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ON THE COVER:
The use of a star-shaped badge
has been used for centuries as a
symbol of justice. The cover photo
illustration by Jim Robertson depicts
Madison County Sheriff's Sgt. **JOSH
PETRY** holding his badge. More
than just a symbol of justice, in
Kentucky today the star represents
professionalism, training – and for
89% of elected sheriffs, certification.



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CONTENTS



FEATURES

- 8 **Keeping it Confidential**
*Undercover specialists and
instructors talk use of informants*
- 12 **Sheriffs' Certification Numbers
Rising toward KSA Goal**
*New CDP certificates will
launch this spring for sheriffs*
- 18 **Help is a Text Away**
*Kentucky 911 centers begin
offering Text-to-911 services*

TRAINING

- 6 **Bite Out of Crime**
*Dogs are a valuable
tool in police work*
- 22 **APB: Don't Let Criminals
Pull a Fast One**
*There are subtle, telltale signs
to catch lawbreakers*

PROFILE

- 16 **Dayton Police Department**
Small town with big-city action

LEGAL

- 20 **Medical Amnesty**
*Individuals must request
immunity to avoid prosecution*

COLUMN

- 4 Former Justice and Public Safety
Cabinet Secretary **JOHN C. TILLEY**
*A thanks to law enforcement for
the past four years*
- 5 School Safety Marshal,
DOCJT **BEN WILCOX**
The many pieces are coming together

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A THANKS TO LAW ENFORCEMENT FOR THE PAST FOUR YEARS

With the year ending and this term in Frankfort winding down, I believe it's appropriate to offer another round of thanks to those in law enforcement. I hope we've served you as well as you have helped us.

One of the most significant rewards of leading the Kentucky Justice and Public Safety Cabinet these past few years has been meeting so many dedicated professionals behind the badge and learning about their incredible acts of courage and sacrifice.



We've heard inspiring stories of heroism and lives saved, often at considerable personal risk to the officer. We've also seen the power of law enforcement in transforming lives and standing up for people in unimaginable circumstances – domestic violence, mental illness, and substance use disorder, to name a few. Please never doubt that the work you do makes an extraordinary difference.

Tragically, Kentucky lost eight officers over the past four years, reminding us all of the very real and terrible dangers that law enforcement professionals face daily. Behind every fallen officer is a grieving family that has

sacrificed along the way, and those families also deserve our unyielding thanks and support; our state must find ways to do more for them.

Amid the responsibilities, challenges and changing threats to public safety, leaders in law enforcement have produced some significant innovations.

I continue to praise the Angel Initiative at Kentucky State Police, along with KSP's new Victim Advocacy and Support Services program. The Department of Criminal Justice Training (DOCJT) has undertaken enormous efforts to support officers through the Post-Critical Incident Seminar and its Educating Heroes initiative.

I have nothing but admiration and thanks to KSP Commissioner Rick Sanders and DOCJT Commissioner Alex Payne for their foresight on those programs, along with their steady, dedicated leadership overall.

Likewise, departments around the state have worked with both agencies to end the backlog of sexual assault evidence kits, and many are innovating on some impressive community outreach programs and new drug interventions

For me, one of the most gratifying breakthroughs in this administration was the boost in training incentives for law enforcement – the first increase in 15 years. Starting in 2016, the incentive totaled \$4,000, up from \$3,100. It was well-deserved.

Here's the bottom line about law enforcement: It will always be a tough job. It will never pay enough. It will always be burdened with politics, tight budgets and uncertainty. But those in law enforcement – you – continue to serve our communities with commitment and bravery, and our state is incredibly proud of you.

With that in mind, I want to reiterate again, thank you for your service. Thank you for your sacrifice. Thank you for what you do for our communities and our people. And thank you to your families who are making sacrifices at home. 🇺🇸



BY JOHN C. TILLEY
FORMER SECRETARY, JUSTICE
AND PUBLIC SAFETY CABINET

ELIZABETH THOMAS / DOCJT

THE MANY PIECES ARE COMING TOGETHER

The School Marshal's Office is growing quickly, and we are about to take flight. There are many steps in the development, and in November, we completed a significant one by hiring three compliance supervisors.

These supervisors will cover the east, west, and north sections of the Commonwealth of Kentucky. They are:

SCOTT BARROW, investigator manager of the west section. Barrow has 33 years in law enforcement. He was with the Kentucky State Police from 1986 to 2006 and the Kentucky Department of Fish and Wildlife Resources from 2006-2019. During his law enforcement career, Barrow served as a DARE instructor at KSP and a firearms instructor for KSP and KDFWR. He was also a member of KSP's first special response team from 1989-1997.

STEVE MOORE, investigator manager of the east section. Moore retired from the Ashland Police Department in 2014, where he served as a DARE instructor, crime prevention officer, and background investigator for the department. From 2017 until 2019, he worked as a firearms instructor at the Department of Criminal Justice Training.

STEVE MATTINGLY, investigator manager of the north section. Mattingly has an extensive background in law enforcement, having served the Jeffersonton Police Department from 2000-2019. During his time at JPD, he served as a school resource officer and field-training officer.

Barrow will oversee regions 1, 2, 3, 4, 5, and 6, while Moore will oversee regions 7, 8, 9, 10, 11, 12 and 13. Mattingly will supervise regions 14, 15 and 16.

Many schools across the state have already heard from our section supervisors. They are currently making rounds introducing themselves to the districts and making notes about questions and issues.

The compliance officers in each region began work in December. By mid-month, those officers should have contacted school districts in each region.

All compliance officers and supervisors attended a Compliance Officer Certification Course January 6-10, 2020. The certification course was a 40-hour training consisting of assessment tool familiarization, school-based issues, and risk-assessment procedures.

