dollars will not be used to support this effort.

As part of fundraising efforts, KSP Commissioner Rodney Brewer and Lt. Colonel Jack Miniard hiked the Grand Canyon from rim to rim in August, toting with them a photo of all fallen KSP Troopers.

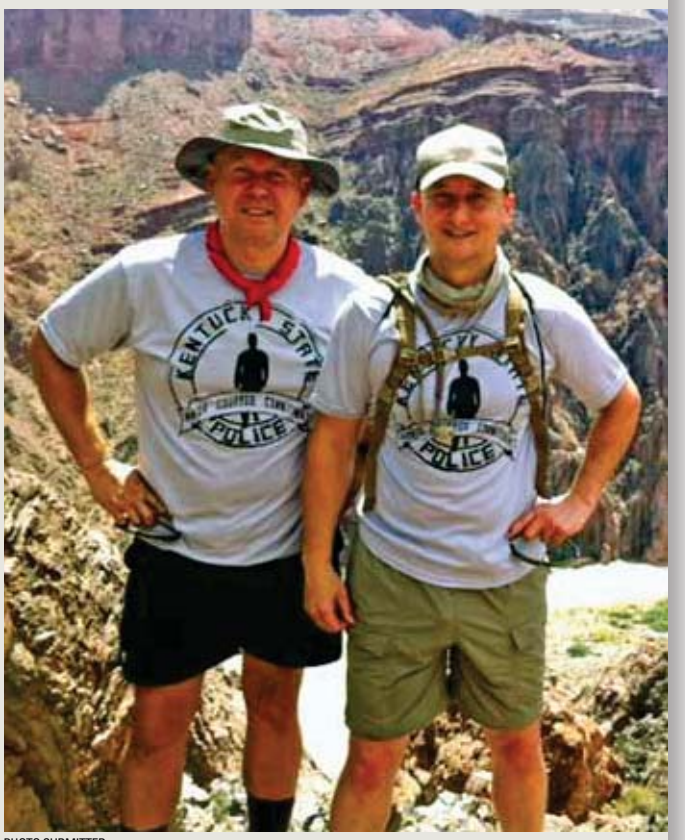


PHOTO SUBMITTED

Annual KLEMF Scholarship Deadline in March

The annual Kentucky Law Enforcement Memorial Foundtion scholarship application deadline is March 31, 2015. Scholarships are available to all sworn or retired law enforcement officers, telecommuincators and their dependents. Please contact Pam Smallwood for more information at pam.smallwood@ky.gov or at (859) 622-8081.

NEW APPOINTMENT

Miranda Denney Named New Deputy Commissioner at DJJ

Department of Juvenile Justice acting Commissioner Bob Hayter appointed Miranda Denney as deputy commissioner of Community and Mental Health Services at DJJ.

Denney is a 20-year veteran of juvenile and social services, most recently serving as division director of Community and Mental Health Services for DJJ. She holds a bachelor's degree in corrections and juvenile services from Eastern Kentucky University and has a master's degree in criminal justice.

"Miranda's qualifications and distinguished career in juvenile justice will make her a tremendous asset in her new expanded role," Hayter said. "She has spent her career devoted to our youth and I know she will continue to serve the Commonwealth of Kentucky well."

Her appointment was effective July 1.

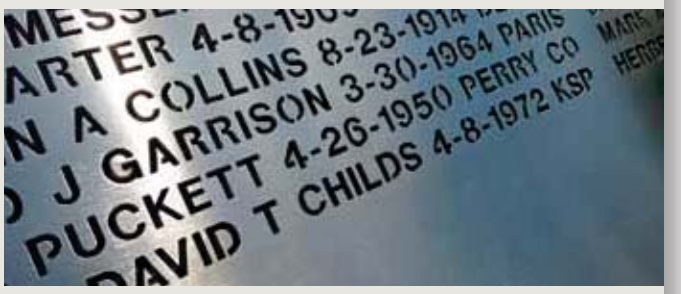
KLEMF Promotes License Plate Across the State

Seeking to broaden its reach, the Kentucky Law Enforcement Memorial Foundation has secured six billboards located between northern Kentucky and Maysville, to promote the Fallen Officers' Trust license plate. As the biggest source of revenue for the foundation, the sale of license plates to officers, their families and citizens across the commonwealth is vital to the health and sufficiency of the fund.

The six billboards will appear along the AA Highway in Boone, Campbell and Kenton counties, and along I-471 in Newport.

If you come across one of these billboards, please be reminded of the Kentucky Law Enforcement Memorial Foundation and its constant support of Kentucky law enforcement personnel and their families pursuing an education, picking up the pieces after a personal family tragedy or taking the first step to healing in the midst of illness.

Officer Recognized 42 Years After He Died Searching for Missing Teenagers on the Kentucky River



After 42 years, a Kentucky State Police Water Patrol officer, who died on the job in Frankfort, was recognized at two memorial ceremonies this spring.

David Thomas Childs, 39, died while searching for two Louisville teenagers who had been reported missing when their canoe was swept over the Lock 4 dam of the Kentucky River on April 8, 1972, according to a news release from state police.

The teens were later found unhurt, but Childs and Trooper James McNeely, 37, died. State police said the river was swollen from rain, and there was a swift current.

Childs' body was recovered from the Ohio River near Tell City, Ind.; McNeely's body was never found.

In May, Childs was memorialized at the Kentucky Law Enforcement Memorial ceremony in Richmond. KSP Commissioner Rodney Brewer also presented a flag to Childs' son, Roy Childs at a memorial ceremony at state police headquarters in Frankfort.

Kentucky Names School Resource Officer of the Year

At its 2014 conference, the Kentucky School Resource Officer Association named Officer Sam Wade the Kentucky School Resource Officer of the Year. Wade is a Nicholasville Police Department officer and serves the Jessamine County school system.

The officer of the year award is given to a school resource officer who has served as a strong role model and has provided services to their schools and communities above and beyond what is expected in his or her position.

The Rookie of the Year award was awarded to Deputy Scott West of the Pulaski County Sheriff's Department/Pulaski County Schools.

This award is given to an SRO who is new in the role of law enforcement within a school environment but has made a positive impact on his or her school community.

The KYASRO Award of Merit was presented to Jim McKinney with the Kentucky Department of Criminal Justice Training, to honor his efforts in the area of school safety.

KLEC Presents CDP Certificates

STAFF REPORT | KLEC

The Kentucky Law Enforcement Council'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 18 professional certificates; 13 for law enforcement that emphasize the career paths of patrol, investigations, traffic and management; and five certificates 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 KLEC 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.

INTERMEDIATE LAW ENFORCEMENT OFFICER

Covington Police Department
Bryan K. Carter
Anthony L Hill

Kentucky Department of Fish and Wildlife Resources
Homer L. Pigman

Louisville Metro Police Department
Tandeta B. Adkins-Hettich

Paris Police Department
Hugh C. Fuller

Richmond Police Department
Stuart K. Adams
Nicholas Duvall
Daniel N. Ellis
Alfred A. Gray III
Zachary E Harris
Kyle W. Hurt
Joseph L. Lain
Joshua D. Petry
Paul C. Richardson
Kelly W. Rouse

Villa Hills Police Department
Gregory L. Cummins

ADVANCED LAW ENFORCEMENT OFFICER

Bardstown Police Department
Michael K. Medley

Bowling Green Police Department
Ryan A. Dillon

Clark County Sheriff's Office
Bobby L. Murray Jr.

Covington Police Department
Bryan K. Carter
Anthony L. Hill

Fayette County Schools Police Department
Daniel Bowerbank

Lexington Division of Police
Thomas J. Perkins

Louisville Metro Police Department
Tandeta B. Adkins-Hettich
Cody T. Chapelle

Paris Police Department
Hugh C. Fuller

Pikeville Police Department
Wesley A. Thompson

Richmond Police Department
Jason T. Curry
Roy A. Johnson
Mitchell W. Maupin
Gary R. Shaffer
Benton N. Spaulding
Fred D. Waldrop

Western Kentucky University Police Department
Brandon Humphries

LAW ENFORCEMENT SUPERVISOR

Berea Police Department
Kenneth C. Puckett

Jeffersontown Police Department
William T. Green

Louisville Metro Police Department
Tandeta B. Adkins-Hettich

Mercer County Sheriff's Office
Larry S. Elder

Northern Kentucky University Police Department
John M. Gaffin

Richmond Police Department
Brian S. Eaves
Robert Mott
Rodney W. Richardson
Jeffery Simmons

LAW ENFORCEMENT MANAGER

Covington Police Department
Bryan K. Carter

Louisville Metro Police Department
Tandeta B. Adkins-Hettich

LAW ENFORCEMENT EXECUTIVE

Eastern Kentucky University Police Department
Carol M. Schilling

Richmond Police Department
Larry R. Brock

LAW ENFORCEMENT OFFICER INVESTIGATOR

Ashland Police Department
Orrin G. Patrick

Cincinnati/N. Kentucky Airport Police Department
Norman R. Minter

Clark County Sheriff's Office
Bobby L. Murray Jr.

Louisville Metro Police Department
Tandeta B. Adkins-Hettich

Ludlow Police Department
Fred T. Roberts Jr.

Paris Police Department
Robert L. Puckett

Richmond Police Department
William Daniel
William J. O'Donnell
Devin L. Thomas

Taylor Mill Police Department
Karen S. Spanyer

INTERMEDIATE PUBLIC SAFETY DISPATCHER

Cincinnati/N. Kentucky Airport Police Department
Grant L. Grubbs

Danville Police Department
Lisa K. Tyus

Elizabethtown Police Department
Lisa A. Conley

Frankfort/Franklin County 911
Varita Griffin
Yvonne D. Hulker

Harlan Police Department
Chris H. Jones

Jessamine County 911
Tammy L. Cole

Paris/Bourbon County 911
William L. Deutsch
Taylor B. Douglas

St. Matthews Police Department
Lisa A. Richardson

ADVANCED PUBLIC SAFETY DISPATCHER

Frankfort/Franklin County 911
Varita Griffin
Yvonne D. Hulker

Jessamine County 911
Margaret J. Brown
Robin M. Wagoner

Madison County E-911
Karen E. Freeman
Donna C. Roberts

Morehead State University Police Department
Penny H. Bond

Paris/Bourbon County 911
William L. Deutsch
Taylor B. Douglas

St. Matthews Police Department
Susan Hovath

Western Kentucky University Police Department
Connie Myers

PUBLIC SAFETY DISPATCH SUPERVISOR

Jessamine County 911
Margaret J. Brown
Sue Greene
Kimberly M. Griffith

LAW ENFORCEMENT TRAINING OFFICER

Madisonville Police Department
Charles D. White Jr.

Morehead State University Police Department
James E. Stamper

Owensboro Police Department
Adam S. Johnston

LAW ENFORCEMENT OFFICER ADVANCED INVESTIGATOR

Kentucky Alcoholic Beverage Control
Bryan J. Purvis

Pulaski County Sheriff's Office
Glenard H. Bland Jr.

Richmond Police Department
Jason D. Adkins
J. Matthew Boyle
Steven W. Gregg
Brian K. Lafferty
Rodney O. Tudor

CRIME SCENE PROCESSING OFFICER

Fort Wright Police Department
George C. Kreutzjans

Mount Sterling Police Department
Jimmy D. Daniels

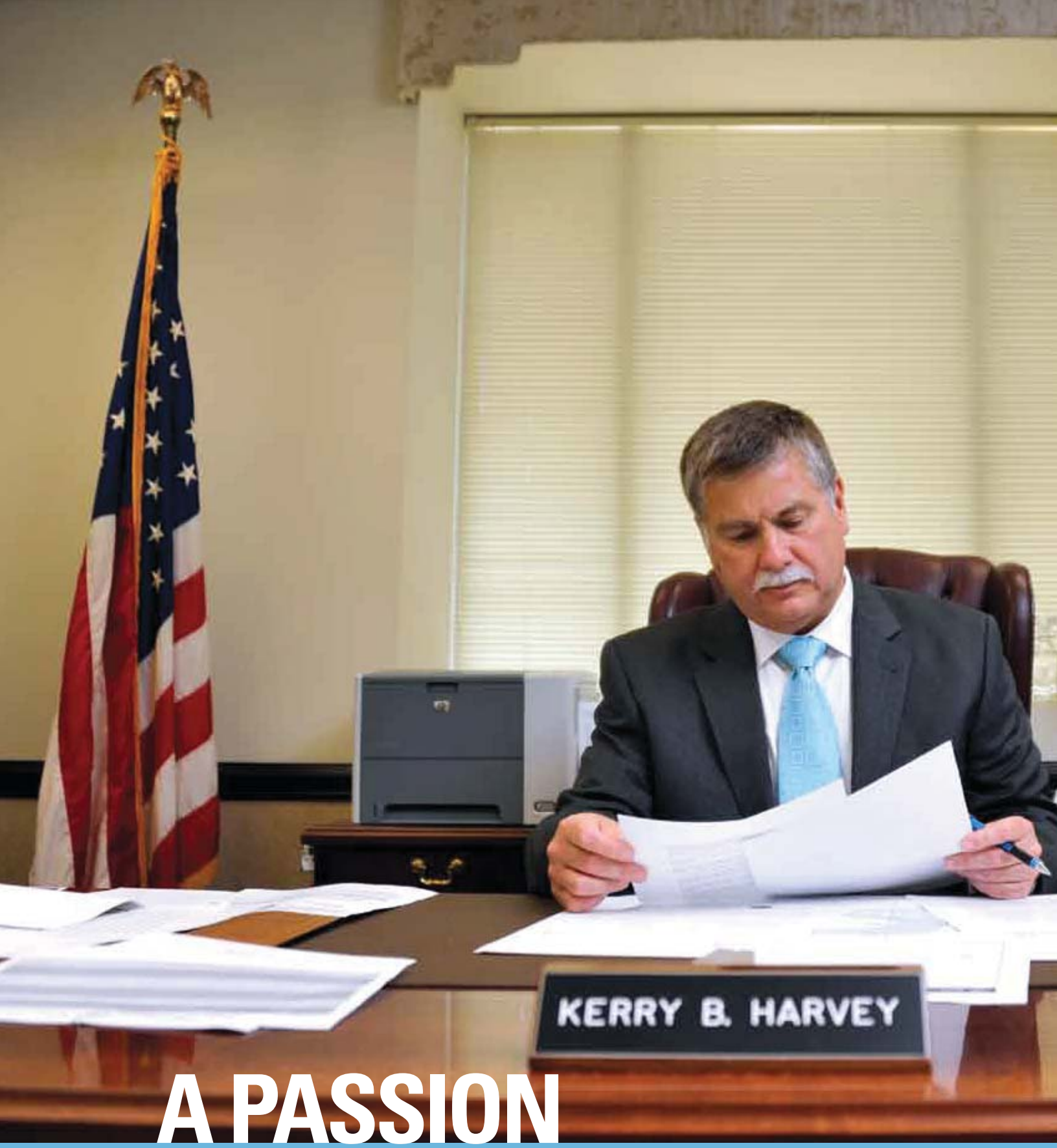
COMMUNICATIONS TRAINING OFFICER

Bluegrass 911 Central Communications
Candy L. Wilson

Danville Police Department
Melinda S. Ennis

CRIME SCENE TECHNICIAN

Jeffersontown Police Department
Ted B. Spegal



A PASSION FOR JUSTICE

PHOTO BY JIM ROBERTSON

Profiling Kerry Harvey, United States Attorney for the Eastern District of Kentucky

KELLY FOREMAN | PROGRAM COORDINATOR

Kerry Harvey has spent more than 25 years in the business of righting wrongs in Kentucky communities. In his current role as the chief attorney of the U. S. Attorney's Office in the Eastern District of Kentucky, Harvey leads three offices in his 67-county district — located in Lexington, London and Fort Mitchell, where he has served since 2010. A Kentucky native, Harvey began his career as a partner in a private law firm in Benton, Ky. and also served eight years as the Marshall County attorney while maintaining his private practice.

Prior to his federal service, Harvey was appointed in 2008 by Gov. Steve Beshear to serve as general counsel for the Kentucky Cabinet for Health and Family Services. There he also spent six months as the Cabinet's acting inspector general working to prevent and detect healthcare fraud — a passion that has spilled over into his current field.

A GREAT DEAL OF YOUR CAREER HAS INVOLVED THE INVESTIGATION AND PROSECUTION OF HEALTHCARE FRAUD. WHAT MAKES YOU SO PASSIONATE ABOUT THIS TYPE OF CRIME?

Healthcare fraud is an area that obviously is of great importance to the entire country now. But it grows more and more important every day because of our population's demographics. More and more people are living to be a ripe old age. We have recently seen, with the Medicaid expansion, that a higher number of our citizens are going to, in one way or another, be reliant upon some federal system for payment of healthcare. So many dollars are involved and the payment mechanisms are so complex that these programs are a very inviting target for fraudsters. But it also is vital that we protect these programs from fraud because, as everyone knows, there's not enough money to go around. If the healthcare dollars go out the back door, ultimately it's going to result in problems on the care side. It is vital that we focus resources in that area. Oftentimes those are the kinds of cases that federal law enforcement and prosecutors are uniquely positioned to work. If we don't work those cases, they're not going to be done.

YOUR OFFICE COVERS AN EXTENSIVE ARRAY OF CASES. STATISTICALLY, WHAT DEMANDS THE MOST OF YOUR OFFICE'S TIME AND RESOURCES?

In an average year, we probably dispose of 500 to 600 criminal cases in this office, and about half of those will be drug trafficking cases. That is by far the largest single segment. Then there will be a pretty good number of white-collar criminal cases, financial >>

>> crimes, that sort of thing. We do a good deal of immigration work here, as is true in most offices around the country these days. We also do a fair number of child-exploitation cases. But the single largest category by a good margin is drug-trafficking cases.

I think that's true of most offices across the country, but also we know we have a truly horrific drug problem in our district. We have a number of issues that are very troubling. We have the prescription drug problem, which is somewhat related now to the exploding heroin problem, and of course there remains a pretty significant meth problem in certain parts of our district. What we try to do in partnership with our law enforcement agencies is target the higher levels of the drug distribution chain. Some of these cases, particularly cases that reach across state lines, involve organizations that transport drugs all over the country. The federal reach is really important if we're going to successfully prosecute those cases. What we want to do in this office is use the resources that are entrusted to us to make the most positive impact we can on the communities we serve. And there are just few problems in the Eastern District of Kentucky that would equal the drug problem. If we can take out some of the people who are profiting from distributing this stuff, particularly at the higher levels, we've done our job.

