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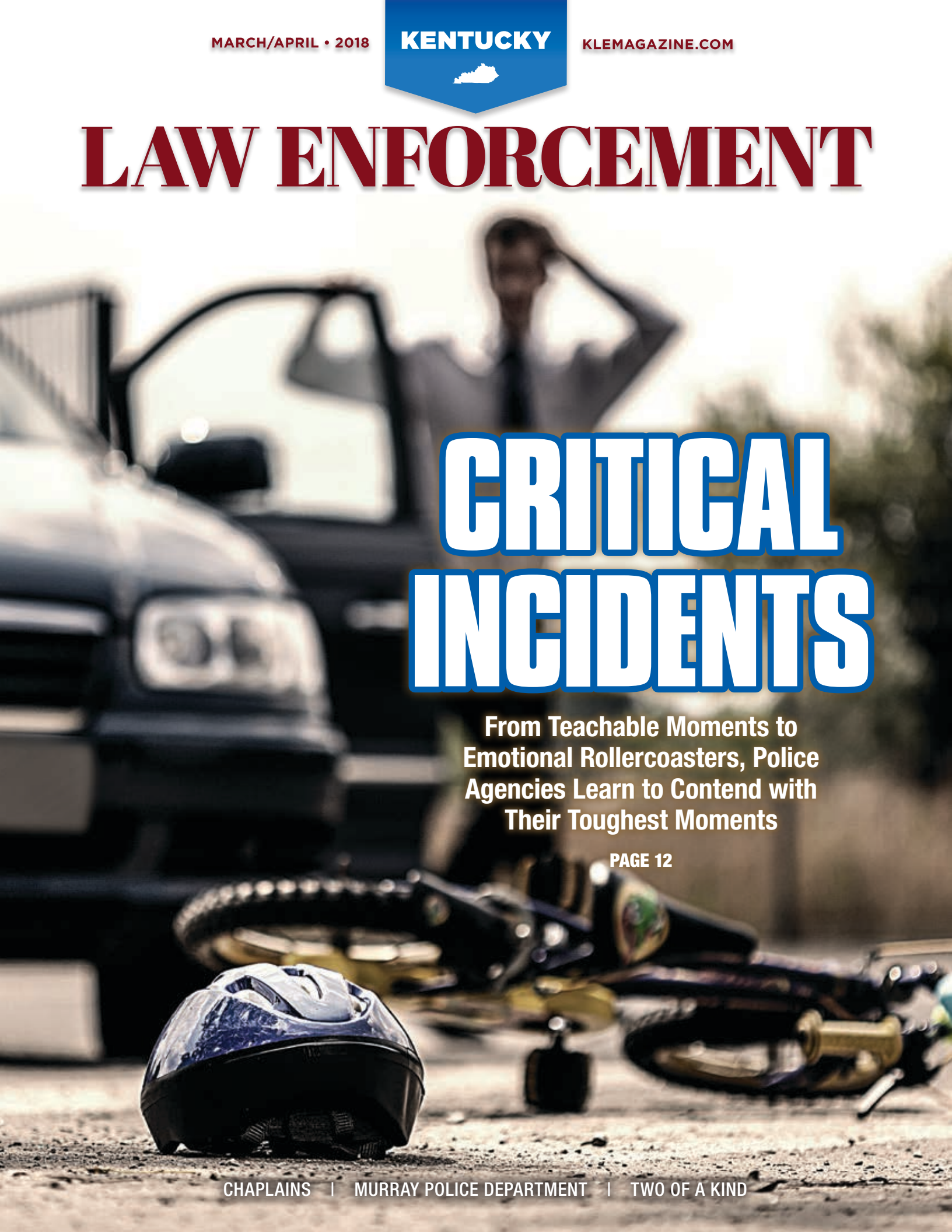
LAW ENFORCEMENT



CRITICAL INCIDENTS

From Teachable Moments to Emotional Rollercoasters, Police Agencies Learn to Contend with Their Toughest Moments

PAGE 12

CHAPLAINS | MURRAY POLICE DEPARTMENT | TWO OF A KIND

Kentucky Law Enforcement Magazine

REAL LIFE NEEDS OF REAL PEACE OFFICERS

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This publication is produced 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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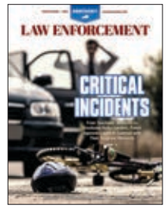

ON THE COVER:
Many people mistakenly associate critical incidents *only* with shootings. However, these can not only include officer-involved shootings, being shot or seriously hurt on the job, but also high-speed pursuits that end in tragedy, events that bring prolonged and critical media attention, personal tragedies and the like.

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MINISTRY OF PRESENCE

POLICE CHAPLAINS ARE AN INTEGRAL PART OF LAW ENFORCEMENT

Written By
MICHAEL A. MOORE

Photography By
JIM ROBERTSON

The sights and sounds of a community football jamboree were in the air on a mid-November Saturday night in Scottsville, just southeast of Bowling Green. Several residents were at the annual event, which featured football players and cheerleaders of various age groups in a family-friendly venue.

On this night, pastor Dale Darley was at home with his family eating dinner when the phone rang. On the other end was Scottsville Police Assistant Chief Darren Tabor. Tabor needed Darley, who also served as one of the police department's volunteer chaplains, to respond to the high-school stadium quickly.

"He asked me to come to the stadium," Darley said. "A child was missing, and he did not have a good feeling about it."

Before Darley could finish putting on his chaplain uniform, the phone rang again.

"(Tabor) called back to tell me they had found her body, and this was definitely a homicide," Darley said. "I can still remember the tone of his voice."

That night, a 7-year-old girl was discovered raped, strangled and left face down in a creek behind Allen County High School.

It was up to Darley – who now is pastor of First Baptist Church in Kingston, Tenn. – and fellow police chaplain Chuck Pruitt, pastor of Scottsville's Mount Union United Methodist Church, to help police officers, dispatchers and townspeople pick up the pieces.

"The impact on our officers was tremendous," Darley said. "Scottsville is a small town, and most of our officers grew up in that community and/or had children who attended the schools there. It was a personal loss for them in a way."

The scene was gut wrenching, and, as a result, the toll on police officers was immediate, Darley said.

"The brutality of the crime weighed heavy on those officers who discovered her body, and who dealt with the crime scene," Darley said. "An officer later confided that it was difficult to eat or sleep, and that there were times when the officer needed to just get away somewhere to cry or vent emotion."

The grief of the event extended to other first responders, Pruitt said.

"(Darley) called me to come talk with dispatchers because they had a tough time hearing what they were hearing over the radio," Pruitt said. "The whole community was devastated."

CHAPLAIN DUTIES

From shootings to fatal car wrecks and violent crimes, law enforcement officers deal with a variety of tragic situations.

