

KENTUCKY

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# LAW ENFORCEMENT



# THE NEXT 10 YEARS

PAGE 44



Matthew G. Bevin  
Governor

John C. Tilley  
Justice and Public Safety  
Cabinet Secretary

Mark Filburn  
Commissioner

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

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





## Secretary's Column

# Criminal Justice Reform in Kentucky

JOHN C. TILLEY | SECRETARY, JUSTICE AND PUBLIC SAFETY CABINET

*The following is a joint op-ed by Gov. Matt Bevin and Justice and Public Safety Cabinet Sec. John Tilley*

**W**e've reached a critical point in Kentucky – one where our prisons and jails are full, overdose deaths continue to rise and far too many children have parents who are imprisoned.

We no longer can afford to cling to the outdated idea that prison is the only way to effectively hold people accountable for their crimes. Instead, we need to take a smarter, more measured approach to criminal justice.

Punishment is an appropriate and necessary part of the justice system, but if it is the only part, what have we really accomplished? We must continue to hold people accountable for their crimes, but also find ways to cut re-offense rates, improve re-entry after incarceration, increase drug treatment and effectively treat mental illness – all while helping victims and improving public safety.

From the very beginning, America has been a land of second chances. That's why we are announcing the formation of the Criminal Justice Policy Assessment Council. These lawmakers, advocates and policy leaders have volunteered to work together for the next six months to recommend reforms for the 2017 General Assembly. This 23-member panel of dedicated people from across the commonwealth will review existing research and data-driven evidence to build a smarter, stronger and better system of justice.

We believe in the importance of supporting basic human dignity. When we hold individuals fully accountable for their actions while treating them with respect in the process, all of society benefits.

On a recent visit with inmates at the Roederer Correctional Complex, men spoke about their struggles to return to a crime-free life after serving time in prison. Many recognize it was their own bad choices that landed them behind bars. They know those choices will follow them long after they have completed their sentences.

Many of those men want the chance to make better choices in the future – to raise their families, overcome addiction and excel in the workplace. Sometimes the road back is blocked by barriers that make leading a law-abiding life difficult. That's why we need a continued emphasis on re-entry to society. This will help to cut re-offense rates and also help people reclaim their lives.

*“When we hold individuals fully accountable for their actions while treating them with respect in the process, all of society benefits.”*

Kentucky already has received national attention for taking important steps toward criminal justice reform. We recently have modernized our drug laws, strengthened probation and parole, and increased drug treatment in our prisons and communities. We also led the country with our approach to addressing the abuse of prescription and synthetic drugs.

The legislature took another major step forward this year by passing a bill that will provide expungements to some non-violent offenders convicted of certain low-level felonies. This will give them an opportunity to clear their records and make it easier for them to gain employment. This is the kind of smart-on-crime legislation that pays dividends for all our citizens.

Even with our recent progress, more must be done. Kentucky still spent nearly half a billion dollars on corrections last year. Research shows community-based programs often are more effective than prison. By enrolling and supervising low-level offenders in these programs, we can reduce crime and reduce spending.

Our penal code has become a patchwork of disproportionate laws, resulting in a costly expansion of government with diminishing returns in public safety. The penal code must be revised with an eye toward clarity and simplification, returning to provisions that are rational and consistent.

Across this nation, policymakers are taking a bipartisan approach to criminal justice reform, with more than 30 states passing legislation proven to trim wasteful spending, lower recidivism, cut crime rates and improve public safety.

This is a critical time for Kentucky. One of the inmates we visited noted there is a certain, hard-to-stop momentum that exists in both positive and negative choices. Let us continue the positive momentum that comes from making the best choices for Kentucky's criminal justice system. 📌



## Commissioner's Column

# Moving Forward as a Team

MARK FILBURN | COMMISSIONER, DEPARTMENT OF CRIMINAL JUSTICE TRAINING

**I** am so appreciative and honored to be appointed commissioner of the Department of Criminal Justice Training. In my service to you, I believe it is important for the Kentucky police community to know my goals for the next four years.

First and foremost, I accepted this position for one reason: to save lives. My main goal is to have zero names added to the Kentucky Law Enforcement Memorial wall each year. That goal is the first thing I think of when I get up in the morning and the last thing before I go to bed at night.

Equally important to me is saving lives and increasing the safety of citizens of the commonwealth.

We are in one of the worst times for law enforcement. Never before have we had the number of attacks on law enforcement, both murders and assaults, and negative feelings from citizen and foreign groups. But, we must keep in mind that the vast majority of citizens support law enforcement – even those who have concerns.

One of my good friends, Daviess County Sheriff Keith Cain, put it best, “You may decide to approach this situation by interacting with the public as an aggressive, untrusting coiled snake ready to strike. Some may decide that ‘backing off’ and being less diligent is the answer. Neither should be viewed as a satisfactory response.

“I am convinced we must move forward as a team, with the same mindset and resolve,” Cain continued.

“First and foremost, we must sustain that which has served us well thus far,” he added. “We must continue building our ‘collateral’ account by caring deeply, being empathetic and acting fearlessly on the concerns of those who need our help. Second, we must prepare like never before. I realize the plethora of training we offer (and encourage) is very difficult to accomplish with the added stress it puts on day-to-day operations, but we must strengthen our efforts to become confident and competent in those skills necessary to survive and protect our country.”

This will be the approach DOCJT will follow — build community trust by treating people with dignity and respect while at the same time training hard on diminishable skills that will keep officers safe.

You continually will hear me speak about diminishable skills. My good friend, Alex Payne, deputy commissioner of the Kentucky State Police, calls this training to the wall, referring to the memorial monument and the ways Kentucky officers are dying on duty. These critical skills include driving, firearms, self-defense, first aid and legal.

*“This will be the approach DOCJT will follow — build community trust by treating people with dignity and respect while at the same time training hard on diminishable skills that will keep officers safe.”*

As you can tell by my references to Sheriff Cain and Deputy Commissioner Payne this is not simply my mission, it is our collective mission, as we seek to work as a statewide team.

If we truly believe law enforcement is in dangerous times, then we should do everything we can to stay safe. No. 1, wear your vest. There is no excuse for not wearing your vest. Wear your vest and get your fellow law enforcement professionals to do the same.

No. 2, remember that regardless of what has been happening in the world around us, we continue to die from driving more than any other issue. Slow your speed and wear your seat belt when driving.

We will work together to meet these goals and build on the traditions of excellence we have. I truly am honored to lead in our goal of saving lives and increasing the safety of our law enforcement family and citizens of the commonwealth. 📌

*Mark Filburn*





## Dean's Column

# Is Kentucky Experiencing A Spike In Crime Rates?

VICTOR E. KAPPELER | DEAN AND FOUNDATION PROFESSOR,  
COLLEGE OF JUSTICE AND SAFETY, EASTERN KENTUCKY UNIVERSITY

By any reliable measure, crime rates have dramatically declined across the United States for nearly 40 years. The Uniform Crime Reports show the decline, as do national victimization surveys and independent academic research. Like the nation as a whole, Kentucky has enjoyed declining crime rates in recent decades. But could this long-term trend be coming to an end? While predictions always are dangerous, it seems social and economic conditions may be lining up to generate a spike in crime.

While the causes of crime vary, there are a few things criminologists know empirically about criminal behavior. Street crime tends to cluster among the poor, underemployed and less educated. These three characteristics are highly correlated.

This does not mean, however, that poor and undereducated individuals are intrinsically criminal; there certainly is no shortage of criminality among the well-educated and affluent. Rather, it means poor people statistically are more likely to engage in the types of crime police are charged with controlling.

We also know major socio-economic changes affect crime rates. So, why might Kentucky be ripe for a spike in crime?

Currently, Kentucky's labor participation rate is hovering around 58 percent — one of the worst in the nation. Although economic and employment conditions have improved across the country, Kentucky still is experiencing one of the lowest labor participation rates of any state, and its economy continues to lag behind the rest of the United States.

The nation's economy is growing at about 2.2 percent per year, whereas Kentucky's economy is only growing at 1 percent. Income inequality also has been a serious problem for Kentucky since at least the 1970s. In 2012, the Kentucky Center for Economic Policy reported that, "[i]ncome inequality is rising in Kentucky for a range of reasons, with the growing gap in

wages playing a major role. Widening wage inequality is due to such factors as long periods of high unemployment, a decline in better-paying manufacturing jobs due to trade and other policies and a minimum wage that has not kept up with price increases."

Additionally, Kentucky's poverty rate continues to creep higher with nearly 20 percent of the population living in poverty. In short, Kentucky has not experienced an economic recovery.

The higher education front looks somewhat better than the general economic picture. But Kentucky also has experienced massive declines in state funding for higher education, which has made the goal of attaining a college degree more difficult for the average person.

Between 2008 and 2016, higher education in Kentucky experienced a 32 percent reduction in state funding. Only five other states have had greater reductions in education spending. And these statistics do not reflect the recently announced budget cuts to higher education. Kentucky thus continues to rank low among the states for percentage of citizens holding a college degree (21 percent vs. 28 percent) and very low for college graduation rates (24 percent vs. 34 percent). This situation, in part, explains why Kentucky workers have some of the lowest hourly wages of any workers in the United States.

When we pair these two trends together with what we know about street crime, it certainly looks like Kentucky is poised to experience an increase in criminality. What remains to be seen is just how high crime rates might climb. 📈

*Kentucky's poverty rate continues to creep higher with nearly 20 percent of the population living in poverty. In short, Kentucky has not experienced an economic recovery.*



The Department of Criminal Justice Training carries a longstanding tradition of honor, responsibility and commitment to those we serve. DOCJT staff have begun visually incorporating that tradition and Kentucky law enforcement culture into our training facilities. Soon, when you visit the academy, you will see more photos like this one of officers serving their communities and protecting our citizens, as well as recognizing the important work our telecommunications do in support of the law enforcement family.



## KACP NAMES 2016 CHIEF OF THE YEAR

### Paducah Chief Honored at Annual Conference

Paducah Police Chief Brandon L. Barnhill was named 2016 Chief of the Year by the Kentucky Association of Chiefs of Police during the organization's annual conference in August.

Barnhill, 42, has been with the Paducah Police Department since October 1998. He was appointed chief Sept. 19, 2013.

Since taking the helm of the PPD, Barnhill has established the Chief's Roundtable Community Forum, which brings leaders of the African-American community together with police department command staff to discuss issues and bring forth ideas for change and improvement.

Under his leadership, the department has seen the formation of the Police Foundation of Paducah/McCracken County, a non-profit entity that helps the department achieve goals related to employee development and education, community engagement, technology and equipment.

Additionally, Barnhill has overseen the police department's efforts to join with Murray State University to develop the Cultural Leadership Academy, which serves to improve participants' ability to analyze social



(Left) Capt. Brian Laird, Assistant Chief Brian Krueger and (far right) Assistant Chief David White stand with Chief Brandon Barnhill after accepting the KACP Chief of the Year Award.

issues, improve understanding of ethical and moral implications related to working with diverse populations and implement effective community-based leadership.

"Chief Barnhill proves every day to his officers and to our citizens that he 'has the right stuff' to successfully lead the Paducah Police Department in an exemplary fashion," said Joe Frampton, chairman and CEO, Paducah Bank. "Paducah is extremely fortunate to have this man of vision, character and commitment in such an important position of leadership."

Chief Barnhill has a bachelor's degree from Murray State University and a master's degree from Andrew Jackson University. He is a graduate of the Harvard Kennedy School for Government "Leadership in Crises" seminar; the Southern Police Institute Administrative Officers' Course and the Department of Criminal Justice Training's Criminal Justice Executive Development program. He is a member of KACP, the International Association of Chiefs of Police and the FBI's Law Enforcement Executive Development Association. He is incoming president of KACP.

### Mid-year Statistics Show a 300 Percent Increase in Ambush-style Police Killings

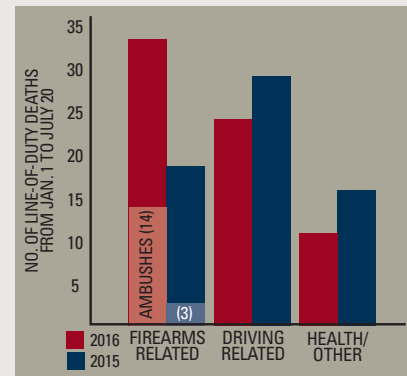
The National Law Enforcement Officers Memorial Fund issued a report with preliminary data through July 20, 2016, revealing 67 law enforcement officers have been killed in the line of duty in 2016 — an 8 percent increase over the same period last year.

Firearms-related fatalities (32) spiked 78 percent in the first half of this year from 18 during the same period last year. Of particular concern, ambush-style killings of law enforcement officers have dramatically increased more than 300 percent from the same period in 2015. Fourteen officers were shot and killed in ambushes, seven officers were killed stopping a suspicious person and five officers were killed while executing a tactical arrest or high-risk warrants.

Traffic-related incidents were the second leading cause of officer fatalities, with 24 officers killed during the reporting period — a 17 percent decrease over the same period last year (29). Thirteen officers were killed in automobile crashes involving another vehicle; five officers were struck while outside of their vehicle; four officers

were killed in motorcycle crashes and two officers were killed in single-vehicle crashes.

Eleven officers died due to other causes such as job-related illnesses in the first half of 2016, compared to 16 officer deaths during the same time last year. Heart attacks were the cause of six officer deaths, two officers fell to their death, one officer died in an aircraft crash, one officer was beaten to death and one officer drowned.



## DANGERS OF FENTANYL

### ODCP Releases 2015 Report on Overdose Deaths

A June report from the Kentucky Office of Drug Control Policy underscored the dangers of fentanyl, an extremely potent opioid that is leading to more overdose deaths, often because dealers mix it with heroin and sell the lethal blend to unwitting addicts.

More than three families a day are shattered by this epidemic of untimely death, Gov. Matt Bevin said during the press conference.

Fentanyl-related deaths have been on the rise across the country over the past year. The drug is 30 to 50 times more potent than heroin and can prove deadly at very low levels, according to the U.S. Drug Enforcement Administration.

In Kentucky, fentanyl was a factor in 420 fatal overdoses in 2015, up from 121 in the previous year. The drug contributed to 34 percent of all overdose deaths in the state, frequently in combination with heroin or other drugs.

"The introduction of illicit fentanyl into the heroin trade is producing devastating results," said Van Ingram, director of the Office of Drug

Control Policy. "Whether it's manufactured to resemble heroin or a prescription pill, the cartels have made an already dangerous situation worse."

The numbers are part of the 2015 Overdose Fatality Report, released by the Office of Drug Control Policy. The report was compiled with data from the Kentucky Medical Examiner's Office, the Kentucky Injury Prevention and Research Center and the Kentucky Office of Vital Statistics.



### DEA says Officers Can Die from Handling Powerful Narcotic

In June, the Drug Enforcement Administration rolled out a new public service announcement directed at law enforcement to raise awareness of the danger officers face when they encounter fentanyl in the field.

The video features two New Jersey police officers who accidentally inhaled powder fentanyl while collecting the drug as evidence, and the DEA warns officers to take extra precautions if they come in contact with the drug, which is said to be 50 times more powerful than heroin.

The video can be viewed by scanning this QR code with your smart phone or visiting [https://www.dea.gov/video\\_clips/Fentanyl%20Roll%20Call%20Video.mp4](https://www.dea.gov/video_clips/Fentanyl%20Roll%20Call%20Video.mp4).



### Justice Cabinet Announces Funding for Eight Anti-Drug Efforts

The Kentucky Justice and Public Safety Cabinet announced eight program areas in Kentucky will receive a total of \$15.7 million from the state budget this year to combat heroin and substance abuse in the commonwealth.

**Funding for fiscal year 2017 includes:**

- Department of Corrections will receive \$1 million for substance abuse treatment programs that help county inmates in local jails. DOC also will receive \$1 million to help state inmates in local jails and \$1 million for a Naltrexone pilot program. Naltrexone is a medication that helps stave off the desire to use opioids and can be administered to inmates as they leave custody.
- Community mental health centers will receive more than \$4.3 million to provide substance abuse treatment throughout the state.
- The Kentucky Agency for Substance Abuse Policy will receive \$2.75 million to support substance abuse programs across the state.
- Department of Public Advocacy will receive \$1.75 million to help develop alternative sentencing plans.
- The Prosecutors Advisory Council will receive \$1.2 million to support "rocket docket" prosecutions in cases that involve controlled substances.
- Established programs that provide services related to neonatal abstinence syndrome and help pregnant women with addiction to apply for \$2.5 million in grants.



NEW CHIEFS

WAGNER LEE BASKETT

Cloverport Police Department

Wagner Baskett was appointed chief of Cloverport Police Department on May 19, 2015. Baskett has 31 years of law enforcement experience and began his law enforcement career with the Spring Lake Police Department, N.C.. He also has served the North Carolina Justice Academy as a security Fire Safety Officer, as well as Surf City, Parkton, Raeford and Rowland (N.C.) police departments. After retiring from Rowland Police Department, he moved to Kentucky and served as chief of Hawesville Police Department for five years, before coming to Cloverport. Baskett has a bachelor's degree in Criminal Justice from Mount Olivet College, N.C., a master's degree in Organizational Management from the University of Phoenix and a master's degree in Criminal Justice from South University.



KENNETH W. HATMAKER

Jeffersontown Police Department

Kenneth Hatmaker was appointed chief of Jeffersontown Police Department



on April 19. Hatmaker has 18 years of law enforcement experience. He began his law enforcement career with the Louisville Police Department and served more than three years. In 2001, Hatmaker joined the Jeffersontown Police Department, moving through the ranks to become chief. He has a bachelor's degree in Criminal Justice from the University of Louisville. Hatmaker graduated from the Louisville Police Department Basic Training Academy in September 1998. He also is a graduate of Academy of Police Supervision Class No. 38 and Southern Police Institute AOC Class No. 125.

ANDREW SCHIERBERG

Fort Mitchell Police Department

Andrew Schierberg was appointed chief of Fort Mitchell Police Department on July 1. Schierberg has 13 years of law enforcement experience. His entire law enforcement career was spent with the Kenton County Police Department before being named Fort Mitchell's chief. Schierberg has a Bachelor of Arts in Speech Communication and Criminal Justice from Northern Kentucky University and a Juris Doctor from Northern Kentucky University Chase College of Law. He is a graduate of the Department of Criminal Justice Training Basic Training Class No. 327.



Louisville Officer Named Ky. Colonel

Louisville police officer Kyle Carroll recently was named a Kentucky colonel by Gov. Matt Bevin – one of the state's highest honors. Carroll received the award for his outstanding service to the community. He was shot in the chest on June 11 while working patrol in Louisville. Carroll was wearing his bullet-resistant vest when he was shot, which stopped the bullet.