What we want to do in this office is use the resources that are entrusted to us to make the most positive impact we can on the communities we serve. And there are just few problems in the eastern district of Kentucky that would equal the drug problem.

HOW HAS THE RISE IN HEROIN ABUSE IMPACTED BOTH THE OFFICE'S CASE LOAD AND OUTREACH OPPORTUNITIES?

We have seen an explosion across our district in the incidents of heroin abuse, no question about that. We have adjusted our priorities to try and meet that growing threat. I can tell you in the past year or two, we have prosecuted many, many more heroin cases than we would have prosecuted four or five years ago. We have shifted our resources to meet that threat. We took a very close look at our intake guidelines for cases and recognized that, in some parts of our district, particularly northern Kentucky, communities are just being inundated with heroin. We have relaxed some of our intake standards so we can take on more heroin-trafficking cases through the federal system.

Under federal law, if you illegally distribute schedule one or schedule two drugs, and those drugs cause someone to die, the penalty is enhanced and you are subject to a minimum penalty of 20 years in prison. That's a mandatory minimum that can't be probated. You're not subject to parole and the judge has no authority to go below that. It goes on up to life. I think you can see that's a pretty significant punishment. When we began to see this horrific increase in the number of overdose deaths, we thought this particular aspect of federal law would be something we could use that would have some significant deterrent value. These can be very difficult cases to investigate and prove. It takes more time and resources on the part of our office and our law enforcement partners, but we think it's worth it.

WHAT SHOULD KENTUCKY'S LAW ENFORCEMENT KNOW ABOUT YOUR OFFICE?

We are really looking to use the limited resources we have to make the biggest, positive impact we can on the communities we serve. We do not have the resources, and we never will, to federalize every case we might like to federalize. We have to pick and choose. We have somewhere around 44 lawyers after we get everybody on board to cover all the cases that might arise in 67 counties in the eastern district of Kentucky that covers roughly 2.5 million people. You can't possibly take every case you would like to take.

One of the things I would want our law enforcement partners to know is that when we make those decisions about whether we're going to take a particular case or not, those are some of the toughest decisions we make. We try to be thoughtful about that, and we appreciate their patience and forbearance in working with us on those decisions. We want to do the most impactful cases we can. It's a zero sum game when you don't have enough resources to go around. If you take a case on the left hand, that means on the right hand you're going to turn one down. One of the things I've tried to do since I've been in this job is emphasize the value in doing bigger, more complex, more impactful cases. Whether they're white collar cases or drug cases. I think it's true we're doing a lot more pill mill cases these days, cases against physicians and pharmacists who have gone bad and cases that get to the

higher levels of the distribution chain of illegal drugs. But when you do one of those cases, you can do one pill mill case, and in the time and effort it takes to do that case you could probably do 50 or 100 street-level deals. You always have that trade off. We also look at doing cases that maybe only the feds can do. Something about federal law or something about the resources we can bring to bear on a case makes it a case we can do better than anybody else. We are blessed in this state to have wonderful state and local law enforcement agencies and we have some really fantastic state prosecutors. When we look at a case and it is a good case, it's a case that federal law is implicated, but our commonwealth attorney in this jurisdiction can do just as good a job as we can, get just as good a sentence and meet all the law enforcement goals, we're probably going to defer to the state system. We are going to try to save our resources for cases that are uniquely suited for federal prosecution.

ON A PERSONAL LEVEL, WHAT IS IT YOU APPRECIATE ABOUT SERVING AS THE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF KENTUCKY AND THE KINDS OF PROGRAMS THIS OFFICE OFFERS?

I would say, without hesitation, that this is the best job I've ever had. In some ways, it is one of the more challenging jobs I've had, especially when you consider the budget woes we've lived through the past few years. But it is a wonderful job for many reasons. First and foremost there are very few attorneys who have the honor to represent the United States of America. That aspect of it is very, very gratifying. Another aspect of this job that is, in some respects, unique for practicing lawyers is that the only thing I have to worry about is trying to do the right thing in the cases that come before us. When you're in private practice and you have a client, you have to stay within the rules, but it's your job to get the best result you can for your client. This job is a little different. We don't measure success by wins or losses, or by how long the sentences are. We measure success by the good we do for our communities and whether or not we've done justice in a particular case.

The people who work in this office are an extraordinary group of people. They're very talented, they're very dedicated and >>

PHOTOS BY JIM ROBERTSON

PHOTO BY JIM ROBERTSON

>> that makes it a very fulfilling job. It's a fun job. Having the opportunity to work shoulder to shoulder with our federal, state and local law enforcement partners is a tremendous honor. I have worked with law enforcement officers for a long, long time — going back to when I was county attorney in Marshall County back in the dark ages. I have always had a real appreciation and respect for law enforcement officers. What the men and women do who put on the badge is just extraordinary. When I have opportunities to speak to groups of law enforcement officers, I always try to remember to tell them that, just as a citizen, I appreciate what they do. We don't tell them often enough how important their work is to all of us.

HOW DID THE LAW ENFORCEMENT COORDINATING COMMITTEE COME TO EXIST, AND WHY IS THAT A PRIORITY FOR YOUR OFFICE?

That pre-dated my tenure here, but Allen Love is our law enforcement coordinator and I can tell you, he is just a vital aspect of our office. As anyone who reads this publication knows, law enforcement resources always are going to be spread very thin. It is just critical that we make the best use of our resources. And that requires us to work together. This has to be a collaborative effort. Really, it's more important now than it ever has been before. Our law enforcement coordinator plays a very important role in coordinating our efforts with those of our law enforcement partners. We conduct a lot of training and a lot of outreach to the law enforcement community. We try to stay in touch with what's happening on the ground and try to deliver what those men and women in the law enforcement community need. The law enforcement coordinator is a vital part of that.

HOW DO THE OFFICE'S OUTREACH PROGRAMS SERVE THE COMMUNITY?

We need to take a holistic approach to law enforcement. Certainly, prosecution and incarceration occupy a principle place in what we do. But I also recognize that every prosecution represents a failure on some level. We are all better off if we can prevent a crime from occurring in the first instance than we are if we have to prosecute and incarcerate. I think the outreach programming we do is really geared toward that. We want to form strong partnerships with our communities. We want to educate the people we serve. Certainly we've talked about the heroin problem and we have tried to be out there in many of our communities sounding the warning — particularly to parents about the terrible danger this stuff represents to everyone — but to young people in particular. We've also done some very successful outreach in the child-exploitation area. That's something everybody gets how important it is. We spent a good bit of time trying to provide information about Internet safety and that sort of thing because technology is evolving so rapidly, it's hard to keep up. New technologies are great tools, but in the wrong hands, they are very dangerous weapons that can be used against our children.

One of the programs we started since I've been here that I'm very proud of is a forward-looking civil-rights initiative. We've been out in our communities, interacting with law enforcement, doing a lot of law enforcement training about civil-rights enforcement and spent a lot of time with various constituents in our communities talking about civil rights. Because we believe very passionately that every American deserves fair treatment and respect. We have a role to play in seeing that every American is able to access the rights that all of us should enjoy.

WHAT IS THE WHITE COLLAR FRAUD UNIT, AND WHY IS PROSECUTING THIS TYPE OF CRIME A CURRENT PRIORITY?

White collar crime and financial crime, first of all, has been a priority of this administration since the beginning. But I think it became an even more prominent priority coming out of the terrible recession we

had in 2008 and 2009. I think we read and heard about a lot of the mortgage-fraud schemes and the investor schemes that really devastated a lot of Americans, and a lot of people in our district. Those cases tend to be very complex. They can take a long time to investigate. It really requires some specialized skills and knowledge to investigate and prosecute those cases. And of course, healthcare fraud would be one aspect of those cases where the government is the victim. When I got here, it just made sense to me that we should establish a dedicated unit of prosecutors, paralegals and support staff who really would focus on these very complex, very difficult cases. The responsibility to thoroughly investigate those cases is their job. I think it would be very difficult to have a big docket of drug and gun cases and a big docket of white collar cases. Those two just don't go together very well. They move at a different pace, they require different skills — they're both terribly important, but they're different. So we created this White Collar Fraud Unit. It's been a huge success. We're working some very significant cases. We're doing more of those cases than we've done in the past. I'm told by our people who work in that area that we've opened more healthcare-fraud investigations in the past three years than were opened in the 15 years previous to that. That's a testament to the people who are doing the work. We have an excellent team of attorneys, paralegals, an investigator, an auditor — a very talented group of people who are getting results. We are unwinding some of these schemes. We're sending some of these bad guys to prison. In other cases where it's more appropriate, we're using civil remedies to recover tens of millions of dollars for tax payers.

We had a case about stint procedures in Ashland that was settled through the use of the False Claims Act, which is a civil remedy. It's not a criminal prosecution. But we also had another case that involved a hospital in London, where a cardiologist was convicted of criminal healthcare fraud and is now serving a term in federal prison. These are incredibly-complex matters and I think both cases were investigated for about three years. It takes a lot of time and a lot of effort and you end up sometimes having millions of documents involved in those cases. That's why you need a unit of people with specialized skills to do that work.

> *New technologies are great tools, but in the wrong hands, they are very dangerous weapons that can be used against our children.*

WHILE YOU SAID YOU DON'T LIKE TO MEASURE SUCCESS IN NUMBERS, WHEN YOU HAVE A CASE LIKE THE ASHLAND ONE WITH A LANDMARK $40 MILLION SETTLEMENT, HOW DOES THAT IMPACT THE COMMUNITY IN THAT AREA?

I think there are two effects of cases like that. Most directly, of course, is the money. So far this year, just in civil settlements — I'm not talking about collecting fines or forfeitures, JUST in false claim acts settlements — our office has collected about $75 million. We think that's pretty significant, particularly when you consider the annual budget for our entire office is about $8 million. Taxpayers are getting their money's worth. The money is significant, and we don't keep that here. It gets returned to the Medicaid program and the Medicare program to take care of the beneficiaries of those programs. That's very important. But the other impact I think is equally important, maybe even more important, is that when the healthcare-provider community sees that we're willing to do cases like that, that we will dig in for the long haul and do the very tedious work it takes to put together a case like that, there's a very significant deterrent value there. I always try to make the point that the overwhelming majority of our healthcare providers are wonderful people who are honest as the day is long and would never engage in any sort of fraudulent conduct. But there are always going to be a few who are tempted because the dollars are so great. There's some human weaknesses at play here. And I think these cases maybe help some of those people avoid these temptations. We all rely on our healthcare providers. We want them making decisions on what's good for our health and not what's good for their bottom line.

WHAT GOALS OR VISIONS DO YOU HAVE FOR THE FUTURE OF THIS OFFICE TO KEEP IT MOVING FORWARD?

About a year and a half ago we were placed under these sequestration rules, which meant our operating budgets were just slashed in a draconian fashion. We also were placed under a hiring freeze. We couldn't replace people who left, and we sustained a lot of losses because of that. Our vacancy rates here had exceeded 30 percent. That's a pretty high vacancy rate when you consider every third office was vacant, essentially. It's hard to operate that way. It was a very difficult year. Congress reached a budget compromise last December and the hiring freeze was lifted. While we're not going to be able to get back to full staffing, we've been allowed to hire a good number of new folks on the staff side and the attorney side. Just over the past three months, we've hired nine new attorneys for our office. That's very significant when you consider our full complement is about 44 attorneys. So to bring in nine, that's a bunch. We have seven of them on board now and I am incredibly proud of that because, if you knew this group of people you would agree with me that they are enormously talented. We have a group of really smart, energetic, eager young attorneys here who I hope will be here for a long time. They will be doing wonderful work for the people of this district long after anybody can remember that I was even here.

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EXPLORER ACADEMY

PHOTOS BY **JIM ROBERTSON**

Kentucky's Explorer Academy takes an active role in preparing the next generation of law enforcement officers to think smarter, work harder and serve better before they ever enter the basic training academy. A week-long camp at Campbellsville University each summer, KEA starts Explorers from agencies across Kentucky and surrounding states off on the right foot, offering them the realistic experience they need to decide if policing is the right career for them, and ultimately putting the best officers on Kentucky's streets.

◀ Leaping from their cruiser, Butler County (OH) Sheriff's Explorer Rachel Pyle and Jackson (TN) Police Explorer Shanna Cupples start a foot pursuit during a simulated traffic stop exercise. This is one of many realistic drills Explorers take part in during the week-long camp.

If they choose to go into law enforcement, great. But in the end, if we've made them better citizens, then we have accomplished the goal. We want them to be productive and contributing members of society.

— LT. CURTIS FLAHERTY, EXPLORERS ACADEMY DIRECTOR

Springfield Township (OH) Police Explorer David Foley holsters his weapon before chasing down a fleeing suspect during a simulated traffic stop.

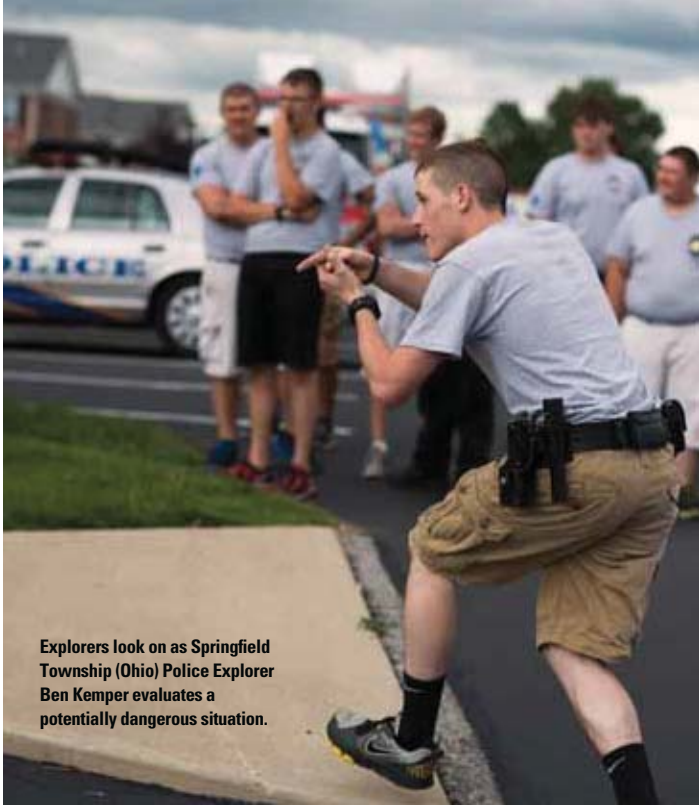
Louisville Metro Explorer Khawa Pam defends herself during a Red Man exercise, where students are taught how to gain control of a non-compliant assailant.

Discipline in motion, Explorers march in formation between activities on Campbellsville University's campus.

Explorer Sarah Johnson with U.S. Customs and Border Patrol and Bowling Green Police Department Explorer Arslan Aliyev search room to room for a suspect inside a dormitory, during a training scenario.

Sarah Johnson, U.S. Customs and Border Patrol Explorer, switches roles, becoming the perpetrator as a simulated traffic stop unfolds.

Bowling Green explorers Shawna Stansbury and Hasan Mehmedovic (center) as well as Jackson (TN) Police Explorer Alexander Stone (front) and Louisville Metro Explorer Garrett Jessie clear a stairwell as part of an active shooter scenario at a local school.



Explorers look on as Springfield Township (Ohio) Police Explorer Ben Kemper evaluates a potentially dangerous situation.

There are people from all over — Kentucky, Ohio, Tennessee and Missouri — and when they pair us up, it really helps us learn because we are trying to combine and collaborate as one unit.

— SARA JOHNSON, 20, U.S. CUSTOMS AND BORDER PATROL EXPLORER

A 'Culture' Change for the Better

Richmond Police Chief Larry Brock, front left, and several members of the department personnel stand in front of the group of 50 kids who attended this year's five-week summer camp.

PHOTO BY JIM ROBERTSON

Richmond Police Department

ABBIE DARST | PROGRAM COORDINATOR

Ranked as the seventh largest city in Kentucky, Richmond boasts many big-city amenities, but still retains some of that small-town feel, said Senior Patrolman Joshua Ernst. Ernst has served the Richmond Police Department for five years, joining the force in the beginning phases of a major cultural shift for this blossoming department.

Seven years ago, when Larry Brock was named Richmond's chief, he knew he was entering a department in need of change — a shift he initially thought should take about a year to effect.

"I knew there had been issues with use of force and perception … well perception is reality and it has to be addressed," Brock remembered. "We had to undergo an organizational change, which is not easy in police culture because it's a very strong culture. I initially thought we could do this in a year, but an Eastern Kentucky University professor and friend of mine said, 'Sure, try five years.' He was right."

Of course, this was not Brock's first experience with the Richmond Police Department. After spending several years as a military policeman, Brock joined the Richmond Police Department in 1979, and attended Eastern Kentucky University, originally majoring in journalism.

"After two years of majoring in journalism, I overheard a conversation between the dean of the mass communication department and a professor, where the dean said, 'If all the journalists in the United States quit their jobs, there wouldn't be enough jobs for those coming out of college in journalism,'" Brock recalled.

He switched to a major in police administration, graduated, left his hometown and RPD and took a position with the Bureau of Alcohol, Tobacco, Firearms and Explosives in Cleveland, Ohio.

"I always liked local law enforcement," Brock said. "It's the reason I was attracted to ATF because ATF's mandate from Congress is to assist and work with state and local law enforcement agencies. A tremendous amount of what I did involved state and local officers. The benefit was seeing how different police departments and agencies did things — what they did well and not so well.

"I received a well-rounded view of the justice system from the federal to the local levels," Brock continued. "I understand how all the parts work together, and sometimes if you are in just one system or another, you may not see how it all works together. That experience has been helpful to me."

RETURNING TO RICHMOND

Brock brought that wealth of knowledge from multiple federal, state and local law enforcement agencies into his chief position when he returned to Richmond, 24 years after leaving. >>

PHOTO BY JIM ROBERTSON

◀ Richmond Officer Joshua Ernst visits a local barbeque restaurant in the heart of downtown. Interacting with business owners helps strengthen community relationships and fosters trust between the community and the police department.