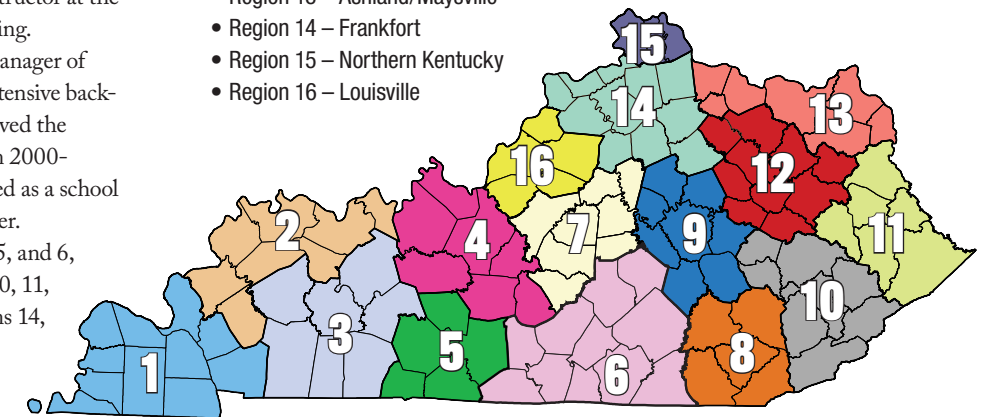
After all compliance officers are certified, the compliance officer who is assigned to individual districts will schedule the first assessment for the different school systems.

The risk assessment tool was approved by the Kentucky Center for School Safety, and will be distributed to all School Safety Coordinators (SSC).

Periodic updates will be provided as the office grows, and more questions are generated.

The state is broken down into 16 regions:

- Region 1 – Paducah
- Region 2 – Henderson/Owensboro
- Region 3 – Hopkinsville
- Region 4 – Elizabethtown
- Region 5 – Bowling Green
- Region 6 – Somerset
- Region 7 – Bardstown
- Region 8 – London/Corbin
- Region 9 – Richmond
- Region 10 – Hazard
- Region 11 – Pikeville
- Region 12 – Morehead
- Region 13 – Ashland/Maysville
- Region 14 – Frankfort
- Region 15 – Northern Kentucky
- Region 16 – Louisville



Thank you all for the continued dedication to staff and student safety. Please contact me directly if you have any questions regarding the School Marshal's Office at ben.wilcox@ky.gov. 🇺🇸



BY BEN WILCOX
SCHOOL SAFETY MARSHAL, DEPARTMENT
OF CRIMINAL JUSTICE TRAINING



BITE OUT OF CRIME

DOGS ARE A VALUABLE TOOL IN POLICE WORK

Written By
MICHAEL A. MOORE

Photography By
JIM ROBERTSON

Known as man's best friend, dogs are an integral part of society. This is true in police work as countless agencies across the nation depend on K-9s to perform a myriad of duties.

According to sitstay.com, many breeds can be useful in police work. Some of the most common include German Shepherds, beagles, Belgian Malinois and Labrador Retrievers.

However, the mark of a good police dog is its drive and ability to hunt, Richmond Police Officer Chip Gray said.

"When you're talking about scent work, you're looking for a dog with specific drives," Gray explained. "Any breed that loves to hunt can do the job. So you're looking for dogs who love to find that ball (police dogs are rewarded with a ball for a successful hunt) and play with that ball."

One of the main tools a dog uses is its nose. Gray said the sniffer, paired with an excellent drive to hunt or find things, usually equates to a good police dog.

"You want the dog who will go after that source odor," he said. "It's like a wolf looking for the rabbit's nest. They're going to hunt for it until they find it."

TRAINING

The adage of 'many are called, but few are chosen' applies to police dogs, as many dogs don't have the temperament to do the job. The training that goes into the process weeds out dogs who do not have what it takes.

"Training takes several weeks of conditioning a behavior to a stimulus," Madison County Sheriff's Office Deputy Martin Wesley said. "Through patience and hard work, it typically takes about six to eight weeks for a dog to graduate 'basic training.' That is only the beginning. I often refer to police dog basic training as the basic training of a police officer or military recruit. When you graduate, you know just enough to be dangerous. The real education comes through (additional) training and, more importantly, experience."

Much of the training is odor detection, whether it be narcotics, explosives, human or any other odor detection desired by an agency, Wesley said.

"First, you will imprint the dog on the odor of the substance to be detected by the dog with reward," Wesley said. "This is achieved through repetition. The tracking aspect is also the introduction of human odor with the combination of ground disturbance."

Depending on the vendor, purchasing a trained police dog will typically cost an agency anywhere from \$8,000 to \$10,000 for a single purpose dog, or between \$12,000 and \$15,000 for a multi-purpose dog, Wesley said.

"Again, that all depends on the vendor," he added.

HANDLER/DOG RELATIONSHIP

Having a well-trained police dog does very little good if the handler isn't properly trained, Wesley said. He stressed that a handler must know what he or she is getting themselves into before becoming a K-9 officer.

"The relationship between the dog and handler should be the handler playing the role of the parent, and the dog assuming the role of a child," he said. "You have to deal with the dog as if it were a small child. The dog wants so badly to please the handler as a child would a parent. A handler will spend more time with the police dog than they do with their spouse and children."

COMMUNITY POLICING AND OFFICER SAFETY

While the primary function of a police K-9 is locating a tool, dogs also help in the areas of bridging gaps with the community and officer safety.

"The dog is a great equalizer," Gray explained. "Everybody loves a dog, especially an obedient dog. A dog can be that bridge between (the police) and someone who can't stand law enforcement."

Also, K-9s are a force multiplier, Gray continued.

"Somebody who will fight me tooth and nail with all my extra tools doesn't want anything to do with that dog," he said. "(The bad guy) will put his hands up and give up. How safe is that for the officer? Nobody is hurt. Nobody is bitten or tackled. It's just a force multiplier." 🐾

(OPPOSITE) Richmond Police Department K-9 officer **CHIP GRAY**, pictured with his partner **LOGAN**, said a good police dog is one who will go after the source odor. Gray added that a common trait among police dogs is the desire to hunt.

(BELOW) Madison County Sheriff's Office K-9 Deputy **MARTIN WESLEY**, pictured with his partner **JIMMY**, said many weeks of training goes into producing a police dog, but in the end, an agency will reap benefits from having the dog.