"Protecting those who protect us ... that's what we're going to do," Bevin said. The recognition was part of a bill signing ceremony for House Bill 303, which commits \$20 million toward Kentucky's police and firefighters over the next two years.



New Report Details Dangers for Law Enforcement When Responding to Calls for Service

The National Law Enforcement Officers Memorial Fund issued a new research report entitled "Deadly Calls and Fatal Encounters," a five-year study (2010-2014) analyzing 684 line-of-duty deaths to identify key indicators and early trends that can impact law enforcement officer safety.

The analysis focused on cases that involved a dispatched call for service, which required a police response, and what information was made available to the responding officers. Researchers also examined cases involving self-initiated actions, and what, if any, commonalities were discovered that could be used as learning tools to prevent future deadly calls or fatal encounters.

Some key facts discovered in the study include:

- Calls related to domestic disputes and domestic-related incidents represented the highest number of fatal types of calls for service.
- More than 20 percent of the officers responding to calls were killed by suspects with rifles.
- Sixty-three percent of officers who were killed while engaging in self-initiated action were conducting a traffic stop for vehicle enforcement.

For more on the study's findings and recommendations, access the report by scanning this QR code with your smart device or visiting [www.nleomf.org/programs/cops/cops-report.html](http://www.nleomf.org/programs/cops/cops-report.html).



KLEC Presents CDP Certificates

STAFF REPORT | KLEC

The Kentucky Law Enforcement Council's Career Development Program is a voluntary program that awards specialty certificates based on an individual's education, training and experience as a peace officer or telecommunicator. There are a total of 17 professional certificates; 12 for law enforcement that emphasize the career paths of patrol, investigations, traffic and management; and five certificates for telecommunications. The variety of certificates allows a person to individualize his or her course of study, just as someone would if pursuing a specific degree in college.

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

**INTERMEDIATE LAW ENFORCEMENT OFFICER**  
**Ashland Police Department**  
Erik M. Wilder

**Berea Police Department**  
Aaron E. Boycan

**Bowling Green Police Department**  
Benjamin A. Craig  
Nicholas M. Jewell

**Brownsville Police Department**  
Jeffrey A. Jewell

**Carrollton Police Department**  
Ronald W. Dickow

**Commercial Vehicle Enforcement**  
William A. Rein

**Franklin Police Department**  
Dale W. Adams  
Monta D. Cherry  
Christopher D. Jackson  
Michael D. Jones  
Kelly W. Mayfield  
Michael G. Miciotto  
Serhiy Varyvoda

**Georgetown Police Department**  
Raymond G. Brun  
Gary W. Crump II

**Lancaster Police Department**  
Rodney Kidd

**London Police Department**  
Jordan Hopkins

**Maysville Police Department**  
Robbie D. Corns

**Stanton Police Department**  
Arthur R. Lacy

**Western Kentucky University Police Department**  
John H. Bailey Jr.  
Kerry L. Hatchett

**ADVANCED LAW ENFORCEMENT OFFICER**  
**Berea Police Department**  
Eric L. Davidson

**Bowling Green Police Department**  
Benjamin A. Craig

**Brownsville Police Department**  
Jeffrey A. Jewell

**Covington Police Department**  
David W. Coots  
Donald R. Strange Jr.

**Franklin Police Department**  
David L. Hutcheson

**Maysville Police Department**  
Robbie D. Corns

**Nicholasville Police Department**  
Eric T. Justice

**LAW ENFORCEMENT SUPERVISOR**  
**Florence Police Department**  
John R. Thoman

**Maysville Police Department**  
Robbie D. Corns

**Murray State University Police Department**  
Ryan L. Orr

**Nicholasville Police Department**  
Michael A. Fleming

**LAW ENFORCEMENT MANAGER**  
**Alexandria Police Department**  
Gary R. Frodge

**Cold Spring Police Department**  
Brian K. Messer

**LAW ENFORCEMENT EXECUTIVE**  
**Danville Police Department**  
Anthony G. Gray

**LAW ENFORCEMENT CHIEF EXECUTIVE**  
**Danville Police Department**  
Anthony G. Gray Jr.

**Lancaster Police Department**  
Rodney Kidd

**LAW ENFORCEMENT OFFICER INVESTIGATOR**  
**Covington Police Department**  
Robert J. Auton  
David W. Coots  
Brian R. Valenti

**Stanton Police Department**  
Arthur R. Lacy

**Taylor Mill Police Department**  
Cyrus Harris

**LAW ENFORCEMENT TRAFFIC OFFICER**  
**Harrison County Sheriff's Office**  
Nathan Olin

**INTERMEDIATE PUBLIC SAFETY DISPATCHER**  
**Frankfort/Franklin County 911**  
Derrick E. Taylor

**Georgetown Police Department**  
Claudette M. Cotterell  
Judy D. Evans  
Kendra J. Jones  
Jennifer M. Murphy  
Edith M. Southworth  
Claudette M. Towles

**Madisonville Police Department**  
Robert D. Littlepage

**ADVANCED PUBLIC SAFETY DISPATCHER**  
**Bowling Green Police Department**  
Sanja Dudaric

**Madisonville Police Department**  
Matthew R. Nelson

**PUBLIC SAFETY DISPATCH MANAGER/DIRECTOR**  
**Bluegrass 911 Central Communications**  
Russ Clark

**LAW ENFORCEMENT OFFICER ADVANCED INVESTIGATOR**

**Covington Police Department**  
David W. Coots

**Danville Police Department**  
Patrick E. McQueen

**Harrison County Sheriff's Office**  
Theodore P. Olin

**CRIME SCENE PROCESSING OFFICER**  
**Hazard Police Department**  
Paul Campbell

Corrections and Juvenile Justice Women's Conference to be hosted in Louisville

Kentucky is hosting the 2016 Women Working in Corrections and Juvenile Justice Conference at the Louisville Marriott Downtown in Louisville, KY October 2 to 5.

The 2016 conference will highlight women's role in the fields of Corrections and Juvenile Justice. In recent years, women have been setting the pace for corrections professionals in areas such as the Prison Rape Elimination Act, re-entry programming, mental health issues, substance abuse issues, and gender and cultural diversity.

The conference aims to address these and many other significant issues including current trends, leadership, training, education and

personal and professional growth, and it will provide networking opportunities for women in corrections and juvenile justice.

For more information, visit [www.wwicjj.com](http://www.wwicjj.com).





# STOPS

## MORE THAN STOPPING CARS

ABBIE DARST | PROGRAM COORDINATOR



PHOTOS BY JIM ROBERTSON



**T**aught to police officers across the nation since 1993, the Strategies and Tactics of Patrol Stops course has been credited with saving at least 300 law enforcement officer lives, said Ron Hantz, president of Pro-Train Inc., which produces the STOPS program. Canfield (Ohio) Police Officer Robert Magnuson authored the STOPS program because he saw a desperate need to train law enforcement officers in safely making traffic stops.

"The first thing officers would do is get a badge, a gun and keys to a car and go out and stop every car with a headlight out," Hantz said. "They never were trained to do it safely and, unfortunately, that still is done in some places today."

"STOPS has taken the available research and videos of officer-involved shootings, FBI statistics and other sources, and developed strategies — learning from what happened in other real-life situations, Hantz continued. The worst thing we can do is not learn from every officer killed."

Department of Criminal Justice Training instructors attended a STOPS instructor training course in late June to incorporate STOPS training tactics into DOCJT curriculum. The four-day course begins with examining situations where officers were both killed and not killed in traffic stops and exploring together why each situation unfolded the way it did and how those officers reacted, Hantz explained.

"But it's not just about stopping cars," Hantz said. "These tactics apply any time an officer deploys from a vehicle."

"The core tactical principals of STOPS transcend vehicle-related activities and have benefits across the tactical spectrum," DOCJT General Studies Instructor Tom Atkin said after attending the class. "The program takes these activities out of the classroom and beyond perfect, sterile situations in which rudimentary patterns are taught, and prepares officers for what can happen in the most common — and often the most dangerous — activities law enforcement officers undertake."

The training identifies 12 ambush zones, six on either side of a subject's car, and focuses on the six most dangerous zones and how to counter an assault from those locations and defeat the bad guy, starting with moving first. As the training progresses, students walk through low-risk and unknown-risk scenarios before moving on to high-risk stops and what happens when risks change and things go bad, Hantz said.

"In most traffic stop situations, officers are behind the power curve," Hantz said. "The bad guy knows he is going to attack and [officers] don't. But we're still managing to win with our tactics because they are superior. I can tell you stories where it didn't go to gunfire because a student did what he was told from this training."

"The program provides realistic balance between safety, tactical, legal and social concerns," Atkin agreed. "And it may be the best way to introduce and reinforce tactical concepts such as move first, then draw; use of cover and concealment; and the dynamic nature of gunfights."

Hantz, who still serves as a full-time Indiana officer, and his seven instructor trainers have dedicated themselves to constantly listening to, looking for and learning from officer-involved shooting footage, articles and all types of law enforcement sources to ensure they are training officers on the absolute best tactics to stay sharp and safe in every traffic stop and scenario. They have trained more than 4,000 STOPS instructors who are sharing their knowledge and tactics with thousands of officers across the nation.

"God put me on earth to do this, and I think about it every night when I go to bed," Hantz said. "I can't tell you how much I care about these [officers,] this is my mission in life."

"I love police officers No. 1," Hantz added. "I grew up in a family of cops and started working in a jail and then on the road, and I still have as much passion now as I did then. Let's go out there and keep our people who protect us as safe as they can be."

For more information on STOPS training, visit [www.protraininc.com](http://www.protraininc.com)



PHOTO BY JIM ROBERTSON

1. Kentucky State Police Sgt. Shawn Darby instructs a participant at STOPS training conducted in Frankfort.
2. As officers in training approach a stopped vehicle, they are taught to keep their bodies close to the vehicle, making themselves a smaller target.
3. Two officers engage in a simulated gun battle during STOPS training. Each officer is using the bulk of the vehicle to shield his body, while shooting through the glass and not around the car for maximum protection.
4. STOPS training teaches students to shoot through a vehicle's glass instead of over top or around the side of the vehicle. This keeps the officer behind maximum cover and less likely to get hurt.



# TRAINING SAFETY OFFICER PROGRAM REDUCES RISK, INJURIES

KELLY FOREMAN | PROGRAM COORDINATOR

**H**ands-on, facilitation-style training has been proven to be an effective form of adult-based learning. But the more hands on officers get during training, the more risks are involved for injuries.

One Minnesota group, though, has developed a program that incorporates safety measures into training without watering down the course's intended content. Robert Boe, a 29-year law enforcement veteran and public safety project coordinator for the League of Minnesota Cities Insurance Trust, recently presented the Training Safety Officer program at the Department of Criminal Justice Training in conjunction with the Kentucky League of Cities.

"This program is responsible for cutting training injuries across the country," said Department of Criminal Justice Training Commissioner Mark Filburn. "You're going to hear me talk about the safety of officers and keeping them off the [memorial] wall. But here's the training aspect of that, too. I don't want any of my instructors hurt. I don't want any instructors around the state hurt. That's the key thing we are going to do as instructors — make sure the people in our classes are safe and we are safe."

In Minnesota, as training transitioned to become more realistic, physical and

scenario-based, Boe said statistics showed that training injuries rose from about 10 percent to 20 percent of the workers' compensation costs over a four-year period. In response, LMCIT launched the training safety officer initiative in an effort to bring those injury numbers back down.

During the DOCJT course, Boe discussed elements of the program along with the successes he has seen through a reduction of injuries when law enforcement trainers have implemented the TSO program.

"I can see what's coming," Boe said. "When have you said that? For some of you, you may play sports and sometimes you can see a pattern in a play you have seen many times before, because you're observing the human behavior in that pattern. You can predict with some reliability what's going to happen."

The phrase, "I can see what's coming," was uttered by one of the first officers involved in testing the initiative, Boe said, and has been spoken many times since. A sergeant who was serving as the training safety officer was observing from the back of the room and, 35 minutes into class was "bored silly," Boe said. But about 5 minutes later, he spoke up and said, "I can see what's coming."

Two officers in the back of the room were not doing what they were supposed to do and were starting to go "off script," Boe said, activity he described as anything not in the lesson plan.

"Sgt. Brennan reacted by gesturing to the instructor and said, 'We need to change partners, particularly the two people in the back of the room,'" Boe recalled. "Partners were changed and they went on without an incident. That moment is when

the light bulb really went on, because Sgt. Brennan had figured out how to get ahead of a training accident and not allow it to happen."

To get ahead of a training accident using the TSO program involves six steps.

**Have a planning meeting:** Talk about the lesson plan. Are the students training or testing? What does the testing look like in the defensive tactics room? What are the safety risks? What does off-script behavior look like?

**Develop a safety plan:** Document concerns, available personal protective equipment, consider weather and site-specific concerns. Consider the safety of any role players and an EMS plan if injuries occur.

"When you have to care for one of our own, sometimes we have a hard time responding to our own emergencies," Boe said. "You need a plan to get quick attention to the injured."

**Conduct a site inspection and setup the training space:** Look at what you have to work with and consider how it can be made safer. Ensure that you have the necessary permissions for the acquired site, conduct an inspection and make sure it is appropriate for use. At the shooting range, for example, make sure you have a well-stocked trauma kit. When officers arrive, triple check their weapons.

**Have a safety briefing:** Wear a safety vest during the briefing.

"Some people are slow to realize the importance of wearing a vest during the safety briefing," Boe said. "It is a constant safety reminder during training."

Instruct the students about the words they should use to stop the training if necessary, explain the importance of not going off script and what precautions you have

taken to make the room safe for the training. Provide details about the location of emergency and first-aid equipment.

**Observation and role players:** Bring students to the front of the class who may show signs of taking the training less seriously. Assign someone to watch for citizens and reporters who may show up on scene. Understand the tendency of role players to go off script after repeating an activity multiple times. Observe the opportunities for risk toward the end of the training when students are tired or unfocused.

**After-action review:** Document what happened and the lessons learned. Understand the importance of the "look of extreme fatigue." Conduct an honest assessment of the class and how everyone is doing. What was the quality of the training?

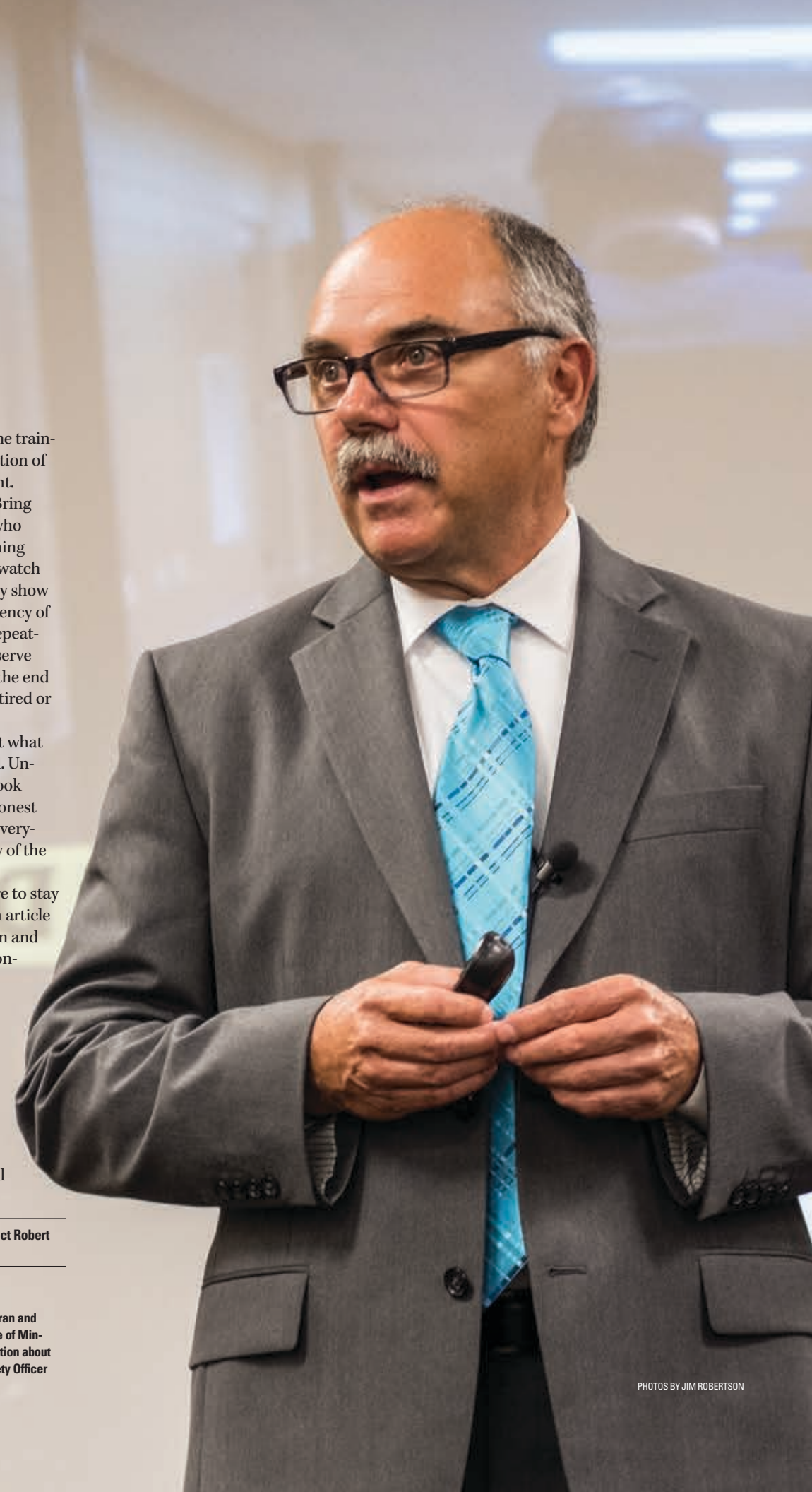
"Scenario-based training is here to stay because it works," Boe wrote in an article about the program. "But as realism and stress are added to training environments, risk of injury (even death) increases. A TSO program is not about watering down effective law enforcement training. It is about using all of the controls reasonably available in a training environment to deliver that training safely. It costs only some extra time and effort — clearly a bargain when compared to the full cost of training injuries." 📌

To learn more about the TSO program, contact Robert Boe at [rboe@lmc.org](mailto:rboe@lmc.org)

► Robert Boe, a 29-year law enforcement veteran and public safety project coordinator for the League of Minnesota Cities Insurance Trust, presents information about the importance of incorporating a Training Safety Officer program into training to reduce injuries.



◀ Part of the Training Safety Officer course at DOCJT included an opportunity for attendees to participate in hands on exercises.