If they go unchecked, the stress can build up and cause an officer a myriad of problems. To counter this, many agencies, like Scottsville Police, utilize chaplains to help officers. Chaplains are both sworn officers and volunteer ministers who might not have law enforcement experience.

Usually, police chaplains are called when the news is bad, Scottsville Police Chief Jeff Pearson said.

"They may be called upon to assist in death notifications, assist and support victims in times of crisis, respond to suicide incidents, and serve as part of a crisis response team," Pearson said. "They visit sick or injured personnel. They are a resource for counseling members of the agency and their families, and serve as a liaison with other clergy in the community."

The primary role of a police chaplain is to provide spiritual support, insight and encouragement to police officers who seek help.

TRUST AND LISTENING

In the northern Kentucky city of Carrollton, Timothy Polley has served in the role of police chaplain since March 2015. Prior to serving as chaplain for Carrollton Police Department, he served as chaplain for Benton Police Department, located southeast of Paducah in Marshall County.

Without the ability to establish trust and listen, his chaplaincy would not be nearly as effective, he said.

"Being a listener is important, but the most important thing is trust," he said. "The officer has to be able to tell you whatever is on their heart and whatever is on their mind and know it's going to stay there. Pastoral confidence stays inside the police car."

Elizabethtown Police Officer Larry Robinson, a 13-year veteran, serves as a school-resource officer and chaplain.

"I look after the welfare of the department," he said. "I talk to the officers and am friends with everybody. If a serious incident occurs, I go. I am not there to investigate; I'm there to make sure that they're OK."

(OPPOSITE) Elizabethtown Police Chaplain **LARRY ROBINSON** is a 13-year veteran of the police department. He is also a bishopric with the Mormon church and has attended chaplain training through the Department of Criminal Justice Training and the Kentucky Community Crisis Response Team.

(LEFT) **DALE DARLEY** was a Scottsville police chaplain when a 7-year-old girl was found dead outside Allen County High School in 2015. He said the incident greatly affected officers, dispatchers and townspeople, alike. Darley, who now pastors a church in Kingston, Tenn., said that case was the toughest one he dealt with as a police chaplain.

Scottsville Police Chaplain **CHUCK PRUITT** has been a chaplain since 2014. He said chaplain work can be challenging, but the tradeoff is the reward of helping those in law enforcement and other community members.

Robinson isn't an ordained minister; he is a Bishopric (a position of leadership) with the Mormon Church. He completed chaplain training through the Kentucky Department of Criminal Justice Training and the Kentucky Community Crisis Response Team.

Many times, officers who have experienced a critical incident need a sounding board, Robinson said.

"We've had two officer-involved shootings in Elizabethtown since I've been here," he said. "The second one happened when I was out of town. The first one occurred when I was on duty and involved a friend. He sat in my vehicle, I got him a Mountain Dew and listened."

In addition to listening, Polley said chaplains must have the ability to roll with the punches.

"If you're a pastor or a layperson, you cannot be easily offended," Polley said. "You are gonna have to understand that the officers are going to swear around you, they may sometimes forget that you're in ministry, and you've got to be able to roll with that. Because if they feel like they cannot trust you and they cannot truly talk to you, then they won't utilize you."

BEYOND THE CALL

Many chaplains serve more than police officers, Polley said.

"I believe the spouse and children are just as involved in the officers' law enforcement career because they have to live with it daily," Polley said.

Robinson agreed that serving an officer's family is an important responsibility for chaplains.

"We had one officer involved in a shooting, and he wasn't married yet," he said. "But he had a fiancé and we went and picked her up and brought her in here. We went and got his mom and dad, too. We got them involved to let them see what was going on because it was her fiancé and their son. That was much better because otherwise they'd be at home wondering."

Being a chaplain also goes beyond showing up when things are bad, Robinson said.

"I try to be at everything," he said. "For the new hires, I go to their physical training testing and graduations. I think it's important for me to be there so they can see who I am."

For the volunteer chaplains, they also serve a local congregation, so being at the police department for large portions of the day is not practical. However, that doesn't mean they're not visible said Nathan Oaks, Scottsville police chaplain and pastor of Victory Hill Church.

"I catch them out in the community a lot more than I do by coming to the police department," he said.

Oaks added that he went through the department's citizen's police academy, which helped him get to know the officers and gain a better understanding of the work they do.

DEATH NOTIFICATIONS

Without a doubt, informing someone of their loved one's death is an unpleasant task, Oaks said.

"A recent call for me was about a man whose legs were crushed," Oaks said. "He bled out and passed away. I got the call to go to the hospital. To walk into that situation as a police chaplain, have prayer with them and try to say something uplifting is tough. It's something we learn to do."

That case involved a city worker who died following a work-related accident, Oaks said.

"They asked me to go to the city garage and (the co-workers) were devastated," he said. "A lot of them saw it, and it was traumatic. Our local police knew the guy well, so it was tough on everyone."

Being tactful is key in handling death notifications, Elizabethtown's Robinson said.

"It's hard to do, but what I like about it is doing it right," he said. "You can do it wrong. I remember one time where a police officer was on the phone and told the person, 'I can't tell you much, but you can give the coroner's office a call."

Robinson added that many times, those receiving the news are in shock.

"You tell them, but you don't talk that much," he said. "You listen and you're there for them. You stay there."

Sometimes chaplains are the go-betweens for sworn police officers, Pruitt said.

"When they call us to the hospital, there are many times when officers are trying to do some behind-the-scenes investigation and they need us to keep the family calm and be a buffer."

In addition, there are times when chaplains go the extra mile, he added, recalling an incident where a child committed suicide and the mother was understandably distraught.

"I drove the mom to Nashville because she didn't have a way, and I stayed with her quite a while," Pruitt said. "Her child eventually died that night. Situations like that are tough, but God gives you the grace to deal with it, and you have to be there for people."

In the wake of the Scottsville child-murder case, the chaplains' duties extended beyond the immediate aftermath, Oaks said.

"It's still tough," he said. "There are the anniversaries and stickers on cars that read, 'Remember Gabbi,' and it's still tough for the guys and gals who had to be a part of seeing that."

The Scottsville police chief said the chaplains will be made available for the family during the trial that is scheduled to begin in Spring 2018.

REWARDING CALLING

Being a police chaplain oftentimes isn't an easy task, but at the end of the day, it's worth it," Pruitt said.

"It can be very challenging," he said. "Before somebody goes into it, they need to think long and hard and pray about what they're doing. When I was asked, I took a week to think and pray about it, and I felt like it was something God was calling me to do."

(TOP) Scottsville Police Chaplain **NATHAN OAKS** has been a chaplain since January 2017. He said serving provides him an opportunity to help people he might not otherwise be able to interact with on a day-to-day basis.

(BOTTOM) Carrollton Police Chaplain **TIMOTHY POLLEY** has served both his current department and in Benton, Ky. He said one of the keys of being an effective chaplain is being able to listen and being trustworthy.