KEEPING IT CONFIDENTIAL

UNDERCOVER SPECIALISTS AND INSTRUCTORS TALK USE OF INFORMANTS

The term confidential informant often conjures up themes from cloak and dagger novels, scenes from highly popular cop dramas or one's favorite James Bond movie. However, active detectives and Department of Criminal Justice Training instructors both agree that confidential informants, when handled with care, can be a genuine asset to investigations.

By definition, confidential informants are individuals who provide information or help gather evidence for an investigation whose identities are protected, often to protect them from retaliation.

Informants can be cooperative citizens who know of shady dealings happening in their neighborhood.

However, often, they are someone, of questionable means, who is angry with a specific criminal and seeks out the police for revenge. They might be someone who has agreed to work with law enforcement in hopes of seeing their criminal charges reduced, according to DOCJT instructor James Wright. Still, others do it as a job just to be paid.

During his career as an officer, Wright says he would visit former associates of targets in jail and ask them to work as an informant, letting them know the agency would tell the judge they were cooperative.

"Of course, if you know there is a targeted drug dealer, you've got to think outside the box on how you get to them and arrest them," elaborated Wright. "You could arrest someone you know is associated with (the dealer), that we know has drugs ... Then say, 'We know you know Johnny, who is selling. We will let the judge know you helped out.' We can't promise them anything, but if they have charges pending, some of them will work for us to help themselves out, maybe, in court ... Most judges are good with it."

THE RIGHT SOURCE

"(Informants) have to have some reason to know or be able to access the information you want," explained Richard Dalrymple, Laurel County Sheriff's Office detective and Drug Administration Task Force officer regarding who makes a good informant. "You have to consider whether they can do what you want them to do. Does their history indicate that they would be able to live up to the requirements that have to be placed on them? And at the end of the day, would they be willing to testify in court?"

Good informants can come in all shapes, sizes and backgrounds. What matters is their access to information, regardless of whether they are a low-level drug dealer, an accountant or a physician.

All agencies should have written policies in place before beginning to work with informants, according to DOCJT Instructor Walt Ridener.

Written By
CRITLEY KING-SMITH

“Make sure (the informant) signs a paper agreeing to do whatever it is you have asked,” he said. “Jot down tattoo marks or (traits) of that nature that may come back into play. Make sure they understand what they are doing could be dangerous, and that they are going in under their own free will. Document everything, and file it away in a safe place.”

MANAGING THE ASSET

After informants are signed on, agencies must go the extra mile to make sure they are reliable.

ONE OF THE BEST TOOLS TO DETERMINE TRUSTWORTHINESS, ONE I USED TO USE, WAS ASKING TO SEE THEIR CELL PHONE AND SOCIAL MEDIA PASSWORDS. IF THEY ARE TRUSTWORTHY, THEY SHOULD BE ABLE TO GIVE THAT TO YOU.

— INSTRUCTOR WALT RIDENER, DOCJT

“One of the best tools to determine trustworthiness, one I used to use, was asking to see their cell phone and social media passwords,” noted Ridener. “If they are trustworthy, they should be able to give that to you. If they don’t, to me, they aren’t trustworthy and are probably hiding things that need to be out in the open.”

Undercover officers may initially accompany informants during a task, such as a drug buy, or record them via a video or listening device, to make sure they can do what they say they can do, Wright said.

Another option is to have undercover officers go with the informant, be introduced to the drug dealer, get his number and then make buys themselves. Handlers can exchange phone numbers with the informant, utilizing a line they can call or text.

“When they tell you something, you have to confirm that what they are telling you is true,” he said. “Like a lot of times, they will say, ‘This is where Joe Drug Dealer gets his (dope),’ so you end up following the target to that house to make sure that your informant was right... You keep a semi-close leash on them.”

Ridener suggested that, sometimes, following a confidential informant to make sure they are doing as they say, is beneficial.

Informants may lie, usually trying to get out of trouble themselves and not to protect the target. However, guidelines should be set early and,

if they stray, the officers must be willing to rein that individual back in.

“Some days they will do well, some days they won’t. Those days you have to be able to address that and correct it,” said Dalrymple.

Professional relationships, one where the agency is in control, must also be developed. Dalrymple said he shows informants the respect he would any other person and is honest with them — sometimes they will go to jail on charges the agency has against them, and they will have to answer for the things they might have done wrong.

“I find people respect you more if you’re honest than if you lie to them or lead them on,” he said.

AVOIDING PITFALLS, PERILS AND PROBLEMS

Never meet alone is at the top of most investigation professionals’ advice for officers working with confidential informants.

“You go with one other person, at least,” advised Wright. “Never make buys with just the informant. Go in as a team... Make sure there is a clear line of communication that everyone can see.”

Officers should also make sure they are recording all payments made to the informant by having them sign a receipt, while a witness is present, and then filing it away somewhere safe, Ridener said.

Moreover, information from a confidential informant should never be acted on unless corroborated.

“They may tell you one house has 100,000 pounds of dope in it, (but don’t) just react to the story they’ve built. There are a couple of cases, one in California, where (an agency) hit the wrong houses because an informant made-up information.”

A WISE WORD

Handling confidential informants is less science and more art, according to Dalrymple. There isn’t an exact formula — it takes experience, management and someone in a supervisory position willing to tell young officers when it’s time to cut an unreliable source off and walk away.

To agencies burgeoning their use of confidential informants, Ridener says confidential informants are unavoidable for drug investigations, but they shouldn’t be the only tool.

“Use them to develop information but not as the sole basis of your case, because you’re always dealing with an element that’s (often) been part of the world you are investigating,” he said. “If you have someone addicted to a certain drug, it’s sometimes hard for them to break those bonds to those drug people. Sometimes you’ll get good information, sometimes you’ll get bits and pieces, and sometimes you’ll get untruths. You have to sort through it. Use them as a tool in your toolbox, but not the only one.”

SHERIFFS' CERTIFICATION NUMBERS RISING TOWARD KSA GOAL



NEW CDP CERTIFICATES WILL LAUNCH THIS SPRING FOR SHERIFFS

A long-sought goal of the Kentucky Sheriff's Association (KSA) is nearing fruition.