PHOTOS BY JIM ROBERTSON



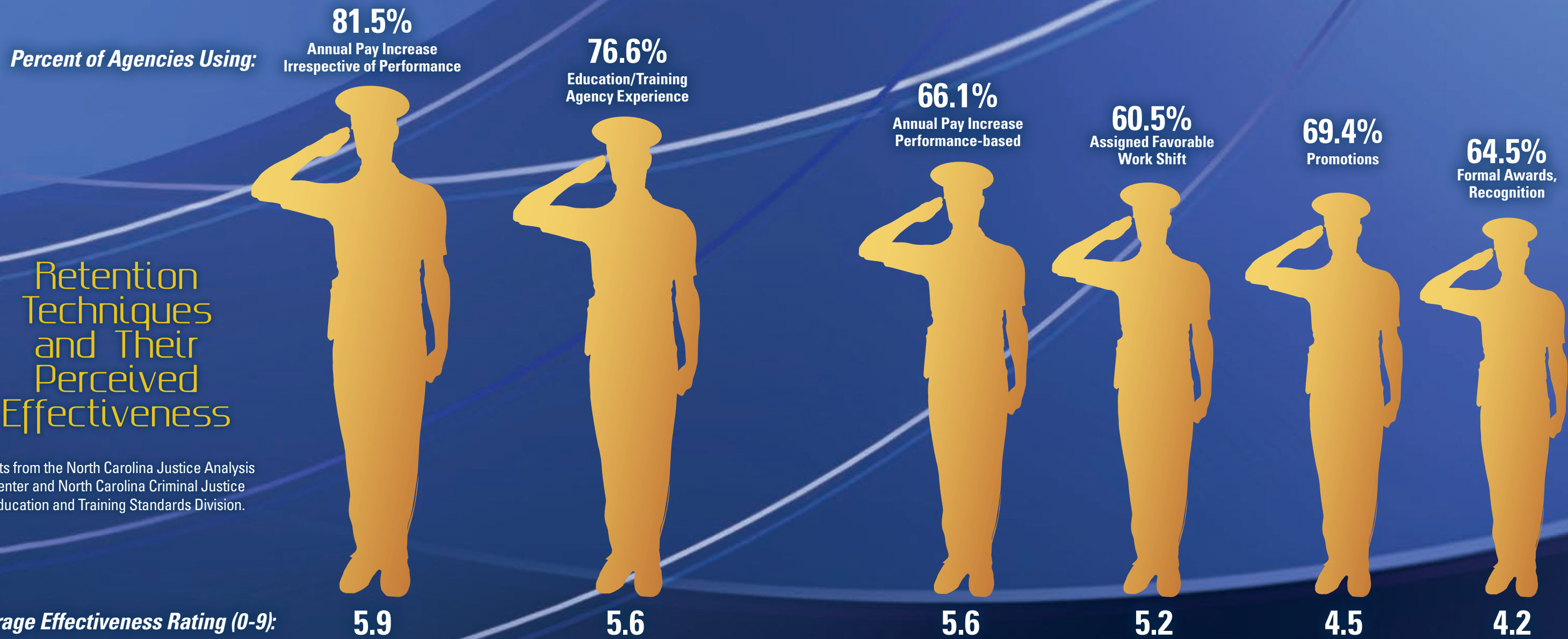
# In It FOR THE Long Haul

ABBIE DARST | PROGRAM COORDINATOR

**PART III** | Exploring the role educational opportunities and leadership development play in effective officer retention

Law enforcement faces three challenges: recruiting good candidates, training them to understand their policing role and do the job safely and effectively, and retaining the best officers in the profession. Kentucky has spent two decades developing and progressing police training, yet many agencies throughout the commonwealth struggle to either recruit or retain the absolute best officers.

This is the third of a four-part series diving into some of today’s biggest recruitment and retention issues or strategies that affect law enforcement agencies across the nation, but often go overlooked and unnoticed in an ever-evolving workforce landscape.





You can't talk about recruitment without also talking about retention — the two inevitably go hand in hand. No matter how effective your recruitment strategies, if your trained officers walk out the door in one to three years, your agency gains nothing and actually loses a great deal.

"By reducing the number of officers with experience, turnover inhibits effective decision making," cites a RAND Center on Quality Policing Police Recruitment and Retention for the New Millennium report.

"It diminishes the strength and cohesion a department gains by having experienced staff, and that cannot be replaced over time. Agencies with higher turnover and less experienced officers suffer reduced productivity and more-frequent complaints.

"Retention and turnover programs should be more than targeted prevention strategies," the report continued. "Properly designed, they can address early- and mid-career reasons officers leave and reduce turnover at all stages of a career."

In a study conducted by the North Carolina Criminal Justice Analysis Center and Criminal Justice Education and Training Standards Division, respondents cited six retention techniques they viewed as most used and effective. As might be expected, annual pay increases irrespective of performance ranked highest at 81.5 percent using the technique and receiving a 5.9 (out of 9) for effectiveness. But next in line were educational incentives, such as tuition reimbursement and allowing officers to attend classes during work hours, at 76.6 percent and a 5.6 for effectiveness respectively. Promotional opportunities ranked next, used 69.4 percent of the time.

These numbers show that officers want to develop themselves, and they respond well to incentives that help them advance their education and standing within the department.

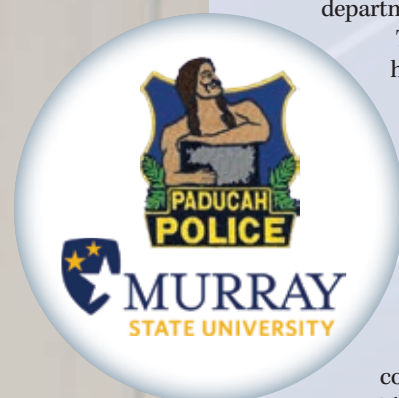
Two Kentucky departments have taken these concepts to a different level — using education and leadership development to not only retain their best officers, but, moreover, to change the overall atmosphere of their agencies in the way officers think, problem solve and respond to their communities.

The Paducah Police Department pursued a partnership with Murray State University last spring. Under the lead of Assistant Chief of Operations Brian Krueger, a loose conversation began about developing a curriculum that catered to the needs of the police department, but worked within the framework of Murray State's academic structure, Paducah Police Chief Brandon Barnhill said.

What emerged is the Cultural Leadership Academy — a four-module, 12-month program built off the core curriculum for Murray State's Human Development and Leadership master's program. The four modules focus on community interaction, social intelligence, ethical practices within

◀ Paducah Police Chief Brandon Barnhill pushes his department toward positive community understanding and interaction. He hopes the knowledge gained through the agency's new Cultural Leadership Academy will infiltrate the ideas and actions of the entire department over time.

PHOTO BY JIM ROBERTSON



“Some agencies stay closed minded, stick to traditions and don't expand their knowledge base and, therefore, police in one way. As society evolves, they don't, and that's why there are incidents from which we all can learn. We are trying to stay ahead of that curve.”

— Chief Brandon Barnhill, Paducah Police Department

the community and intercultural leadership, said Dr. Landon Clark, Murray State assistant professor and HDL program coordinator.

"This is a way for us to help out and increase their level of education attainment," Clark said. "The [department] feels that a more educated police force is a benefit to the city of Paducah. I was speaking to someone about the Cultural Leadership Academy and he said, 'Wouldn't it be awesome if a very high percentage of our police force had master's degrees?' This could really be an agent of continued change and improvement, and just bettering the partnerships they've already developed."

Paducah Police Department requires 60 credit hours or two years of military experience for entry-level officer hire. With these minimum requirements, Paducah makes it clear that education is a priority for the police department. Opportunities like the Cultural Leadership Academy allow officers to complete undergraduate degrees or work toward their master's degrees.

In April, eight officers began the first two modules of the program, challenging them to think outside the box on community and personal interaction.

"These officers have the technical skills, they need to complement those with leadership skills — those softer skills that go with the technical knowledge," said Terry Clark, Murray State assistant professor

who works with her husband, Landon Clark, in the HDL program. "There are a lot of things touched on in the social intelligence module based on models and theories about personal interaction, and these are things the officers were aware of and use on a day-to-day basis. But, in the course, they are able to view them from different lenses. They are trained from a police officer point of view, but this helps them see how others perceive their presence."

Chief Barnhill envisions this program as one that will filter down throughout the department as people go through, eager to see how ideas and things learned in the modules will expand to other officers through conversations, he said.

"This is an opportunity not everyone gets to experience," Barnhill said. "It could have presented itself with no interested people. But the willingness of these officers to say, 'I need to learn' is huge. It's huge to make sure we have that understanding of our diverse community, and if we are closed and unwilling to learn, it does not benefit us as an agency."

"Some agencies stay closed minded, stick to traditions and don't expand their knowledge base and, therefore, police in one way," he continued. "As society evolves, they don't, and that's why there are incidents from which we all can learn. We are trying to stay ahead of that curve." >>







PHOTO BY JIM ROBERTSON



qualities use less force, are better problem solvers who use the community-policing model and like challenges and solving issues. They are involved in the organization, and that helps us.”

Lexington first implemented its ideas of developing leadership from the bottom up under former Chief Ronnie Bastin, who attended every in-service class and spoke to recruit classes, impressing upon officers that they are leaders regardless of rank or title.

Combining the ideas of education and leadership development, Lexington began partnerships with Bluegrass Community and Technical College and Eastern Kentucky University to ensure every officer in the department has the ability to work toward higher education and pursue a promotional path, Barnard said.

When officers come into the Lexington Police Department academy and do not have their undergraduate degree, they are awarded an associate’s degree through the agency’s partnership with BCTC, when they complete and graduate from basic training.

Once officers graduate from the academy, there is a formalized program with ECU for a Pathways program where they can finish their bachelor’s degree, and LPD reimburses the cost of tuition, Barnard said.

From there, officers are encouraged to continue furthering their education through the Police Executive Leadership Program. PELP is a leadership program that originally was developed to help sworn personnel who had earned some graduate-level credit hours through the FBI National Academy and the Department of Criminal Justice Training’s School of Strategic Leadership to complete a post-graduate degree.

PELP has since evolved into an intense partnership with the School of Justice Studies in the College of Justice and Safety at ECU. Its purpose is to promote advanced education using an exchange of ideas and management styles with other police executives.

“The Police Executive Leadership Program is an excellent example of two public institutions partnering to achieve extraordinary results for the community of

Lexington,” said Dr. Victor Kappeler, Dean, foundation professor with the School of Justice Studies and PELP lead instructor. “The partnership with ECU’s College of Justice and Safety demonstrates a strong commitment by the Lexington Police Department to enhance its administrative capacity by promoting progressive leadership throughout the agency.

“The program is visionary, in the sense it invests in the agency’s human resources, through an educational program that provides officers with experiences beyond traditional police training,” he continued. “Likewise, the agency demonstrates a high level of maturity and transparency by opening itself up to the critique and critical review that accompanies an academic education. Both institutions have benefited greatly by the on-going collaboration.”

After completing the PELP program, participants earn 30 graduate credit hours toward a Master of Science Degree in Criminal Justice through ECU.

“This program is a tremendous value for law enforcement,” Barnard said. “When you look at our agency, most all our commanders, including myself, and most of our lieutenants and sergeants have completed, or are working on, their master’s degrees.

“This changes the agency so much because there is more theory-based critical thinking and looking at things outside of how police affect crime and neighborhood perception of crime,” he continued. “ECU has put this wonderful program together that really says, ‘Deconstruct the way you’re policing and how you’re affecting the community and look at other theories.’ It changed our agency tremendously because we started looking at how to interact with the community differently.”

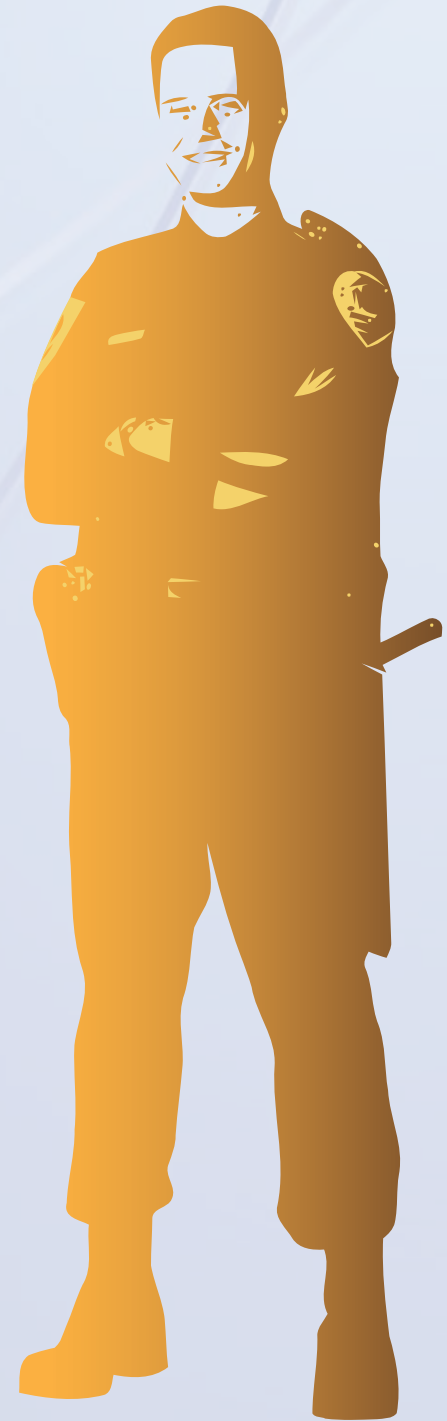
Lexington can use these great education programs not only as a way to retain

officers by building them up and preparing them for future leadership roles, but also as a recruiting tool for the agency. Essentially, an individual can start with LPD with no advanced education and end their career with a master’s degree. And as added incentive, there are pay increases tied to educational advancement as well, Barnard said.

“These opportunities also can have symbolic meaning, fostering professionalism by allowing for promotional advancement and responsiveness to employee needs and career ambition and reinforcing feelings that employees are engaged in a bona fide career,” the RAND Center report cited. “Visible career ladders show employees multiple pathways to organizational success.”

According to the RAND Center study, the average length of time officers in North Carolina stay at their departments is 34 months, and the California Commission on Peace Officer Standards and Training found that 25 percent of officers transfer within 1.3 years and 50 percent do so within 3.2 years. If people are our most important assets, repetitively losing those valuable resources so soon after investing in training can lead to insurmountable consequences. Helping officers find organizational success invigorates them to stay committed to the organization. And retaining well-trained, highly-qualified and deeply-invested officers strengthens the department’s ability to successfully navigate and build relationships with the community. Providing educational opportunities and molding officers throughout their careers delivers the skills and incentives officers need to stay for the long haul. 📌

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



“I think you need to develop core values — it’s not just about retention, but very consistent leadership throughout, and really that starts at the bottom and goes all the way up, with people working on the road level being able to influence leadership, decision making and policy.”

— Chief Mark Barnard, Lexington Police Department

>> In Lexington, this idea of using education to expand officers’ ability to problem solve and think critically catapults all officer development efforts.

“I think you need to develop core values — it’s not just about retention, but very consistent leadership throughout, and really that starts at the bottom and goes all the way up, with people working on the road level being able to influence leadership, decision making and policy,” said Lexington Police Chief Mark Barnard.

“Once they are accepted and know they have some voice in that, it incorporates everyone into the leadership model.

“We value No. 1, recruiting the right people to come into our community, No. 2, attrition issues — what people are leaving and who we’re replacing them with and No. 3, developing the people we have here,” he continued. “We’re very high on education — and there’s a reason for that. It promotes problem solving and critical thinking, and people who have those



## DOCJT'S INSTRUCTORS

More than 80 instructors fill the classrooms at the Department of Criminal Justice Training, teaching fresh recruits and seasoned professionals everything from how to properly handcuff a suspect to how to handle the most frantic callers.

The professionals who share their wisdom and skills with students have wide and varied backgrounds. Their expertise and professionalism make DOCJT's instructors among the highest caliber law enforcement and telecommunications trainers in the country.

Through this series, we will introduce you to the men and women who are leading the way today for a safer and better Kentucky tomorrow.

It's often said that experience is the best teacher, and that's a lesson Department of Criminal Justice Training Vehicle Operations Training Instructor Jeff Knox reinforces daily on the driving track.

"I try to share my experiences to keep them alive," Knox said of the officers he trains. "Vehicle operations and traffic stops, to me, are two areas that are extremely high risk for these guys. So when I'm teaching traffic stops I'm going to say to every class, 'When you go out there today, this could save your life on your first night at work. Because that first night of mine, I was involved in a pursuit and a high-risk traffic stop.'"

Knox began his law enforcement career with the Bowling Green Police Department after graduating from Eastern Kentucky University with a bachelor's degree in police administration. The very first night he drove a police car in his new community, Knox said he was assigned to a field training officer with five years' experience under his belt who had never been in a pursuit.

"He threw me his keys and said, 'Rookie, don't wreck my car,'" Knox said. "Two hours later we're in a pursuit. And that's kind of how my career went. Trouble always seemed to find me."

Knox initially had planned to pursue a career in the military, but during his

senior year of college he was diagnosed with diabetes. Limited by his condition, Knox said the diagnosis geared him toward the other career he had considered – policing. He recalled being pulled over for a traffic stop in college that reinforced his interest in law enforcement.

"I was stopped by a police officer in Winchester, and I was so impressed," Knox said. "He did a great job and was very professional. He gave me a ticket and I actually thanked him for it. My brother had served in EMS, and I just wanted to serve more than anything."

Knox, a Powell County native, attended a career fair and met a recruiter from Bowling Green Police Department.

"The first time I went to Bowling Green they hired me," he said. "I was hired by [former DOCJT Leadership Branch Manager] J.R. Brown, he was my captain. I remember I went in and he gave me all my stuff, including my badge, and I shined on that badge probably 10 hours that week. I was so looking forward to law enforcement."

Knox spent just shy of 12 years of his career at Bowling Green, where he rose through the ranks working as a patrolman for 10 years, a bike officer, crime-scene processor, field training officer, advanced patrolman, master patrolman and detective with the Bowling Green-Warren County Drug Task Force, and eventually, as a sergeant on midnight shift. >>

# DRIVING IT HOME

**Jeff Knox,**  
VEHICLE OPERATIONS TRAINING INSTRUCTOR

KELLY FOREMAN | PROGRAM COORDINATOR





▲ DOCJT Vehicle Operations Training Instructor Jeff Knox has been teaching at DOCJT for nearly 12 years. Driving home the importance of safety behind the wheel is his primary mission in the classroom.

▼ Working with students at the DOCJT training academy provides an opportunity for Vehicle Operations Training Instructor Jeff Knox to share his experiences from his law enforcement career and hopefully keep them safer on the road.



PHOTOS BY JIM ROBERTSON

>> “As a patrolman I had worked with the task force a lot in the low-income part of town where there was a lot of drug activity,” Knox said. “When the position came open on the task force they approached me and asked if I was interested. I said, ‘Absolutely.’ That was the greatest job ever.”