PART OF A FAMILY

MURRAY POLICE DEPARTMENT

Written By
KELLY FOREMAN

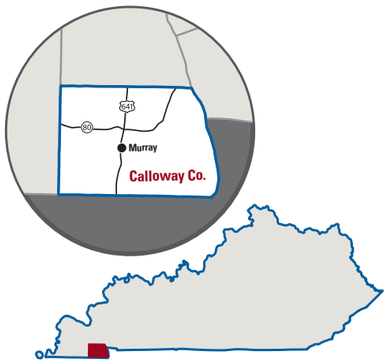
Photography By
JIM ROBERTSON

The click-clack tapping of toenails could be heard strutting down the hallway of the Murray Police Department as the agency's K-9, Tiko, happily carried his ball into MPD Chief Jeff Liles' office.

Following right behind him was his handler, Anna Wicker, who has been working alongside Tiko for the past year and a half. Wicker is like much of Murray's force, Liles said – young, with only four years on the force. Of the 40-officer staff, Liles said nine officers graduated from the Department of Criminal Justice Training's Basic Training Academy in 2017. A tenth officer graduated this spring.

"We have been struggling, losing men and women to other surrounding agencies," Liles said. "One thing we have just accomplished is a pay-scale progression plan. The officers just got a raise in January, and the second part of that will take effect in July, making us competitive with other agencies around us."

(ABOVE) The Murray Police Department is home to 40 officers serving the community of roughly 19,000. The department has earned the Kentucky Association of Chiefs of Police accreditation, and the agency's 911 dispatch center also has earned KACP accreditation.



The city of Murray, with a population of just over 19,000, has been growing steadily since Liles joined the department 27 years ago, he said. At that time, he was one of just 20 officers employed by the agency. As the need for more officers to police the growing city has increased, the agency has outgrown its building – twice.

MPD officers have been operating out of two buildings just across the street from one another for the past several years as a result of the growth. In late summer 2018, the agency finally will be consolidated again under one, much-larger roof.

"It's not the best situation because you want all your people in one facility for the simple fact of morale and being able to communicate with your people better," Liles said. "The new building will at least double our space. We're going to add a sally port onto it, locker rooms – there are several things we are going to do to upgrade the facility."

The new facility formerly was used as city hall, Liles said, and the council chambers occupied a large space upstairs. Once the police department transitions to the new building, the chambers will be converted into a large training space, capable of hosting both internal training as well as opportunities for training alongside other nearby agencies.

Training is a top priority for the agency, demonstrated by the number of officers who serve in the dual role of trainer for a wide variety of skills. Certified trainers are invaluable given the agency's distance from the DOCJT training academy, which is just shy of a five-hour drive each way, Liles said.

"It's great anytime we can bring training our way and have the men and women at our department teaching the class," Liles said. "Anyone who wants specialized training, I encourage them to get it if the budget allows. We have instructors for Taser, ASP, firearms – we have two or three of those. Any weapon they have on their belt; we have a trainer for all that in-house. We have a defensive-driving instructor, STOPS training instructor, CPR – just about any trainer we need, we have them right now."

> "WE ARE A CLOSE-KNIT FAMILY. WE PREACH THAT HERE. IT DOESN'T MATTER WHAT GOES ON, WE ARE PART OF A FAMILY HERE, AND YOU TAKE CARE OF YOUR FAMILY FIRST.
>
> — JEFF LILES, MURRAY POLICE DEPARTMENT CHIEF OF POLICE

The commitment to training is shared from the top down. MPD Sgt. Brant Shutt, the agency's public information officer, listed training as a source of pride for him in his department.

"We're always looking for that training," Shutt said. "We're always trying to work within a budget, so we are really spread out with responsibilities as far as who is certified in what skills. If we're in a pinch and we're not able to send somebody out to training, it's likely we have an instructor here. We have several new officers, and when they come back from the academy, if they need help with something we have somebody here who is certified who can show them what they need. I think that's great."

Several years ago, MPD officers got together and built their own firearms range, which now is utilized not only by Murray officers, but also several surrounding law enforcement agencies, Liles said. Because of the trained instructors and availability of facilities, the department can host diminishable skills training. Once the agency has moved into its new building with the dedicated training space, Liles said he hopes the department can serve more agencies in need of local training.

Murray Police Chief **JEFF LILES** has served the agency for 27 years, rising through the ranks to become chief. After playing football for Murray State University, the Alabama native said he decided to make Murray his home.

(TOP) Murray Police K-9 officer **ANNA WICKER** has been working with **TIKO** for about a year and a half. Wicker said Tiko is very driven and has slowly become more social under her care. He serves as a dual-purpose dog for the agency, capable of investigating narcotics as well as tracking and apprehension of suspects.

(RIGHT) Murray Police Sgt. **SAM BIERDS** has served MPD since 2010, and the recent Academy of Police Supervision graduate became a sergeant in July 2016. Bierds said his philosophy – which is shared by many on his shift and the agency as a whole – is that it is the day-to-day interactions and relationship building with the community that makes the department successful.

of smiling faces. The department enjoys considerable support from the community. Any time a resident brings food or treats for the department, Shutt said the receiving officer asks for a photo, and it is then shared on the department's social media.

Sharing the photos recognizes the residents' kindness, but also serves as a morale booster for officers who might not be in the department to see the community support.

"We see so many negative things about law enforcement, and sometimes it gets to be all that you see," Shutt said. "Especially a road officer who is typically on a shift and not dealing with the best of people in society in their day-to-day contact. To see the good in the community come out and support us is a great morale boost to a lot of the officers. It's amazing to see."

Patrol Officer Tim Fortner, who also serves as the ABC officer, code enforcement officer and polygraph examiner, has spent 14 years with the Murray Police Department. He assumed the code enforcement role four years ago and is in his third year as ABC officer. In many communities, both code enforcement and ABC enforcement are roles assumed by civilians. But Fortner said his sworn status has both benefits and challenges in his dual roles.

"People are not going to question it too much when they see the uniform," Fortner said of his enforcement duties. "That can be a good thing or a bad thing. I don't want to demand respect, I'd rather gain it, but that is one of the benefits. I accompany other departments such as the building official or the stormwater people – I get calls from different people to go with their department within the city to look at something because somebody has been upset with them because of restrictions they have to place on them."

Of course, the primary challenge with any job when your attention is split between multiple responsibilities is that it is difficult to devote 100 percent to any one role, Fortner said.

Since Murray is home to Murray State University, Fortner said there are occasional challenges brought about by college students in rental housing or underage drinking, for example. However, MPD has an excellent working relationship with the MSU Police Department, Fortner said. Of the 45 establishments in town that sell alcohol, Fortner said he works to make sure everyone follows the rules.