As of November 2019, 107 of Kentucky's 120 sheriffs are Peace Officer Professional Standards (POPS)-certified officials. It is significant, according to KSA Executive Director Jerry Wagner, because the elected position does not require certification. However, the profession has begun to demand it.

"Our goal is to have all 120 sheriffs POPS certified in the state of Kentucky," Wagner said.

In 2002, when the Career Development Program (CDP) began to take shape under the Kentucky Law Enforcement Council, only a couple dozen sheriffs were POPS certified, said DeAnna Boling, Office of Kentucky Law Enforcement Council Support program coordinator. As a result, a career track for sheriffs was not created.

CDP is a professional certificate program that encourages law enforcement officers and public safety dispatchers to plan and organize their annual training to correlate with an individual's career goal. The program provides structure to the training process and offers career tracks for law enforcement officers and dispatchers. It is only available to those who are certified.

This spring, a new set of CDP career tracks designed to serve Kentucky's sheriffs will be released. They include:

- Supervisor Sheriff
- Manager Sheriff
- Executive and Chief Executive Sheriff
- Intermediate Deputy Sheriff

Additionally, career tracks for tactical law enforcement and school resource officers are being created and will now be available to sheriffs, deputies and other law enforcement Boling said.

THE ROAD TO 120

When Wagner took office as KSA executive director 13 years ago, the organizational landscape looked quite different than it does today. In 2006, the POPS Act was just eight years into service, meaning that all sheriff's deputies were then required to become POPS certified alongside their municipal and state law enforcement brothers and sisters.

But the transition toward a more professionalized, certified group of law enforcement leaders began in the 1980s, Wagner said.

"In my opinion, when the succession amendment passed – that takes us back to about 1984 or 1985 – that allowed sheriffs to be able to succeed themselves and not have a one-term limit," he said.

Before the succession amendment, elected sheriffs spent at least some part of their four years in office determining what their profession would be after their term ended, Wagner added. Those individual future concerns sometimes prevented sheriffs from focusing on the office's future.

"It wasn't a good path," Wagner said. "When sheriffs started succeeding themselves, it became pretty well known that they were going to have to become better trained and prepared to do the job if they wanted to do it long term."

Today, Kentucky employs 8,365 active, certified officers. In the 21 years since the POPS Act went into effect, 16,842 officers have been certified by

Written By
KELLY FOREMAN

Photography By
JIM ROBERTSON

(OPPOSITE) From left: Campbell County Sheriff Chief Deputy **KEN FETCHER**, Hardin County Sheriff **JOHN WARD**, Kentucky Sheriff's Association Executive Director **JERRY WAGNER**, Scott County Sheriff **TONY HAMPTON**, Campbell County Sheriff **MIKE JANSEN** and Hardin County Sheriff Chief Deputy **DAVID LEE** each support KSA's mission toward a certified, professional standard for Kentucky sheriffs.

(LEFT) **DEANNA BOLING**, Office of Kentucky Law Enforcement Council Support program coordinator, recognized the need for new Career Development Program career tracks for sheriffs and has worked to put them in place for spring 2020.



DOCJT. That number doesn't include the certified officers who have graduated from Kentucky's other three law enforcement training academies – Kentucky State Police, Lexington Police Department and Louisville Metro Police Department – during those years.

“Over time, when sheriffs started retiring and deputies began running (for office) to take their place, they were all certified individuals. That being said, there are also an awfully lot of Kentucky State Police retired troopers serving today as sheriffs. Several are past post commanders.”

Wagner also credits KSA's annual conference with providing opportunities for quality training and information sharing that has led to a more professionalized workforce. In 2019, he estimated 150 sheriffs and chief deputies attended the in-service training, which included speakers like author Lt. Col. David Grossman and Colorado organizational consultant Dr. Kimberly Miller.

“It professionalizes us in how we conduct and run business,” Wagner said of sheriffs' training and certification. “Morale is so much better.”

A SEAT AT THE TABLE

The voices of influential leaders working together toward the common goal of highly trained, professional

and certified peace officers have allowed Kentucky sheriffs to make a difference in representing the interests of county law enforcement.

Several leaders have served the commonwealth at the national level in roles at the National Sheriffs' Association (NSA). Two Kentucky sheriffs – former Warren County Sheriff Jerry “Peanuts” Gaines and Jefferson County Sheriff John Aubrey – both have led terms as NSA president. Others, including Wagner, have previously served, or are currently serving, as NSA executive committee board members.

“I spent almost 10 years as a board member on the NSA executive committee,” Wagner said. “That's where it opened my eyes even more how we need to encourage professional training in Kentucky.”

That experience has led to recognition and opportunity.

“We have worked so hard to build relationships with legislators, auditors – everyone,” Wagner said. “We have built this thing so that sheriffs have a seat at the table in every conversation. We have worked so hard. Now, every single bill that has anything to do with the office of sheriff, the Legislative Research Commission contacts me to talk about how that particular piece of legislation affects the office of sheriff.”

Ultimately, Wagner hopes the closer Kentucky comes to having 120 certified sheriffs, a constitutional amendment will be considered requiring certification as a condition of the job.

“I still respect the people who believe the constitution says the sheriff is an elected position, and that it's the choice of the people,” Wagner said. “That's OK.”

In the case of several un-certified Kentucky sheriffs today, the completion of a 20-week basic training academy isn't feasible or possible. Some, like former Muhlenburg County Sheriff Curtis McGhee, put themselves through the academy after the election to the office. However, Wagner said even among those today who cannot reasonably complete the academy, the vast majority still participate in training – a practice that is earnestly encouraged by KSA.

“I just can't get on board with people who put the public and themselves at risk and make us all look bad,” Wagner added.

NEW CDP CAREER TRACKS

If certified sheriffs have never been in the Career Development Program before, Boling said applying to earn certificates in the new career tracks will be easy. Forms will soon be available on the KLEC website (klecs.ky.gov) for new applicants to complete.

Additionally, sheriff deputies or leaders who have completed courses in the past and meet the requirements to earn the new CDP certificates will have the opportunity to apply for them retroactively, Boling added.