When he was promoted to sergeant, Knox said he was transferred to the mid-night patrol shift, where he led a hard-working group of officers.

“I really liked the drug task force, but when you’re looking at a career, at that point I was thinking, ‘Well, I know I want to promote someday,’” he said. “I went on midnight shift and had a bunch of really good guys, young guys, and then I had three or four senior guys who worked for me who were kind of showing the young guys the ropes, and that worked out perfect. Every night we went out we wanted to go arrest the bad guy. And that’s the mentality we had the whole time I was down there. I wanted to fight crime. It’s an outstanding place to work.”

“Some nights we would have 30 to 40 calls backed up waiting because we were so busy,” Knox continued. “I was enjoying my career, but I started having some diabetic seizures on duty. I knew I had to

make a change, because third shift does not work well with diabetes. I needed a good schedule.”

In November 2004, a position opened at DOCJT for a training instructor in the Vehicle Operations Section, and Knox took the job.

“I know where the new recruits are headed and how excited I was while I was in the academy,” Knox said. “I can see that in their eyes, and I want to be a positive influence. I want to say, ‘Hey, this is a great profession. I loved it. If I could, I would go back today, I really would.’”

Working in Vehicle Operations is a somber responsibility given the number of officer deaths stemming from accidents, pursuits and other vehicle-related incidents.

“We lose more officers every year, it seems like, in driving or collisions than we do in shootings,” Knox said. “Firearms are extremely important, but I emphasize to every recruit class I get that, ‘I’m going to give you the most dangerous piece of equipment you’re going to get as a police officer.’ They just kind of look at me like, ‘No, my gun is more dangerous.’ No, it isn’t. I’ve got 4,000 pounds I’m getting ready to give them control of.”

Once recruits graduate the academy and receive keys to their new mobile offices, Knox said the emphasis on driver training shouldn’t stop.

“If you’re not practicing police driving, it’s going to catch up to you and your department,” he said. “Driver training can be done; you don’t need a big track.”

Knox suggested using the police department parking lot to simply practice reverse driving – a skill that leads to more than 60 percent of police accidents, he said. Recognizing the physiological effects on adrenaline and blood pressure that occur when lights and sirens are activated, Knox encouraged practicing with them on to be prepared for how your body will react. If the police department parking lot isn’t large enough, Knox suggested getting the necessary permissions from someone with a large parking lot to practice these and other skills, such as slow-speed precision driving.

“I think this is extremely important, too, police officers get killed at intersections,” Knox said. “We always have taught here, as you approach an intersection – even though state law says you can slow down

and go through the intersection with due regard – we make everyone stop, scan left, right, and left again as they go out in that intersection.

“There are two main reasons for that,” Knox continued. “First is that we’re getting killed at intersections. But second is, when you’re on an emergency run, brake fade is a huge problem. That’s when you’re driving fast and you’re on and off the brake, a gas builds up between the rotor and the brake pad. So when you come up to that intersection and you hit that brake, all that brake is hitting is that gas. If you come up to an intersection with any speed and hit that brake, you’re going right out in that intersection, and that’s where you’re going to get T-boned. So we reinforce that, as they come up to an intersection, they should change their siren tone, start slowing down, come to a complete stop, then scan left, right, left and then go.”

Although the majority of Knox’s career at DOCJT has been spent in Vehicle Operations, he also has served as a Physical Training/Defensive Tactics instructor. During his time in PT/DT, Knox took the lead on developing a class for dispatchers called “Minimal Space and Equipment.” The course taught dispatchers, who are confined to a desk during their shifts, some options for exercise they could do while answering calls. He also developed the Police Training Officer program, which replaced the Field Training Officer program.

While Knox is passionate about what he does, he said he is looking forward to retirement in a few more years so he can spend more time working on the Edgar Williams farm in Menifee County. Knox is a Kentucky Master Logger and spends every weekend logging on the farm with his 83-year-old father-in-law.

“I’m looking forward to doing something other than law enforcement,” he said. “I love it, but there comes a time [to retire] – my brother was a paramedic in Jefferson County and he retired, his wife retired and now he is back being a K-9 officer and serving on a SWAT team. My brother and I have always wanted to help, but after 27 years, I think it’s given me ample time that I can go out and do something I want to do while I still can.”

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

## » DOCJT INSTRUCTOR «



### At a Glance... JEFF KNOX

*Vehicle Operations Training Instructor*

**Years at DOCJT:**  
12 years this November

**Years in Vehicle Operations:**  
I have been in Vehicle Operations for nearly eight years and worked in Physical Training/Defensive Tactics for four.

**Degrees earned:**  
Holds a Bachelor of Science degree in Police Administration from Eastern Kentucky University

**Favorite class taught:**  
My favorite class to teach is Emergency Vehicle Operations.

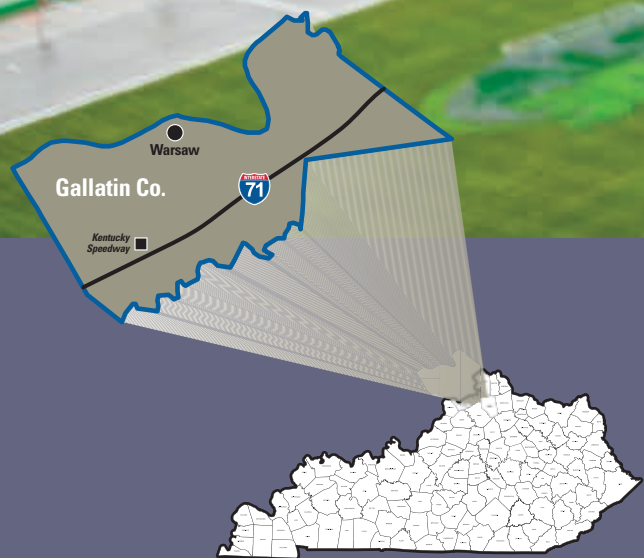




# SMALL COUNTY, **BIG RESPONSIBILITIES**



PHOTO BY JIM ROBERTSON



## Gallatin County Sheriff's Office

Covering 99 square miles of land and another 3.5 square miles of the Ohio River, the Gallatin County Sheriff's Office's nine sworn officers serve the commonwealth's smallest county in size. But Gallatin County also is home to the Kentucky Speedway, sits across the river from Belterra Casino and Resort and lies right in the mix of the northern Kentucky heroin scourge. Despite being small in size, these big responsibilities keep Gallatin County's law enforcement officers hopping. >>



▼ Gallatin County Sheriff Josh Neale strives to offer the best coverage and service to the county's 8,500 residents. He says he enjoys the personalized interaction his officers can offer the community.

▼ (INSET) The Active 911 app installed on every deputy's phone allows the entire department a real-time look at what's going on in the county. The app is linked directly to the county's computer-aided dispatch system.

>> Six years ago when Gallatin County Sheriff Josh Neale first was elected, the agency began meeting these big responsibilities head on. Over time, Neale has tripled the number of sworn officers from three to nine, increased service to include 24/7 law enforcement coverage and began engaging citizens in taking control and ownership over the safety of their neighborhoods.

"We had never had 24-hour coverage before," Neale said. "It's important to our citizens at 3 a.m. if there is a car accident or they have a problem to not wait for a deputy to get out of bed or for a [Kentucky State Police] trooper to come from four to five counties away. So we have improved our response times and quality of service with new officers and training.

"But because we're a small community, we can do a more personalized job with our citizens," Neale continued. "I make it a point for my guys to handle 95 percent of all our calls."

As a former Gallatin County deputy and Florence police officer, Neale still is a certified peace officer and is what his deputies call 'an active sheriff,' picking up shifts when other deputies are on vacation or out sick, or answering calls when the shift gets really busy.

"He works like we do," said Capt. John Fuellhart. "He works accidents, cases, whatever it takes, and it is a blessing to have a sheriff who can do that."

Aided by an Active 911 app on their smart phones, Neale and his deputies are able to keep up with exactly what's going

on in the county. The Active 911 app is linked directly to the county's computer aided dispatch system and immediately provides officers with the call, address, time and who's assigned, and is updated in real time with e-notes entered by dispatchers in CAD.

"Our assistant 911 director introduced us to the app," Neale said. "Even if I'm out of town, I can still see what's going on without being on the radio. Or if I'm in court with no radio, but something happens and I need to leave, I see it on the app and can respond immediately. You have to embrace technology, and it is well worth the cost."

ABOVE AND BEYOND

Beyond the normal calls for service, Gallatin County faces several unique venues which require additional and distinct service. The biggest of these is the Kentucky Speedway. The 1.5-mile, tri-oval speedway in Sparta has hosted ARCA, NASCAR and Indy Racing League races annually since it opened in 2000. The Speedway hosts large-scale events like the Xfinity Series, Camping World Truck Series and Sprint Series Quaker State 400 to smaller events like 10K races, the Lantern Fest and car shows. But even some car shows, like the Import Alliance, can bring in as many as 20,000 cars to the Speedway, Neale said.

The Quaker State 400 is the biggest event, filling the Speedway and surrounding campgrounds with 80,000 people and RVs. Though originally coordinated by the Boone County Sheriff's Office at its inception, and staffed with law enforcement from across the area, the demand on the Gallatin County Sheriff's Office is high.

"This event is all hands on deck," Neale said. "We call it Hell Week. We get very few hours of sleep and we're out there 13 to 15 hours a day, plus taking calls for service."

Handling everything from traffic backups and drunken disputes to domestics and illicit drug use, dealing with the Speedway crowds is non-stop action, Neale said. They begin pouring in as early as Tuesday, and by Thursday the campgrounds are in full swing for the Friday, Saturday and Sunday races.

"We have to set a very high expectation, and we don't give second chances," Neale said about dealing with the often-rowdy crowds in the campgrounds. "When >>



◀ (TOP) The Kentucky Speedway adds additional challenges to the Gallatin County Sheriff's Office. Each year approximately 80,000 people flood the speedway and surrounding campgrounds.

▼ (MIDDLE) The large Kentucky Speedway venue hosts not only NASCAR and Indy races, but numerous smaller events throughout the year that keep the sheriff's office personnel busy.

▼ (BOTTOM) Patrolling the massive area surrounding the speedway and keeping thousands of campers safe during severe-weather situations dominates the agency's personnel during the large Kentucky Speedway races.







PHOTO BY JIM ROBERTSON

▲ Court Security Officer Kelley Russell relays important information about a prominent drug trial taking place in the courthouse. She is one of four court security officers serving Gallatin County.

>> we arrive, we handle situations and take people to jail. If we relax that expectation or give second chances, we'd be back over and over again."

In addition to the craziness of the Speedway, sitting right on the Ohio River, Gallatin County has a boat used for large events, such as Belterra Casino and Resort poker runs and Warsaw's River Days festival and fireworks. Though the agency doesn't actively patrol the river on a daily basis, having the ability to be on the river during these special events is necessary to ensure the safety and security of event participants. In addition, if there is a drowning or a capsized boat reported on the river, GCSO is the first to respond and get on the water, Neale said.

The agency is working to obtain grant funding for a flat-bottom boat and equipment that will give them greater search and rescue capabilities on the water.

"One of the tougher parts of the job is working Intersate-71," Capt. Fuellhart said. "We only have about 10 to 15 miles of interstate, but it stays busy. There are a lot of curves and bad spots, and we work a lot of

accidents. When you get one out there, it could last all day."

Fuellhart recalled one accident where a tractor trailer carting hogs flipped over.

"There were two or three of us out there for eight hours," he said. "Hogs had to be shot because they were running around the interstate, and we couldn't have that. The interstate has its own set of problems, but we're just responsible for our section."

Fuellhart, now nearly 74, has served GCSO for 14 years, working for Sparta Police Department for three years prior. He completed basic training in 1999 at age 56.

"I was one of the oldest, but I thought if I couldn't do what they wanted me to at the academy, I shouldn't be doing the job anyway," Fuellhart said.

A vital part of the Gallatin County team, Fuellhart is responsible for the overall supervision of the courthouse, distributes nuisance ordinances and works patrol. Though he now works day shift, he says he loved working night shift.

"If it happens at night, it's probably going to be worse than on day shift most of the time," Fuellhart said. "Seems like when

they get an accident, it's a humdinger, and they probably make more arrests at night.

"I used to love working night shift because that's where the action is," he continued. "I'm an adrenaline junky like all cops. If I told you different, I'd be lying."

#### SPECIAL DUTY ASSIGNMENTS

About three years ago, Neale decided to create a position the county had never had before — a full time day-shift detective.

"Each officer takes calls, but it's hard for our third-shift guys to track leads down or follow up with LEADS Online to search for stolen property," Neale said. "[Our detective] can track down leads during day-shift hours, and it takes a lot of pressure off because he can chase things down. It cuts down on overtime for the third-shift deputies too."

He is responsible for property and white collar crime, and Neale said he has a good success rate with tracking stolen property.

The detective has been essential in embezzling cases for public and private organizations and individuals for multi thousands of dollars.

The department also hired a bilingual officer who has been invaluable in relating to the Hispanic population in the county and building those relationships, Neale said.

"With cultural differences, it is a lot easier to educate and communicate with our Hispanic community," Neale said. "[Officer Oscar Sanchez] is from Mexico; he understands them, and they trust him. He's been great to ease the tension that stems from their law enforcement system in Mexico.

"In the past, several Hispanics were involved in crime, but were scared to report it because they didn't know what would happen or what the consequences might be," Neale said. "[In Mexico] reporting crime is a burden to them, so having Officer Sanchez has been a great barrier breaker for us."

Community involvement is important to Sheriff Neale who created community watch programs shortly after being elected in 2009. He conducts town-hall meetings in different parts of the county and invites people to talk about issues they are experiencing in their community or neighborhoods, and they have tremendous buy in and success with this program, Neale said.

For a small agency in a small, mostly rural county, GCSO is full of big surprises and is making a big impact on its community and citizens.

"I will brag that I have the best [deputies] and I'd put them up against any large department," Neale said. "We take our work seriously, and we personalize it to the community." 🍷

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PHOTOS BY JIM ROBERTSON

◀ (TOP) Captain John Fuellhart oversees supervision of the courthouse staff. Now nearly 74 years old, Fuellhart made a late-life career switch to law enforcement from the cable TV industry in 1999. He says he's loved it and never looked back.

▼ (BOTTOM) During a warrant service executed in conjunction with Probation and Parole, Deputy Oscar Sanchez arrested this 19-year-old defendant. Sanchez has made huge strides in helping the sheriff's office build relationships with the county's Hispanic population, Sheriff Josh Neale said.





# 2015-16

## SUPREME COURT UPDATES

The Kentucky Department of Criminal Justice Training provides the following case summaries for information purposes only. As always, please consult your agency's legal counsel for the applicability of these cases to specific situations.

This summary may be reproduced, for educational purposes only, with attribution to DOCJT. A longer summary of each of these cases may be found on the DOCJT website at <http://docjt.ky.gov/legal>.

There also are additional summaries of cases not included in this update located on the website. Full text of all U.S. Supreme Court cases may be found at <http://www.supremecourt.gov/>.

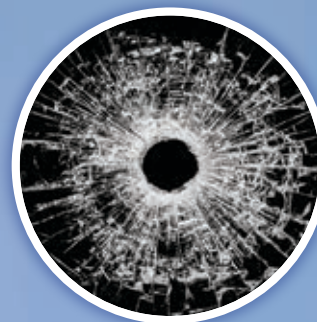
Please note, the latest cases in this summary have not yet been assigned official citations.

### DEFICIENT COUNSEL

Maryland v. Kulbicki, 136 S.Ct. 2 (2015), Decided Oct. 5, 2015

**ISSUE:** Is it proper to expect defense counsel to be prescient and anticipate challenges to scientific evidence in the future?

**HOLDING:** The Court agreed that it could not fault defense counsel for being unaware of possible challenges in the future to the validity of scientific evidence.



### 42 U.S.C. §1983 – QUALIFIED IMMUNITY

Mullenix v. Luna, 136 S.Ct. 305 (2015), Decided Nov. 9, 2015

**ISSUE:** Is the question of whether a law enforcement officer is entitled to qualified immunity in a deadly-force incident dependent upon the specific facts of the case?

**HOLDING:** Qualified immunity provides protection when an officer's actions are not clearly unconstitutional, but which instead, fall into the "hazy legal background" at issue in this case (shooting into a moving vehicle to halt a dangerous pursuit).

### FEDERAL SENTENCING

Lockhart v. U.S., 136 S.Ct. 958 (2016), Decided March 1, 2016

**ISSUE:** Does the phrase "aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward" in 18 U.S.C. §2252(b)(2), require a minor to be the victim in all three of the listed offenses?

**HOLDING:** The Court agreed that only the last clause, "abusive sexual conduct involving a minor or ward," required that the victim be, in fact, a minor. In the other two, the victim may be an adult.



### BRADY

Wearry v. Cain, 136 S.Ct. 1002 (2016), Decided March 7, 2016

**ISSUE:** Will the failure to reveal material, exculpatory evidence during a trial likely lead to a reversal of the conviction?

**HOLDING:** The Court agreed that if exculpatory evidence is not revealed that could have had a material impact on the underlying conviction, the conviction would be subject to reversal.

### WEAPONS

Caetano v. Massachusetts, 136 S.Ct. 1027 (2016), Decided March 21, 2016

**ISSUE:** Are stun guns/electrical weapons protected under the Second Amendment?

**HOLDING:** The Court agreed that a stun gun (or similar electrical weapon) is considered a weapon under the Second Amendment.



### FORFEITURE

Luis v. U.S., 136 S.Ct. 1083 (2016), Decided March 30, 2016

**ISSUE:** Are a defendant's untainted funds subject to seizure prior to conviction?

**HOLDING:** The Court agreed that depriving suspects of untainted funds effectually denied them the right to be represented by counsel of their choice. As such, seizing funds that are not specifically part of the charged crime is improper.



## DEFICIENT COUNSEL

Woods (Warden) v. Etherton, 136 S.Ct. 1149 (2016), Decided April 4, 2016

**ISSUE:** Does the Antiterrorism and Effective Death Penalty Act of 1996 defer to a trial court's decision regarding ineffective assistance of counsel?

**HOLDING:** The Court agreed that if the trial court concluded the defense attorney performed an adequate representation on behalf of their client, the higher court would not change that decision unless there was clear evidence to the contrary.



## SEX OFFENDER REGISTRY AND NOTIFICATION ACT

Nichols v. U.S., 136 S.Ct.1113 (2016), Decided April 4, 2016

**ISSUE:** Are sex offender registrants required, under 18 U.S.C. §2250, to update their registration at their previous address?