"The police department recognizes that we are in a university town and things are going to happen," Fortner said. "We can't get a grasp on everybody and everything. We do what we can to deter underage consumption and sales. We're polite but firm with the establishments so that they know they need to respect the rules and regulations, and if they don't, then we do what we have to do and they understand that."

DUAL ROLES

Just as many officers serve in the dual role of trainer, many Murray officers juggle multiple duties. Shutt, for example, serves as sergeant of support services in addition to his PIO role. He is responsible for the agency's three school resource officers, all the agency's social media and oversees the Alcoholic Beverage Control and code enforcement officer.

"The city is growing around us, and we have to grow with it," Shutt said. "That means growing with duties, too."

Anyone who visits the Murray Police Department Facebook page will undoubtedly see photo after photo

COMMUNITY

On Jan. 23, 2018, an active shooter struck the Marshall County High School campus, leaving two students dead and several others wounded. The campus is just 22 miles from the Murray Police Department, and while outside of their county lines, MPD officers were among the responding local law enforcement.

It was a tragic and frantic situation as parents and loved ones sought their students and responding officers worked to reunite families while securing the scene and maintaining the safety of hundreds on the campus.

Recently out of retirement, Murray Police Officer Kendra Clear was an officer 20 years ago when an active shooter at Paducah's Heath High school, an hour from Murray, killed three students and wounded five others. Clear returned to the force six months ago and was one of the officers who responded to MCHS.

"It's my hometown, so they're actually my family members and people I had gone to school with who were there picking up their kids," Clear said. "They're distraught, and I felt like they were looking at me as a way to… you know, if I'm strong, then they're going to be strong."

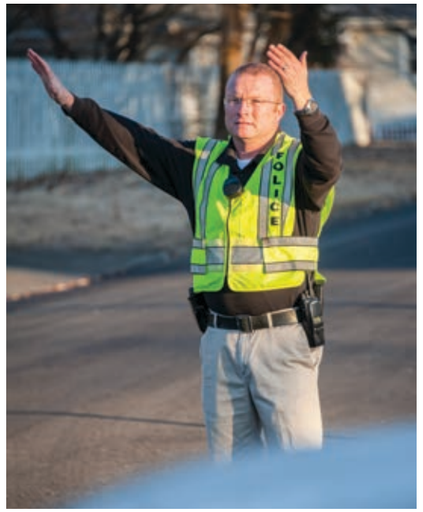
Clear said she and the other responding officers made sure the Marshall County Sheriff's deputies on scene knew they were there to support them and go wherever they were needed.

"They're our brothers and sisters," she said. "We know them on a personal level. These aren't just our neighboring law enforcement. These are people we go out to eat with and our families know each other. They're just like family to us. If something like that happened here, we wouldn't even have to call. They would show up for us, too. That's all it really takes."

That arm of support extended beyond Marshall County in the following days, as Murray Independent Schools welcomed the increased uniformed presence on its campuses. In addition to the department's SROs, Liles and Shutt both visited the schools to offer their support.

The SROs are an important part of how MPD involves its officers in the community daily, not just when tragedy strikes. Murray officers regularly interact with residents through summer programs, a Citizens' Police Academy and more. To Chief Liles, it's about family – both inside and outside the police department.

"We are a close-knit family," Liles said. "We preach that here. It doesn't matter what goes on, we are part of a family here, and you take care of your family first. My plan is to make sure that nobody goes on that (Kentucky Law Enforcement) memorial wall and to make sure these officers go home to their families. My job as the chief of police is to make sure they have the tools and resources to protect and serve. If I'm not doing that, I'm not doing my job."



(TOP) Following the tragic school shooting at nearby Marshall County High School, Murray Police met with local school administrators to serve in a support capacity, ensuring the safety and comfort of students, school personnel and parents.

(MIDDLE) Murray Police School Resource Officer **PATRICK MORRIS** directs morning traffic at Murray Middle School. The Murray Police Department employs three school resource officers – one each serving in a full-time capacity at the city's elementary, middle and high schools.

(BOTTOM) Murray Police Officer and firearms instructor **MICHAEL WEATHERFORD**, left, instructs MPD Officer **MICHAEL ROBINSON** at the agency's firearms training range. Training is a priority for the Murray Police Department. The agency has multiple certified firearms instructors and maintains its own firearms training range for regular training.

DEEP IMPACT

CRITICAL INCIDENTS: TOUGH TRIALS, VALUABLE LESSONS

ACCORDING TO THE KENTUCKY POST-CRITICAL INCIDENT SEMINAR, A CRITICAL INCIDENT IS DEFINED AS ANY EVENT THAT RESULTS IN AN OVERWHELMING SENSE OF VULNERABILITY AND/OR LOSS OF CONTROL.

Written By
MICHAEL A. MOORE

Photography By
JIM ROBERTSON

A few days before Christmas 2013, Covington Police Lt. Justin Wietholder (pronounced weat-holder) was merrily spending time with his family, baking cookies in anticipation of the holiday.

In mere moments, his festive mood was replaced by the grim reality of his job – Wietholder received a call that the Covington SWAT team was being mobilized.

SWAT was called out because a military veteran had barricaded himself and his children inside his home and fired shots at police.

"Our police department has a history of run-ins with him and knowing his situation from the information received, a decision was made to call out our SWAT team to deal with it," Wietholder said. "When we made our initial approach from down the street is when he opened fire for the first time."

The already-high stress levels were ratcheted up a notch once bullets started whizzing by, Wietholder said.

"I ducked down behind a Jeep Wrangler and our SWAT medic, our retired fire chief, was on my back," he said. "When the first round fired off, I was at the rear of the Jeep thinking to myself that this is a bad day, because I was trying to make myself as small as I could around this wheel of a soft-top Jeep."

What complicated the standoff even more was the involvement of children, Covington Detective Tony Jansen said.

"Our tactics and planning were completely turned upside down within the first five minutes of deploying," Jansen said. "The fact that children were present and were used as human shields definitely limited our ability to respond, which made it extremely difficult. The commander and team leader were able to continuously think of ways to disrupt that led to the successful mitigation of the callout.

"It couldn't have been much worse, but thankfully the children were not physically injured and there were no injuries to residents and officers," Jansen continued.

IGOR STEVANOVIC / 123RF.COM

PART OF THE JOB

Law enforcement officers often see, deal with, or become involved in hazardous situations and experiences on a daily basis. These events are part of the profession and the stress associated with the events accumulates over time, taking its toll on officers.

According to the Kentucky Post-Critical Incident Seminar, a critical incident is defined as any event that results in an overwhelming sense of vulnerability and/or loss of control. These can include officer-involved shootings, being shot or seriously hurt on the job, high-speed pursuits that end in tragedy, events that bring prolonged and critical media attention, personal tragedies and the like.