These new tracks will mirror opportunities previously available to chiefs and high-ranking police positions. For example, a sergeant, captain or chief deputy within a sheriff's office can start on a management track if they have the years of service and training, Boling said.

“They have never been able to do that before,” she said. “The mindset has been that they could never apply because they didn't have their career path.”

The CDP certificates have been a retention boost for several law enforcement agencies that use them as incentives and/or benefits. For example, Bowling Green Police Department, Fayette County Public Schools and Paris Police Department issue financial rewards for completion of CDP certificates.

“It benefits those agencies who give that award money, because what they are finding is that it is a way of retaining people and not losing them to other agencies,” Boling said. “It's a benefit they can achieve while working on the career track they enjoy.”

Completion of CDP certificates also adds a respected resume notch for officers seeking to rise through the leadership ranks. Boling expects the new CDP tracks to launch in March 2020. 🇺🇸

Kentucky Sheriff's Association Executive Director **JERRY WAGNER**, center, works diligently with sheriffs across the state to encourage and support their continued training and certification efforts.



“TIMES HAVE CHANGED AND PEOPLE WANT TO HAVE A LAW ENFORCEMENT LEADER IN THEIR COMMUNITY WHO IS A TRAINED PROFESSIONAL.”

— JOHN WARD, HARDIN COUNTY SHERIFF



“WHEN WE HAVE CERTIFICATION, IT MAKES A PHENOMENAL DIFFERENCE, NOT JUST WORKING WITH THE COMMUNITY, BUT ALSO WITH THE COUNTY ATTORNEY OR ATTORNEY GENERAL. IT TAKES THAT TRUST TO A DIFFERENT LEVEL.”

— MIKE JANSEN, CAMPBELL COUNTY SHERIFF



“MY PREDECESSOR WAS A REALLY GOOD MAN, BUT HE WAS NOT CERTIFIED. I HAVE BEEN SHERIFF NINE YEARS NOW, AND I HAVE SEEN A DIFFERENCE IN MY RECRUITING BECAUSE OF MY BACKGROUND IN LAW ENFORCEMENT.”

— TONY HAMPTON, SCOTT COUNTY SHERIFF



“KENTUCKY HAS GROWN. IT IS ESSENTIAL TO BE PROFESSIONAL BECAUSE, I THINK ALL THESE GENTLEMEN CAN TELL YOU, IN OUR COUNTIES WE ARE DOING MORE AND MORE.”

— DAVID LEE, HARDIN COUNTY SHERIFF CHIEF DEPUTY





DAYTON POLICE DEPARTMENT

SMALL TOWN WITH BIG-CITY ACTION

Dayton's motto – "Big city fun with a small community feel" – says it all, according to Police Chief David Halfhill.

The city, located in the bend of the Ohio River, is three miles from Cincinnati. Because of its proximity to the Queen City, Dayton police officers see just about everything a larger department would encounter, Halfhill said.

"Drugs are a big problem," Halfhill said. "Heroin was bad in the past, but we're not dealing with that as much now. Now, we see meth."

The chief said drug dealers who reside in northern Kentucky travel to Cincinnati, pick up their product and peddle it on the Kentucky side of the Ohio River.

The reason for that method of distribution is simple, Halfhill said. Kentucky's drug laws are stiffer than Ohio's, the chief opined.

(ABOVE) With its close proximity of Cincinnati, Ohio, police officers with the Dayton Police Department often find themselves in the same situations as their big-city counterparts. Pictured from left: Officer **PHIL LILES**, Police Chief **DAVID HALFHILL**, officers **BRETT LOCKMAN** and **JOSH WILHOIT**.



Written By
MICHAEL A. MOORE

Photography By
JIM ROBERTSON

PARTNERSHIPS

To combat the problem, Dayton has an officer on the Northern Kentucky Drug Task Force, and that relationship has paid off several times.

"We had a big take down a few months ago where 20-plus people were arrested," Halfhill said. "It was heroin, meth, marijuana, pills and Fentanyl."

Big city problems often require a large workforce. Limited with a department of 14 full-time officers, including the chief, Dayton leans heavily on partnerships formed with surrounding agencies.

"The good thing about having close relationships with other agencies in northern Kentucky is back up is just a few minutes away," Halfhill said.

Dayton has officers serving on specialized teams such as the regional SWAT and crime scene units.

"This past July, we had a man who was at a party, he was intoxicated, and he was told to leave," Halfhill said. "He went home, got his assault rifle and started popping shots in the house. We called SWAT in, and it was about a four-hour affair."

Dayton also has two detectives in the Campbell County Crime Scene Unit.

Recalling a time when a traffic stop led to the discovery of a dead body buried in a basement, Halfhill said the partnership proved its worth.

"We stopped a guy on a traffic stop, and he had a warrant, and he said, 'I know where a body is'" Halfhill said. "We went down in the basement, and the cadaver dogs hit on it. We're like, 'Crap. Maybe this guy is telling the truth.' So, we got consent from the homeowner to dig up the basement, and we called the crime scene unit in. All of their guys came in and did the job. I couldn't have paid for all of that."

After investigation, it was discovered the person died of natural causes, and his family members wanted to keep collecting disability checks.

CODE ENFORCEMENT

While drugs and major crimes grab headlines, perhaps a bigger headache to the department is the number of parking complaints they receive. Because of the large number of code enforcement complaints, including parking, DPD hired a sworn officer dedicated to code enforcement issues.

Officer Phil Liles, a retired police captain with the Newport Police Department, was hired into the code enforcement position in 2018.

"We have a big parking issue here," Halfhill said. "We have more parking complaints than anything else, including drugs. People call saying someone is parked in front of my house with Ohio tags, and they haven't moved."

By dedicating a sworn position to code enforcement, the chief said citizens take it more seriously.

"If a civilian were coming onto someone's property saying the property owner needed to repair their gutters or paint that, they would be run off the property," the chief said. "If you have an officer in uniform who does have arrest powers, they'll get a little bit more respect and won't get treated that way."

From the drug problem to code enforcement issues, Dayton offers many challenges for its officers. 🏠



(TOP) Dayton Police Chief **DAVID HALFHILL** his department of 14 full-time officers sees a variety of calls including ranging from drugs to domestic violence. Halfhill has been chief of the police department since January 2015.