>> Brock's well-rounded perspective, nearly 30 years of experience, and passion for his hometown were tremendous assets as he stepped in to lead an agency that previously lacked effective and successful leadership.

"The majority of officers were very good officers who just were frustrated with the way things were operated," Brock said. "It was not a failure of the officers, but of leadership and supervision."

Among the first things Brock did as the new chief was request a Rural Community Policing Institute assessment of the department and set up a citizens' advisory council. Both were aimed at figuring out what the Richmond community thought about the department's services and what the citizens wanted and expected from their police agency.

Taking recommendations from citizens and RCPI and understanding the perspective of officers inside the department, Brock began helping the police department transform its image and revamp its services to become one of the lead agencies in the state.

"It took about five years before I felt like we had gotten over the hump, regained the confidence and trust of citizens and all our officers recognized there was value in doing good work properly and professionally," Brock said. "It makes a difference in how the department is viewed not only by the public, but by judges and prosecutors."

Fine-tuning the hiring process was one instrumental change Brock initiated. He assembled an internal review board, consisting of himself, the patrol commander, the three primary patrol shift supervisors and an internal investigator, to thoroughly comb through all applicants at each stage to ensure they were hiring only the best officers.

"Every new person we hire goes to patrol," Brock explained. "What I told the [review board] is, 'When [officers] get hired, they will work for you, so you get a say in who is hired.' They've been very conscientious about who to hire that will make good officers. No process is 100 percent foolproof, but the officers we have are high-quality, good people doing a good job, and they are enthusiastic."

Two interesting additions to the hiring process stem from Brock's journalism background — a writing test and a spelling test. For the writing test, candidates are given a list of facts and asked to turn them into a paragraph that flows properly and is understandable.

"Officers write a lot," Brock explained. "Their test doesn't have to be up to the journalist standard, but it does need to demonstrate they can write properly. It's important because [officers] have a lot of facts, and they need to get them in the proper order in their reports."

COMMUNITY INVOLVED

As demonstrated in the desire to gain insight from the community on revamping the police department image and services, Richmond's police department is committed to community involvement. Between Brock, his assistant chief Robert Mott and other officers in the agency, members of the department are involved in 10 types of community-centered groups, including the American Legion, Rotary Club, Richmond Teen Center Board, Domestic Violence Coordinated Community Response Team and Sudden Impact speaking group. Being locally involved not only fosters great community relationships, but also has sparked ideas for programs that best reach sections of the community.

Richmond's summer camp program was created in response to a conversation with a citizen about how younger kids in the community were afraid of police officers. Now, in partnership with the Richmond Teen Center, the Richmond Police Department conducts a five-week, free summer camp for youth ages 11 to 14 in Richmond. The camp balances fun with education to keep the 50 enrolled students engaged. In addition to showing participants various aspects of what law enforcement officers do, the camp allows children to experience fun things they may not otherwise experience, such as attending a Cincinnati Reds game, going to the Muhammad Ali Museum, learning boxing and karate at a local gym and horseback riding.

"The kids enjoy it; parents and the community really like it," Brock said of the camp. "We have rules and teach them lessons on respect. We've gotten letters from parents about how much their kid enjoyed the camp and how much he or she has improved in behavior."

At the end of the camp, officers and children celebrate with a cookout, a giant slip


PHOTO BY JIM ROBERTSON

▶ Richmond SRO Josh Hale falls into a dunk tank during the celebration on the last day of the department's summer camp for local students ages 11 to 14.

and slide, inflatable slides and a dunk tank. Each child takes home a backpack full of school supplies they'll need for the upcoming school year.

Officers Josh Hale and Whitney Maupin, who head up the summer camp, also serve as the agency's school resource officers. During the summer, these officers prepare and conduct the camp for students, and during the school year they are in the classrooms teaching the Gang Resistance Education and Training, or GREAT, program.

"We thought we might have an emerging gang issue, and we wanted to address it early on," Brock said of why they chose to implement the GREAT program in schools. "We started teaching that program, and now it has developed into all kinds of teaching, including lessons on bullying and parental awareness on the Internet."

The agency's bike patrol was resurrected as a direct request from community members. During the agency's RCPI assessment, the community said they enjoyed the bike patrol because of its accessibility — an officer on a bike is much more approachable than one in a cruiser, Brock said.

The bike patrol unit has been instrumental in reducing crime in neighborhoods with a high rate of complaints about drug and criminal activity.

In an effort to better address the root of an abundance of the department's calls — domestic violence — Richmond created a unique partnership with Hope's Wings, a local domestic violence shelter. Through grant funding, Richmond has an officer specifically assigned to domestic violence cases, and he works directly with an advocate who also is housed within the police department.

"We can try to address those issues and drive down some of those calls," Brock said. Those two positions can address the domestic violence calls and allow our other officers more time for other calls."

In addition, the specialized team has been active in educating officers, prosecutors and judges about victimology and understanding the behavior of domestic violence victims and batterers, Brock said.

"What did we know about victimology before," Brock asked? "We would wonder why [victims] keep putting up with abuse. The police became frustrated and cynical. They didn't understand victimology and that it makes it difficult [for victims] to leave. The education has been positive for us, and the whole justice system to try and bring this issue to light and educate people about why victims act the way they do, and batterers act the way they do."

Richmond Officer Joshua Ernst responds to a medical emergency at an apartment in downtown Richmond.

PHOTO BY JIM ROBERTSON

The Richmond Police Department continues to look for new and innovative ways to serve officers in the department and help them better serve their community.

"Chief Brock tries to get us everything he can," Patrolman Ernst said. "But if you don't put in your requests or ideas, he won't know what you need or want."

This commitment to taking care of his officers and community is what has helped Brock mold Richmond into the top-notch agency it is today.

"I enjoy Richmond, I enjoy the town and I enjoy where I work," Ernst said. "I have no complaints. I've had the opportunity to work elsewhere, both bigger and smaller, but that's not what I want. I like where I am."

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Richmond SRO Whitney Maupin addresses kids from their summer camp before a large-scale exercise demonstration.

PHOTO BY ABBIE DARST

THE QUIET TAKEOVER

The words "drug cartel" conjure up images of blood thirsty, money hungry thieves. Living in their enormous mansions, driving multiple BMWs or Hummers and flaunting their riches with gaudy gold chains and diamond rings, these men will do anything to protect their money and their drugs.

At least that's what Hollywood would have us believe. **ABBIE DARST** | PROGRAM COORDINATOR

But what about here in Kentucky? Although Kentucky cities, suburbs and rural farms aren't plagued with violent beheadings and mass killings, drug cartels have a marked presence that easily can go undetected by the general population and authorities. And that's just how they like it.

If you're trying to run a large criminal enterprise, targeted attention from law enforcement is bad for business.

"You don't get calls that a cartel lives next door to someone; if they are your neighbor you'll never know," said a veteran Lexington Division of Police drug investigator and unit supervisor. The LDP administration asked that the investigator's name not be used. "They seem like the nicest people you'll ever meet. They don't want attention."

"They don't want to draw law enforcement's attention," agreed Detective Colin King, a Louisville Metro Police detective serving on the Drug Enforcement Administration task force. "If a community started having drive-by shootings and beheadings like in Mexico, then law enforcement would get involved and start funneling more money toward targeting that group."

THE FACE OF KENTUCKY'S CARTEL ACTIVITY

Contrary to stereotypical images, King warns district managers of cartels set up throughout Kentucky are not living flashy lifestyles or doing much to bring attention to themselves.

"The politically correct way to describe them is that they are here looking for a better way of life," King said. "We watched a guy for 12 hours put on and take off a roof only to sell us a half kilo that night. These guys are not your typical sleep 'til noon and wake up and sell dope all night. They hold construction, masonry, lawn care and restaurant jobs and then go out and sell dope and collect money at night. They hold 40-, 50- or 60-hour-a-week legitimate jobs.

"Law enforcement can't discount someone and say, 'Oh, this guy has been out landscaping all day,'" he continued. "Officers must go back and do lengthy interviews when talking to them."

Lexington detectives have similar experiences, saying cartel members they investigated are mostly quiet business people.

"A lot of times they'll open up businesses — car lot or taco stand, restaurant, mechanic shop," the LDP investigator said. "They assimilate into the culture and have a legitimate business front. Mechanic shops give them a place to unload stuff, hide their stuff in vehicles and conduct business behind walls."

WHERE'S IT COMING FROM?

King estimates 90 percent of the drugs in Kentucky originate from Mexico. But this doesn't mean that every drug deal taking place on the streets and in parking lots in Kentucky towns has a direct contact to a large Mexican cartel.

"A lot of street-level narcotic deals probably are just a guy here who knows a guy, who knows a guy in Chicago or Atlanta, and those guys may have a direct line straight from Mexico," said DEA Agent Brian Bester, who works with King in the Louisville DEA office. "Not every Hispanic has a direct link to the cartel. But if we get the guy knocked out here, maybe we can turn the Chicago or Atlanta guys on to the person in their area."

The cartels operating here are set up on a corporate structure with various management levels, the LDP investigator said. The executive or CEO will be the head owner in Mexico, like El Chapo Guzman, who is head of the Sinaloa cartel, considered the biggest Mexican cartel and gang. Guzman was named Chicago's Public Enemy No. 1 last year, the same label once assigned to Al Capone, according to an April 2013 Associated Press article. Some sources even consider him the most powerful drug lord in the world, perhaps ever. Guzman is known to have cartel cells operating in cities across the country, including Chicago, Ill., Atlanta, Ga., Columbus, Ohio and Louisville.

While much of the cartel activity in Kentucky is at the middle-management level in a cartel's corporate structure model, Kentucky State Police Sgt. Mark Burden with DE/SI East and the LDP investigator have investigated cases of upper-level Sinaloa cartel activity in Lexington and parts of eastern Kentucky, including one with a direct connection to Guzman himself, the LDP investigator said.

"About 10 years ago we saw an uptick of cartel activity," the LDP investigator said. "Drugs >>

They are doing the same things all over the country they are doing here — pushing dope into those cities, and those guys are responsible for collecting the proceeds and making deposits or doing bulk pickups.

Bulk money transfers from cartel members in the United States back to Mexico are disguised in a multitude of ways, including inside baby wipe packages and protein powder bottles. These photos represent concealment of approximately $453,290 taken from money couriers who picked it up from Louisville investigative targets.

>> always come through major routes, and prior to that, we weren't a route. You had to leave Lexington and go to another hub to get those larger weights (of narcotics). When we did find large amounts, local Lexington people had traveled to get it.

"Starting 10 or more years ago no one had to travel," he continued. "It was here."

In addition to the Sinaloans, Bester identified direct ties to La Familia (The Family) and Knights Templar cartels set up in the Louisville area. He said these two cartels have cells all over the country.

"They are doing the same things all over the country they are doing here — pushing dope into those cities, and those guys are responsible for collecting the proceeds and making deposits or doing bulk pickups," Bester said.

However, even if a cartel has multiple district managers in one particular city, they often work alone and do not know the others exist, DEA Louisville Office Resident Agent in Charge Jim Balcom explained.

"They may have multiple people in Lexington that don't even know each other," the LDP investigator agreed. "It keeps them honest and minimizes losses because some of the dope and money will be intercepted by police."

Having unrelated cells in place ensures business will continue to thrive, even if 100 kilos or $750,000 is seized by law enforcement, King said.

"The dope that comes up here and is [seized] here is a drop in the bucket," King said. "If we seize 5,000 pounds of marijuana or $750,000 in cash, they'll make that up in a couple hours. It's not a big blow to them as much as they have coming across the border.

"We've taken off 100 kilos in Louisville or Lexington or along the interstate. Or a $1million in cash — it's nothing," he continued. "It's the cost of doing business. As much as these organizations are making — if a dealer gets caught with 100 kilos and goes to prison, the organization is still good. The one dealer just goes off to prison for a few years."

CHALLENGES TO STOPPING THE FLOW

The astronomical amount of illegal drugs coming across the border is a huge challenge within itself. But the various tactics that cartel members use to go undetected create additional challenges for working these investigations.

PHOTO BY ABBIE DARST

DEA Special Agent Brian Bester and Louisville Metro DEA Task Force Detective Colin King work together to target mid- to upper-level drug dealers and cartel activity in the Louisville area.

Control and intimidation are keys to keeping cartel members quiet, if and when they are caught. Even though the level of violence associated with drug cartels south of the border has not made its way into Kentucky, there are still intimidation factors that play a huge role.

"Most of the people we encounter here, their fear of law enforcement cooperation boils down to having family south of the border," King said. "These people know their family members — wife and kids — may be here, but their mom, dad, aunts and uncles are still living in Mexico and are in danger of being attacked by the cartel. The cartel can get away with a lot more south of here than they can here.

"I think there is more violence that goes unreported here, too," King continued. "The inability to track illegal immigrants and that fear and mistrust of law enforcement keeps cartel crime from being reported. If [someone] sells dope and he comes up missing and you're his wife, he's either been deported or kidnapped, but you don't report it because you don't know. So he just comes up missing."

The LDP investigator agrees.

"Fear keeps them from cooperating," he said. "We don't see the violent beheadings here, but the ones with family back home will stay loyal to the organization to protect their family. They would rather go to an American prison than have their family back home killed."

In most drug cases the arrested trafficker will sit down and do what is called a proffer where they give up some information at least to their personal involvement, Bester said.

"But some of these guys are not talking and will take a straight plea," he explained. "Whoever is calling the shots, doesn't want it drug out in a nasty long trial — and their family can 'reach out and touch them' [or kill them] — or they'll be in prison where someone can reach out to them. So they just take the hit and go about their business.

"That's a good indicator of how directly tied they are into the cartel," King added. "If they are looking at a 20-, 30- or 40-year sentence and they say, 'No, I'll take it,' you know how connected they are."

Additionally, because many of these cartel members are in the United States illegally, they often use an individual with legal status and a social security number to rent property, purchase vehicles and set up cell phone plans, Bester said.

And even though federal agencies can track cell phone calls, Balcom said that these individuals will change cell phones and carry multiple phones to avoid detection.

Keeping up with constantly changing concealment methods is another challenge for law enforcement. >>

>> "The trends we see are ever evolving," King said. "The concealment methods, drugs coming in liquid form and cooked off. There is stuff coming in, and officers don't know what they're looking at. I think those things need to be focused on in training."

Because of these challenges, investigating mid- to upper-level cartel activity is a long and difficult process.

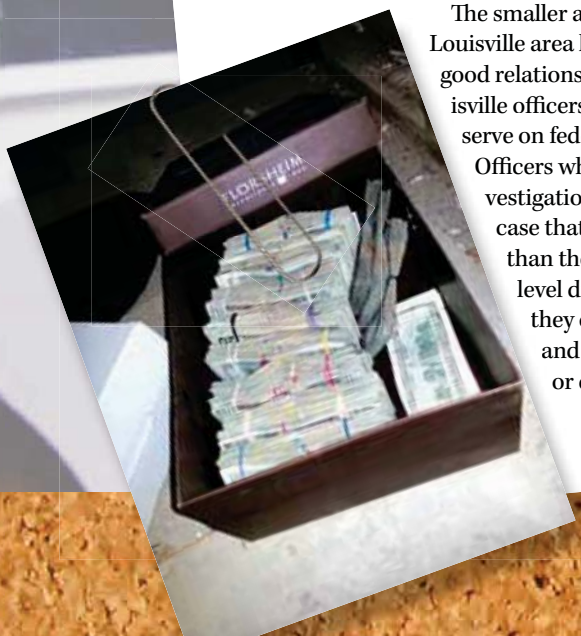
"They are lengthy, expensive investigations," King said. "It costs a lot of money to do these. It is not your typical Monday through Friday, 9 to 5 investigation. We work all hours of the night. Whether it's DEA or another federal agency, or local departments, when you start getting into limited budgets, few agencies have the time or funds to work these kinds of cases.

"Know your limitations," King continued. "Every agency has limitations. If you work for a four-man department, you can't take on a six-month to yearlong investigation to work a Mexican cartel. You have to reach out to KSP or a federal agency to assist with the investigation because it goes outside your agency's scope of abilities."

IT TAKES EVERYBODY

Interagency cooperation and information sharing become paramount in effectively investigating cartel drug cases and tracking them back to the source for the most successful takedowns.

"The key is cooperation between all agencies including local, state and federal entities," King said. "A lot of cases are generated by local law enforcement information. A patrol guy stops a guy with $70,000 in cash, or an interdiction guy stops a car on the interstate. Then you get that information from the interview."



The smaller agencies in the Louisville area have formed good relationships with Louisville officers like King who serve on federal task forces. Officers who begin an investigation into a drug case that may be larger than the typical street-level drug deal, know they can call King and get assistance or direction.

"In small, rural places, they often don't have those contacts," King said. "I would encourage the chiefs and sheriffs to establish those relationships. If you're an officer in Pikeville, who can you contact? Or if you are Stanford or Taylorsville police departments with five or seven officers, they can say this is what we have; it may be nothing, but may turn into something. So I encourage the small agency heads to reach out to DE/SI and DEA offices in their region and build those relationships."

> *The key is cooperation between all agencies including local, state and federal entities," King said. "A lot of cases are generated by local law enforcement information.*

There are multiple clues that street-level officers can look for during traffic stops or routine calls that may tip them off that they are dealing with a much larger problem. Sometimes the clues lie in the small things that can easily be dismissed or go unnoticed, King said.

"Local (cartel) guys here will keep highly detailed drug ledgers or notes," he explained. "Local [officers] should be aware of that. Hispanics that we've [investigated] are very detailed. On the front end of it, [these ledgers] mean nothing, just numbers and symbols — but if you get someone to decipher them, they are very detailed in record keeping — who owes what, what's going out, what's coming in — normally in a simple notebook, or on regular paper. If officers do a traffic stop and find those, they should go ahead and collect those because they can be helpful in the investigation."

Specific drug packaging is another clue. If you find drugs packaged by the kilo or with distinct markings on the packaging, it may be a sign of a link to a larger cartel, DE/SI's Burden said.

"Some wrap in duct tape, some in shrink wrap," he said. "Most put symbols on their packaging. If a patrol unit stops a car or goes to a house on a complaint and he or she sees things like a brick with markings on it — lettering or symbols that don't look right — it's a good sign it is linked to a cartel."