TEACHING TOOL

Each critical incident can be a teaching tool, and Covington Police Chief Robert Nader said once the December 2013 situation was resolved, his department – along with several other northern Kentucky departments – conducted "action reviews," both internally and externally.

"We visited neighboring agencies, upon their request, to discuss what happened and how we reacted, and we were open to new ideas," Nader said. "We also improved our communication with our neighbor SWAT teams, especially in Kenton County and Newport, who were with us (during the incident), and made sure that our procedures were in sync for future call-outs."

The action reviews resulted in several new ideas implemented by Covington, Nader said. Those included:

- A contract with Norse Tactical – "(An external partner) can keep our team abreast of new tactics," the chief said. "These new tactics are shared and communicated with Kenton County SWAT (Which is comprised of the multiple agencies) so that we all can operate from the same page if another prolonged situation occurs requiring us to back each other up."
- The department also purchased a mine-resistant ambush protected vehicle. "It is basically a bullet-proof box truck, no weapons," Nader said. "After the situation, we trained additional members of our team to drive the vehicle, and we received a grant from Kentucky Homeland Security to add emergency lights, spotlights and communication equipment, thus making it a regional emergency vehicle and Kenton County SWAT frequently trains with it."
- The agency also purchased new shields and a Throwbot robot for surveillance.

MORE THAN SHOOTINGS

When the critical incident event is active, police officers focus on their jobs. It's when the event is over that it hits them, Nicholasville Assistant Police Chief Chris Cain said.

In June 2014, the Nicholasville Police Department dealt with a critical-incident of a different nature.

A speeding motorist northbound on U.S. 27 crossed into the southbound lane, striking another vehicle head-on. As a result, five people – an entire family, including three small children – lost their lives in a fiery crash. A sixth person, who was traveling southbound, also died that night.

Covington Police Lt. **JUSTIN WIETHOLDER**, left, Chief **ROBERT NADER**, center, and Detective **TONY JANSEN** said the December 2013 standoff with a military veteran led to new ideas and methods for many northern Kentucky agencies.

When he arrived on the scene, Cain, then a captain, knew it was bad.

"The vehicle was burned beyond recognition, and you had four deceased bodies pulled from the car and draped," he said.

For Cain, the situation became even more gut-wrenching and gruesome when another family member showed up on the scene and informed police that a fifth body – an infant – was unaccounted for.

"Now, we're combing the area thinking the child might have gotten ejected," he said. "Then one of my officers comes up to me and says he found the kid, and he points to the car. I'm looking at it and I'm like (shaking his head), I don't see the child. The officers point again, and then I see the child. He was still in the car seat and all you could see was his skull."

Cain said police officers are human and, while their training took over and they worked the scene in a professional way, it was evident that some were taking it hard.

"One officer was torn up, but he did his job," Cain said, adding that the officer was increasingly frustrated at dispatchers for releasing information over the radio that police didn't want to be broadcasted.

"I remember him getting on the radio and telling them to stop putting (the information) out," Cain said. "This was when we were looking for the infant (and dispatch kept putting out information over the radio that the infant was unaccounted for). He was pretty professional over the radio, and I remember him saying, 'Central, shut the hell up and get off the radio.' I knew he was torn up at that point."

In the wake of the crash, the Nicholasville Police Department began putting together a mental-health policy for its officers.

"As police officers, we've done a pretty crappy job of helping our officers," Cain said. "We have, through the city, an employee assistance program, but they are not cops and haven't been to scenes like this. Back then, we did a pretty poor job of managing these stressful situations."

(BELOW & INSET) Nicholasville Assistant Police Chief **CHRIS CAIN** said as a result of the June 2014 critical incident involving a two-vehicle wreck which claimed the lives of six people, including three children, the agency began putting together a mental-health policy for its officers. Pictured is a roadside memorial of the June 2014 fiery crash.

Cain and Nader both added that the stigma of "mental health" is beginning to lift, as law enforcement agencies are gaining more education about the potential issues associated with critical incidents.

"Officers are notorious for not letting on that something is bothering them," Cain said. "We had a drowning (in summer 2014), at least at the time we thought it was a drowning, but it turned out this little girl had a medical condition. All of my young officers were there, so I said I would make the notification."

While at the hospital, the doctor asked Cain, who is a father to a daughter around the deceased girl's age, to accompany him to break the news to the mother, and this time it was different: the 21-plus year veteran officer broke down.

"I have never done that in 21 years of being on the job," he said. "Part of it is, you change when you have kids. The other part of it is cumulative stress. I couldn't stop crying when I talked to this mother."

If these emotions go unchecked, it can affect an officer's professional and personal life.

"You ride this rollercoaster of emotions and the heightened awareness that cops live in, plus you have these incidents, so when you go home, you're withdrawn and drink heavily or you're not communicating with your spouse and not doing the stuff you once enjoyed," Cain said. "That's where it takes a huge toll."

One of the biggest problems is the Hollywood effect, Department of Criminal Justice Training Patrol Tactics Supervisor Shannon West said.

"The biggest thing we have to overcome is (police officers) are not educated (on how a human will react), and they've never been told what to do," West said. "They have expectations, and most of the time, those expectations are based on what they've seen from Hollywood. Unwittingly, we watch these shows and they see these officers involved in a shooting, and then the next thing you know, those (TV) officers are out eating or whatever. It's crazy."

KYPCIS

At the most recent Police Executive Command Course meeting in the fall, Nicholasville officers heard about the Kentucky Post-Critical Incident Seminar (KYPCIS), and have adopted it into their new mental-health policy.

"This group has seminars and we're going to start utilizing that," Cain said.

KYPCIS is the brainchild of Department of Criminal Justice Branch Manager Travis Tennill. The program is modeled after a successful South Carolina program and the results are impressive, he said.

"It's amazing when officers attend PCIS," he said. "Officers will show up on that Monday saying, 'I'm good. I'm OK.' Then on that Tuesday, it starts getting into the weeds a little bit deeper and they find out they're not OK. By Wednesday, we've given them some coping skills and therapy that will help them move forward."

One of the goals, Tennill said, is for the advisory board to get together and come up with a best practices list, that will aid agencies in the event of a critical incident.

The checklist will be extensive, including critical incidents such as officer-involved shootings, crashes with loss of life and cases involving children.

"That has to take on some special recognition and acknowledgment from leadership that says, 'My officers are going to need a little something more than usual because of these circumstances,'" Tennill said.

Anderson County Sheriff Joe Milam knows firsthand how important it is to take care of those who have gone through a critical incident. In March 2017, two of his deputies were involved in a shooting in which the suspect died.

"PCIS is an amazing tool that I strongly feel should be utilized for officers who have been through a critical incident," Milam said. "The responsibility for proper aftercare falls on every supervisor, chief or sheriff, and PCIS is a huge part of that."

Each individual officer is going to react differently to a critical incident, Milam said, adding that programs such as PCIS and the peer support team through the Kentucky Community Crisis Response Board (KCCRB) helped his deputies tremendously following the incident.