**HOLDING:** The Court agreed that, at the time, sex offenders are generally not required to notify a jurisdiction that they had left the country. However, subsequent federal law now requires notification of foreign travel, and as such, the issue is now essentially moot.



## ARMED CAREER CRIMINAL ACT

Welch v. U.S., 136 S.Ct. 1257 (2016), Decided April 18, 2016

**ISSUE:** Does Johnson v. U.S., 135 S.Ct. 939 (2015), create a new substantive rule that applies retroactively to cases on collateral review?

**HOLDING:** In this case, which involved the application of the Armed Career Criminal Act, the Court agreed that Johnson involved substantive law, which allowed for it to be applied to cases that were still on post-conviction review.

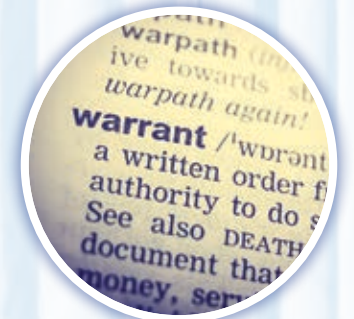


## ARMED CAREER CRIMINAL ACT (ACCA)

Mathis v. U.S., 136 S.Ct. (2016), Decided June 23, 2016

**ISSUE:** Does the application of the Armed Career Criminal Act involve only comparing elements, rather than facts?

**HOLDING:** The Court emphasized that, pursuant to earlier rulings, a state crime cannot qualify as a predicate under the ACCA if its elements are broader than those of a listed generic offense.



## FIRST AMENDMENT

Heffernan v. City of Paterson, New Jersey, 136 S.Ct. 1412 (2016), Decided April 26, 2016

**ISSUE:** Does the First Amendment bar the government from demoting a public employee based on a supervisor's perception that the employee supports a political candidate?

**HOLDING:** The Court agreed that to win, the employee must prove that there was an improper employer motive that was tied to the employee's support. Specifically, the Court noted, in this case, there was at least some evidence that the demotion was simply based on a neutral policy prohibiting officers from overt involvement in any political campaign.



## HOBBS ACT

Ocasio v. U.S., 136 S.Ct. 1423 (2016), Decided May 2, 2016

**ISSUE:** Does a federal conspiracy to commit extortion require that the conspirators agree to obtain property from someone outside the conspiracy?

**HOLDING:** The Court agreed that it was part of a conspiracy when the subject obtained proceeds by fraud through another member of the conspiracy (who had ultimately received the money through fraud). As such, the crime of conspiracy to commit extortion (albeit from another person involved) was valid.

Taylor v. U.S., 136 S.Ct. (2016), Decided June 20, 2016

**ISSUE:** Is the government relieved of proving the interstate commerce element by relying exclusively on evidence that the robbery or attempted robbery of a drug dealer is an inherent economic enterprise that satisfies, as a matter of law, the interstate commerce element of the offense?

**HOLDING:** The Court agreed that although the underlying robbery in this case was purely local (involving marijuana apparently grown within the state in question), it still had enough interstate economic impact to allow prosecution under the federal Hobbs Act.



## DUI / IMPLIED CONSENT

Birchfield v. North Dakota, Bernard v. Minnesota, and Beylund v. Levi, 136 S.Ct. (2016) (Three cases consolidated upon appeal) Decided June 23, 2016

**ISSUE:** May a state make it a separate crime for a person to refuse to take a chemical test to detect the presence of alcohol in the person's blood?

**HOLDING:** The Court agreed that breath testing of a person under arrest was permissible without a warrant, but that a forced blood test is not, without consent, a true exigent circumstance or a warrant. As such, it is not appropriate to make it a separate crime to refuse a blood test.



## DOMESTIC VIOLENCE

Voisine v. U.S., 136 S.Ct. (2016), Decided June 27, 2016

**ISSUE:** Does a reckless assault conviction under domestic circumstances invoke the federal gun ban?

**HOLDING:** The Court agreed that reckless conduct that results in an assault that qualifies under the federal definition of a domestic situation, does trigger the federal gun ban. (However, in Kentucky, the mental state that fits the definition of reckless in Maine, the state where the case originated, would be classified as wanton and not reckless.)

PHOTOS COURTESY OF 123RF.COM



# PREPARING FOR THE FUTURE:

Kentucky's Law Enforcement Leaders Discuss the Next 10 Years

KELLY FOREMAN | PROGRAM COORDINATOR

**EDITOR'S NOTE:** THE FOLLOWING  
IS A CONDENSED VERSION OF THIS  
INTERVIEW. SEE P. 43 FOR LINKS TO  
WATCH OR READ THE FULL DISCUSSION.

PHOTO BY JIM ROBERTSON



Law enforcement leaders across the country have been in a state of constant reflection since summer 2014 when several nationally-spotlighted incidents brought policing and community relationships to the top of news feeds and television broadcasts everywhere. Conversations about this recent past have led to discussions about the future.

With Kentucky's future in mind, we brought together some of the state's top law enforcement leaders representing the Department of Criminal Justice Training, the Kentucky State Police, the National Sheriff's Association and the Kentucky Association of Chiefs of Police to discuss issues law enforcement may face in the commonwealth in the next 10 years.

THE IMAGE OF THE POLICING PROFESSION HAS TAKEN A BEATING IN THE PAST TWO YEARS FOLLOWING INCIDENTS IN FERGUSON, BALTIMORE AND OTHER HIGH-PROFILE CASES. HOW DOES THIS RECENT PAST AFFECT THE NEXT 10 YEARS OF POLICING IN KENTUCKY?

National Sheriff's Association Board of Directors member and Daviess County Sheriff Keith Cain – I have been involved in law

enforcement for more than four decades, and it's the first time in my career I have seen law enforcement playing defense as opposed to offense. There is no question high-profile incidents across the nation have impacted attitudes of citizens everywhere. The greatest determinant of their impact will be the amount of credibility, or lack thereof, we have with our communities. Although smaller departments are not immune to those unfavorable reactions to perceived-inappropriate actions by individual officers, they may be in a better position because of their day-to-day interaction with their constituents to ensure they have what I refer to as social collateral. In other words, if we're working every day to engage the community in a positive way and build relationships with them, when we do make mistakes – and we will as long as we recruit from the human race – the community will be better suited to forgive us. The bottom line is, we have to work every day from the lowest ranked officer to the chief or sheriff, to engage our community in a manner that will build positive relationships which will better serve us in years to come.

Kentucky State Police Commissioner Rick Sanders – All these things we talk about

should be learning lessons. We hear so much about Ferguson, but we don't hear about San Bernardino where everything went well, and the police acted very professionally. We need to talk about those things. We, as law enforcement leaders, need to be out front telling the great things we're doing, but we also need to be smart enough to know that when we mess up, that's when we dress up and fess up. We made a mistake; we are going to learn from that mistake.

Kentucky Association of Chiefs of Police President and Fort Thomas Police Chief Mike Daly – A lot of it is about reality versus perception. There is no doubt these events, when they do happen in a negative way, take us back five to 10 years, and it does affect the image of law enforcement. But 99 percent of officers throughout the United States are great, hardworking, doing their job day in and day out. But there is that one percent making mistakes who sometimes bring negative light to the profession. We have to overcome that and show that 99 percent of officers are doing this job well on a daily basis.

Sanders – We need to communicate the needs of law enforcement. We heard a lot about Ferguson and how police misused some of the equipment there. But what we haven't heard enough about is what the Kentucky State Police did in February of 2014, when they were called to Shelbyville. They had a deranged individual with high-powered rifles shooting cars and houses and attempting to kill people. The KSP Special Response Team arrived with a BearCat armored vehicle. Had it not been for the BearCat, they would not have been able to diffuse the situation. That BearCat took several rounds from those high-powered rifles – including the windshield. Had it not been reinforced, we would have dead troopers. So we need that equipment, and again, we do a very poor job communicating our needs.

People talk about bayonets being issued to law enforcement. They are knives. It's a fancy word for a knife, and we're not affixing them to a rifle. We're actually using

◀ Daviess County Sheriff Keith Cain has served both the Kentucky Sheriffs' Association as well as the National Sheriffs' Association and been a part of Kentucky law enforcement since 1974.

▶ Kentucky State Police Commissioner Rick Sanders joined KSP in March of this year after more than 40 years in local and federal law enforcement.

them to cut kids out of car seats at car accidents. But we don't talk about that enough. And when we talk about guardian versus warrior, it's important to point out that we need both. Ninety-eight percent of the time we are guardians and we are going to be there to protect the public. To protect and serve is what we do. But if it's your child at a high school in an active-shooter situation, you're going to want that warrior to show up with the equipment necessary.

We have a lot of people out there threatening our communities, and they are using some high-powered equipment. It is important we have the equipment necessary to respond to that threat. I also think about the California bank robbery in 1997 where we saw two guys shooting, both donned with bullet-proof vests, and the police department was not prepared. They had to go to a gun store and borrow equipment to respond to that threat. So it's important we have those tools in our tool box. Hopefully we will never need them. But when we do need them, we need to have them at our disposal.

Kentucky State Police Deputy Commissioner Alex Payne – We wear a lot of hats in this profession. Right now we wear the hats of social workers; we wear the hats of warriors and the hats of guardians. We wear the hats of social media experts and being a first-aid or emergency medical team.

Sanders – Marriage counselor ...

Payne – Marriage counselor; and it goes on and on and on. The key is to have the training to know which hat is appropriate for which occasion. And there, a lot of times, is where we find ourselves doing the great jobs we do and also getting in trouble. You know, you break out the wrong hat for the wrong time you should probably expect some repercussions. However, the vast majority of the time, these young people in this profession are wearing the right hat at the right time all across this country.

Cain – I recently attended the National Sheriffs' Association conference in



Minnesota and, while I was there, I attended a briefing from officers who responded to both the San Bernardino and Orlando incidents. Both individuals highlighted the equipment used from the 1033 program that not only saved officers lives, but also saved the lives of people on the scene. That's the message we need to get out. Here's the problem with what is being proposed with the 1033 program. If that equipment is withheld, people talk about using taxpayer money to buy it. The reality is, most of us won't be able to do that, so the equipment won't be purchased and we won't have it.

For the most part, American law enforcement professionals in the past couple of decades have surpassed all expectations. We are not doing enough in terms of being cheerleaders for ourselves. We have reduced crime to record lows in the past decade while simultaneously forging new and stronger relationships with our public. Our commitment to those ideas is the foundation of the partnerships I talked about

earlier. We simply can't do our jobs of protecting citizens without the respect and cooperation of those we serve. It's important that not only we, but also our communities understand it is a shared responsibility. That young officer in Ferguson, Mo., his fate was sealed before he put his uniform on that morning because of the relationship that police department had with its community. That's not an indictment, it's just the reality.

Sanders – It also goes back to not being our own cheerleaders. We need to tell people what we do, why we do it and the equipment we need to do it. For instance, in the city of Jeffersontown, where I most recently worked, we had two Humvees we got from the 1033 program. We didn't have a bullet or rifle in either one of them. We had stretchers, first-aid kits – and we used those Humvees during this past winter when we needed to get out in knee-deep snow and help people get to doctors and the elderly get to their pharmacies. The >>





PHOTOS BY KEVIN BRUMFIELD

>> Kentucky State Police is flying marijuana eradication right now using helicopters from the military. We're using that equipment to do our job.

**Cain** – And we need to hold ourselves accountable. This is the root of the 1033 program and the asset forfeiture program that's under attack right now. Unfortunately, we have agencies that have misused and abused those programs. But we don't scuttle the program because of abuse by a few. We hold those individuals accountable; restrict them from using it without scuttling the entire program.

**Payne** – That's a good point. Any equipment we have, whether it's equipment we have right now or anything we get through a government program, has the potential to be misused. The thing that sets the DRMO (Defense Reutilization and Marketing Office) equipment apart is that it affords us another level of protection for ourselves, but also for the community we serve. It's a boon for smaller departments – or any department – to be able to get an armored vehicle for nothing. Those things protect us, and they protect the people we serve.

**AS WE'VE TALKED ABOUT BEING ABLE TO BE THAT CHEERLEADER, TO SPEAK UP FOR LAW ENFORCEMENT AND GET POSITIVE INFORMATION OUT THERE, HOW DO WE DO THAT? DO WE TALK ABOUT THAT IN THE REALM OF CREATING BETTER RELATIONSHIPS WITH OUR LOCAL MEDIA, OR DO WE TALK ABOUT SOCIAL MEDIA AS IT HAS CONTINUED TO GROW?**

**Cain** – The answer is yes and yes. This generation communicates via social media, and while I've got concerns with certain aspects of social media, it is the number one manner in which we communicate information to the public in Daviess County right now and get feedback. Absolutely, we also need to nurture those relationships with our partners in the media.

You know, the Kentucky Law Enforcement Magazine – which is very well done incidentally – every single issue ought to

◀ Kentucky State Police Deputy Commissioner Alex Payne returned to the state police in March from the Jeffersonton Police Department. Payne previously had served KSP for 19 years.

▶ Department of Criminal Justice Training Commissioner Mark Filburn joined the agency in May after more than 30 years of law enforcement experience, most recently working with the Kentucky League of Cities as a law enforcement specialist.

have an op-ed from a chief or sheriff addressing these particular issues. We talk about them on a routine basis among ourselves, but somebody put a microphone or a camera in front of you, it's like, what do we do? We know the issues; we just need to talk about them.

The media is a tremendous partner of ours in Daviess County. We have solved cases because of them. Are they always going to write what we want? No. But do we as police officers always agree with each other? No.

**Sanders** – We as leaders need to spend more time with the media. If we don't give them the facts, they are left to making it up. They don't know what's going on, so it's important we get that information out.

Back to using social media, that's critically important. We talk about millennials we have hired and many of them bring challenges, but I've learned to use them. They are very savvy at working social media. They're savvy with computers and technology, and they're a blessing. You need to use those officers to their strengths, and social media is one of the perfect examples of how to do that.

**Department of Criminal Justice Training Commissioner Mark Filburn** – I would like to jump in because you hear criticism of the newer generation, we heard it when we came on years ago. Today's generation is as good as we were, maybe even better. Deputy Commissioner Payne's son has just joined law enforcement. I've seen him grow up and he's every bit as good as I was or better. Those quality people are joining our ranks every day, making a commitment to the commonwealth. Are they different than we were when we came on? Absolutely. But that same quality, that same commitment to the community is there, and I see it in every recruit who comes through that door.

**Cain** – These young people today are becoming police officers for the same reason we became police officers. They want to make a positive difference in the



community, they want to lead lives of significance and be part of something that matters. It's important that every one of us remember why we started this job. It's more than a profession. It's certainly more than a paycheck. It's more than even a passion. I firmly believe that just as a priest or pastor is called to the ministry, law enforcement officers are called to law enforcement.

**THE WORDS TECHNOLOGY AND FUTURE ARE INEXTRICABLY INTERTWINED. WHEN WE LOOK AT TECHNOLOGICAL ADVANCES IN CRIME FORECASTING, DNA, DRONES AND FACIAL RECOGNITION, WHAT TECHNOLOGY DO YOU SEE HAVING AN IMMEDIATE IMPACT ON THE COMMONWEALTH IN THE NEXT 10 YEARS?**

**Sanders** – We have to talk about intelligence-led policing. We can use data we have in our databases to learn where hotspots are and where we should focus our attention. I also believe technology helps law enforcement in many different ways. Just scientifically, DNA has come a long way. When I started policing, DNA testing wasn't around. But we have to be cautious not to rely on all the technological

equipment we have. We still need good, hard-nosed policing. Unfortunately, television programs have led the public to believe we can get a DNA analysis back in six hours and make an arrest.

**Cain** – It's important to realize that a lot of technology will depend on the future availability of grants and other funding streams to make it available to us. That's a big issue, particularly for smaller agencies. But I do want to spend just a couple of minutes addressing the issue of the human element. That's powerful. I don't know if you're familiar with it or not, but Aldous Huxley wrote a book about 80 years ago called "A Brave New World." It's a wonderful novel. But it warns of our over dependence on technology in the future. Now, he wrote this 80 years ago.

Technology, I believe, tends to lull us into a sense of complacency. It can change the most basic aspect of policing and that's what Commissioner Sanders was referring to and what I refer to as the human element. It's that element that continues to be the critical factor in our collective success or failure as law enforcement officers. It's those relationships that will build bridges within our diverse communities. >>





◀ Fort Thomas Police Chief Mike Daly has served the agency since 1994 and has been chief since 2005. He was the 2015-16 Kentucky Association of Chiefs of Police president.

officer-involved shooting. Every officer had a camera, and when viewing the footage, most of it showed the side of a cruiser because they were hiding behind the cruiser, trying to keep from being shot. We had an officer-involved shooting in Jeffersontown and three officers had on cameras. Two didn't show anything significant and one helped us. But it wasn't what you would see from a Hollywood production. Oftentimes a camera isn't pointed in the right direction and it doesn't pick up exactly what you want it to pick up. Also, it doesn't show everything the officer sees. The officer is relying on a lot of different things and that camera doesn't record it all.

**Filburn** – The chief brought up a good point, too, about the hidden cost on a smaller department. The purchase of equipment like body cameras is really not that expensive. But when you go into areas such as storage, that's where the hidden costs become a big issue. Also redacting information from the recordings; that takes real time. If you have an eight-hour video, you have to sit there for eight hours and watch the video to cut out the things like juvenile information and information on your Mobile Data Terminals. That's costing manpower.

Louisville recently went to body cameras and they hired six people just to handle the open records requests. We need to think about privacy issues. Do we, as a society, want our officers to go in our houses and record them on runs? What effect is that going to have when we want openness to our public and we want information sharing? Are people going to be less likely to talk to us if they know they are on camera and that information is going to be open record material? So there are a lot of areas on the body cameras we need to think about. Our state has done a good job of looking at the issues surrounding them, not just jumping on them all at once.

**KENTUCKY'S LAW ENFORCEMENT AGENCIES ACROSS THE STATE ARE PRE-DOMINANTLY SMALL DEPARTMENTS. HOW DO THESE TOP ISSUES LOOK DIFFERENT FOR**

**SMALL DEPARTMENTS VERSUS LARGE DEPARTMENTS? HOW DOES THAT AFFECT THE KENTUCKY LAW ENFORCEMENT COMMUNITY'S ABILITY TO TACKLE THESE ISSUES AS A WHOLE?**

**Payne** – I don't think small departments can neglect training. If a department makes a mistake due to negligence in the areas we have already talked about, that can have a catastrophic effect. As a matter of fact, it can be the undoing of the entire department. So, just because your numbers are few does not in any way, shape, form or fashion excuse the lack of high standards. We are fortunate to have the training areas we have, and I know Commissioner Filburn wants to expand and make it easier for them to travel. But bad things also can happen in small places.