Burden also mentioned clues like out-of-state tags on a vehicle that is repeatedly coming through an area for short amounts of time may indicate where bulk money pickups or drug drop offs are occurring.

In Lexington, investigators discovered something as simple as money service businesses or MSBs could potentially indicate the transfer of money from a legitimate business front to Mexican cartels across the border. The LDP investigator said every community has a Hispanic-based restaurant or grocery store. Many have these MSBs to allow their employees to legitimately send funds to family members in Mexico to help support them. But if a business has multiple MSBs, a couple might be used for those legitimate purposes, and others may be avenues for sending drug money back into Mexico.

"What we were seeing was major money going into overseas bank accounts," the LDP investigator said. "We were seeing about $40 million going across the border that was corrupt."

Despite all the efforts of law enforcement, at every level, getting a handle on America's drug problem will remain a daunting task. As long as there is a demand from customers, fighting cartel activity flooding Kentucky communities with drugs will be a never-ending battle.

"We will try anything and everything to get rid of all of it, but ultimately it is a matter of supply and demand — and demand is high," the LDP investigator said. "We can curse the cartels and illegal immigrants all we want, but the end users are American citizens — they are 100 percent the consumer. We are fighting a backward problem by going after dealers, if users don't get jail time."

But that's a story for another time.

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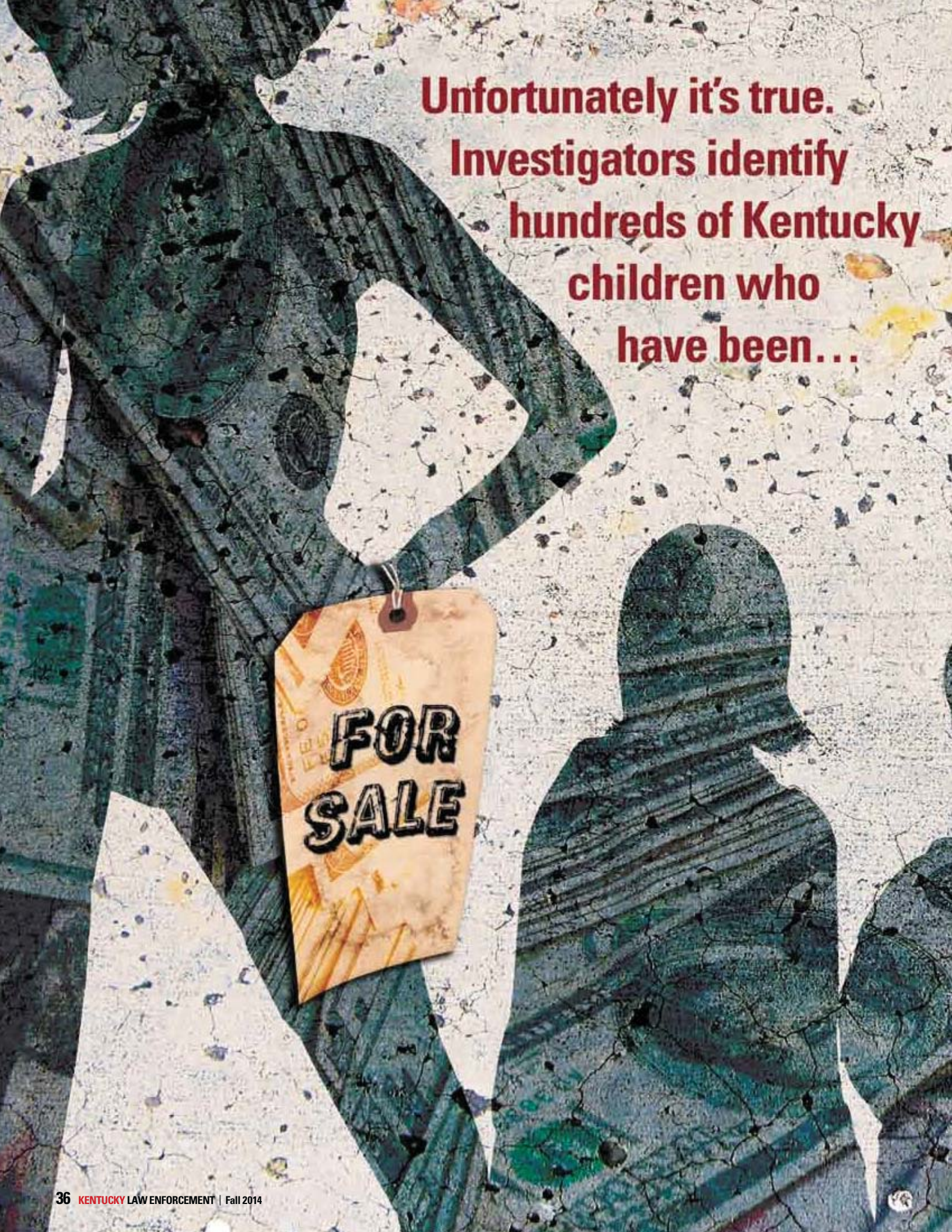
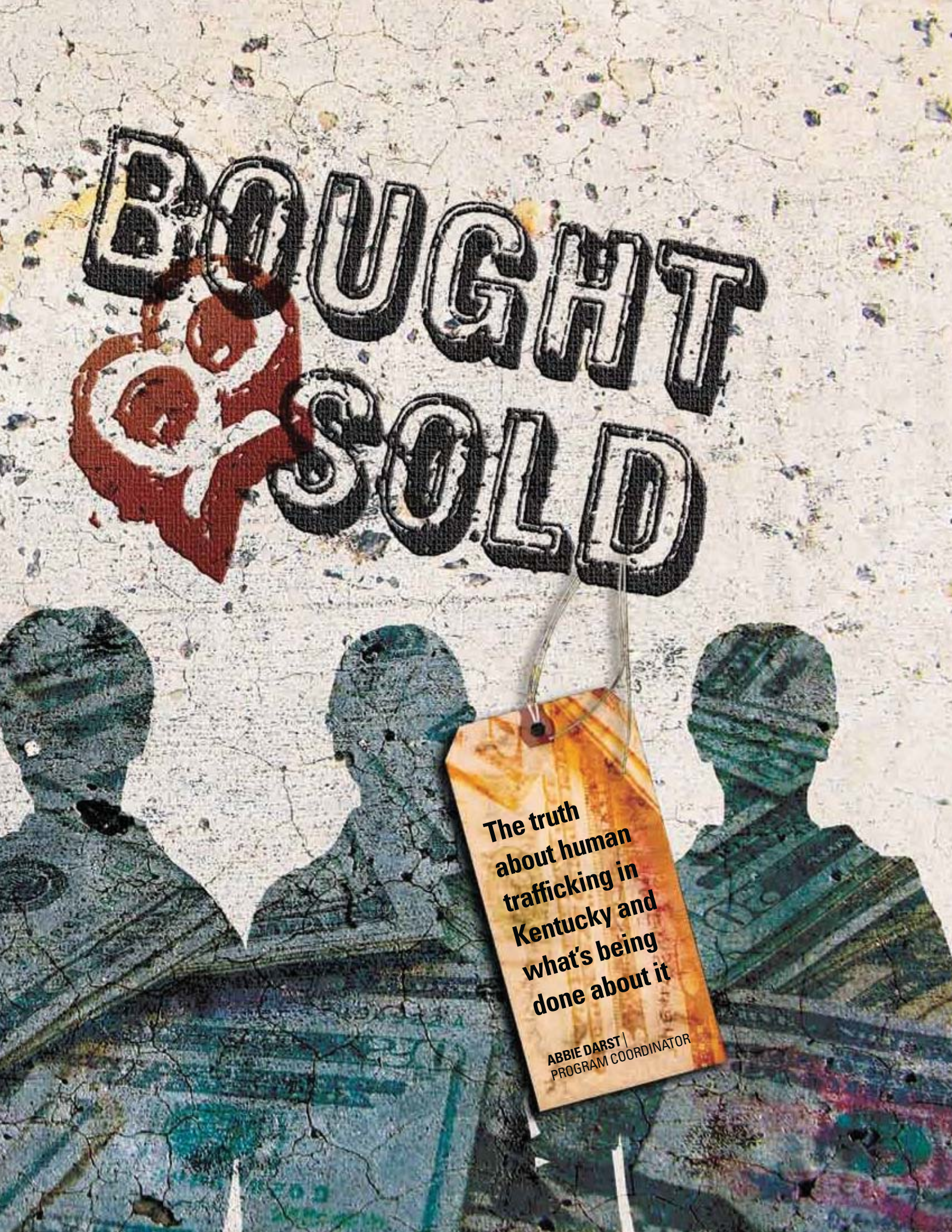
Hundreds of thousands of dollars can be seized at one time in mid- to upper-level drug cartel busts. These images are from currency seizures made following search warrants; they total approximately $275,900.



Unfortunately it's true. Investigators identify hundreds of Kentucky children who have been…

BOUGHT & SOLD



The truth about human trafficking in Kentucky and what's being done about it

ABBIE DARST | PROGRAM COORDINATOR

In the seven years since Kentucky passed its first statutes on human trafficking, much has been learned about this atrocious crime and the many ways it pervades the streets, communities and homes across the commonwealth. This isn't a far off crime, targeting only immigrants in search of a better life. It is U.S. citizens; it is Kentucky's youth.

- **It's two Madison County teenage girls sold by their parents in front of a movie theatre to affluent men.**
- **It's a 15-year-old girl standing at an ice cream truck, falling for a smooth-talking older boy who promises her the world, but instead traps her in a life of sex slavery and brutality for nearly 20 years.**
- **It's a girl from Tennessee who is bought in Lexington and made to service 64 men at a construction site in one day.**
- **It's a 14-year-old child laboring in a chicken-producing plant for food and shelter, with no way to escape.**

The stories go on and on — more than 80 reports of trafficking were made to the child welfare system this past year, said Gretchen Hunt, Kentucky Association of Sexual Assault Programs attorney. Some are sex related, others are labor.

"We thought there may be 20," she said. "About half were caretaker cases, such as parents or guardians trafficking their children. The others were non-caretaker — like an older boyfriend. The average (victim) age is 15."

It is happening right here in Kentucky — that fact cannot be denied. So what is Kentucky's response? According to Hunt, the biggest change in Kentucky law and practice is a paradigm shift from seeing trafficked individuals as criminals to seeing them as victims of trafficking, specifically with commercial sex trafficking, where girls and women may first be encountered by law enforcement as prostitutes. Historically, in an aim to curb prostitution, these women were arrested and charged with prostitution based on the assumption that their lifestyle was a choice.

"I was a supervisor for the Vice Unit in Louisville, and our function was to curb prostitution — find it and deal with it," said Louisville Metro Police Sgt. Andre Bottoms. "We did a good job of it. Then around 2007, we started receiving training on human trafficking, and then I started looking at cases and saw there were potential victims — a few I had no doubt had been victims — but we didn't do anything to help them, because we didn't know much about it.

"I made it my mission to learn as much as I could about trafficking and change the way our department looked at human trafficking," he continued.

Bottoms and his detective unit still investigate prostitution in Louisville, but now they approach every case as if it was a potential trafficking case, and respond to the "prostitutes" as potential victims.

"Our detectives are trained to … treat them as victims and make them feel comfortable and know we're here for them," Bottoms said. "Even if they decide they don't want to cooperate [with the investigation] anymore, we still treat them as victims and won't charge them."

Hunt said law enforcement training has been critical to shaping Kentucky's response to human trafficking victims.

"Through about a six-year process, we have received federal funds and state funds to do limited victim services, but we've done a lot of training," Hunt said. "The Department of Criminal Justice Training is one reason why we have saturated law enforcement training. We had laws making trafficking a crime, but we had to enhance those in 2013. The reason the law is working is because we had that buy in from law enforcement — chiefs, sheriffs, DOCJT and Kentucky State Police. A law is just words on paper, but if you have the buy in, it really allows us to take the law and use it as a tool."

WHAT IS THE LAW?

The paradigm shift that already was underway in many parts of Kentucky was codified by new human trafficking laws in 2013. The Trafficking Victims' Rights Act has four key parts. Mandatory training for Kentucky law enforcement officers is just one key part of the TVRA, though many were already training voluntarily, Hunt said.

The next key is the victim-centered law made anyone younger than 18 involved in commercial sex — stripping, pornography or prostitution — an automatic victim of trafficking.

"They cannot consent," Hunt emphasized. "Even if you have a 17 year old saying 'I'm a hustler, this is how I get my nails paid for,' she is still a child who cannot consent. The law says you cannot arrest these kids, but demands an intervention."

The third key to the TVRA is indicating sex and labor trafficking as child abuse, meaning the state is required to investigate and serve those kids. If someone suspects trafficking of a child, he or she must report it to child protective services, which must respond as if it's a high-risk case, just like any other child sexual abuse case, Hunt explained.

"Legally, child sex trafficking is the same as child sex abuse," Hunt said. "Otherwise they are seen as delinquents or kids making bad choices, instead of looking at the reality of their victimization. >>

Join the Conversation: What is Human Trafficking

At its core, human trafficking refers to the exploitation of an individual for labor or commercial sex through the use of force, fraud or coercion. Victims can present themselves as defendants charged with prostitution or document fraud, or victims of domestic violence or rape. They may be imprisoned within massage parlors, factories, agricultural work, domestic servitude and servile marriages — held captive through threats, confiscation of their documents and even forced drug addiction.

Victims can be men, women or children, foreign born or U.S. citizens. And their traffickers may be members of organized crime, small business owners or even private citizens who lack any criminal history.

After drug dealing, human trafficking is the second largest criminal industry in the world today, and it is the fastest growing, according to Kentucky Rescue and Restore, an organization dedicated to serving victims and raising awareness of human trafficking. ■

>> "Louisville Metro Police Chief Steve Conrad once said, 'There is no more violent crime than a child being raped over and over again, and we treat them as prostitutes,'" Hunt continued. "It gets at the core of what this crime is about and how we as a whole community respond."

WHAT NOW?

While crafting the 2013 legislation, how to respond to child victims of trafficking became a sticking point. Hunt used the example of a concerned truck driver at a truck stop who sees a young girl going from truck cab to truck cab asking if they want company. If the driver calls the police and they respond at 2 a.m., what are they supposed to do with this child? Where can officers take her to keep her safe?

"Many rural communities said they had no other choice but to lock up those kids at 2 a.m. to keep them safe," Hunt said. "So we started challenging law enforcement and other community members, asking, 'What do you do if there is a meth lab, and there are kids inside?' They said, 'We call social services and take them to a safe place.'

"Even if that kid is mad and mouthing off and doesn't see you as a savior, [he or she is] still very exploited and very at risk, and needs to be in safety," Hunt continued.

This Safe Harbor aspect of the new law is key to helping trafficking victims begin the process of breaking ties with their trafficker and rebuilding their lives. But it also is a powerful tool for law enforcement officers. It gives law enforcement officers assurance that they will not be left with these kids or forced to lock them up when they know they are victims — further victimizing them. Additionally, getting these children into a safe environment where their needs are met without fear and abuse insulates them, gives them the ability to consider talking to law enforcement about their situation and hopefully aid officers in finding and prosecuting traffickers.

In a press conference for the FBI's eighth Operation Cross Country, a nationwide, weeklong push to arrest traffickers and rescue children, FBI Office for Victim Assistance Director Kathryn Turman said, "The needs

of young victims are many and complex. Many of the children, who become victims of commercial sexual exploitation, were previously victims of abuse and neglect by the people who were charged with protecting and caring for them.

"The cost of not doing enough to protect and assist child victims is enormous," she continued. "Doing all we can to bring these children, with their often invisible wounds, out of the shadows is our mission and our privilege. A hundred years ago a wise man said, 'If the children are safe, then everyone is safe.' Victimization profoundly jeopardizes the healthy development of children and compromises their futures — it's our collective future as well."

Officers also have a useful tool in the fourth key element of the 2013 victims' rights act — asset forfeiture and seizure provisions. Prior to 2013, a trafficker's assets could not be seized. At a time when finding funds for training, services and equipment is difficult, law enforcement's ability to seize traffickers' assets could benefit departments and the victims they serve.

"It makes sense that a way to stop traffickers and hit them where it hurts is to take their assets," Hunt said of the seizure provisions. "Hopefully if we go after traffickers we can seize their funds and [the funds] can go back to help other victims and pay restitution to victims they've harmed."

BIGGER THAN SEX

A majority of focus and attention is given to sex trafficking of minors and Hunt said it makes sense that you would find higher rates of prosecution for sex trafficking because it is associated with crime, such as prostitution and drug trafficking. But Kentucky is seeing more reports of labor trafficking as well. Human trafficking is a bigger issue than commercial sex industry because at its core it's a crime that takes away the person's choices and makes him or her less than human, Hunt said. >>

Common Health Issues Seen in Victims of Human Trafficking

Trafficked victims may suffer from an array of physical and psychological health issues stemming from inhumane living conditions, poor sanitation, inadequate nutrition, poor personal hygiene, brutal physical and emotional attacks at the hands of their traffickers, dangerous workplace conditions, occupational hazards and general lack of quality healthcare.

Preventative healthcare is virtually non-existent for these individuals. Health issues are typically not treated in their early stages, but tend to fester until they become critical, even life-endangering situations.

In many cases, health care is administered at least initially by an unqualified individual hired by the trafficker with little if any regard for the well-being of their patients and even less regard for disease, infection or contamination control.

Health issues seen in trafficking victims include:

- Sexually transmitted diseases, HIV/AIDS, pelvic pain, rectal trauma and urinary difficulties from working in the sex industry
- Pregnancy, resulting from rape or prostitution
- Infertility from chronic untreated sexually transmitted infections or botched or unsafe abortions
- Infections or mutilations caused by unsanitary and dangerous medical procedures performed by the trafficker's so-called doctor
- Chronic back, hearing, cardiovascular or respiratory problems from endless days toiling in dangerous agriculture, sweatshop or construction conditions
- Weak eyes and other eye problems from working in dimly lit sweatshops
- Malnourishment and serious dental problems. These are especially acute with child trafficking victims who often suffer from retarded growth and poorly formed or rotted teeth
- Infectious diseases like tuberculosis
- Undetected or untreated diseases, such as diabetes or cancer
- Bruises, scars and other signs of physical abuse and torture. Sex-industry victims are often beaten in areas that won't damage their outward appearance, like their lower back.
- Substance abuse problems or addictions either from being coerced into drug use by their traffickers or by turning to substance abuse to help cope with or mentally escape their desperate situations
- Psychological trauma from daily mental abuse and torture, including depression, stress-related disorders, disorientations, confusion, phobias and panic attacks
- Feelings of helplessness, shame, humiliation, shock, denial or disbelief
- Cultural shock from finding themselves in a strange country

Reprinted from the Rescue and Restore website through the Department of Health and Human Services. ■

▲ Gretchen Hunt serves as the attorney for the Kentucky Association of Sexual Assault Programs. She chairs the statewide Human Trafficking Task Force and in 2013, was instrumental in helping to develop and implement Kentucky's Human Trafficking Victims' Rights Act.