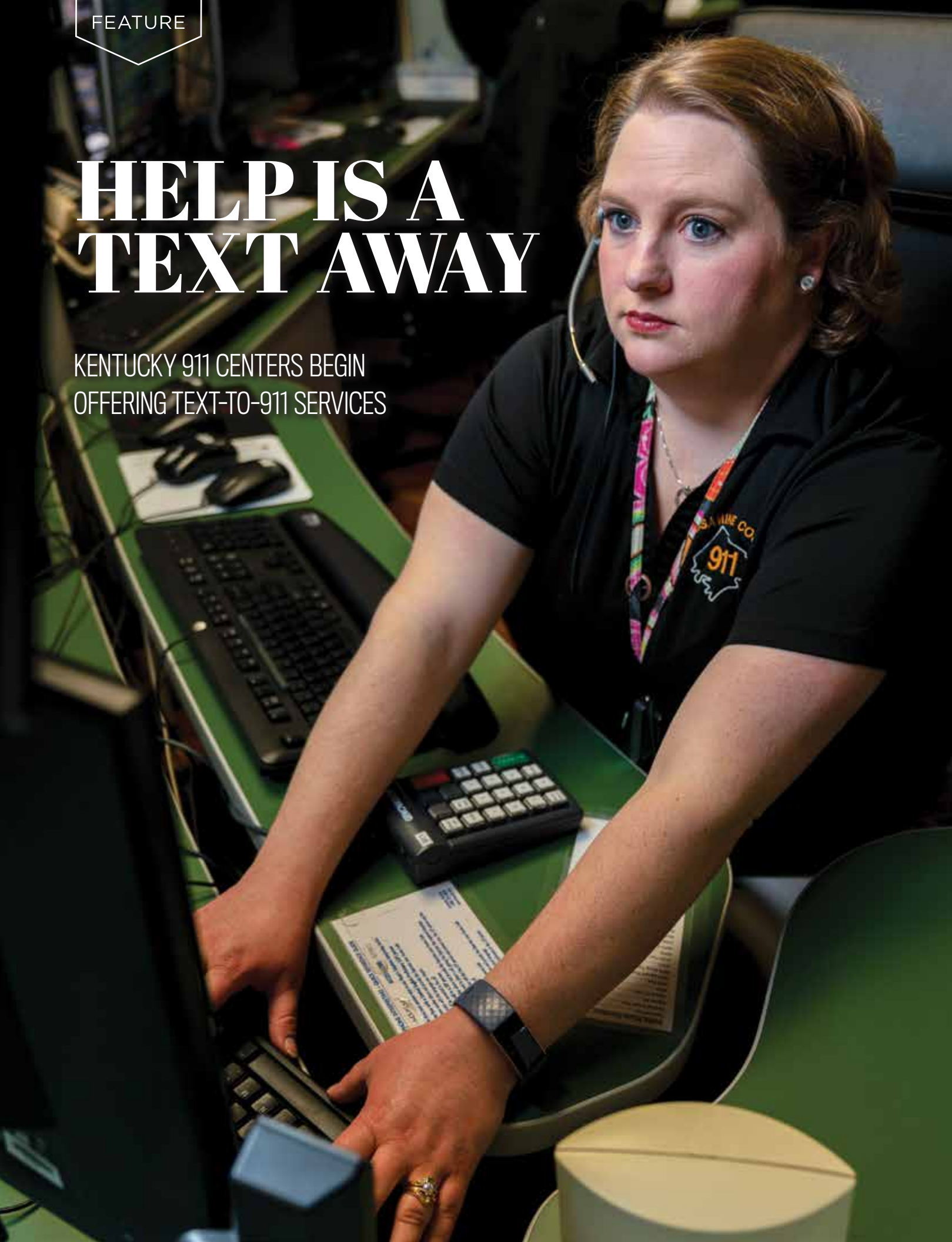
(MIDDLE) Dayton Police Officer **PHIL LILES** retired from the nearby Newport Police Department and became Dayton's sworn code enforcement officer in 2018. The DPD routinely gets code enforcement-related calls, and Police Chief David Halfhill felt a sworn presence in the position would command more respect.

(BELOW) Dayton is a small northern Kentucky city of roughly 6,000 residents. The city, located in the bend of the Ohio River, is three miles from downtown Cincinnati, Ohio. Much of the Queen City's skyline can be seen from Dayton.



HELP IS A TEXT AWAY

KENTUCKY 911 CENTERS BEGIN OFFERING TEXT-TO-911 SERVICES



It's a simple concept. In the event of an emergency, people can call 911. However, what happens if the crisis does not afford the person the luxury of speaking?

A program sweeping the country is now allowing citizens to text 911 and a smattering of 911 centers across the state now can receive that form of communication.

Jessamine County E-911 is among those agencies offering the service. E-911 Director Chris Bowman said his agency began looking into the program in fall 2018.

"We already knew about it when we started looking at it," Bowman said. "The technology is out there, and it's not that expensive, and it gives us as dispatchers another tool to help someone."

When a person texts 911, the message pops up on a dispatcher's computer screen in a bubble format, similar to a text one would receive on a cell phone. From there, a dispatcher and citizen can communicate back and forth.

Bowman said when the 911 center receives a text, the location of the person is within a few hundred feet.

MANY BENEFITS

In today's world, 911 centers must be up-to-date on the latest communication technology. Jessamine County E-911 Training Officer Megan Buchanan said texting affords so many benefits, especially if a person needing help is in a bad situation.

"It's good for home invasions or situations where you don't want a person to hear you," she said. "We have received domestic calls. It has proven to be a valuable tool to have in domestic situations. The old way was for someone to call 911 and put the phone down with the line open and talk to give the telecommunicator clues to the person's location. For example, if they're in a moving vehicle, they can say, drop me off at McDonald's, or leave me here at Wendy's. However, being able to text is so much easier because the abuser is not able to hear the caller give a location."

In addition to those in precarious circumstances, it also provides an additional avenue for the deaf and hard of hearing population.