I've been really impressed with a lot of these smaller departments as far as their leadership. This is where the DOCJT leadership program pays off. Now you're taking these younger people who are becoming chiefs and leaders at these smaller departments and they are bringing the standards up. By bringing the standards up, they're getting their departments accredited, getting their people trained, and preventing those potential disasters from those subjects I just spoke about. That's the encouraging thing. I hope that trend continues for them. Chief Daly mentioned earlier the ability to work with larger departments around you. We shouldn't be afraid to reach out to each other and get things like memorandums of agreement, plan how we're going to work together under certain circumstances, and have those things already in place. So when it happens, we're not scrambling around like chickens with our heads cut off. We know what our role is and we can work together. Because of training venues, places like DOCJT and leadership training, the future is bright for small departments here.

**Filburn** – The thing I saw in my time at the Kentucky League of Cities was that the 40-hour in-service is the standard. Many smaller- to medium-sized departments, that's all the training they get. KLC provided expensive training – \$450 an officer – free of charge to departments. And I'd go in and talk to the chief, and I'd say, 'Chief, are you going to send anybody to the training?'

And he would say, 'Mark, it could be \$1,000 an officer. I can't send them because I don't have the manpower to let somebody off. I don't have the coverage. I'm a small department, the mayor lets us go to the 40-hour in-service and that's all we're going to be able to do.'

I saw that over the 11 years I was with KLC. So it's very important for us to provide that critical training in diminishable skills during that 40-hour in-service so that the smaller departments that don't have access to it can get the training they need.



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Because as Alex stated, it doesn't matter what size department you are. You're going to face evil at some point. Smaller departments now are being involved in more shootings because they're faced with the same issues large departments face all across the country. It's important for them to get that training, too.

**Sanders** – It's also important to partner with one another. I hope the state police are there to help a smaller department in crisis. We are talking to these chiefs about our shooting team coming out if they have an officer-involved shooting. Think about it, you have a small department and an officer-involved shooting, typically those people involved in the shooting are being

interviewed and they're taking time off they need to recover. So it's important we come in and prop up where necessary. It goes back to if you're failing to plan, then you're planning to fail. We have to talk to one another and prepare for the worst.

**Cain** - If there is one thing I've learned during the course of life it is that life will give you innumerable opportunities to fail, if that's what you want to do. It is incumbent upon each and every one of us as heads of our agencies to ensure that training happens regardless. Period. There will be innumerable reasons not to do it. And if we don't do it, then who will? And who, ultimately is at fault when the next officer dies?

**Daly** – You're right, because the public demands the best of us.

**Cain** - And we should demand the best from ourselves. I understand budget restrictions. It's easy to say we can't do this because we can't take this person off shift, we can't do this because we don't have the money for the ammunition and we can't do this because of this. Let me tell you what I tell my officers. Don't tell me the problems. I understand them. I get it. Give me solutions to them. And ultimately we can probably find a way. That's something else my dad used to tell me. You can find a way to do, Keith, what you want to do. What's important to you, you can find a way to do it. And I don't want to be overly critical. I understand the problem. But we can give ourselves an out, if we're not careful.

**Payne** – He makes a great point. And that's what you don't want to do. This organization I have the honor of being back with, we're the best I've ever seen at doing what the sheriff just described. We do more with less. It's not a matter of looking at obstacles. That's just an opportunity to overcome it. And that's the mentality we need to have. We know where we want to go; we know where we want to get to. You just have to have that mentality.

**Cain** – Obstacles should be opportunities.

**Payne** – That's exactly it. And as long as that remains our attitude, we'll be fine. If we ever lose that, we have problems. 🏞️

>> Technology is a wonderful thing. It's part of the future of law enforcement, but we can't become overly dependent upon it.

**Filburn** – I totally agree. DNA is going to be like fingerprinting technology was when we began. But as they both said, the key to law enforcement is the police officer, the deputy who's out there on the street dealing with people. Because what we do is deal with people and that's the critical point of the whole law enforcement career – knowing how to deal with people, handling their problems, serving and protecting them. And we have to be able to deal with people in a professional, caring and respectful manner.

**Daly** – I look at technology as a great thing. However, if we cannot afford it, because we have a lot of small and medium size police departments in the state of Kentucky, then how does it help us? In Campbell County, we have a team for accident reconstruction scenes when you have those critical accidents. To move forward with technology and catch up to 2016, one piece of equipment we need costs \$100,000. There are 13 departments within Campbell County. We're trying to put our heads around this and how we're going to afford

it, because not one department can afford it by themselves. It has to be a process where the 13 departments are thinking together about how the cities can come up with some type of funding to purchase that kind of equipment.

A better example right now regarding technology is body-worn cameras. We have taken a lot of great strides in the past few years because of the events that have taken place in Baltimore, Ferguson and elsewhere in the United States. Not everybody has gone to body worn cameras, but progressively over the next five, 10 years, I think it's going to be a requirement for police departments. And it's a good thing. It's good for court, for evidence, for testimony. It's also good for officer complaints. Something we, as leaders, have to think about is that the public is going to see the footage. We need to be able to explain our officers' actions with the situations that take place, because our public wants to know what happened. They have a lot of questions. And this younger generation, they have a lot more questions. We can't put our walls up and think it's going to go away. We have to be transparent and open minded to the public.

**Sanders** – That's a great point, Mike. I was talking to a chief from Phoenix who had an



# THE NEXT 10 YEARS

In 2007, the Department of Criminal Justice Training gathered a group of law enforcement professionals and hosted a symposium to discuss issues they expected to be of concern during the 10 years to follow. As we soon will reach the culmination of those 10 years, Kentucky Law Enforcement magazine is opening the discussion again to begin preparing for what might lie ahead.

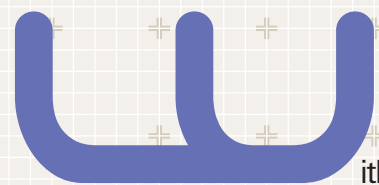
KELLY FOREMAN | PROGRAM COORDINATOR

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With Marty McFly's DeLorean showing its age and the magic law enforcement crystal ball lost somewhere in Oz, leaders interested in gazing into the future are left to gather their own conclusions about what Kentucky's policing profession might look like in the next 10 years.

Today's technology makes that a little easier. Body camera wear among law enforcement is on the rise nationally. Drones are beginning to make their mark on the friendly skies. Predictive policing may not quite have risen to the level of Tom Cruise a la Minority Report catching killers before they strike, but it has definitely made strides in identifying crime hot spots.

But technology is only one part in the vast picture of what lies ahead. We must look at the past and learn not only from our mistakes, but also from our triumphs. We must look at the deaths of Michael Brown, Tamir Rice and Freddie Gray and learn what truths can be garnered from

cases such as these and the aftermath. But we also should look at out-of-the-box thinking of agencies like the Boston Police Department, who recently added an ice cream truck to their fleet to up their community policing game.

Confucius once said, "Study the past if you would define the future." Agencies across the commonwealth already have begun studying recent history to make a difference in their communities, whether through training or equipment, recognizing that how officers respond to potentially volatile situations is a current hot topic.

For example, Covington Police Department has taught de-escalation techniques to all sworn employees, Chief

Bryan Carter said. More than 30 officers have been trained in Crisis Intervention Training skills with more scheduled to receive the training this year.

"Additionally, we purchased our second generation of Tasers and our third generation of body cameras to increase public confidence and transparency," Carter said. "The Tasers give the officers a less-lethal option when dealing with unarmed subjects who are combative, and the cameras help administration recognize potential problems early on, through use-of-force reviews."

The Jefferson County Sheriff's Office also has elevated its emphasis on de-escalation, use-of-force and active-shooter training for deputies, said Jefferson County Lt. Colonel Carl Yates. Civilians who work in the court system now are being trained for active shooters.

"Additional Tasers were purchased to equip and train all full-time sworn deputies," Yates said. "[We also] purchased a firearms simulator system with updated, current, real-life scenarios equipped for all weapons carried by our deputies."

Thankfully, Kentucky law enforcement, to date, has not experienced anything to the scale of riots in Ferguson or tragedies in Dallas. But that does not mean we are immune to the ripple effects that are sure to continue into the next 10 years.

"We have had to recognize the reality that controversial events involving law enforcement in other parts of the country can impact attitudes in our area as well," said Daviess County Sheriff Keith Cain. "We have taken a close look at how to adapt our training and procedures in order to maintain the atmosphere of trust we have established over the years with the people we serve."

"The focus, I believe, should be on continuing to train our officers to determine what alternatives may be available in a particular situation and how to better articulate their choices and the reasons for them," Cain continued.

Part of that training must include increased attention to diminishable skills, said Department of Criminal Justice Training Commissioner Mark Filburn. In the first six months of 2016, 70 officers were killed across the nation. Of those line-of-duty deaths, 61 were killed by gunfire, vehicle incidents or assaults. >>



**STUDY THE PAST IF YOU  
WOULD DEFINE THE FUTURE.**

— CONFUCIUS





>> “Diminishable skills training is not only going to increase safety, but also improve the safety and professionalism of how our citizens are treated,” Filburn said. “That’s what we’re all here for.”

“When we talk about Ferguson, and we talk about use-of-force issues, those are training issues,” Filburn continued. “The more prepared someone is to face these use-of-force issues, the more appropriate force they are going to use. They are going to act out of confidence rather than reaction. Not only is this going to make our officers safer, it’s going to provide the public a more professional, more well-trained officer who is going to use force when they should.”

DOCJT already has begun the process, through changes to the existing Kentucky Administrative Regulations, to make an allowance in future training schedules for 16 of an officer’s annual 40 hours of in-service training to include an option for physical training, defensive tactics, driving, firearms and legal courses. Doing so allows officers from all departments — including smaller ones that may not have the funds or manpower to conduct their own diminishable skills training — to refresh their attention regarding those critical skills.

“We have a moral, legal and ethical obligation to be as good as we can possibly be with those tools of our trade,” said Kentucky State Police Deputy Commissioner Alex Payne. “And in so doing, you’re going to take care of a lot of these other issues.”

While adjusting the training allowance will create new opportunities in

the future for agencies of all sizes, Payne contends there are multiple options law enforcement leaders should consider for increasing the safety and professionalism of their officers right now.

“A lot of people will complain, ‘We don’t have a driver’s track,’ or, ‘We don’t have the equipment,’” Payne said. “Well, just follow the laws. There are a couple things you can do just right off the bat. Make your people wear their seatbelts. Not only is that the law in the Commonwealth of Kentucky, it’s a smart practice because of the way we have to operate these vehicles.”

## WE HAVE A MORAL, LEGAL AND ETHICAL OBLIGATION TO BE AS GOOD AS WE CAN POSSIBLY BE WITH THOSE TOOLS OF OUR TRADE.

— KENTUCKY STATE POLICE DEPUTY COMMISSIONER ALEX PAYNE

“Do your homework as far as driving,” he continued. “What are the psychological, physiological effects of driving at speed? You don’t really need a track to be familiar with the effects of pursuit driving or driving to and from critical incidents. That’s a subject that needs to be addressed, in my opinion, every year. The same thing could be said about firearms training. The criticality is very high. Although you may not use it very often — at least we hope not — the criticality of being able to do it well may affect your life or the lives of other people you’re trying to protect.”

## PUBLIC TRUST AND COMMUNICATION

The first pillar of President Barack Obama’s Task Force on 21st Century Policing is dedicated to public trust and police legitimacy, noted Lt. Colonel Robert Schroeder, assistant chief of the Louisville Metro Police Department. It is not coincidence that the White House also launched the Police Data Initiative, encouraging agencies to be more

transparent in communicating with the citizens they serve.

“Over the next 10 years, this trend will continue,” Schroeder said. “The public demands trust and legitimacy from the departments that serve the community. Police agencies will continue to return to concepts of community-oriented policing and other trust-building efforts to

reconnect with their local communities.”

Hopkinsville Police Chief Clayton Sumner agreed.

“In short, national attention has caused strain on the trust of the justice system,” he said. “Law enforcement officers are the physical feature people can project their anger onto, even though the real issues often are at the policy-maker level.” >>



>> Establishing clear, attainable ways agencies and officers can not only be transparent, but also interact well with their communities will be an even greater need in the future, perhaps, than it was in the early 1990s when the Office of Community Oriented Policing Services was established nationally.

“For the sake of our employees as well as our citizens, we must continue to build relationships to understand all the smaller communities within our community, while remaining transparent and being proactive in dialogue about how, what and why we operate the way we do,” Sumner said.

Schroeder suggested that the future will include taking community-oriented policing a step further by bringing citizens into police operations — an idea encouraged by the president’s task force.

“Many police agencies already have citizen advisory boards or committees,” he said. “These committees will be expanded to cover additional areas of police operations including hiring and training to improve public involvement and transparency.”

The future of increased public trust and technology intersect when considering how information will be distributed to citizens. Scottsville Police Chief Jeff Pearson agreed the federal government will request a higher level of transparency from law enforcement in the next 10 years. The likeliest place for that communication to grow, he said, starts with social media.

“You have to stay connected in today’s world of social media with your community,” Pearson said. “It has such a great benefit with backing from a community when police issues come up. It was proven in Ferguson what can result when the majority of the community does not back law enforcement.”

Community backing is what Sheriff Cain refers to as social collateral — the idea that communicating with the public and developing positive relationships leads to citizens who are more forgiving

when something goes wrong. They recognize in those cases, regardless of the issue, the problem is not the norm when they know their officers on a personal level.

“Those relationships we have with the communities we serve will make or break us,” he said. “They will determine our success or failure. And they won’t just give it to us — that respect will have to be earned. It’s earned on a daily basis. You can’t wait until a crisis occurs to expect the community to rally behind you. It’s not going to happen.”

## THOSE RELATIONSHIPS WE HAVE WITH THE COMMUNITIES WE SERVE WILL MAKE OR BREAK US.

— DAVIESS COUNTY SHERIFF  
KEITH CAIN

### RELATIONSHIP BUILDING

The ideas of good communication and relationship building certainly are nothing new. For the past decade, “doing more with less” has been a common phrase. Through gas price spikes, manpower shortages and shrinking budgets, agencies in the past 10 years — and in some cases, much longer — have been encouraged to find more ways to work together and make resources stretch further.

It isn’t likely, looking into the next 10 years, we are going to see law enforcement funding climb significantly. But what is continuing to climb are the demands being placed on officers every day.

“It’s very important, especially for your small- to medium-sized departments that they have to collectively work together with each other in specific areas, like a crime scene unit or SWAT team,”

said Fort Thomas Police Chief Mike Daly. “Small departments just can’t do it by themselves any longer. Medium departments can’t do it by themselves.”

In response to rising demands on his officers, Alexandria Police Chief Mike Ward has created a new position within his agency — a full-time social worker who is a member of the force. It’s an idea he thinks could take hold on a much bigger scale in the future. >>







## I THINK IT'S TIME THAT SOCIAL SERVICES AS A PROFESSION AND LAW ENFORCEMENT AS A PROFESSION BE UNDER THE SAME ROOF.

— ALEXANDRIA POLICE CHIEF  
MIKE WARD

>> “We continue to make, or attempt to make, social workers out of cops,” Ward said. “We are failing miserably in that area. There are two things I think cops do very well. One, we respond. Two, I believe, particularly in Kentucky, we handle on-going crisis exceptionally well across the board. It makes no difference if you come from a 1,200-man department, 12-man or even a two-man department — the training we give them from how to handle calls to Crisis Intervention Training and everything else is by far exceptional to any other state. That’s why we don’t have the problems others do.”

However, Ward argues law enforcement falls short because most solutions available to officers are temporary. For example, if a person is arrested for domestic violence, Ward explained, an officer will take him or her to jail, an emergency protective order might be issued, but in two days, the arrestee likely is back in the home.

“Community policing tells us we need to follow up with that family when the problem does not exist,” Ward said. “That follow up might be easier for large agencies with a dedicated domestic-violence unit to follow up from a victim’s advocacy perspective, which is important. But once it goes to court, our responsibility to that family is no longer there. So how do we ensure that family was taken care of? We can’t. Because when you’re a slave to a portable radio and to a dispatch center, you can’t do proper follow up.”

Bringing a social worker under the roof of a police agency does not replace or supplant the work done by the Kentucky Cabinet for Health and Family Services, Ward said. Instead, it enhances the ability of the police to conduct effective follow through.

“I think it’s time social services as a profession and law enforcement as a profession be under the same roof,”

Ward said. “Because from a human perspective, helping these families definitely is the right thing to do. The police administrator in me says the ultimate goal is to reduce the number of recurring calls to the same household.”

Whether it’s bringing in a social worker or bringing in the local hardware store owner for his input on public safety, continuing to expand the way we think about police relationships is going to be a necessity. KSP Deputy Commissioner Payne suggested bringing in the community is not just about serving them, but helping them understand they play an integral role in their own safety.

“You have to go out there and convince them that you’re there for them,” Payne said. “And also convince them to take some ownership into what you’re there for. This is your community. This is our community. You help me make it safe.”

## TECHNOLOGY

The RAND Corporation, a research organization tasked with developing solutions to public policy challenges, released an essay in June entitled, “How Will Technology Change Criminal Justice?” The organization gathered a varied group of law enforcement officers and experts to make their own estimations about how technology will affect the future of the policing profession.

The panel brought creative imaginations to the discussion and threw out ideas ranging from hand-held language translators, stress-monitoring biometric sensors embedded in uniforms and smart glasses that feed real-time information to officers. While some of their ideas may sound a little too futuristic for the next 10 years, they noted this reality check: “Ten years ago, nobody outside

of a top-secret Apple test lab had even heard of an iPhone.”

Louisville’s Assistant Chief Schroeder suggested a few ways he expects technology to take hold in the next 10 years. An increase in portable technology use like tablets and smart phones to streamline tasks, an expansion of body cameras and use of video monitoring in hot-spot areas were a few items on his list. >>



>> “The public has come to expect video evidence in many types of investigations,” he said. “This expectation will only increase. Police will see a proliferation of new types of software in the upcoming years. Existing software will become easier to use. There is a shift in software overall that is making it more user friendly for the public. This will benefit law enforcement as records management systems, reporting systems and other types of software will benefit from the trend toward ease of use.

“Many law enforcement agencies are adopting predictive-analytics software that allows agencies to analyze and predict areas that may see an increase of criminal activity,” Schroeder continued. “As costs come down, more agencies will adopt this and similar types of analytics software.”

As previously mentioned, social media technology, as it continues to grow and evolve, will be an integral part of policing moving into the next decade. However, just as the options and tools within social media sites and apps continue to evolve, so will the ways in which law enforcement uses it to communicate and interact with the public.

“Social media has become a major part of citizens’ everyday lives,” Schroeder said. “This will impact law enforcement over the next 10 years as agencies will need to remain current on the types of social media products the public utilizes. This will be critical for law enforcement both for public outreach and transparency, but also for investigations. Agencies will either purchase software to allow them to maintain currency or contract with services to do so.”