PHOTO BY JIM ROBERTSON

>> "In training I ask, 'What did you do before coming to class?'" Hunt explained. "'You got up, talked to a family member, hugged your kids, chose what you ate, chose how you dressed, chose how you drove here, chose what to listen to on the radio.'

"In trafficking, all those choices are taken away," she continued. "That's why these individuals are brainwashed, because every bit that makes them feel human is taken away."

However, investigating labor trafficking often can be a much more proactive-type investigation, because it is not surrounded with other criminal enterprises like sex trafficking often is. Law enforcement officers aren't going out to farms or roofing companies and asking if workers are being paid. They aren't going to [super store] custodians or [restaurant] dish washers and asking if they are free to leave, Hunt said.

"What law enforcement can do, and really more what the community can do to help law enforcement, is be more aware when going to restaurants or hotels and the people who work there seem afraid to talk or are there seven days a week," Hunt explained. "Ask how they are doing, and ask if things are OK."

Agencies can partner with the Labor Cabinet and wage-and-hour investigators. Open those lines of communication, so if wage-and-hour investigators are investigating and suspect trafficking, they can report it to law enforcement.

Though labor trafficking is not exclusive to immigrant populations, undocumented individuals are very vulnerable to being abused. There is an automatic imbalance between them and the employer, Hunt said. Often labor trafficking can be difficult to identify in closed immigrant communities; good community-oriented policing might be the best tool for agencies in these cases. Agencies can make a point to let immigrant communities know that their local law enforcement cares about the safety of everyone and wants everyone to report crime.

"Those messages are very powerful because they go directly against what traffickers tell them — you're illegal, police want to deport you, they don't care what happens to you — that's the perfect scenario for a trafficker," Hunt said. "The more police can do to say, 'We want to address crime to everyone and want everyone to feel safe in reporting crime,' the better.

"No matter where you stand on immigration, most people want crime to end and be reported," she continued. "It spills over; it doesn't stay in one place and not affect the other."

For example, officers can go to Spanish services at local churches and say they've heard reports that some farm workers are not being paid, being exploited or mistreated, and tell the immigrant community they want to know if it is happening. Officers can reassure them they can feel safe in telling someone and give out the national trafficking hotline number, Hunt said.

Calling the hotline is an intermediate step to calling law enforcement, Hunt said. Callers can leave an anonymous tip and it goes into a database, then later if an incident happens, they have that earlier tip with which to help build a case. And the callers don't have to decide on their own if their suspicion is worthy of burdening police. The hotline is monitored and tips that seem extremely substantial are immediately passed on to local law enforcement officials.

BE A GOOD NEIGHBOR

Nationally, many successfully prosecuted labor-trafficking cases involve maids or nannies trapped in homes. These cases usually are identified by a good Samaritan neighbor who sees suspicious circumstances.

"We drive into our garages and shut the door and don't even see our neighbors these days," Hunt said. "We don't knock >>

Messages for Communicating with Victims of Human Trafficking

Most victims of trafficking experience intense fear — of their traffickers and/or of being deported. Therefore, when interacting with potential trafficking victims, it is important to reassure them that they are safe so you can begin the process of helping them get the protection and assistance they need to rebuild their lives. Gaining the trust of trafficking victims is an important first step in providing assistance.

Sample messages to convey to victims of human trafficking to help gain this trust include:

- We are here to help you.
- Our first priority is your safety.
- You can apply for special visas or could receive other forms of immigration relief.
- We will give you the medical care you need.
- We can find you a safe place to stay.
- You have a right to live without being abused.
- You deserve the chance to become self-sufficient and independent.
- We can help get you what you need.
- We can help protect your family.
- You can trust me.
- We want to make sure what happened to you doesn't happened to anyone else.
- You have rights.
- You are entitled to assistance. We can help you get assistance.
- If you are a victim of trafficking, you can receive help to rebuild your life safely.

If you think you have come in contact with a victim of human trafficking, call the **National Human Trafficking Resources Center** at **1 (888) 373-7888**. This hotline will help determine if you have encountered victims of human trafficking, will identify local resources available in your community to help victims and will help you coordinate with local social service organizations to help protect and serve victims so they can begin the process of restoring their lives. For more information on human trafficking, visit **www.acf.hhs.gov/trafficking**.

Reprinted from the Rescue and Restore website through the Department of Health and Human Services. ■

>> on doors and see how people are doing because we are busy in our own houses. Just take an interest and say, 'How are you doing?'"

A new trend is children being trafficked through door-to-door magazine and candy sales. For those who remember a generation where children often participated in door-to-door school fundraisers, this might seem innocent at first. But just taking a minute to softly ask the child if he or she is OK, can help rescue an exploited child.

"Every good citizen should have the trafficking hotline on their phone," Hunt said. "There is no such thing as over reporting. If you see a kid begging with a sign, call the hotline — no harm done."

Kentucky has some of the strongest and most victim-centered laws of any state. Centrally located with numerous interstates intersecting the state, and home to the 28th largest city in the nation in Louisville, Kentucky has become a hub for trafficking activity, more than most citizens probably realize. For law enforcement officers, this eye-opening understanding of how, where and how often trafficking happens in and around them should prompt officers to go deeper in their investigations, Bottoms said.

"Try to find out the history, why the person is in this situation," he said. "I know the courts are trying to get drug addicts more help to get off drugs instead of incarcerating them, do the same in trafficking — find out the underlying problem. It may change your way of thinking about charging or opening an investigation. You have to look a little deeper than you normally would. Don't just go by what you see right off.

"We have the opportunity to change someone's life," Bottoms continued. "We have a chance to get someone out of a situation they can't get out of on their own. It's rewarding to reunite someone with their parents or get them out of a situation like that and see them a year or two later in college and doing well."

Abbie Darst can be reached at abbie.darst@ky.gov or (859) 622-6453.

Call the Hotline

The easiest and fastest way to reach the **National Human Trafficking Research Center** is to call the hotline at **1 (888) 373-7888** or text **help or info to BeFree (233733)**. Hotline call specialists are available 24 hours a day, 7 days a week, 365 days a year to take reports from anywhere in the country related to potential trafficking victims, suspicious behaviors and/or locations where trafficking is suspected. All reports are confidential. Interpreters are available.

Submit a Tip Online

Information submitted online will be reviewed by the NHTRC and forwarded to specialized law enforcement and/or service providers where appropriate. For immediate assistance or to speak directly with an NHTRC call specialist, please contact the 24-hour hotline. ■

A CHANCE AT SOMETHING BETTER

ABBIE DARST | PROGRAM COORDINATOR

Sex trafficking of minors receives the majority of attention in the push against human trafficking. But human trafficking is not a crime only happening to children. It happens every day to young adults, men and women, from all walks of life. The Trafficking Victims' Rights Act of 2013 confirmed a paradigm shift in treating children as victims, but didn't specifically address issues of adults trapped in this vicious life.

"We had all these people over 18 who had been victims of trafficking and had racked up all these offenses and records, even though all the crimes they committed were under duress," said Attorney Gretchen Hunt with the Kentucky Association of Sexual Assault Programs. "Because of drug crimes, minor assaults, shoplifting and prostitution, some of them have felonies and misdemeanors on their record, and they can't get jobs or apartments."

In the 2014 legislative session, Senate Bill 184 passed, allowing these adults to expunge their records if they can prove they were victims of trafficking at the time of the offenses.

"Men and women escape, come to victim services and want to rebuild their lives, want to get a safe apartment, want to go back to school, want to go back to work, and they cannot," Hunt said. "We want them to know that if they get out, they can rebuild their lives and live, work, vote and become a real member of society.

"Trafficking really removes people from society — that's the crime — to stigmatize them, make them less than human, keep them outside of society," she continued. "If we want to bring them back in and be contributing members of society, they have to have ways to wipe clean those charges. Especially because they didn't choose those crimes, they were being coerced, beaten and threatened."

The other part of this new law pertains to victims accused of, or charged with, a crime. They can present evidence of being trafficked as a defense. Getting this information out to potential victims is imperative to give them incentive to talk about what is happening to them. This allows law enforcement to go after the bad guy and get the traffickers, instead of wasting resources, time and money arresting and incarcerating lower-level criminals, who actually are victims, Hunt said.

Law enforcement officers also can use this law as a tool to help get victims to a safe place and move away from their trafficker, get a new job and have the incentive to testify against their traffickers.

"It's not automatic, they may still need lawyers to help them build their case, but it's a chance to rebuild their lives," Hunt said.

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WHO'S MOST VULNERABLE

ABBIE DARST | PROGRAM COORDINATOR

Knowing what factors make a child or person vulnerable to being trafficked is key to figuring out how to put an end to trafficking. In a survey published in August 2013 by the University of Kentucky Center on Drug and Alcohol Research and Center on Trauma and Children, there were six key factors commonly referred to which increased the vulnerability of minor victims to trafficking.

- Unstable home
- Material need
- Substance abuse/misuse
- Developmental issues
- Child's mental health
- History of abuse

The vulnerability of children coming from unstable homes was mentioned by 62 percent of the study's respondents. An unstable home life can consist of mentally unstable parents, lack of adult supervision, lack of housing, fragmented family, no parental figures or a bad relationship with parents.

"We're just starting to realize how much this is happening in the United States to citizens," said Marissa Castellanos with Catholic Charities in Louisville. "The most vulnerable are homeless, runaway, throwaway teens and children.

"There are at least 100,000 American kids at risk each year," she continued, "and it could be as many as 300,000."

Oftentimes, factors compound on one another. An unstable home may make a child run away to escape the harsh realities at home, only to find harsh realities on the street, as the need for food, shelter and clothing go unmet. Some of these teens turn to what Castellanos calls survival sex.

"If a teen runs away, they are approached within 48 hours to be exploited," Castellanos cited from the U.S. Department of Health and Human Services. "Often times they will be offered something they need, like food, shelter or medication, in exchange for something sexual in nature. Of children that are away from home for more than three months, 90 percent will be involved in survival sex — the exchange of sex for food, clothing, shelter or money."

The study also revealed that many beliefs surrounding trafficking are not reflected in what Kentucky advocates, officers and victim service workers, among others, are experiencing across the state. For example, 96.3 percent of respondents said they had worked with U.S. citizens or permanent residents who had been trafficked, compared to only 26.7 percent of foreign-born trafficking victims. Of those victims, 79.5 percent had been recruited in Kentucky by their trafficker.

Nearly 60 percent of respondents also had worked with male victims of sex trafficking. The stories of these trafficked boys range from one who was "lured by a couple, locked in their home and forced to make pornography," to "mothers on drugs, allowing males to sleep with their boys for drugs," the report documented from respondent experiences.

Because the biggest factor in child vulnerability to sex trafficking is an unstable home, Gretchen Hunt, the attorney for the Kentucky Association of Sexual Assault Programs and human trafficking advocate, suggests that the best prevention strategies for keeping Kentucky's children out of the hands of traffickers is early intervention and family support.

"Those trafficked into sex have earlier histories of neglect, maltreatment and sex abuse, so the more you support families, support safe parenting, the more you will prevent it," she said. "That's why Kentucky sees so much trafficking because we have high rates of child maltreatment, poverty and joblessness — it makes sense.

"A lot of people want to get involved in [stopping] trafficking and I encourage them to get into Big Brothers and Big Sisters — mentoring youth," Hunt continued. "It's very popular to be into trafficking and that's great, but … early childhood intervention and education — those basic things that stabilize children, families and communities — are going to prevent people from being on the margins and being exploited."

Fighting trafficking and reducing youth vulnerability is a community effort. Trafficking exploits vulnerability, so decreasing vulnerability and connecting children to supporting adults will help keep them from becoming trafficking targets, Hunt explained.

"Traffickers aren't going to go for kids who have protective adults around them — it's too high risk," she said. "The more we protect these kids — and it doesn't have to be a parent, it can be a neighbor — we'll prevent it."

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WHAT'S MISSING?

ABBIE DARST | PROGRAM COORDINATOR

"We've made great strides in a short of amount of time," said Kentucky Association of Sexual Assault Programs Attorney Gretchen Hunt. "I am really proud of law enforcement across Kentucky because without more resources, they are working smarter, training and challenging themselves to change the way they look at things."

Kentucky's laws on human trafficking are really robust, but there is still work to do in investigations, in prosecutions and in helping victims.

One year after passing the Trafficking Victims' Rights Act, Kentucky has no shelter specifically for trafficked kids in the state. Because of the high level of trauma these victims have been through, they may not do well in a group home setting, or they may even recruit other kids into trafficking, Hunt said.

In addition, there are only two full-time trafficking advocates for the entire state. Kentucky needs more services, more people, more boots on the ground to respond.

"I would really love to see law enforcement move to the next level where they can get national training on investigative tactics," Hunt said. "None of our police departments have received funding to just investigate human trafficking. It would be nice if, based on assets seized, they could craft positions that just do this work."

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LES WILLIAMS | PUBLIC INFORMATION OFFICER, KSP PUBLIC AFFAIRS BRANCH

SELLING SAFETY THROUGH MAGIC

Long before the days of email, smart phones and social media, one Kentucky State Police pioneer was blazing a trail using innovation and outside-the-box thinking to spread safety messages throughout Kentucky.

As a member of the Fayette County Patrol in the 1930s, Lee Allen Estes watched children fidget and yawn during safety lectures presented by police officers. Feeling that a lesson must be heard to be learned, he had an idea. He would make the words stick by illustrating them with a trick.

A student of magic tricks, illusions and ventriloquism from an early age, Estes developed a travelling show that entertained children while presenting messages about fire, bicycle and general safety. The program was a rousing success from the start with children, schools and adults throughout the state.

Word of Estes' efforts spread and he soon joined the Kentucky Highway Patrol and later KSP. As a sergeant and later a lieutenant, he took the show to schools and civic organizations around the state during the 1940s, 50s and 60s.

He was no suitcase magician however. He traveled in a specially-built, two-ton truck that carried eight trunks full of stunts and gadgets. His equipment was valued at more than $5,600 and his hands were insured for $5,000. His 50 to 90 minute shows required two hours to set up and an hour to tear down. Prior to a performance, he sent a complete show script to each school with stage directions and piano sheet music. He required piano accompaniment for each show.

Putting his own spell on safety, Estes would tie each trick to a safety message. Multi-colored silk handkerchiefs would appear from nowhere. There were balloon illusions, a magic ball and, yes, he pulled a rabbit out of a hat. He would tear a paper cone to bits and turn them into a lace banner bearing a Safety First slogan.

Estes was especially proud of his amputation illusion, where a subject placed their arm in a special box and the arm appeared to be severed when two steel bars were inserted through the top. He used this trick to highlight the danger of sticking one's arm outside the window of a school bus. He reinforced the message by telling the children that in 1941 one company alone manufactured 63 artificial arms for persons injured in such accidents.

Assisting Estes in his shows were two pop-eyed, big-mouthed ventriloquist dummies: Willie Talk and Kenny Talk. Wearing uniforms identical to Estes,' the sassy figures had moveable eyebrows and could talk, laugh and spit. They delighted the kids by jabbering about safety and bantering back and forth with Estes.

As much fun as the show was, it also was hard work. Estes practiced three to four hours a day to perfect his tricks and illusions and make sure they had both entertainment and educational value. Since the vast majority of his audiences were children, he faced a constant challenge: It's difficult to get children to follow misdirection (diverting the audiences' attention is one of a magician's secrets of success).

But that didn't hold Estes back. He said he would rather perform for children than adults. One testament to his skills, however, is impressive. He was once invited to present a special show to the International Brotherhood of Magicians.

Once dubbed the Houdini of the Highways by the press, Estes passed away in 1967. Willie Talk and Kenny Talk still live on as part of the collection of the Vent Haven Museum* in Fort Mitchell, Ky., a tribute to KSP's early use of innovation and a silent reminder of a slower-paced time when live, face-to-face communication brought smiles, laughter and understanding to children and adults throughout the commonwealth.

*** The Vent Haven Museum is the world's only museum dedicated to the art of ventriloquism. It contains more than 700 objects of memorabilia and character dolls from 20 countries. Admission is by appointment only (859-341-0461).**

PHOTO SUBMITTED BY KSP

Putting his own spell on safety, Estes would tie each trick to a safety message. Multi-colored silk handkerchiefs would appear from nowhere. There were balloon illusions, a magic ball and, yes, he pulled a rabbit out of a hat.

ONE IN THREE: Dating violence an Epidemic

The relationship does not excuse the behavior — it DOES determine the risk

KELLY FOREMAN | PROGRAM COORDINATOR
PHOTOS BY **JIM ROBERTSON**

Scared and frail, with eyes soggy and bloodshot from heavy tears, cheeks purple and puffy from the last blow, she looks to you for answers. Between sobs, she holds her breath waiting to hear you say she will be safe. He won't hurt her anymore.

She just wants the pain to stop; for him to leave her alone.

You respond to a woman's desperate cry that her home has been burglarized. Her bedroom torn apart, her cell phone lies on the night stand where the burglar — her boyfriend — went through it looking for information. She feels violated, scared to stay alone in her home, worried he will return.

Maybe you've seen her 15 times — each time for the same reason. Every Saturday night he drinks too much and she calls 911 for help. You keep telling her to leave him. Each time she stays. >>

>> They're not bound by marriage vows, so why do victims stay in abusive dating relationships? Why do they fight against the arrest of their partners? Don't they want help?

What they don't want is to become another statistic. Especially when statistics show that leaving an abusive relationship increases the likelihood the victim will be killed by a disturbing 75 percent, said Dina Bartlett, legal consultant for the Mary Byron Project.