"KCCRB is a godsend," he said. "They send someone who talks to them who has been through a similar incident. It is very important to remember that everyone who goes through a critical incident is going to react differently."

Anderson County Sheriff **JOE MILAM** said programs such as the Kentucky Post Critical Incident Seminar and the peer support team through the Kentucky Community Crisis Response Board greatly helped two of his deputies following a March 2017 officer-involved shooting which claimed the life of the suspect.

> (POLICE OFFICERS) ARE PORTRAYED AS ROBOTS IN A SOCIETY THAT WE JUST GO OUT AND DO OUR JOBS. BUT WE HAVE A HEART AND SOUL LIKE EVERYBODY ELSE. WE NEED THE SAME TYPE OF ATTENTION.
>
> — JUSTIN WIETHOLDER, COVINGTON POLICE DEPARTMENT LT.

The PCIS program matches up officers who have experienced a critical incident, such as an officer-involved shooting, with someone who has experienced a similar incident, Tennill said.

"The sooner they call, the better, because there is going to be an investigation and the officer is the de facto suspect in a homicide investigation. That brings with it a lot of stress and anxiety and there are a lot of unknowns," Tennill said. "That officer cannot talk to anybody other than investigators, but they can talk to a peer-team member."

Anything the officer says to the peer team member is protected by confidentiality, Tennill added.

As of this writing, House Bill 68 – The Professional Wellness and Development Program – passed with a unanimous vote in the House of Representatives and is being considered by the Sentate. The bill's passage would mean annual funding for the KYPCIS program and ensures an officer confidentiality.

OFFICER-INVOLVED SHOOTINGS

There are times when law enforcement officers have to discharge their weapons, and this can cause loss of life or serious injury to someone. It's an unfortunate part of the job, and this was the case in March 2017 in Anderson County when two deputies responded to a non-injury crash in a rural portion of the county.

No one likes to hear the phrase, "shots fired." On this day, over his radio, that is exactly what Milam heard.

"The chief deputy called out, 'Shots fired, need EMS, no officers hurt, suspect down,'" the sheriff said. "As sheriff, my immediate concern was for my guys when you know they've been involved in a critical incident."

Chaos, coupled with high levels of stress typically follow officer-involved shootings, West said.

"One of the things officers shouldn't do, but yet they always do, is they look for reaffirmation from their peers," West said. "They want to know that, 'Hey, what I did was right.'"

That reaction is normal, West said, but it is not a good question to ask.

"The reason is, those things could come back to haunt you because that conversation is not protected," he said.

In the immediate aftermath of an officer-involved shooting, the officer should give a brief statement telling their supervisor or investigator the nuts and bolts of what occurred.

Once that has taken place, the agency needs to switch out the officer's weapon and remove the officer from the scene.

"This is huge," West said. "I have heard officers for years who said that this was one of the most psychologically debilitating things that happened to them, and that is when their gun is stripped away from them. You have an officer who has been involved in a situation where somebody has attempted to murder him or her, or they've intervened when someone has attempted to murder someone else. As a result, they've shot and seriously wounded or taken the life of another human being."

Officers who have been involved in shootings should be handled differently from a suspect who has committed a homicide, West continued.

"A police officer who uses deadly force within the confines of his job and the law should not be treated like the typical homicide suspect," West said. "It's not the same, not unless there is evidence that manifests otherwise. What you have is a witness who has been traumatized by a stressful event."

West said officers who are involved in a shooting should not be placed in the back of a patrol car and once their weapon is taken, it should be immediately replaced.

In Anderson County's case, Milam said once the officer's weapon was taken from him, the sheriff provided the officer with another weapon from his house.

THREE SLEEP CYCLES

In the immediate aftermath of an officer-involved shooting, a brief statement is given by the officer who discharged his or her weapon. Afterward, the officer is removed from the scene and is given three sleep cycles to help the officer process and recall details.

"It takes time for the stress hormones to bleed off," West said. "We know after those intense stressful times, there are gaps in memory – it's the way we are hardwired."

If an officer is required to give a formal, detailed statement right after the event, 99 percent of the time, the statement will change in the days following the incident.

"It's not because the officer is trying to be deceptive, it's that they don't remember," West said. "So we give them the sleep cycles. In three days, we'll sit down with them and take the full statement."

KSP'S CIRT TEAM

Immediately, Milam chose to turn the investigation over to the state police's Critical Incident Response Team, which investigates officer-involved shootings that results in serious injury or death.

The CIRT team was formed in January 2017 with three lieutenants, two sergeants and a detective. In November, the team added two more members and in 2017, the team investigated 24 officer-involved shootings and one in-custody death investigation.

In the immediate wake of the Anderson County incident, KSP was notified, and the team was activated, Milam said.

"We secured the scene, and within minutes, there were four or five troopers there," the sheriff said. "They took care of the investigation. When you call in an outside entity, you let them do it; you don't become involved."

According to CIRT team member, Lt. Claude Little, the first step is being called in by a local agency.

"It has to be their request for us to come in," Little said. "They could investigate on their own, or they may have arranged for another neighboring agency to investigate."

When the CIRT team is called, it may take time for members to arrive on the scene. So in the interim, Little advises the local agency tend to any medical emergencies and secure the scene.

"The first thing you want to do is take care of any emergencies," Little said. "Get EMS there and take care of that first."

The second thing is secure the scene and identify and separate witnesses.

"They wouldn't have to necessarily take witness statements, but they need to identify them and separate them for us," Little said.

Little said from start to finish, it takes about two months to conclude an officer-involved shooting investigation.

TOLL ON FAMILY

During and after Covington's event, Wietholder said his thoughts were on the family he left just hours earlier while making cookies.

"For me, at that time, I had a son who was just over two, and my wife was pregnant with our second son who was born in February 2014," he said. "All that stuff runs through your head. What's going to happen? How will my kids be raised without a dad with me not being able to go to their basketball games, baseball and soccer games? Who is going to take them fishing?"

He discovered afterward that his wife had the same thoughts going through her head.

"She voiced those to me after the fact," he said. "She wondered how was my family going to carry on."

"(Police officers) are portrayed as robots in a society that we just go out and do our jobs," Wietholder said. "But we have a heart and soul like everybody else. We need the same type of attention."

TWO OF A KIND

GEORGETOWN POLICE DEPARTMENT'S ENRICCO TWINS GO ABOUT THEIR DUTIES WITH COMMUNITY IN MIND

Written By
MICHAEL A. MOORE

Photography By
JIM ROBERTSON

Georgetown's Tommy and Joey Enricco have heard all the clichés associated with being identical twins. They look alike, often act alike, and even graduated from the University of Kentucky together with interpersonal communication degrees.