Also, it is an excellent service if the person needing help cannot speak because of a medical condition, such as asthma.

COST OF SERVICE

In Jessamine County's case, they partnered with neighboring counties to provide the service, Bowman said.

"An opportunity came up when Lexington and Garrard/Lincoln County combined 911 centers were interested in doing it, so we all went in together to share the cost," Bowman said.

Those along the U.S. 27 corridor found out they could save money by doing some cost-sharing.

Once Jessamine County began researching the program, they discovered that even without a partnership with surrounding agencies, the county could afford it.

"We found that we could have done it on our own," he said. "Many agencies think it's very costly, but it's not. The subscription is based on a county's population. So for some of the smaller counties, it would be much less."

Jessamine County uses INdigital as its provider along with equipment used many other 911 agencies already have in place, Bowman said.

"The texts come into that, and our network counties have what is called a Solacom – that's our phone system," he continued. "So it's integrated into infrastructure that is already in place. We didn't have to buy additional equipment."

Since the program was implemented in Jessamine County in July 2019, the 911 center has averaged about 10 texts per month, Bowman said.

"Many people think that they're going to get bombarded with those texts," he said. "It hasn't been the case."

SPREADING THE WORD

"We posted videos on Facebook telling people to call (911) if you can, but text if you can't. We also talk to people at various community events," said Bowman noting Jessamine County has increased its public education messages.

According to the National Emergency Number Association (NENA), only top tier wireless providers (AT&T, Verizon, Sprint and T-Mobile) support the service. 📶



Written By
MICHAEL A. MOORE

Photography By
JIM ROBERTSON

(OPPOSITE) Jessamine County E-911 Training Officer **MEGAN BUCHANAN** said texting affords several benefits, especially if a person needing help is in a bad situation. Texting 911 can also be used for those in the deaf or hard-of-hearing population.

(LEFT) Jessamine County E-911 Director **CHRIS BOWMAN** said his agency partnered with Lexington and Garrard/Lincoln County combined 911 centers to offer the service to citizens. Additionally, Bowman said the startup cost of the program isn't that great, and most counties should be able to afford it.

MEDICAL AMNESTY

INDIVIDUALS MUST REQUEST IMMUNITY TO AVOID PROSECUTION

In 2015, the Kentucky General Assembly enacted a law that provides immunity to individuals who have overdosed on a controlled substance. KRS 218A.133 provides that if medical assistance for an overdose is requested from appropriate emergency responders or medical providers, the caller or the subject in distress shall be immune from prosecution for the drug possession and related paraphernalia charges. Third-party callers are required to stay with the individual until medical care arrives.

This concept is based on an existing statute, KRS 244.992, which provides medical amnesty for persons reporting an alcohol overdose. KRS 244.992 is much more detailed. It ensures that if law enforcement has

contact with an individual who is in medical distress due to overindulgence in an alcoholic beverage, and the individual is under the age of 21, the person is immune from prosecution under several alcoholic beverage-related statutes. That immunity also extends to a third party making an emergency call, so long as they are cooperative with officers and stay on the scene. This amnesty is intended to prevent a situation where someone abandons a person in distress at a hospital because of fear of prosecution due to their underage status.

KRS 218A.133 creates legal immunity wherein an individual has committed an illegal act, but due to specific circumstances, he or she is protected from prosecution for that act. As in all immunities, it is incumbent on the person claiming the immunity – the

defendant – to argue that the situation deserves that degree of protection. Unlike a legal defense, which allows the person to be arrested and then requires the defendant to prove the defense, KRS 218A.133 may be used to block prosecution completely.

However, KRS 218A.133 is not the end of the matter. Since 2015, several cases have been handed down in Kentucky that provide some clarity.

First, in the case of *Pomeroy v. Com.*, 509 S.W.3d 721 (Ky. App. 2016), the Court of Appeals addressed the issue of retroactive application of KRS 218A.133. The underlying facts in the case occurred before the statute was enacted, and was still being litigated when the new law took effect. The Court described the situation as a “true immunity” rather than a legal defense, in that it bars prosecution completely. As such, the Court held that it could, and should, be retroactive and found in Pomeroy’s favor.

In *Com. v. Kenley*, 516 S.W. 3d 362 (Ky. 2017), Kenley overdosed while incarcerated in the Fayette

telephone call. Allen’s husband answered the door but refused to allow the officers inside.

Officers entered anyway and found Allen, who claimed to have fallen – but refused treatment. They also saw controlled substances in plain view. The Allens were arrested and claimed immunity under KRS 218A.133. The Court held that three elements needed to be satisfied before immunity could be provided. The first requires someone seeking medical aid in good faith for an apparent medical need, and the court held that the out-of-state caller did meet that standard. Second, the caller must stay with the subject, which was impossible in this case. Finally, law enforcement must gain evidence while responding to the call, which the officers did. The Court determined that immunity under KRS 218A.133 was not available because the second element was not met.

Most recently, in *Wilson v. Com.*, 2019 WL 3059968 (Ky. App. 2019), a Lexington resident called the police because an unknown vehicle was in her driveway running with the occupants slumped over

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MEDICAL AMNESTY IS INTENDED TO ENSURE THAT FRIENDS AND FAMILY WILL NOT HESITATE TO CALL FOR HELP FOR A LOVED ONE, EVEN WHEN IT IS RECOGNIZED THAT THE PERSON IN NEED HAS COMMITTED A CRIME BY USING ILLEGAL SUBSTANCES.

County Detention Center. The situation occurred before KRS 218A.133 was enacted. Fellow inmates summoned jail staff, who provided aid and transported her for medical treatment. Fentanyl was found in her possession. Kenley was charged for promoting contraband, not for a specific drug offense. She moved to have the charges dismissed, citing KRS 218A.133. However, the Kentucky Supreme Court determined that the statute permitted the charge, which allows prosecution for crimes outside KRS 218A and promoting contraband. The Kentucky Supreme Court further noted that providing Kenley immunity does not “further the public policy of helping to rehabilitate drug users.” She had increased the danger to others incarcerated with her, as well as the jail personnel. As the lower court had agreed to the immunity, the Kentucky Supreme Court reinstated her charges and remanded the case.