It's a statistic Bartlett and her co-workers are reminded of every day in their fight against domestic violence crimes. Mary Byron, a 21-year-old Louisville native was shot and killed by her former boyfriend in 1993. Byron's boyfriend killed her after he was released from jail — unbeknownst to Byron — where he had been serving a sentence for raping, stalking and assaulting her. The Mary Byron Project was established in 2000 in its namesake's memory and led to the creation of automated crime victim notification.

Contrary to traditional thought, the fact that dating victims aren't legally bound to the relationship doesn't always make it easier to separate from their abusers, Bartlett said. More importantly, it also doesn't decrease the risk victims face of life-threatening violence.

> *Officers need to understand that if she goes back, it's not because she necessarily wants to reconcile with him, it's because she's scared he will kill her.*

"Thirty percent of all female homicide victims are killed by their intimate partners," Bartlett continued. "The primary reasons men give for killing their intimate partners are possessiveness, jealousy and fear of the end of the relationship. Officers need to understand that if she goes back, it's not because she necessarily wants to reconcile with him, it's because she's scared he will kill her.

"Whether or not you live with somebody doesn't determine your risk," Bartlett continued. "It's the relationship that determines your risk. The risk of physical injury or death is still the same for dating partners as it is for a married couple."

UNDERSTANDING THE PROBLEM

Obviously not all abusive dating relationships end in homicide, but the long-lasting effects on survivors can be devastating. Victims often experience enduring symptoms of depression and anxiety. They are more likely to engage in unhealthy behavior like drug activity, exhibit antisocial behavior and consider suicide, among a long list of resulting issues provided by the Center for Disease Control's Division of Violence Prevention.

Equally as troubling is evidence that shows those at the highest risk of dating violence are young women between the ages of 16 and 24. Statistics from loveisrespect.org — a website powered by the National Domestic Violence Hotline — show that the rate of intimate partner violence in that age range almost triples the national average for victims of other genders and age ranges. Regarding the abusers, loveisrespect.org also reports that the first signs of violent behavior often surface in batterers ranging from 12 to 18 years old.

"This is such a mine field for teenagers," said Teri Faragher, director of Lexington's Domestic Violence Prevention Board. "They are just developing their own self-concept; they're figuring out how intimate relationships work and figuring out their own boundaries. Our society gives the message that someone being very attentive and passionate and intense, that these are positive qualities in a relationship. We name perfumes after these things. They're at the beginning of wanting someone to love them, to think they're really cool and special.

"But these are the very things that can be warning signs," Faragher continued. "They aren't always, but they can be warning signs that the intensity, passion and attention are going to turn into control, pathological jealousy, isolating intensity and power over the other person. So what at first feels really good to someone who has not had a lot of relationship experience, down the road they begin to say, 'Oh my god, I'm trapped. He's hurting me now, and he's going to hurt me more if I try to get out of this. What do I do?'"

While much attention necessarily is focused on younger women, Faragher urged officers to be aware that a growing number of victims are older women who may be entering the dating pool following a divorce or loss of a spouse.

"People date through life at this point," she said. "The difference with these women is, when you start dating in your 60s, you start getting a little more — maybe desperate is the word — to find a partner to age with. You feel like your time is limited for finding that partner. So, maybe you're a little more willing to forgive characteristics that could be indicators of potentially abusive behavior in the future. Maybe you're a little more willing to overlook that at the beginning. It's a really important issue for people of all ages. Men AND women."

Once a person has been victimized, they are at a higher risk for repeat victimization later in life, according to the CDC. Abusers also are more likely to repeat abusive behavior with multiple women over their lifetimes if there is no early intervention. Break the Cycle, a national agency that provides comprehensive dating abuse prevention programs, reports that one in three women will be the victim of dating violence in their lifetimes. Bartlett said statistics show that only five percent of men are batterers.

"So if you take 100 women, 33 of them will be victims, and in 100 men, only five of them are going to be perpetrators," Bartlett said. "So each perpetrator has six or seven victims. We see it all the time in court."

A MISSING LINK

Domestic violence is a complex issue, and a couple involved in an abusive dating relationship who are not married, do not live together and have no children in common fall into their own, unique category under Kentucky law. >>

Dating violence by the Numbers

1.5 Million the number of high school students nationwide who experience physical abuse from a dating partner in a single year

16 to 24 the age of young women who experience the highest rate of intimate-partner violence

81 percent of parents who believe teen dating violence is not an issue, or admit they don't know if it is an issue

50 percent of dating violence victims who attempt suicide, compared to 12.5 percent of non-abused girls and 5.4 percent of non-abused boys

1,000 percent increase of likelihood for children who witness domestic violence to become batterers

30 percent of female homicide victims who are killed by their intimate partner

80+ percent of high school counselors who report feeling unprepared to address incidents of abuse on their school campuses

72 percent of ninth graders who are dating

22 percent of female adult victims of rape, physical violence and/or stalking who experienced some form of partner violence between 11 and 17 years of age. Fifteen percent of male victims also experienced partner violence during their teenage years

— Statistics from loveisrespect.org, breakthecycle.org and Mary Byron Project

What Does Dating Violence Look Like?

- **Physical Abuse:** Any intentional use of physical force with the intent to cause fear or injury, like hitting, shoving, biting, strangling, kicking or using a weapon
- **Verbal or Emotional Abuse:** Non-physical behaviors such as threats, insults, constant monitoring, humiliation, intimidation, isolation or stalking
- **Sexual Abuse:** Any action that impacts a person's ability to control sexual activity or the circumstances in which sexual activity occurs, including rape, coercion or restricting access to birth control
- **Digital Abuse:** Use of technologies and/or social media networking to intimidate, harass or threaten a current or ex-dating partner. This could include demanding passwords, checking cell phones, cyber bullying, sexting, excessive or threatening texts or stalking on Facebook or other social media.
- If you or a loved one is in a violent relationship, please get help. Visit loveisrespect for more information, chat with a peer advocate online, call (**866) 331-9474** or text "loveis" to 22522.

— from Breakthecycle.org

For dating violence materials that can be printed and distributed free of charge, visit http://www.loveisrespect.org/download-materials

Scan this QR code with your smart phone to listen to a teen dating violence victim tell her story of survival.

>> Unlike victims of spousal abuse, for example, no civil remedies exist for those seeking relief in a dating relationship. House Bill 8 in the 2014 legislative session would have provided those remedies, but the bill died before it could become law. According to a map provided by the Mary Byron Project, Kentucky is the only state in America that provides no protection to victims of dating violence who have not lived with or had a child with their abuser.

"At this point, officers can't arrest for violation of an Emergency Protective Order, because there is no protective order available to dating victims," said Marcia Roth, executive director of the Mary Byron Project. "That's all the more reason why law enforcement ought to look at these cases and see if they can creatively, within the law, figure out a way for criminal sanctions."

Protective orders are an important missing tool because obtaining one is a first step for many domestic violence victims, Faragher said. They don't have to put anyone in jail or endure the social stigma that results from their partner's arrest.

"Very few victims, when they're ready to take that first step, are thinking about punishing the abuser," Faragher said. "That's not where their head's at. They just want the abuse to stop. So the protective order is such a nice way of doing that. Of course, they've already tried saying, 'Stop, don't do this.' Maybe even making their own threats of saying, 'I'll tell someone,' or, 'I'll call the police.' But when none of that has worked, they get that protective order."

When a victim of dating violence files a criminal complaint against her abuser, she has no control over what happens next, Bartlett said.

"She is not a party to the action," Bartlett said. "The party is the Commonwealth of Kentucky. She doesn't have any control over the process. A prosecutor may decline to prosecute the case for a lack of evidence, they may settle the case for nothing, or they may plead it down. If she gets a no-contact order out of the criminal court, it is only punishable by contempt of court, which means the victim has to go back to court if her abuser violates the order.

"The civil order (if it was available to her) protects her while this process is taking place," Bartlett continued, "and she's in charge of it. She is the party, and it continues to protect her if the criminal

prosecution gets dropped for whatever reason. If he violates the order, it is one of only two times in Kentucky law that mandatory arrest exists."

Bearing in mind that signs of abusive behavior start young, Roth suggested a behavior-changing impact can be made with perpetrators by filing the EPO without potentially ruining their future.

"From the male perspective, if that person is served with a protective order and is told in language he can understand that this is not OK, that he cannot continue this behavior, you might well be preventing him from ending up as a guest in one of Kentucky's jails," she said.

For example, an 18-year-old perpetrator might be charged with stalking, trespassing, burglary, assault, or a variety of other criminal charges for abuse he inflicts on his girlfriend. With his adult life just starting, Bartlett said he — and his parents — would rather him be subject to a civil protective order. If he complies with the terms of the order, he has no criminal record, she said.

"Going forth into college and the job market, he doesn't have that on his record," Bartlett said. "He learns at 18 that the behavior is wrong. Then he's not still doing it when he's 30 or 45 when he's losing his job, can't support his kids, he's going to jail…."

"And we've got victims out the wazoo," Roth added.

WHAT YOU CAN DO

Until the day comes that protective orders are available to Kentucky dating victims, Faragher said it is imperative that we focus on remedies that ARE available to victims.

"It's time to start being more public about what victims of dating violence can do to get help," Faragher said. "I feel like by focusing on the protective order statute, we've almost given the message that there is no help for dating-violence victims. It's like everything we do — it is one tool in the tool box. I think it is a very important tool, and I hope we get it soon. But it is not the only thing we can do. All of us, then, should be focusing on what we can do for victims. What help is available for them?"

Support and advocacy from multiple organizations are available and active. The National Dating Violence Hotline, for example, is available 24 hours a day, seven days a week in 140 languages, she said. If your agency has a relationship with local advocates, provide their information to dating victims, Faragher said, along with hotline numbers.

"So if somebody from Lexington called, they are going to tell them about Greenhouse 17 (an organization devoted to support, counseling, advocacy, emergency shelter, education and prevention reaching 17 central-Kentucky counties)," Faragher said. "They call me once in a while just to make sure my information is correct. They are very good about trying to keep on top of resources nationally."

Criminal avenues that exist for all domestic violence victims are the same in cases of dating violence, Faragher said. Trespassing, stalking, assault, terroristic threatening, burglary, harassing communications — all are common charges that can be levied, when appropriate, in dating violence cases.

Given the propensity for violence among young adults, Roth suggested bullying as a charge that should be considered. Even if it is relationship violence, it is still bullying, Bartlett reiterated.

"What law enforcement has to understand is that the relationship does not excuse the behavior," Bartlett said. "If you would charge strangers with burglary because they broke into someone's home and took their cell phone to see their text messages, you need to charge the ex-boyfriend. Sometimes people tend to think the relationship excuses the behavior. If it wouldn't excuse it in a stranger situation, it doesn't excuse it in a dating relationship. The risk of physical injury or death is still the same.

"Whether or not you live with somebody doesn't determine your risk," Bartlett continued. "The relationship determines your risk. A compassionate, thoughtful law enforcement agent should say to themselves, 'This girl can't get a protective order. Let me see what I can do to keep her safe.' Because she is still in danger."

Trespassing, stalking, assault, terroristic threatening, burglary, harassing communications — all are common charges that can be levied, when appropriate, in dating violence cases.

What's unique in dating violence cases — as it would be in other domestic violence cases — is establishing context, Faragher said.

"These are crimes where context is critical," she said. "You have to consider the context to understand the meaning of the incident. It's really about the officer's line of questioning and making sure they are talking to the victim privately. They need to ask questions that get at what the relationship may be. 'Are you just friends? Is there more than a friendship here? How long has the relationship been going on? Has there been some kind of change?'"

Most critically, Faragher said, is asking what victims fear their abuser may do.

"Not that they are going to base a charge on that exactly, but this is going to bring out where their head is with this relationship," she continued. "You may say something like, 'This isn't what happened this time, but can you tell me about the worst thing that's ever happened? What is the worst thing this person has ever done to you?"

Giving victims the message that many people are hurt by someone in dating relationships and there are resources available, even if there are no charges that can be brought at that point, is imperative.

"I think an officer giving that message that we do have laws to protect them, that's a good start," Faragher said. "At least the victim has gotten the message that this isn't OK, our society says it's not OK and there is help out there for them."

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Could it be possible to have fewer victims of sexual assault?

KELLY FOREMAN | PROGRAM COORDINATOR

In 2008, the Kentucky Association of Sexual Assault Programs joined together with 13 regional rape crisis centers in an effort to reduce sexual violence, dating violence, stalking and bullying among the population they considered to be most at risk — 14 to 18 year olds.

From 2009 to 2014, KASAP and the University of Kentucky collected data in a randomized controlled intervention trial to evaluate Green Dot intervention programs via surveys conducted in 28 Kentucky high schools. Nearly 100,000 students were surveyed, making this one of the largest surveys of its kind.

There were three study goals. Surveyors wanted to determine if, when compared with students in control schools, students in schools with Green Dot reported:

- more positive bystander behaviors
- fewer social norms supporting violence acceptance
- lower rates of violence over time with the program's implementation

Half of the schools surveyed were considered implementation schools where Green Dot speeches and bystander training was conducted. The other half were control schools, where no new programs addressing sexual assault were implemented during this time.

Green Dot was implemented in two phases: Green Dot persuasive speeches began in fall 2010 and five hour Peer Opinion Leader Bystanding training began in fall 2011.

The survey included 99 questions. Students were surveyed every spring over the course of the five-year study.

To judge the size of the problem of interpersonal violence in Kentucky high schools, students were asked about their victimization and perpetration:

20.2% reported **PERPETRATING DATING VIOLENCE**

33.4% reported being **VICTIMS OF DATING VIOLENCE**

30% reported being **VICTIMS OF SEXUAL HARASSMENT**

8.5% reported **PERPETRATING SEXUAL HARASSMENT**

8% reported **PERPETRATING SEXUAL VIOLENCE**

18.5% reported being **VICTIMS OF SEXUAL VIOLENCE**

16.5% reported being **VICTIMS OF STALKING BEHAVIORS AT LEAST THREE TIMES**

5.3% reported **PERPETRATING STALKING BEHAVIORS AT LEAST THREE TIMES**

Persuasive speeches began as early as fall 2010. By spring 2011, **52 percent** of students in the intervention schools had **heard a Green Dot speech**.

Data collection ended May 2014

BIG PICTURES QUESTIONS

Was the training implemented and does it have impact on students?

Does training result in a reduction of violence over time?

The answer: Yes

- By spring 2014 more than 14 percent of students in intervention schools reported receiving Green Dot bystander training. (Research shows that at least 15 percent of selected students in any school — or community — must engage in the new behavior to achieve the shift the program aims for. Thus, student leaders were selected from 15 percent of the total population within schools.)
- Survey results showed acceptance of sexual violence declined significantly.
- Acceptance of dating violence also declined among intervention school surveyed students.
- Bystander behaviors increased significantly in intervention schools, surveyed students reported.

"The simple interpretation is that Green Dot works to reduce sexual violence perpetration and victimization. Other forms of violence also are similarly affected."
— KASAP Executive Director Eileen Recktenwald

Green Dot Philosophy

The Green Dot etc. curriculum is informed by concepts and lessons learned from bodies of research and theory across disciplines including: violence against women, diffusion of innovation, public health, social networking, psychology, communications, bystander dynamics, perpetration and marketing/advertising.

Additionally, since the foundation of Green Dot etc. is built upon the necessity of achieving a critical mass of individuals willing to engage in new behaviors, it is important that we strive to recognize and address anything within our efforts that might be limiting engagement including historical obstacles in the field of violence prevention and professional and personal obstacles we all face.

Finally, in contrast to historical approaches to violence prevention that have focused on victims and perpetrators, the Green Dot etc. strategy is predicated on the belief that individual safety is a community responsibility and shifts the lens away from victims/perpetrators and onto bystanders. The overarching goal is to mobilize a force of engaged and proactive bystanders.

— livethegreendot.com

PHOTO BY JIM ROBERTSON

Kenton County Police Officer

Steve Benner

KELLY FOREMAN | PROGRAM COORDINATOR

> *You give someone what they think is anonymity and the communication tools to do this, and you're going to see the real person.*

From over his right shoulder, empty faces on his "Wall of Shame" peer out into a detective's office now instead of into the shadows of the World Wide Web. Those faces, each marked with their victims — and their convictions — keep Kenton County Police Officer Steve Benner going each day as he seeks to protect our children from those who would steal their innocence. Talking to men whose goal is the unspeakable. Stopping them in their tracks when they cross the line — it's complex, detailed and disgusting. But knowing that he could change someone's story, he said, makes it all worthwhile.

I have been in law enforcement since 1995. I started with Elsmere Police Department, went to Northern Kentucky University Police, Cincinnati/Northern Kentucky Airport Police and then here. I kept getting closer to home. Now I'm two miles away. It's nice. I have been with Kenton County Police Department since 1999.

I was working in the Bureau of Investigation and I was trained in International Crimes Against Children. With the case load I had, there was no way I could get online and chat. That takes a lot of time. I was certified in it but not able to do it. When my five years were up in the B of I, I went back to patrol. I asked if I could still do the ICAC work and they said yes. So I started doing this in 2009.

I'm a patrolman first. If those guys need me on the road, I have to drop what I'm doing. If they really need me, no matter what I'm doing, I'm dropping it. Unless we have a child who's actively being molested, then we need to take care of that.

I take all my calls from my desk. When I do get a call that needs to take me away from the desk, one of my sergeants or one of the other guys in patrol will say, 'Hey, can you take that call or do you need to keep going?' Sometimes I'm collecting information from a suspect that is sensitive, and in that, I don't call the shots, they do. They say when they're coming online, they say what they're going to say and they show me what they're going to show me. I can never initialize or escalate a conversation. Everything is up to them; I just have to be available and online.

It's tricky because you have to know what they know and try to think what they're thinking. It gets a little confusing sometimes. I have the people I've talked to divided into groups of those who are confirmed living in Kentucky and those who have crossed the line.

There are ways they try to figure out who's on the other line. I had one guy ask me to send him a word document. I was already privy to that, so I did. In the properties of a word document it says who that Microsoft Word belongs to — Kenton County Police Department or (Benner's cover name). We've been down that road. They want to see pictures of you, video of you; they want to talk to you on the phone to make sure you're real.

I prefer to get them in Kentucky, but when I put myself out there in a chat room, I don't know who's going to contact me. For instance, one of these guys was in Switzerland. He sent me a webcam and wanted to see the girl naked. He sent me all kinds of child pornography. I went through Interpol and the Swiss National Police and got him arrested. It's just a few phone calls; some emails and Google translate.