So it should come as no surprise that the brothers have pursued the same career field and have served with the same agencies – the University of Kentucky and presently the Georgetown police departments.

"We've always had similar interests," Tommy, who is a few minutes older, said. "We've always worked together growing up, and we just wanted to continue that. We're both happy that we still get to be around each other, and we have a great work ethic with the way that we were raised."

The adage "The apple doesn't fall far from the tree" applies to the Enriccos. Their father, Thomas, has a law enforcement and military background.

"We learned a lot of good values from our father," Tommy continued.

Their father served in the Army as a military police officer and later worked for the Pennsylvania Department of Corrections, Joey said.

Watching their dad put on the military police uniform during his time in the Army helped fuel a desire for the twins, and that desire was reinforced on a Christmas morning in the late 1990s while the family lived in Alabama.

"We saw a police officer driving down the street, and our friends just got a go-cart for Christmas," Tommy said.

As the story goes, the police officer was patrolling the neighborhood and saw the kids playing with the go-cart, and fearing the worst, the Enriccos – now 30 – were surprised when the officer drove up with a disarming smile and said, "Hey, that's a cool go-cart."

"That was something that stuck with us," Tommy said.

COMMUNITY POLICING

The Enriccos have mimicked the Alabama officer's example of community policing as they approach their respective careers with aplomb.

"(Many Georgetown police officers) make fun of us, but we love vehicle lockouts," Joey said. "We see it as an opportunity for community relations. You know how it is when people are happy to see firefighters? (But) not everyone is happy to see police officers when we arrive on a scene. However, with vehicle lockouts, we're pretty much there to save the day for someone – obviously free of charge. But they're so happy once the job is accomplished, and they're very thankful."

Community policing starts with an eye toward service, Tommy added.

"It can become contagious," he said. "Not just with community members, but also your peers at work. Once you encourage that, the morale is high, everyone is motivated, and we get a lot of good, positive feedback from our community.

Community policing is also an attitude, Joey offered.

"My number one core is passion," he said. "If you don't have the passion to help people or even like people, this job is not for you. There are bad apples out there who shouldn't be in this profession; it's unfortunate, but our main goal is to change (the perception). Many people are skeptical about policing nowadays, especially when they watch the media, but our main goal is to change that around and hopefully give the people of Georgetown a positive experience with law enforcement no matter what the call."

Additionally, if an officer goes through an entire shift where they don't feel a sense of personal satisfaction that they got to help somebody at the end of the day, "Then you're doing it wrong," Joey said.

POLICING TOGETHER

The twins say they were interested in policing from an early age, but it wasn't until a co-op class in college that Joey got his first real taste of law enforcement.

"We had to do an internship, and I chose the (University of Kentucky) police," he said. "That sparked the interest. I did a couple ride alongs and I enjoyed it."

After graduating college in 2010, Joey said he was hired on at UK and went through Department of Criminal Justice Training Class No. 418. About a year later, Tommy followed suit by being hired at UK and graduating DOCJT Class No. 429.

After working for UKPD for just over three years, Joey decided to make a change, and he took a break from policing.

"I wanted a change in direction as far as leadership experience, so I looked to the military," Joey said.

Soon, he found himself in a recruiter's office. Shortly thereafter, Joey was in basic training, then officer's candidate school and was commissioned a second lieutenant in the U.S. Army.

"The time when I was in the Army was the first time we were ever separated in our lives," Joey said. "We took every single college course together, but Tommy and I vicariously live through each other. I told him about my Army experiences and he told me about Georgetown – shortly after I joined the Army in 2013, Tommy got on board with the Georgetown Police Department."

After two deployments overseas, Joey learned he was in line for a third deployment, but decided on a life course change back into policing.

"I had to reevaluate my life, especially being 29 years old," Joey said. "My main goal was to settle down somewhere, and I didn't want to go to a huge department, but I also didn't want to go to a very small department where there weren't going to be advancement opportunities."

Upon leaving the Army, Joey followed his twin to the Georgetown Police Department.

"After talking with Chief (Mike) Bosse, and some other officers here, I knew that Georgetown was where I wanted to be," Joey said. He was hired on to the department in June 2017.

REWARDS OF GEORGETOWN

Both Enriccos say the Georgetown Police Department is special.

"Everyone has such a great relationship with each other," Joey said. "Not all relationships here are perfect, but we're a close-knit enough department. You're not just a number here … everyone knows you to the point where you're recognized for your daily duties. That really helps with morale."

Georgetown also offers a wide array of opportunities, Tommy said.

"We're one of the fastest growing cities in the state," he said. "We're keeping up with new innovations and technology and we're constantly improving. Because we are a growing city, we're also going to have to be a growing police department. I know that Chief Bosse has that vision as well, and here we are in a brand new police department, and we have excellent equipment and we constantly keep moving forward."

Both officers are young in their careers, but neither can imagine policing in another city, and each hope to move up the ladder in due time. But ultimately, being a police officer is about helping people, and it's something the brothers intend to keep on doing.

"Helping people is the main reason most of us come into this profession," Tommy said. "It can be something as small as doing car lockouts or maybe finding the purse that just got stolen and catching the perpetrator. It's the little things like that which makes your day."

EXCITED DELIRIUM IN THE COURTROOM

IS THE OFFICER CONDUCT REASONABLE GIVEN THE CIRCUMSTANCES?

Written By
SHAWN HERRON
STAFF ATTORNEY

Although not an official cause of death, the term "excited delirium" appears with some regularity in situations involving in-custody deaths.

The term simply describes any situation in which a prisoner dies while in custody following a situation on the street, moments after officers have taken the individual into custody, or upon arrival at a jail. Although there is no specific medical diagnosis, it is a death that occurs after an individual who is impaired by a stimulating drug, mentally ill, or both, engages in a physical struggle. These struggles with law enforcement often are prolonged and the individual is either restrained or a Taser is used – in both cases causing a sudden cessation of most movement. It is sometimes linked to positional asphyxia as well, when an individual is restrained in a position that impairs breathing in some way. In some contexts, it is also referred to as "exhaustive mania."

The syndrome, although not well understood, is triggered when the mental illness or drug use causes heart rates and body temperatures to soar. It is usually diagnosed as an exclusion, when the pathologist rules out other issues and is aware of the individual's actions prior to death. The actual cause of death may be listed as some form of a cardiorespiratory event, and excited delirium may not even be mentioned as a contributing factor.

Excited delirium comes up in the law enforcement context typically in use of force cases. It is almost certainly brought under 42 U.S.C. 1983, as a possible violation of the Fourth Amendment. In all such cases, the standard for qualified immunity, in which the officer (and the agency, ultimately) will be dismissed is objective reasonableness. In other words, was the officer's conduct rational under the circumstances? It does not require that the officer select what may be, in hindsight, the best option. Instead, it requires a reasonable option in what is often a heat-of-the-moment decision when time for deliberation may be lacking.