RAND panelists agreed social media would be a headlining piece of tomorrow’s technology, calling it an “electronic neighborhood watch.”

“It ranked as a need, not a want, a way to reconnect police to the communities they serve and to foster a mutual cooperation instead of mutual distrust,” the essay states. “That would require more than just sunny Facebook posts and chirpy tweets — a real online give-and-take, with police sharing information and trends at the neighborhood

## KLEFPF Raise, Agency Additions Meet Long Awaited Need

Kelly Foreman | Program Coordinator

In 2007 when law enforcement leaders met for the Future of Kentucky Law Enforcement symposium, one issue topped the list of Kentucky’s needs in the next 10 years: necessary changes to the Kentucky Law Enforcement Foundation Program Fund.

KLEFPF is comprised of funds generated by a 1.8 percent surcharge on casualty insurance premiums. About 70 percent of revenue raised from the surcharge are committed to KLEFPF and designated for mandatory training of Kentucky law enforcement officers.

The fund also supports a training-incentive stipend to certified Kentucky peace officers who complete annual, statutorily-mandated training requirements. Since 2001, officers received \$3,100 annually upon meeting these standards — but not all Kentucky officers were included in the fund, despite meeting the same standards as others receiving the stipend.

Symposium panel members argued that the proficiency stipend had not kept pace with inflation, and Kentucky policing consistently was losing well-trained officers to other professions because of low pay. Also, the addition of the more than 300 officers who were not included in the fund to receive the pay stipend was an issue unanimously agreed upon by panel members.

In May, Gov. Matt Bevin finally accomplished these two goals, providing the first increase to the KLEFPF training incentive in 15 years and creating equity among law enforcement agencies across the state. Officers now will receive a \$4,000 annual stipend.

“We have said consistently that we are going to protect those who protect us,” said Gov. Bevin. “We are pleased that this final budget ends the practice of sweeping KLEFPF funds. These dollars are for our law enforcement, and that is exactly what they are going to be used for. We will use these funds not only to attract the best and the brightest, but also to ensure that we keep them.”

level and engaging the community in solving problems as they occur.”

One thing is for certain: as technology increases and more information is gathered, data is going to be a major issue going into the next 10 years. Many agencies already are battling this issue with the addition of body cameras to their tools and the massive amounts of recordings that must be maintained along with them.

“The RAND panelists envisioned a future so saturated with data and information that police agencies will need new ways to tag, sort and share what they know,” the RAND essay states. “Computers, for example, might be able to read a face and match it instantly to a national registry of most wanted mug shots.”

Collecting, storing, organizing, redacting and monitoring the sharing of that information also will be an issue.

“We will be challenged to share as much data as possible with the public to ensure transparency,” Schroeder said.

“This will challenge many agencies who do not have the tools.”

All things considered, the future is here now. Agencies across the nation will have to continue thinking ahead as new technologies develop and the demands of today’s law enforcement culture become routine.

“There is little reason to doubt the video age is here to stay,” Sheriff Cain said. “Consequently, our officers’ decisions about use of force will remain subject to ever-increasing scrutiny. Our belief is no matter the level of scrutiny, a well-trained and ethical officer is far more likely to be vindicated than condemned. Our goal is to adjust to this new reality and to ensure our officers’ actions meet the public’s expectations, and that they be appropriate and justified, both legally and morally.”

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# FUTURE LEGAL DEVELOPMENTS IN LAW ENFORCEMENT

**Editor's note:** As the world changes, the law must follow. Department of Criminal Justice Training staff attorneys Shawn Herron and Mike Schwendeman together have addressed a few ways the future could impact our laws.

## SOCIAL MEDIA ISSUES

One area of the law that must change in the near future relates to the tension that occurs with the use of social media, such as Twitter or Facebook, by public safety agencies. For example, the Kentucky Open Records Act was designed for static documents and records that, once produced, don't change. Social media, by its very nature, is dynamic, constantly changing and subject to few controls.

As more and more agencies develop an active social media presence and regularly interact with the public via that method, agencies must have a plan for how the agency will control the site. It also must ensure information that should be preserved, is preserved, and problematic information added to the site by others is promptly handled. An agency must determine who is responsible for the site, and of course, multiple employees may be authorized to add to and edit it.

It also will become more and more critical to ensure material on social media sites is properly archived and able to be retrieved, both for open records and, for example, for building a timeline and collecting data during a disaster. Tangential legal issues include providing the equipment necessary for an employee who isn't on duty to monitor the site and to accommodate timekeeping requirements.

Finally, as more and more people depend upon social media, there will be an expectation that an agency is monitoring the site frequently, and it is necessary to ensure that dependence is offset by language that ensures the public does not use the site for emergency response needs. — Shawn Herron

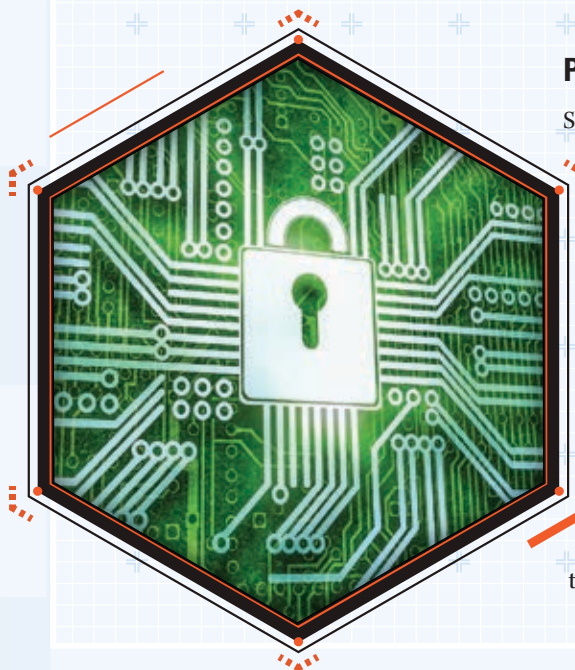


## PRIVACY ISSUES

Search and seizure issues affected by new and developing technologies will continue to be a challenge for law enforcement. Privacy issues in social media have been, and will continue to be, a source of new case law. Where will the line be drawn between things posted that one should expect a certain level of privacy in and that which you will not expect privacy?

This certainly will evolve as the law in other areas of technological change relating to privacy interests evolves. Indeed, the U.S. Supreme Court in the 2014 case of Riley v. California, said because of the change in capabilities and technology of cell phones, essentially making them small computers in which people may have extensive personal information, the Court decided to protect them from warrantless searches that only a few years ago they likely would have allowed.

Use of electronic devices to locate people, monitor their activities and investigate past behavior will only increase as technology develops. This will result in an ongoing struggle for the courts and law enforcement to balance the needs of the police against the rights of citizens to their privacy. The challenges are as endless as the technological possibilities. — Mike Schwendeman



## NEW CRIMES

With new technology comes new crimes, and the struggle for the law to keep up with both. Changes in state statutory law are bound to the schedule of the Kentucky General Assembly, and of course, federal law often takes years to actually shift to accommodate new ideas. And sometimes, something unusual comes up that causes law enforcement to approach a new problem with laws that aren't specifically designed for that problem.

For example, in July 2016, a game company released a new version of an old game, Pokémon Go. The augmented game is played using cell phones, and players attempt to find and catch virtual Pokémon creatures using an avatar. The unique feature of the game is it requires players to be out and about in public, tracking the Pokémon on an enhanced version of Google Maps — and the players' avatar only moves when the players themselves move.

Features of the game encourage players to go to a particular location, where the virtual Pokémon would be "lured," which then attracts all players in the vicinity, as well. These same game features, however, might entice players into situations that cause interaction with law enforcement. For example, spotting a Pokémon on the screen might cause a player (who hopefully is a passenger, rather than the driver) to stop suddenly while driving to allow the player to catch the Pokémon. Players who are looking at the phone while walking easily could walk into traffic or into someone else, causing injuries to themselves or others.

Even more dangerous is the possibility the game features themselves could be exploited to lure people into a hazard. In fact, one of the features is even called a "lure" and is intended to draw players to a particular physical location who all would be holding smartphones. Other features designed into the game, such as the Gym, also may cause players to congregate in particular places — to the consternation of the occupants of those locations. In most cases, those locations are public, such as parks, but in one instance, an individual in Massachusetts discovered his house, a converted church, had been so designated, causing individuals to stop by and linger for a period of time, at all hours.

As officers encounter these types of situations, it is critical to determine if any existing laws are being broken. Certainly trespass might be an issue, as would wanton endangerment if, for example, the subject walks into traffic or a crowd without looking. KRS 189.292, the "texting while driving" law, might be a possibility, but by the language of the statute, it would only apply if there actually is two-way messaging ongoing via text or audio. With the current iteration of the game, there is only a two-way process of interaction with the game itself, with no human interaction, although that could certainly change. However, at this time, it appears, the plain language of KRS 189.292 would not apply.

The Pokémon Go craze might be over quickly, but with the current popularity of this game, certainly more game developers will take heed and develop similar projects that encourage players to get out and interact with the "real world." Future games could lead to other concerns for law enforcement. — Shawn Herron



## USE OF FORCE

With new tools come new opportunities to make use of such tools. A case in point is the use of a robot to deliver a small explosive device in a barricaded-subject situation on July 7, 2016. Although the investigation is ongoing as to the legitimacy of the use of deadly force, the use of the robot to actually deliver the explosive appears to be unprecedented in law enforcement in the United States.

Under Kentucky law, the mechanism by which deadly force is delivered is not relevant to the decision-making process, only the legality of the use of deadly force itself. But the use of an unusual mechanism, such as a robot or a drone, will open new discussions about the legality of what is, in effect, a remotely delivered use of deadly force. — Mike Schwendeman

PHOTOS COURTESY OF 123RF.COM





PHOTO BY JIM ROBERTSON

## Lexington Police Officer Howard Florence

KELLY FOREMAN | PROGRAM COORDINATOR

**W**hen you can combine your passion and your career, going to work doesn't seem so much like a job. That's just what Lexington Police Officer Howard Florence has discovered. The Lexington native returned to his hometown after serving as a military policeman in the Army. An avid bike rider, Florence found his niche as the friendly face of downtown Lexington, reaching the community on a personal level and supporting fallen families all while riding his Cannondale.

**I started out in the bureau of patrol** and did that for probably 17 years. Seven years ago, I came downtown to be on bicycle patrol. I patrol the downtown area with six other officers on day shift and night shift. We are dedicated to just the downtown area of Lexington.

**Bike riding is my hobby.** I do more road biking than I do mountain biking. That's what I like to do on my off time, so when I got to do that as part of my job, it's a perfect combination for me. I like the interaction of being out of a car on the bike with people. I get much more one-on-one interaction than officers normally would. It's very difficult for officers to do that in cars because of the nature of their job and what they have to do, so we are really able to reach out to the community and be of service.

**Most of my day is giving directions,** which is fine. Everybody has been somewhere where they don't know where they're going, and there's nothing better than having a friendly face to be able to help you out. So I love that.

**Because my hobby is bicycling,** I'm always looking up different rides. I like to travel around the U.S. finding rides to do, and I kept seeing this Law Enforcement United bike ride come up that is during Police Week and always thought about doing it. Then I was contacted by Craig Sutter; he's an officer at Nicholasville Police Department. He heard I liked to bike ride and wanted to know if I would join them. It was him, Ramon Pineiroa, myself and Amy Ellis, who is the widow of Jason Ellis, the Bardstown officer who was killed a couple years ago. Amy's mother, Chris Phillips, also was on the team, and Ramon's wife, Tonya, was our support-vehicle driver.

**We traveled to Chesapeake, Va. on our first riding day** and we did about 105 miles. The second day it's about 85 miles, then the last day as you ride into D.C., it's about 50. And they generally pick a different location for the ending point. It's a fundraiser, so every rider is responsible for raising at least \$1,500. Law Enforcement United supports Concerns of Police Survivors and the Officer Down Memorial Page, then this year they gave money to a group called Spirit of Blue, which is a 501c3. They help give money to police departments for equipment. This year, Law Enforcement United raised about \$400,000 they were able to donate.

**This year there were approximately 600 riders total.** You either choose, or have assigned, a fallen officer from that year or from a previous year. If the families are there, they also are brought to the ending point. I rode for Kentucky State Police Trooper Eric Chrisman. I never had met his folks, but you meet the family there and get to spend some time with them. On the last few miles they give us all flags, and we present the family with a flag that has their officer's name and end of watch.

**We were contacted by Ashland Elementary School about a program with their fifth graders.** They bussed in maybe 200 fifth graders and they all had bikes, so we put them on the Legacy Trail. We started at the Coldstream Park trail head and ended at the Kentucky Horse Park. That was fun seeing all the kids riding. I got to talk about bike safety and trying to get people to enjoy riding. Getting started in fifth grade if they like to ride, that's good.

**There are so many different areas in law enforcement for your career to go.** Some people have an interest in dogs or horses. Some people really love detective work or the management part of it. Some people aspire to be a supervisor all the way up to the chief. For me, I really like interacting with people, being able to help people directly. Some people need long-term solutions, a lot of time I'm able to help in the short-term solutions, which is important too. So that's why I really enjoy being outside and just trying to help. If someone is homeless, we're able to get them into a shelter. If they have mental-illness problems, we're able to get them the help they

need so they don't suffer. Then just the common thing of, 'Where can I park?' or, 'Where's the best hamburger place?'

**Downtown here typically doesn't have a serious drug issue.** There are minor issues going on, but a bicycle for police work can be used for all kinds of different things. We can go into high-crime areas where we can observe more, we can be quieter, especially at night.



▲ Nearly 200 fifth graders from Ashland Elementary in Lexington biked the Legacy Trail with Lexington Police Officer Howard Florence during a May field trip. (Photo submitted)

**In order to ride a bicycle for the police department and be certified, there is a 40-hour class.** I'm one of the instructors for it. A lot of officers hadn't ridden a bike since they got their driver's license. There's nothing wrong with that, the police department just wants to make sure officers get experience on it. We have drills they practice and are tested on at the end. There's a written test as well. We also train on the tactical side, like how to be able to fire your weapon when you're on a bicycle. Learning how to ride down the street — there are all kinds of obstacles, and you have to be careful of car doors and traffic. It's just like being in a car; you not only have to pay attention to what you're doing, you are observing for other things you have to be focused on. If you haven't done anything like that in 10 or 14 years, it's good to have that training.

**Lexington is a great community.** I love the downtown environment, and I'm glad to be able to use my passion and my hobby in my job. I think I have the best job in the police department. 🍷

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# VERSATILITY AT ITS FINEST

**MOTORCYCLES PLAY A BIG ROLE IN ASSISTING PATROL, SECURING  
SPECIAL EVENTS AND BUILDING COMMUNITY RELATIONSHIPS**

**ABBIE DARST** | PROGRAM COORDINATOR  
**JIM ROBERTSON** | PHOTOGRAPHY



**M**aneuverability, cost savings, off-roading, community engagement and just plain fun – there are endless reasons for a law enforcement agency to have a motorcycle patrol. The perfect marriage between a bike patrol and a standard cruiser, motorcycles give officers a multitude of freedoms and advantages typical patrol units do not have.

#### THE AGILITY OF A BIKE, THE POWER OF A CRUISER

“You’re really combining the best of both worlds with a bike and cruiser in a motorcycle,” said Bowling Green Police Department Motor Officer David Grimsley.

Motorcycle units exist as a support function for patrol, and many have the ability to answer most calls for service, work accidents and enforce traffic laws. But unlike being in a cruiser, a motorcycle’s versatility and maneuverability allows motor officers to respond and react more quickly and efficiently in certain scenarios.

“I have the agility to turn around on a running vehicle and get them stopped and identified,” Grimsley said. “A cruiser doesn’t have that ability, and that car may get away and not be found.”

Grimsley recalled a specific incident where the wife of one of his captains had been involved in a hit-and-run accident. She called and gave her husband the vehicle’s identifying information and he relayed it to the patrol unit. Grimsley, who was out on his motorcycle that day, passed the described vehicle shortly after the information was distributed. He quickly was able to flip his motorcycle around, catch the vehicle and apprehend the hit-and-run suspect, Grimsley said.

“[My captain] told me that day that I’d made a believer of him about motorcycles on patrol,” Grimsley said. “I was able to get in there and maneuver quickly. You can manage it in a car, but not without

initiating lights and sirens and giving away your location to the violator. I was able to do it on a motorcycle safer and quicker.”

But that less-visible, easy-to-maneuver nature of motorcycles can be used in less high-action scenarios as well. Lexington Police Department Motor Officer Billy Richmond said there are certain neighborhoods throughout the Lexington area that are smaller or closer together, and numerous complaints are made about speeding or reckless driving in those areas.

“We can work them in cars,” Richmond said, “but it’s not as effective. If you are performing moving radar and clock [a speeder], you can’t catch up with them (in a cruiser). But on a motorcycle, all motors have front and rear radar and laser guns. They give us the ability to work those speeding-complaint areas easier.

“Similarly, at stop lights, like around the Vine and Broadway streets intersection, you can’t sit there in a car,” Richmond continued. “But we can pull up on a sidewalk and watch and respond quickly. Motorcycles offer more versatility as far as enforcement efforts.”

Beyond everyday traffic and patrol, motorcycles are highly valuable when it comes to special details, such as parades, 5K runs, ball games and processions. Richmond said motorcycles provide a necessary function for these events, acting as that quick shot that can get to problem areas and stay ahead of the masses to keep the way clear.

“In parades, people often start to collapse in on the route, and that can be dangerous for kids on the side of the street,” Richmond said. “There are large trucks that come through throwing candy, and in Jessamine County a child was killed during a parade. So, we maintain the route, and if there is a problem in the crowd, we can address it.”

#### GO WHERE OTHERS CAN'T

But one of the most beneficial aspects of a motorcycle patrol is the ability for them to go places other units cannot. Sidewalks, alley ways, dirt, gravel – you name it, motorcycles can get there, Richmond said. Specifically Richmond recalls a garbage-truck wreck on the interstate that had traffic at a standstill. Patrol cars could not get to the wreck, but the motorcycle officers were able to weave through the standing traffic and reach the scene of the accident. >>

Bowling Green Police Motor Officer David Grimsley is one of four motorcycle officers for the department. BGPD's motorcycles not only work everyday patrol, they participate in various road races, parades and special events throughout the year.



PHOTO BY JIM ROBERTSON





» In Bowling Green, Grimsley was able to assist in searching for a missing child.

“A bicycle can go anywhere, but a motorcycle can go there faster and for a longer duration,” Grimsley explained. “We were able to check fields, go off-road by Warren Central High School and go places other units couldn’t go and assist looking for the juvenile in a quick manner. While others tried to coordinate, we were already boots on the ground looking, understanding the importance of finding the juvenile.”