Any one of these guys could travel tomorrow and say, 'Let's do this.' So every time I meet someone new who has crossed the line, they get a file. I have 274 files in here. That's 274 people who have contacted me and crossed the line.

I don't ever catch two guys the same way. There's so many different ways to get caught because it's on a computer that duplicates and stores everything. I use a program called Camtasia that records my entire screen. It records my mouse clicks, it shows my mouse moving across the screen. It records audio and video. I show that to a jury, and when they find out I have that, they know I have them lock, stock and barrel.

You give someone what they think is anonymity and the communication tools to do this, and you're going to see the real person. For some reason, they like to show little girls what they're doing.

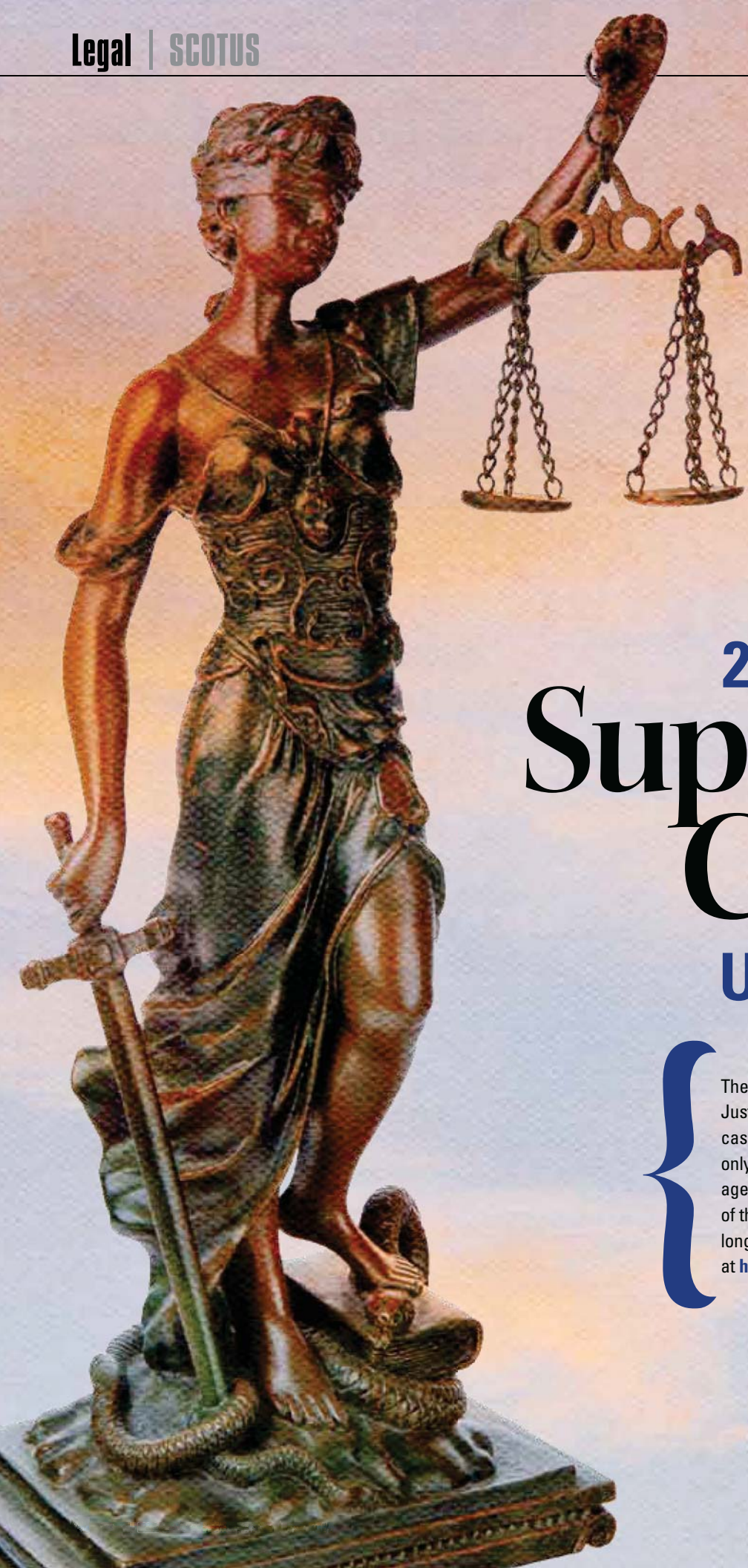
The only overwhelming feeling I get is not being able to back up my officers when I'm in here. Usually, I'd be out on the road and can zoom right over to that traffic stop to back someone up. That bothers me. Seeing this stuff — I just know they're perverts and I need to get them. I really get steamed when I find out there's a kid being abused because then I go after them 100 percent. That's my ultimate goal, to stop any abuse.

I went to New Jersey and accepted an award for police meritorious service for one of the victims there. This guy was talking to me, a 13-year-old girl, and he said he's a woman. He was sending me pictures of a woman saying, 'This is me,' and all the pictures were dressed and at different ages. It was really weird. I thought, 'Why is a pervert sending me pictures of a clothed woman? Is it really her or someone else?' It turned out he was sending me pictures of his daughter. Then he started sending me pictures of a naked woman and said, 'This is me, I get undressed and take pictures of myself.' It was obvious to me these were not the same woman. He thinks he's talking to a 13 year old, maybe he thought she wouldn't notice.

The naked woman he was sending me pictures of was always lying down. At times her hand would be drawn up and her legs had no muscle tone. I was thinking, this is obviously a handicapped person. It turned out it was his other daughter, who was about 18. She has the mentality of a 6-month-old baby. No physical capability — has to be fed, diapered, everything. He is supposed to be taking care of her and he's sending naked pictures of her out on the Internet. I was able to put a stop to that.

The victims out there, that's why I do it. Everybody has a story. These stories are live. These are the ones I want to get. J

Kelly Foreman can be reached at kelly.foreman@ky.gov or (859) 622-8552.



2013-14 Supreme Court UPDATES

The Kentucky Department of Criminal Justice Training provides the following case summaries for information purposes only. As always, please consult your agency's legal counsel for the applicability of these cases to specific situations. A longer summary of each case is available at **http://docjt.ky.gov/legal**.

42 U.S.C. §1983 – EXIGENT ENTRY

Stanton v. Sims, 134 S.Ct. 3 (2013)
Decided Nov. 4, 2013

ISSUE: If the law is not settled on a particular issue and the officer acted in a manner not "plainly incompetent," is the officer entitled to qualified immunity?

HOLDING: The Court agreed that when the law on a particular situation is not legally settled, with previous decisions in similar situations resolved in a consistent manner by the courts, an officer who takes action in the face of legal uncertainty should not be penalized. The Court ruled in favor of qualified immunity for the officers.

Kansas v. Cheever, 134 S.Ct. 596 (2013)
Decided Dec. 11, 2013

ISSUE: May the prosecution use a court-ordered psychiatric examination to rebut evidence of the mental status of the defendant?

HOLDING: The Court agreed that a trial court may order a psychiatric examination on its own, when mental state is argued as a defense by the subject under trial. The case was reversed and remanded back to Kansas for further proceedings.

Burrage v. U.S., 134 S.Ct. 881 (2014)
Decided Jan. 27, 2014

ISSUE: To support an enhanced penalty under federal law, is it necessary to prove that a drug distributed by the defendant is the proximate cause of another's death?

HOLDING: The Court agreed that direct proof is required to invoke a federal sentencing enhancement based upon the death of an individual due to an overdose allegedly sold from the subject under trial. Because so many drug-related deaths involve a combination of more than one drug, purchased, possibly, from more than one trafficker, such proof many be difficult in some circumstances, however. The Court reversed the sentence, but not the conviction, against the defendant.

SEARCH & SEIZURE – CONSENT

Fernandez v. California, 134 S.Ct. 1126 (2014)
Decided Feb. 25, 2014

ISSUE: Does the refusal to consent to a search extend past the point at which the objecting party is removed, if another co-inhabitant gives consent later?

HOLDING: The Court agreed that consent given by a party left behind, when one resident is removed from a location as a result of lawful arrest not made for the purpose of getting a consent, is valid. In such circumstances, to not allow that person to give a consent would be disrespectful to the independence of that individual. The Court upheld Fernandez's conviction.

FEDERAL ASSET FORFEITURE

Kaley v. U.S., 134 U.S. 1090 (2014)
Decided Feb. 25, 2014

ISSUE: Does a federal grand jury indictment also support the seizure of assets connected to the crime?

HOLDING: The Court upheld the freezing of assets that are the proceeds of a crime, when probable cause has been demonstrated by the grand jury in an indictment.

MILITARY JURISDICTION

U.S. v. Apel, 134 S.Ct. 1144 (2014)
Decided Feb. 26, 2014

ISSUE: Is a public roadway through a military base still under the command of the military?

HOLDING: The Court noted that many military installations in the United States encompass public roads, as well. In a case in which a subject was protesting in an area that was under, in effect, dual jurisdiction, the Court agreed it was necessary to determine the actual status of the property in question, and whether it was under the exclusive jurisdiction of the base commander. The Court returned the case to the trial court to determine if the military had exclusive possession of the area in question.

FEDERAL FIREARMS LAW

Rosemond v. U.S., 134 S.Ct. 1240 (2014)
Decided March 5, 2014

ISSUE: To convict of aiding or abetting in a crime involving a firearm under federal law, must the defendant be found to have been aware of the presence of the weapon by a cohort?

HOLDING: The Court agreed that to convict a co-defendant for the use or presence of a firearm during a drug deal, by another party, required the defendant to have foreknowledge of the presence of the firearm. Since the jury instructions did not require the jury to make that decision, the case was remanded back to the trial court for further proceedings consistent with the decision. >>

>> FEDERAL LAW – CRIME OF VIOLENCE

U.S. v. Castleman, 134 S.Ct. 1405 (2014)
Decided March 26, 2014

ISSUE: Does a minor assault that includes any degree of force qualify as a misdemeanor crime of domestic violence for federal law purposes?

HOLDING: The Court noted that under common law, where any amount of force was considered to be force, it was appropriate to define force in a domestic violence situation to require only the slightest degree of force, including shoving, slapping and hitting. The degree of force to constitute a "misdemeanor crime of domestic violence" would be that required to support a "common-law battery conviction." The case was remanded back to the trial court for further proceedings.

SEARCH & SEIZURE – TRAFFIC STOP

Navarrette v. California, 134 S.Ct. 1683 (2014)
Decided April 22, 2014

ISSUE: Might an anonymous 911 caller provide sufficient information to support a traffic stop?

HOLDING: The Court agreed that a detailed and specific tip, even though arguably anonymous, is sufficient to support a traffic stop, even when the officer does not personally witness any violations. (The Court also noted that in modern 911 systems, it is difficult to achieve total anonymity anyway.) The Court upheld the guilty pleas in the case.

42 U.S.C. §1983 – USE OF FORCE

Tolan v. Cotton, 134 S.Ct. 1861 (2014)
Decided May 5, 2014

ISSUE: Is a court required to analyze the evidence in a summary judgment case in the light most favorable to the plaintiff?

HOLDING: The Court ruled that in a civil use-of-force case the Court must analyze the evidence presented in a manner most favorable to the plaintiff making the allegations, especially when that evidence contradicts evidence put forward by the defendants. The Court reversed the summary judgment that had been granted to the officers in the case, and remanded the case back to the trial court.

TRIAL PROCEDURE – DOUBLE JEOPARDY

Martinez v. Illinois, 135 S.Ct. 2070 (2014)
Decided May 27, 2014

ISSUE: Does the swearing in of the jury signal the start of a trial, triggering the Double Jeopardy Clause?

HOLDING: The Court agreed that the point at which a jury trial begins, for purposes of triggering double jeopardy, is when the jurors are empaneled and sworn. The Court held that in this case, jeopardy had attached and reversed the decision of the state courts, which had ruled that it had not.

42 U.S.C. §1983 – USE OF FORCE

Plumhoff v. Rickard, 134 S.Ct. 2012 (2014)
Decided May 27, 2014

ISSUE: Is using deadly force to end a dangerous, high speed pursuit, Constitutional?

HOLDING: The Court agreed that using intentional, deadly force to end a dangerous vehicle pursuit is lawful. Further, the Court noted that an allegation that too many shots were fired at the fleeing subjects was not valid, as officers were expected to "not stop shooting until the threat has ended," even when that puts others at risk as well. In this case, as the lower court had denied qualified immunity to the involved officers, the Court reversed that decision and remanded it back.

FEDERAL FIREARMS LAW

Abramski v. U.S., 134 S.Ct. 2258 (2014)
Decided June 16, 2014

ISSUE: May a weapon be purchased, under federal law, by a "straw" purchaser?

HOLDING: The Court ruled that a firearm must be purchased from a dealer by the actual buyer, not someone acting as a "straw buyer" for the person actually providing the money for the weapon. (The Court noted that the decision did not necessarily include a prohibition on purchasing a weapon as a gift, as that was not the facts before it.) The Court upheld the conviction for misrepresentation.

FIRST AMENDMENT

Lane v. Franks, — U.S. — (2014)
Decided June 19, 2014

ISSUE: Is testifying truthfully as to matters learned in the course of one's employment protected speech?

HOLDING: The Court agreed it made no sense to allow the punishment of a government employee by termination, for that employee's appearance and testimony under subpoena

concerning a criminal case in which that employee had valid information. The Court noted that the employee's testimony was not false or incorrect and concerned an important matter of public interest. The Court reversed the dismissal in favor of the government entity, (a state community college), which fired Lane.

FEDERAL LAW – BANK FRAUD

Loughrin v. U.S., — U.S. — (2014)
Decided June 23, 2014

ISSUE: Is the presentation of a fraudulent bank check to a merchant bank fraud?

HOLDING: The Court agreed that an attempt to pass a bad check, drawn on a federally insured bank, through a retailer, was federal bank fraud, because it was to be expected that ultimately, the check would be presented to a bank. The Court affirmed Loughrin's conviction.

SEARCH & SEIZURE – CELL PHONE

Riley v. California / U.S. v. Wurie, — U.S. — (2014)
Decided June 25, 2014

ISSUE: May a cell phone be routinely searched incident to arrest?

HOLDING: The Court agreed that it was a violation of the Fourth Amendment to allow for cell phones to be routinely searched, incident to an arrest, although it allowed that in some situations another exception, such as exigent circumstances, might permit it. The Court reversed Riley's conviction and affirmed the dismissal of Wurie's conviction.

FIRST AMENDMENT

McCullen v. Coakley, — U.S. — (2014)
Decided June 26, 2014

ISSUE: May a fixed buffer zone around an abortion clinic (or other facility) prohibit activity on a public sidewalk or other traditional public fora?

HOLDING: The Court dismissed the state law at issue in the case, finding that a limitation on sharing views with others on a public fora (the sidewalk) was too broad of a limitation on First Amendment. The Court reversed the decision upholding the statute that created the fixed zone.

> "Officers are guided by the principles of justice. We employ the highest ethical standard. We demand accountability, consistency, fairness and honesty in the performance of our daily duties."

Chief Terry Powell

Fulton Police Department

Terry Powell is from a family of eight and grew up on a small farm in Fulton County. He graduated from Fulton County High School in 1975. Powell served his country in the U.S. Marine Corps from 1975 to 1979. After leaving the Marines with an honorable discharge, he was hired by Fulton in 1979 as a patrolman and completed his training at the Department of Criminal Justice Training in 1980. He rose through the ranks and was appointed chief in 1999. Powell serves as a Sunday school teacher at the New Hope Missionary Baptist Church. He and his wife, Wanda, have been married for 35 years and have one daughter, Bethany, and two grandchildren, Trinity and Katelyn.

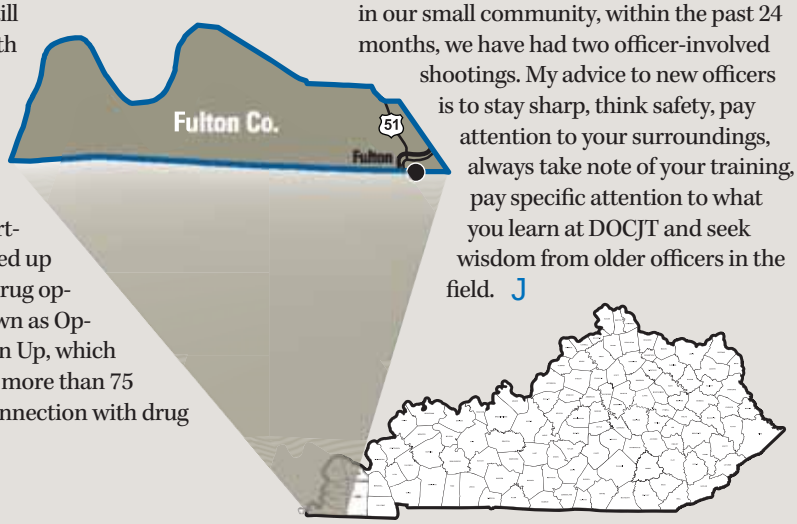
WHY DID YOU CHOOSE LAW ENFORCEMENT?

During my junior year in high school, I delivered a speech saying that my dream was to become a police officer and serve my country as a U.S. Marine. The class laughed. I was shy and very nervous while delivering the speech, but the next four years, I served as a Marine for the U.S. military. I was hired as a Fulton police officer and was sent on my way to protect and serve the citizens of Fulton. I received a reputation of being the blue-light kid, stopping everything that moved. One day while on patrol, one of my senior officers opened my eyes to what protect and serve meant, and he directed me to what my responsibilities were. He said it was more than just stopping cars for traffic offenses. He explained to me our job and why it was important to the community and the citizens. For new officers the word "protect" means protecting properties from the criminal element. But "serve" can be somewhat ambiguous. In a larger city it may bring a different meaning than in a smaller community. For instance a couple of years ago a man approached me asking for help. He had fallen off a ladder several weeks prior and broken his arm and injured his shoulder. He was pulling a trailer behind his vehicle, and he asked me if I could help him move a window air conditioner into his house, because he could not lift it due to his injury. I followed him home and, with the help of his wife, we moved the air conditioner into his house. Within a couple of hours his house was being cooled. There are times we have to look beyond our call of duty and responsibilities to help.