In the case of *Allen v. Com.*, 2018 WL, 4523207 (Ky. 2018), officers were called to a home in response to an out-of-state third-party caller who contacted emergency dispatch to report that his friend in Lexington may have overdosed on Xanax during a

and non-responsive. An officer also unsuccessfully attempted to rouse the two women inside. From what the officer could see, she suspected a drug overdose. Wilson came back to semi-consciousness and declined medical aid. She was then arrested. While Wilson argued that the medical exemption should prevent charges, the Kentucky Court of Appeals disagreed because the police were not summoned to a drug overdose, but called by an unrelated third party to an unknown situation.

Medical amnesty is intended to ensure that friends and family will not hesitate to call for help for a loved one, even when it is recognized that the person in need has committed a crime by using illegal substances.

By protecting both the subject in need and the caller, it helps to ensure that medical responders have a better idea as to what has occurred. Although KRS 218A.133 has only been in existence for a few years, it has saved lives. Officers should scrutinize each situation and, if necessary, confer with prosecutors before taking action to decide whether the immunity applies or if criminal charges are appropriate under the specific circumstance. 🐾

Written By
SHAWN HERRON
STAFF ATTORNEY

PAVEL BIRYUKOV / 123RF.COM

APB: DON'T LET CRIMINALS PULL A FAST ONE



THERE ARE SUBTLE, TELLTALE SIGNS TO CATCH LAWBREAKERS

Budding criminals will do just about anything to pull the wool over the eyes of law enforcement and the public.

In this issue, Kentucky Law Enforcement magazine launches a new feature called APB. It is designed to assist Kentucky officers in identifying issues related to safety and criminal activity. It will be a short, one-page story on tactics criminals may use to evade or potentially injure police.

In the area of drug trafficking, those involved are always looking for ways to conceal contraband from police. Most of their tricks are well known, but it's still good to keep those methods in mind when policing.

One of the more popular, according to stonewall-tactical.blogspot.com, is masking odors. Telltale signs include air fresheners, which hang from the rearview mirror, to more elaborate attempts such as bottles of cologne or perfume that have been recently sprayed prior to, or during, a traffic stop.

Maybe it's an open bag of scented pipe tobacco, lying in the vehicle, but you noticed the people inside the car are smoking cigarettes. Or perhaps you've seen a driver lighting up a cigarette after being pulled over and filling the vehicle with smoke but he or she has no desire to roll down a window. These are examples of attempts to mask odors.

OFFICER FRIENDLY?

You notice a vehicle has a "police association" bumper

sticker or items proclaiming cops are cool. Ah, they must be on the up and up, right? Not so fast. Traffickers will use these items as a ruse to gain favor with the officer, but remember, it's an attempt at pulling a fast one. The same goes for religious bumper stickers, symbols and Bibles placed throughout the vehicle. While the person in the vehicle may be on the up and up regarding their faith, don't assume anything. It could be someone smuggling in 80 pounds of vacuum-sealed pot under their vehicle's carpet.

However, keep in mind that law enforcement officers must always have reasonable suspicion to stop a vehicle.

These attempts show that nowadays criminals will do just about anything to fool law enforcement.

Has your agency seen anything like this? Maybe a disguised weapon or something hidden in plain sight, such as a book with a center portion hollowed out to hide drugs or other contraband. Or perhaps you have seen a juice box where the contents have been replaced with alcohol or other substances added into it to cause impairment.

If your agency has seen something along those lines and you are willing to share it, we would like to speak with you. Share it on DOCJT's social media platforms or contact Michael Moore at michaela.moore@ky.gov.

Written By
MICHAEL A. MOORE

STRANGE STORIES FROM THE BEAT



Homeowner Finds Naked Man Singing in Kitchen, Drinking Milk

Authorities say a Pennsylvania homeowner, who heard someone singing inside his home, found a naked man drinking milk in the kitchen. Police say the homeowner heard the singing early in the morning. He grabbed his pistol, went to investigate and soon found the man sitting on the kitchen floor. The homeowner called the police, and the man was taken into custody.



Florida Man Fined for Telling Police His Name was 'Ben Dover'

Sometimes a joke is worth the cost of the penalty. This was true for a Florida man who found himself down \$500 after giving false information to police. It started with police trying to remove him from a park in a Florida suburb. When they asked him his name, he replied, "Ben Dover." The man then gave the cop the finger and tried to run away but was taken into custody. He pleaded no contest to an obstruction charge and was ordered to pay \$500 for a fine. Sorry about your luck Mr. Dover.

Loud Flatulence Gives Away Suspect's Hiding Spot

When seeking a suspect, law enforcement might use a K-9 to track down a scent. This was not necessary for an arrest in Missouri. According to the Missouri sheriff's office, police were searching for a person who had a felony warrant for arrest. The suspect hid to avoid police but passed gas so loudly, it gave up their hiding spot.

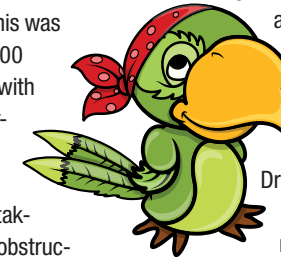


Reckless Driver had Interesting Reason

Police arrested a 70-year-old Florida man who was willing to take a big risk to avoid spending time with his wife. They charged him with reckless driving after an off-duty sheriff's deputy recorded video of him standing through his sunroof as he rolled down a Florida Interstate. As it turned out, he wanted to be arrested. "My wife treats me like a servant, and I'm tired of this (expletive)," the man said. "I'd rather go to jail than go back home." He got his wish and was then taken into custody.

Parrot Nearly Foils Drug Raid

A parrot who warned two alleged drug dealers in Brazil that police were coming was taken into custody after it almost foiled an undercover drug raid, authorities said. When the green-and-white bird spotted officers



at its owners' home, the parrot squawked, "Mama, Police!" in Portuguese. Despite the bird's efforts to tip off the owners, they were arrested. Drugs were found at the property as well as large amounts of money. The parrot, who authorities believe was trained to spot police cars, is being kept at a zoo.

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



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