Two Kentucky cases illustrate the point. In Sheffey v. City of Covington, 564 Fed.Appx 783 (6th Cir. 2014), for example, Leroy Hughes, a huge man, was spotted carrying a handgun near two elementary schools. Finding his overall behavior odd, a witness called police.

Officers located and tried to stop Hughes to speak to him, but he was uncompliant. Believing Hughes was possibly intoxicated or mentally ill, additional officers arrived and attempted to convince him to show his hands and get on the ground, to no avail. When he approached one of the officers aggressively, officers deployed Tasers, which proved ineffective. With further aggression, officers forced him to the ground and engaged in a lengthy struggle to gain control. Use of the Taser's drive-stun mode also was ineffective, even on exposed skin. (He was tased at least twice in probe mode, and eight times in drive-stun mode.)

When he was finally handcuffed and shackled to prevent kicking, he was searched and a handgun with additional loaded magazines were found.

Within moments, however, he exhibited signs of medical distress and officers called for EMS. Both the officers and EMS attempted resuscitation, but he died at the hospital. The medical examiner attributed his death to several overlapping causes, including excited delirium. His estate, through Sheffey filed suit, alleged excessive force, but the trial court ruled in favor of the officers on summary judgement.

The Sixth Circuit Court of Appeals agreed that despite the tragic result, the officers' actions were eminently reasonable when faced with a large, combative, non-compliant subject. Even though the underlying, possible, criminal charge (carrying a concealed weapon without a permit) was relatively minor, it was reasonable because of Hughes' odd behavior and proximity to a school.

The Court also reasoned that although he was subjected to a Taser multiple times, it was reasonable, given his lack of response, for officers to believe that the Taser was ineffective. And when they realized that the Taser wasn't working as expected, despite direct contact with skin, they stopped using it. Finally, the Court discounted Sheffey's argument that they could have just continued to wrestle with him until he gave up. The Court also agreed the officers' awareness that he was possibly mentally ill should have been considered as well, but the officers could not have been aware of his actual mental disability, as they could only base their beliefs on his behavior.

In a series of cases over the years, courts have held that although mental illness should be "considered to some extent," it has to be viewed from the perspective of the officers on the scene. The ruling in favor of the officers was upheld.

In another Kentucky case, Cook v. Bastin, 590 Fed. Appx. 523 (2014), officers engaged with Roland Campbell, a young man with both non-verbal autism and severe intellectual disability. He was living in a group home, where he had displayed an increasing degree of agitation and other self-injuring behaviors.

Unable to control his behavior, his resident caregiver called for help from other staff; eventually, they had to resort to calling the police. Officers observed self-injuring behavior. Campbell was digging his fingers into an electrical socket, for example, and had destroyed a room before their arrival. After an extended struggle with multiple officers and staff, Campbell collapsed and fell unconscious; he died at the hospital. His cause of death was attributed, in part, to excited delirium.

> "[EXCITED DELIRIUM] DESCRIBES ANY SITUATION IN WHICH A PRISONER DIES WHILE IN CUSTODY FOLLOWING A SITUATION ON THE STREET, MOMENTS AFTER OFFICERS HAVE TAKEN THE INDIVIDUAL INTO CUSTODY, OR UPON ARRIVAL AT A JAIL. ALTHOUGH THERE IS NO SPECIFIC MEDICAL DIAGNOSIS, IT IS A DEATH THAT OCCURS AFTER AN INDIVIDUAL WHO IS IMPAIRED BY A STIMULATING DRUG, MENTALLY ILL, OR BOTH, ENGAGES IN A PHYSICAL STRUGGLE.

In a similar analysis, the district court, and eventually the Sixth Circuit, agreed that despite his estate representative's arguments as to actions the officers "should have" taken, all that was required was that the officers take a "reasonable approach." Despite the argument that one of the caregivers, who assisted in the restraint, may have laid on top of Campbell, leading to a possibly-fatal compression, the Court agreed the officers reasonably believed that the help of the caregiver might prove useful, since Campbell was familiar with him. The Court upheld the summary judgment in favor of the officers.

In any case involving an apparently-impaired or mentally-ill subject, particularly when the subject become combative, officers should be aware of the potential for a catastrophic, cascading physiological reaction to the stress of the encounter that may lead to death. In such cases, there will almost certainly be litigation, and officers must expect to be questioned extensively about their actions and choices. However, in the majority of these cases, if their actions are reasonable, the officer will ultimately be exonerated, as will their agency, by extension.

The unintended death of any individual is always a tragedy, but in cases where the death is due to what is commonly called "excited delirium," the specific facts of each case will be considered. In such cases, agencies should ensure that a full and detailed investigation is completed promptly in anticipation of such litigation.

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STRANGE STORIES FROM THE BEAT

Unbridled Aggression

A Pennsylvania man faces several charges including taunting a police animal after allegedly becoming intoxicated and punching a police horse. The incident occurred during the NFL playoff game between the Philadelphia Eagles and Atlanta Falcons when the 22-year-old man was ejected from the game because he was intoxicated and did not have a ticket. Following the ejection, the man walked up to the horse and began punching it in the face, neck and shoulder area. The officer on the horse was also struck. Another officer quickly placed the man in custody.

Motorcycle-riding 'Panda' Ticketed

Police in Minnesota conducted a unique traffic stop, late August 2017, where a man wearing a panda suit was pulled over. Calls to 911 earlier in the summer reported a rider dressed as a panda whose vision appeared to be obstructed by the suit as he wove through traffic no-handed. At that time, troopers were unable to locate the 'panda.' However, the 'panda' was spotted on a traffic camera. The biker was subsequently cited for reckless driving and the panda head was confiscated.

The Dog Did It

A Florida man told police that his dog was the one behind the wheel following a high-speed chase in Manatee County. Deputies gave chase to the man who allegedly fled, ran a stop sign, drove through two ditches and eventually crashed into a house. Following a brief foot chase, deputies caught the man, who tried to pin the crime on the dog.

They Heard Voices

A business owner in Iowa kept thinking he was hearing a mysterious whisper saying, "Get out of here," early one morning. The man was sorting cans at his place of business when he heard the voice. The owner looked all over the place trying to determine the source of the voice, without success. Some nine hours later, the business owner's wife received a scare when she heard a man yelling for help from inside the chimney. Police were called and the would-be burglar was arrested on trespassing charges.

Man Assaults ATM

A Florida man was arrested after he punched an ATM because it gave him too much money. According to Cocoa police, the man was seen on surveillance footage standing at the ATM, striking the electronic teller's touch screen. The man reportedly called the bank to apologize for the damage done to the ATM. The man's action could set him back at least $5,000 in damages.

SEND FUNNY, INTERESTING OR STRANGE STORIES FROM THE BEAT TO MICHAELA.MOORE@KY.GOV

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