HOW HAVE YOU MADE THE BEST OUT OF CHALLENGES YOU FACE AS A SMALL AGENCY?

My goal as chief is to meet the needs of this city, not only in this present tense but to look toward the future needs of this city. Like many small towns, Fulton has suffered from manufacturing layoffs and factory closings, causing the community to suffer a slow and painful decline. One of our community leaders, Jeff Campbell, decided to orchestrate a town hall meeting. He introduced a project involving the help of everyone in the community. The project was "Lets Paint the Town," where a total of 46 buildings were restored. Since then, six new businesses opened as a result of the restoration. Our next project will be to move into residential areas to help those in need.

Even with a great community atmosphere we still are faced with issues of crime and drugs. In May 2012 the Fulton Police Department followed up a two-year drug operation known as Operation Clean Up, which consisted of more than 75 arrests in connection with drug trafficking and doctor shopping. Since then, I reviewed our police department and found during the past five years we had more than 60,000 service calls and an average of 360 arrests made yearly. I know I could not do the job that is required of me if it wasn't for the dedicated officers who put their lives on the line to serve the community.



WHAT ADVICE WOULD YOU GIVE NEW OFFICERS ENTERING LAW ENFORCEMENT?

I tell my officers when they start their career there are three things that should be most important. First is God. God always needs to be placed first in our lives. God is in my life, and through him I have overcome many challenges I have faced during my career. Second is family. The biggest heroes are the spouses and children of law enforcement officers. My wife and daughter are compassionate, thoughtful and loving, and they often had to understand why I was late or could not go to activities during my 35 years as an officer. Third is the job. Officers are guided by the principles of justice. We employ the highest ethical standard. We demand accountability, consistency, fairness and honesty in the performance of our daily duties. We are committed to excellence in our profession. We have to maintain a mental and moral strength to resist opposition. We have to maintain fairness and always stand by our fellow officers in the face of danger or extreme situations. Even in our small community, within the past 24 months, we have had two officer-involved shootings. My advice to new officers is to stay sharp, think safety, pay attention to your surroundings, always take note of your training, pay specific attention to what you learn at DOCJT and seek wisdom from older officers in the field. J

> "We are a small community where time slows down to appreciate the important things in life like family, friends and the untouched beauty of rural south-central Kentucky. "

Chief Tony A. Harris

Edmonton Police Department

Tony Harris graduated from Metcalfe County High School and is a graduate of the Department of Criminal Justice Training Basic Training Class No. 274. Harris has worked as a tire salesman, mechanic, farmer, carpenter and butcher. Before coming to Edmonton Police Department he began his law enforcement career as a deputy for the Metcalfe County Sheriff's Office. Harris enjoys fishing, hunting, UTV riding, western movies featuring John Wayne, and classic rock and roll music. His favorite past time is entertaining his grandkids.

DURING YOUR TENURE AS CHIEF OF EDMONTON, WHAT HAS BEEN THE MOST POSITIVE CHANGE OR GOALS YOU'VE SEEN FULFILLED?

I have noticed a decline in traffic violations during school-zone hours. The department went from issuing up to 20 citations per day down to one to two violations per week. This is due to increased presence of patrol in the school-zone area. The DUIs have dramatically decreased as well, ranging from eight to 10 per officer per year, down to three to four. The skill level of every officer has increased due to training provided by DOCJT. The officers perform their duties in a safe and efficient manner. The crime rate steadily decreased as a result of constant vigilance and the dedication of patrolmen.

WHAT ADVICE WOULD YOU GIVE NEW POLICE OFFICERS?

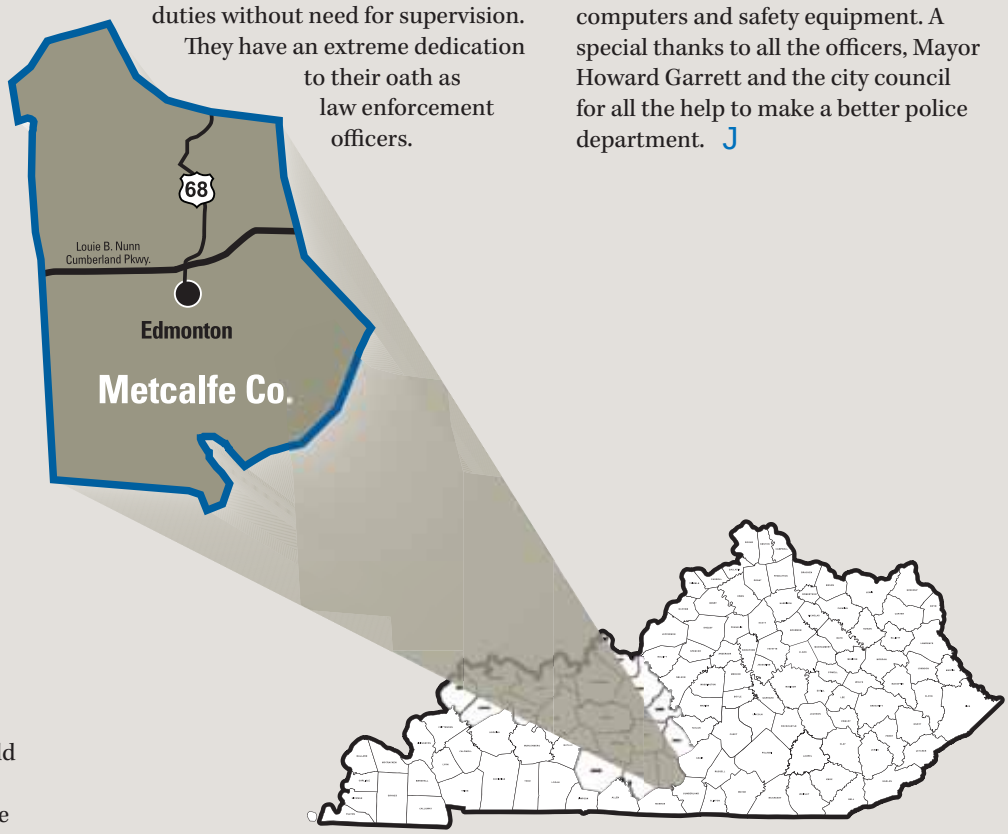
My advice to new police officers would be to always put their family first, think officer safety, and don't straddle the fence in your career, meaning either you are 100 percent on the side of the law or not at all.

HOW DOES YOUR AGENCY INTERACT WITH OTHER LOCAL AGENCIES?

We are a small community that uses all available resources to achieve our law enforcement goals. We work with the Kentucky State Police, Metcalfe County Sherriff's Office, Emergency Disaster Service, Metcalfe County Fire Department and Barren/Metcalfe EMS. There are no power trips. We work together as one big family.

WHY ARE YOU SO CONFIDENT IN THE WAY YOUR OFFICERS HANDLE DAY-TO-DAY OPERATIONS IN EDMONTON?

The officers on my staff are well-trained, seasoned officers who perform their duties without need for supervision. They have an extreme dedication to their oath as law enforcement officers.



WHAT IS SOMETHING INTERESTING ABOUT THE CITY OF EDMONTON THAT MOST PEOPLE MAY NOT KNOW?

We are a small community where time slows down to appreciate the important things in life like family, friends and the untouched beauty of rural south-central Kentucky. We are home of the annual Pumpkin and Kentucky Blueberry festivals, as well as home to Kentucky Music Hall of Fame member, the Kentucky Headhunters band.

WHAT ARE YOUR LONG-TERM PLANS FOR THE DEPARTMENT?

I have served the city of Edmonton for 16 years. I would like to continue as its chief and work on improving the police department with better equipment including updated cruisers, computers and safety equipment. A special thanks to all the officers, Mayor Howard Garrett and the city council for all the help to make a better police department. J

RETURNING A PIECE OF HISTORY:

KSP Dry Ridge post returns Purple Heart to family of WWII veteran

LES WILLIAMS | PUBLIC INFORMATION OFFICER,
PUBLIC AFFAIRS BRANCH KENTUCKY STATE POLICE

The Kentucky Purple Heart Trail doesn't run through Grant County, but Kentucky State Police Post 6 in Dry Ridge has a special connection to it. On May 27, the day after Memorial Day, the post hosted a special ceremony to return a Purple Heart medal to the family of a World War II soldier.

Troopers and staffers of the post presented the medal to Grant County-resident Gary Bowling, the nephew of Private First Class Herman A. Bowling, a 20-year-old Marine who was wounded on July 27, 1944 on the island of Guam during the Pacific campaign. While he was being removed from the battlefield by medical corpsmen, one of them stepped on a land mine, killing Bowling and several of the corpsmen.

"His uncle earned this medal by making the ultimate sacrifice for our country and we wanted to make sure it was returned to the family," said Capt. Anthony Taulbee, commander of Post 6.

"You don't know how important this is to us," said Bowling, whose father died four years ago at age 88. "It would have meant a lot to him. He missed his brother. We thank you for all your efforts to get this back to us."

How the post got the medal is a mystery. Detective C.J. Jaskowiak discovered it in a file cabinet shortly before his retirement in 2013. An Army veteran of the 1980's era, he knew what it represented. It is a combat decoration awarded to members of the U.S. armed forces who are wounded or killed in action against an enemy of the United States.

Jaskowiak attempted to learn more about the medal's owner without success. The only clue was an engraved name on the back which read: PFC Herman A. Bowling, USMC. Upon his retirement, he passed the medal on to Mindi Thompson, a criminal intelligence analyst at the post, for further research.

Thompson kept the medal on her desk, a silent sentinel to an untold story. Her efforts to solve the mystery had limited success until she enlisted the help of Bethany West, a Highlands High School student working at the post in a mentoring program.

Thompson steered her toward some initial resources and after that West "really ran with it," recalls Thompson. "She did an excellent job."

Using various online resources such as Ancestry.com and Google, West started getting hits on the name. She was then able to search family trees to narrow down the hunt. She even received help from the Pendleton County Historical Society. The entire process involved about 13 hours of research.

"The fact that he died so young, with no wife or children, added difficulty to the search," West said. "Although he had six sisters and five brothers, most of them had already passed away."

"His military records only gave his mother as a family contact," Thompson said.

"The trail finally led to a brother in Florida, who referred us to Gary Bowling, a nephew, who, ironically, lives only a few miles from Post 6," she added.

"The whole process was an exciting and rewarding experience," said West, who hopes to pursue a college major in criminology. "It was really interesting to track down the elements of the story and help a family reunite with a piece of its history. J

Above and Beyond

Highlands High School student Bethany West, a KSP intern, used the previous research done by other KSP personnel and dived into her own research to find a living heir for the prized Purple Heart that had been misplaced for decades.

Normally, we hate to repeat ourselves, but in this case, we'll make an exception!

Kentucky Law Enforcement
Voted **Best Magazine 2013 and 2014**
By the National Association of Government Communicators

Book Review

Kris Bowerman | Network Analyst, DOCJT

Leaders Without Titles

What does it mean to lead? Is a title required to be a leader? At some point, we have known a manager or supervisor that did not quite have what it takes to lead. In Dr. Stephen Sampson's book, "Leaders Without Titles," he poses these questions to the reader: Are there natural born leaders? Can leadership be taught?

John Quincy Adams said it best, "If your actions inspire others to dream more, do more, learn more and become more, you are a leader. This book will challenge the way you, as an individual, determine who our leaders should be and uncovers the factors that influence the ability to lead.

In his book, Sampson explains that individuals are drawn to people who may not have formal authority over them. These people would be described as charismatic, fascinating, enjoyable and personable. These are human attributes that attract others to them, thus, achieving influence over others. Sampson divided these informal attributes into six categories: physicality, intellectuality, sociability, emotionality, personability and morality. Additionally, he introduces a new concept called human technology.

Physicality: A person who is seen as physically powerful, attractive or healthy can have significant influence over others. Attractiveness matters and is powerful when it comes to influence and authority. Despite the tendency to minimize the power of physical attractiveness, it is hardwired like addiction to fast food. This is demonstrated by the billions of dollars spent on cosmetics and plastic surgeries.

Intellectuality: In scientific terms intellectuality is the ability to store knowledge and skills, create new knowledge and skills via ideas that improve human existence. We know that people are drawn to intellectually attractive persons because they possess knowledge that others often need to understand life and their existence.

Sociability: These people are ready and willing to engage others without anxiety or fear. They exhibit nonverbal and verbal communication skills that draw others to them. A person who wants to be successful with a group gives up individual or personal need for the greater good of the group and its members. Leadership involves people interacting with others constantly — leaders attempt to get others to act, think and feel in ways they may not ordinarily choose. Leaders who are not social will have difficulty managing a social organization.

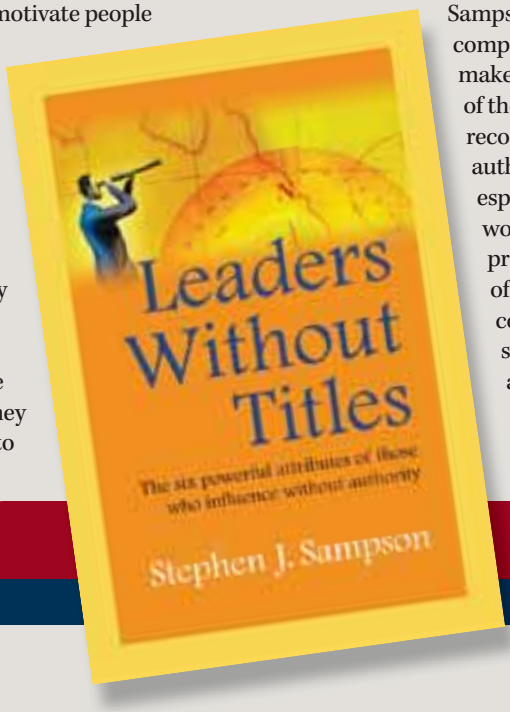
Examples of verbal communication include talking to others and paralanguage: voice tone, volume or pitch. Examples of non-verbal communication include facial expressions, body movement and placement, and a person's undivided attention.

Emotionality: People who are emotional can elicit both positive and negative reactions because emotions are a powerful attribute when leading and influencing ourselves and others. For example, Sampson explains that happy leaders can attract people toward them in a positive way. Angry leaders can motivate people to attack or challenge someone or something and fearful leaders can motivate people to flee from confrontation. In addition, emotions can bias our thinking. Often, we oppose thoughts or facts that do not support our emotions and conversely welcome those who do. People who can emotionalize can be powerful because they use their emotions to not only affect others' emotions, but also to influence the subsequent action and thoughts of others.

Personability: This attribute is probably the most difficult to achieve because it requires being hard on oneself. Sampson explains that people who are personable are approachable, unselfish, real and unassuming. They probably are this way because they accept responsibility when things go wrong rather than blame others or circumstances.

Morality: These individuals have the ability to know and apply the principle of fairness and goodness versus evil and unfairness in how one conducts his or her life. Morality is the most difficult to define because it is influenced by many variables. Moral development historically has been aligned with religion or spirituality. Concepts such as sin, karma, heaven and hell have been connected to morality.

A person who has the physical, social, emotional, intellectual, personable and moral attributes described above would be a powerful person in their own right, even if they were not in a leadership role. Sampson's book, "Leaders without Titles," is a good resource for anyone in a leadership position or aspiring to become a leader. The six attributes Sampson identified to complete a leader will make the reader aware of the importance of recognizing informal authority in individuals, especially in the workplace. The book provides examples of real-life stories, complete with a self-administered assessment at the end of each chapter. J



By Dr. Stephen Sampson, HRD Press, Inc., 2011

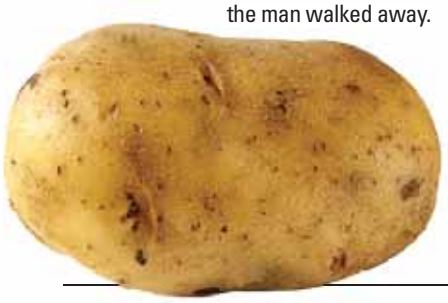
STRANGE STORIES FROM THE BEAT

Pizza prank from the pen

He already was suspected of shoplifting beer, but a southern Kentucky man now faces additional charges for a pizza prank.
While the suspect was in the process of getting booked at the police station the 29-year-old man placed an order for pizza, using his cell phone. Five boxes from Domino's were delivered to the officer who made the arrest. The accused says he was misunderstood. Police say they tracked the call to the phone. He now faces additional identity/deception/impersonation charges. Under Kentucky law, pretending to be a police officer is a felony.

Robbery try with spud is a dud

Police say a man carrying a potato disguised as a gun tried — but failed — to rob a convenience store and a dry cleaner. Police were called to a convenience store where the manager said he chased the suspect away with a baseball bat, after the suspect shouted "give me the money" to the cashier. Minutes later, police responded to a dry cleaner where a female clerk said a man fitting the same description and carrying a potato yelled "I need the money." Perhaps realizing the suspect's "gun" was actually a potato, and not a weapon, the clerk handed him a counterfeit $20 bill from a decoy cash register, and the man walked away.



Man steals NYC bread truck, makes deliveries

A man stole a New York City bread truck and began delivering loaves of savory baked goods to random businesses, the bakery's owner said.
Reportedly wearing only his underwear, the bread thief hopped into the bread truck in Manhattan while the real driver was making a delivery at a pizzeria.
He then allegedly began dropping off baguettes, whole-wheat rolls and sourdough bread — but not to the bakery's customers.
The bakery owner said about $5,000 in bread was taken.

Drunk woman calls 911 for designated driver

A 24-year-old Michigan woman is facing misdemeanor charges after she called 911 for a ride home from a bar because she was too drunk to drive. The woman was charged with a misdemeanor for interfering with police operations by tying up a 911 line for a non-emergency call.

Heroin sold from hospital bed

A Pennsylvania woman was accused of selling heroin from her bed in the intensive care unit at a hospital.
A hospital spokeswoman said hospital security became suspicious of the large number of people flowing in and out of the woman's room.
Police say an undercover informant bought $90 worth of heroin from the woman, who was being treated for an undisclosed ailment at the hospital. A police search of the room also uncovered 350 stamp bags of heroin worth $3,800, two syringes, and $1,400 in cash.

IF YOU HAVE ANY **funny, interesting or strange stories from the beat, please send them to jimd.robertson@ky.gov**

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