In a smaller town, like Berea, there are multiple walking and biking trails. Berea’s electric motorcycle makes patrolling those areas easy, while being nearly silent while riding past walkers and those looking for a peaceful retreat, Berea Police Motor Officer Jason Kirby said.

But Kirby also credits the off-road abilities of a motorcycle with being able to quickly assist a fellow officer in trouble in a park, fighting with a suspect. Kirby said he was able to jump the curb and ride right up to the entangled officer, instead of having to park and run to assist the officer.

#### BEYOND THE COMFORT ZONE

Becoming a member of a motorcycle unit is not for the faint of heart. Most recall their training as some of the most challenging they’ve ever encountered.

“I’ve never had more of a sense of pride in this career about an accomplishment as when I graduated from motor school,” Grimsley said. “I have a lifesaving award and that is one of my proudest moments. But as far as accomplishing training, this was one of the more challenging things I’ve ever done.

“It’s hot and grueling and physically exhausting,” he continued. “You’re doing something on an 800-plus pound motorcycle that your brain says can’t be done. You have to get out of your brain and develop confidence in what the motorcycle can and cannot do.”

Kirby agreed that the 80-hour motorcycle training was one of the most physically and mentally challenging classes he’s completed.

◀ Officer Billy Richmond has served the Lexington Police motorcycle unit for nine years, and has passed his knowledge and bike-handling expertise on to dozens of officers as an instructor in Lexington’s police motorcycle course.

“Mine took place at the Indianapolis airport in the middle of the summer,” he said. “It was 105 degrees, we went from daylight to dusk, and I wrecked 15 to 20 times a day.”

Kirby, who had raced motorbikes from childhood and began riding a motorcycle at 21 years old, said the class made him realize how much he didn’t know about riding, even after all those years.

“I was self-taught,” he said. “The class made me realize I didn’t really know how to ride a motorcycle, but they taught me there. I could ride safely before, but I didn’t really know what I was doing. I would recommend the course because you learn a lot you don’t know.”

So much of the course is different from normal motorcycle riding, Richmond explained. Officers are taught how to take a nearly 1-ton motorcycle and lean it over on its side to a point that seems to defy gravity. This, along with tight cone circles and figure eights officers learn to maneuver through, the course is very taxing on one’s mind and body. Moreover, the way officers are expected to manipulate the bike simply scares many participants, Richmond said.

“I’ve seen very squared-away officers who say they cannot do it,” Richmond said. “We have about a 40 percent failure rate – it’s not for everyone. But with everything, like in high school and college, you have the A+ average guys and the D- average guys. When riding in a motor patrol, you have to know and trust each other’s capabilities, and I don’t want a D- officer with me. I want the A+ guy. So we’re tough on them in class.”

Lexington has certified motorcycle instructors on its staff. Since the training available through the Institute of Police Technology and Management in Florida or Harley Davidson are not offered in Kentucky, Lexington’s instructors have trained numerous officers from other departments as well, including Georgetown, Winchester, Richmond, Fayette County, University of Kentucky and Oldham County, Richmond said.

Likewise, Bowling Green’s Grimsley is a certified motorcycle trainer through Northwest University and

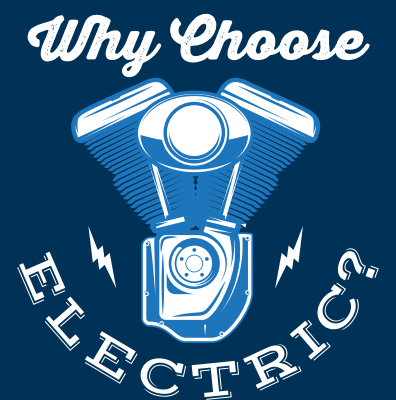


▲ Closing out his second season of riding Berea’s electric motorcycle, Officer Jason Kirby enjoys the flexibility motor patrol allows him. He has made new connections on the local college campus and sees the motorcycle as a great tool for patrolling Berea’s numerous walking paths and bike trails.

Harley Davidson. He is able to train new motorcycle officers within his department, which saves the department money because they don’t have to send every new candidate out of state to attend training, Bowling Green Police Chief Doug Hawkins said.

In addition, Bowling Green took training a step further, and created a field-training program specifically geared toward a brand-new motorcycle officer. Even for an experienced officer, many everyday job functions are significantly different when performed on a motorcycle, like how you make a traffic stop or the way you approach a vehicle, Hawkins said.

“We developed an in-house training program just for our motor officers because there still are additional techniques beyond riding they need to learn,” Hawkins said. “They need to know how to conduct themselves as officers on this equipment. Our motor officers now spend two weeks with a riding buddy to show them how to do police work from the perspective of a motor officer.” »



Berea Police Department purchased an electric motorcycle in 2015. Though the initial cost is about the same, electric motorcycles have virtually zero maintenance, besides brakes and tires, Berea Motor Officer Jason Kirby said. There is no oil to change, and it costs less than \$1 to charge, compared to a tank of gas. In addition, it is whisper quiet. The quiet nature, mixed with motorcycle speed is a perfect combination for Berea’s small side streets and numerous walking and biking trails Kirby patrols. Last year Kirby put approximately 3,000 miles on the motorcycle. With a battery that has an expected life of 60,000 to 75,000 miles, the bike should last the department many, many years.



# Supporting Families of the Fallen

For the past six years, Lexington Police Department’s Motorcycle Unit has made the 540-mile trek to Washington D.C. to participate in National Police Week activities. Working with the Concerns of Police Survivors, the motor officers help escort families flying in to participate in remembering and honoring their fallen loved one. They escort them from the airport to their hotels, and from their hotels to events throughout the week.

LPD Motor Officer Billy Richmond said they conservatively work about 67 hours the week they are there, running from early morning until well into the night.

“We have a reputation there — they know they can depend on our guys, so we are called on to work every day we’re there,” Richmond said. “If they call, then we go.”

The Lexington Motorcycle Unit takes their participation in National Police Week very seriously, and they are honored to assist the families of fallen officers across the country, Richmond said.

## >> FREEDOM COMES WITH CHALLENGES

People usually think motorcycle officers have it made — getting to ride through town on stylish bikes under beautiful blue skies, feeling free and happy. But the reality is, motorcycle officers face a multitude of challenges patrolling on a motorcycle, instead of in a cruiser.

“One of the drawbacks is you are very exposed,” Grimsley said. “When I’m training new guys in the motor unit, I tell them any sense of protection you feel in a patrol car, you don’t even have the façade of protection on a motorcycle. We train them to keep their head on a swivel, but on the bike you have to know who’s around you at all times and the traffic coming up on you.”

Then there’s the weather — motorcycle officers ride through blistering heat and frigid temperatures. They ride as rain pelts their faces and bugs cling to their helmets and sunglasses. They ride with sweat pouring down their backs or, as Richmond recalls, unable to feel their faces because they ride on 6-degree winter mornings to lead a Martin Luther King, Jr. parade through downtown Lexington.

“It is great to have the ability and freedom and not be standing at a post somewhere waving traffic, but there is a price to pay,” Richmond said. “It’s not always sunny

and 70 degrees. As long as it’s not lightning or severe weather, we ride — rain or no rain. So it has its up and downs.”

“It’s hot in summer,” Grimsley agreed. “We wear thicker pants and boots and helmets, so it’s hot, tiresome work.”

In addition, motorcycle officers do not have the same equipment available to them as they would in a cruiser. Items like rifles and crime scene processing kits aren’t available on a motorcycle. And while this is a limitation, Richmond says you learn to work smarter.

Motorcycles have room for some comfort items, such as extra glasses, shields for helmets, gunshot wound kits and a slim jim. In Lexington, a couple of their motorcycles have printers that work with laptops allowing them to take accident reports and do just about anything an officer in a patrol car can do.

However, the most pertinent limitation to motor officers is not having the ability to transport suspects when they make an arrest. Since motor officers are a supplement to patrol, out to help them with the workload, motor officers actually get a little frustrated when they have to call a patrol unit for back up to transport.

“When I’m in a cruiser, I may stop X number of cars and never need backup,



need to search or come across a person with a warrant,” Grimsley said. “But it never fails, the first day I’m on the motorcycle, the third car I stop has a warrant and I have to ask for a backup unit. Our whole mission is to help patrol, so we kind of stomp our foot when we have to call them to help us out.”

This is especially taxing when more and more departments are short on manpower. Placing officers on motorcycles takes them out of a cruiser, and when they have to be backed up, it ties up two units for one incident. Manpower issues have plagued many departments across Kentucky, and as a result, some have cut back on motorcycle patrols or even eliminated them as a patrol function altogether, only using them for special events.

Lexington used to have 19 motorcycles in its unit — today they have nine. Due to retirements and attrition, many officers in specialized units at the Lexington Police Department have had to go back to patrol to answer basic calls for service, shrinking those peripheral units, Richmond said.

Likewise, Bowling Green has gone to a part-time schedule, alternating between bicycle officers and motorcycles every week or two.

“This helps justify our existence, and we stay visible and work as many accidents as we can,” Grimsley said.

## SHOW AND TELL

Visibility is another huge component of having a motorcycle patrol. Motorcycles can be tremendous community engagement tools because they draw people in, curious about the bike.

Grimsley originally was attracted to the motorcycle unit because of how well they represent the department in the community, he said.

▲ The versatility and maneuverability of motorcycles allows officers to quickly change direction to catch speeding or seatbelt violations.

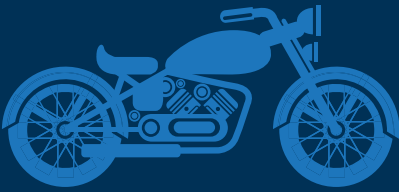
“They are very eye catching,” Grimsley said. “Knowing I can build a connection with the community, plus the way the unit operates and the pride I have in the unit, I wanted to be a part of that. My experience is legitimately, positively affecting the community.”

In the two years Berea has had its motorcycle, Kirby said he has made huge strides in the local Berea College campus.

“I didn’t know a lot about the campus,” Kirby said. “Now we can ride through the campus and have been able to meet the students. The police department probably never would have done that. Riding through campus, from a public relations standpoint, has crossed a lot of bridges. We didn’t have the time to walk through the campus before, so it’s been a bridge builder in that way.”

Despite the challenges and occasional limitations motorcycle officers face, departments who employ a motorcycle unit have reaped numerous benefits through the extraordinary versatility motorcycles offer traffic, patrol and special events. Officers who have sought out this assignment are passionate about their motorcycles and the unique difference they can make in their communities with using the bike. They build relationships in the community and help take workload off other patrol units — and those benefits are worth exploring for any agency that has contemplated adopting a motorcycle unit to better serve the department and community.

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## Deal of the CENTURY

The Bowling Green Police Department only paid \$1 for each of its four motorcycles — and they receive new ones every two years.

“How in the world did they manage that?” you might be asking.

Twelve years ago, a local Harley-Davidson dealer approached the police department with a deal. He had an interest in law enforcement using their product and made the offer to lease four police-equipped motorcycles to BGPD for \$1 for a one-year agreement. Each year, the dealer provides the department with four new bikes and signs a contract for another year. This past year, the agreement was changed to a two-year contract. This allows the agency to experience less down time while equipment is switched between bikes, and it allows officers more time to get comfortable with their bikes.

The deal is a win-win for everybody, Police Chief Doug Hawkins said. Harley dealers are only allotted a certain number of motorcycles to sell each year. The four they lease to the police department don’t count against their numbers. When they exchange the motorcycles each year, now every two years, they can sell the slightly-used motorcycles in excellent condition to the public, which shows a lot of interest in the police motorcycles.

“I’m sure every agency would love to have their local motorcycle dealer want to engage in that agreement,” Hawkins said. “Even paying for maintenance and switching equipment between bikes every two years, we come out ahead by not spending \$16,000 on the motorcycles themselves.”



▼ Lexington’s Police Motorcycle Patrol Unit maintains order during the annual Thriller showcase in downtown Lexington. Keeping attendees safe on the sidewalks during special events is a primary function of the unit.





Sheriff Bobby Davidson

Livingston County

Bobby Davidson is 48 years old and has been a Livingston County resident for 38 of those years. He is a graduate of Livingston County High School. Davidson began his career in law enforcement at age 38 and attended the Department of Criminal Justice Training Basic Training Academy in 2006. He was elected sheriff of Livingston County in 2011. He and his wife, Jacqueline, live in Salem, KY.

WHAT POSITIVE CHANGES HAVE YOU MADE SINCE BECOMING SHERIFF?

I took office in January 2011. I realized the office was in need of serious change to be brought up to the standards of a modern, full-service police agency. I was very fortunate to have a good working relationship with our fiscal court, which continues today. Since I took office we have been able to obtain a new fleet of lower-mileage cars, two of them being four-wheel drive units. We outfitted deputies with new body armor, Tasers and shotguns. We dedicated a deputy to the Livingston County School System at no additional cost to the county or school system. While this took a deputy off the road, we have seen it pay big dividends with our relationship with the school system and students. Additionally, we brought the DARE program back into the schools approximately four years ago. I believe it is easier to stop a problem before it starts, and if we save one person from going down the road of bad decisions and drug dependency/abuse then the program has been a success.

Upon taking office, I made criminal investigations a priority. Prior to this administration I don't recall a case ever being solved

"I firmly believe that someone who wants to be a professional police officer wants to work in an environment where high quality is the norm."

with fingerprint or DNA evidence. This is done more often now. I have hired several retired officers from other agencies, most of which have a background in criminal investigations and collision reconstruction.

WHAT SINGLE WORD DO YOU THINK BEST DESCRIBES YOUR OFFICE, AND WHAT KEEPS YOU UNIFIED?

Accountability. Everyone is held accountable for their actions, work performance, appearance, etc. This helps us foster a professional image and provide quality service for our citizens.

HOW DO YOU RETAIN GOOD OFFICERS?

We retain deputies through accountability. If you work here, you are going to do a good job. You are going to see things through to the end. The days of passing the buck and dropping the ball are in the past. I firmly believe that someone who wants to be a professional police officer wants to work in an environment where high quality is the norm. It is my belief that this, above everything else, gives us a better pool of applicants and keeps current employees here.

WHAT ARE YOUR AGENCY'S SHORT-TERM AND LONG-TERM GOALS?

Short term, I want us to maintain the ground we have gained in the past five years. It is easy to have many goals and ideas and spread your manpower so thin you aren't effectively doing the basics. The basics are what we are here for day in and day out.

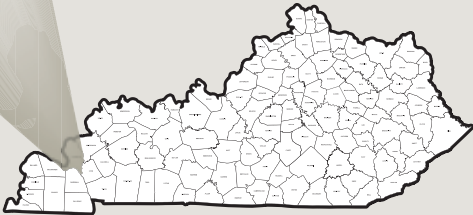
One of my main long-term goals is to institute a citizens' police academy. I firmly believe there is a huge issue in our country between law enforcement officers

and the public simply because the public is not aware of what we face every day, and they are not familiar with the laws that dictate what we as officers can and cannot do. While the citizens of Livingston County have been behind us from the beginning, I believe by educating the public we can clear up some misconceptions citizens may have about the function of rural law enforcement.

WHAT ADVICE WOULD YOU GIVE A NEW LAW ENFORCEMENT OFFICER/DEPUTY ENTERING LAW ENFORCEMENT?

Many young people come to our office with an interest in beginning a career in law enforcement or to do a ride-along with a deputy. When I get an opportunity to talk to someone considering this line of work as a career, I tell them this job is very rewarding, you can make a decent living in some places and you experience things, both good and bad, that the general public never will understand. Conversely, I make them aware that this job can be hard on marriages and family life if you and your spouse aren't on the same page about plans you have as a family. I also make them aware that the danger in this job is real and tell them to consider that before they decide to pursue law enforcement as a career.

I applaud young people who want to pursue law enforcement as a career in the present time given the climate that media projects regarding the thoughts, feelings and beliefs the public has about law enforcement officers in 2016.



Chief William V. Shifflett

Russellville Police Department

William Shifflett was appointed chief of Russellville Police Department in August 2011. Shifflett has a bachelor's degree from Western Kentucky University. He is a graduate of the Department of Criminal Justice Training Basic Training Class No. 225, Southern Police Institute AOC Class No. 112 and the FBI National Academy 230th session.

HAVING MOVED THROUGH THE RANKS TO BECOME CHIEF, WHAT IS THE MOST POSITIVE CHANGE YOU HAVE SEEN IN LAW ENFORCEMENT, YOUR COMMUNITY AND YOUR AGENCY?

One of the more positive changes I have seen in my law enforcement career has been the implementation of the Police Officer Professional Standards. To me, that has allowed Kentucky to move ahead of most states in advancing the police profession. When I look at policing in Kentucky, I do not see a lot of the issues other states are dealing with or have been dealing with for the past few years. I think Kentucky has just set a high standard for its law enforcement officers, and it has paid off.

As far as positive changes in my community, there have been many. I am fortunate to work for a mayor and city council who care about law enforcement and the officers who serve this community. The most positive change from a community standpoint is it is more fiscally responsible, which has led to a positive environment not just in the police department but community wide. Within the agency, we have seen a lot of positive changes, mostly dealing with technology. We have been fortunate enough to be able to

"Any agency that can show diversity in it's ranks better reflects the community it serves."

acquire a lot of new technology, which has made officers more efficient in the performance of their duties.

WHAT IS THE TEEN POLICE ACADEMY?

The Teen Police Academy is a one-week basic police academy geared for teenagers 13 to 18. Sgt. Mary Lynn Moore came up with the idea in an effort to help bridge the gap between police and our younger citizens. The Teen Police Academy introduces teenagers to police operations. During the week, they begin everyday with physical fitness and then will either have classroom instruction or run scenarios such as traffic stops or building searches. It is an all-day session. This was our second year, and our class size tripled from the first year, so we are hoping to add more participants in the future.

HOW DOES HAVING SWORN FEMALE OFFICERS ON YOUR STAFF BENEFIT YOUR AGENCY?

Any agency that can show diversity in it's ranks better reflects the community it serves. Having female officers merely reflects our community. Whether male or female officers, providing a good work environment, and training and equipping them is a benefit to the agency and the community.

WHAT SINGLE WORD AND/OR PHRASE DO YOU THINK BEST DESCRIBES YOUR AGENCY, AND WHAT KEEPS YOU UNIFIED?

I would have to say we are more like a team than a department. The officers here have embraced working together. Our officers try to build one another up. If an officer is lacking in an area they really try to help him or her out. They are a

very selfless group of officers who are willing to sacrifice for one another, and that makes them very effective when it comes to doing their jobs.

HOW DO YOU KEEP YOUR WORKFORCE MOTIVATED, SKILLED AND PROFESSIONAL?

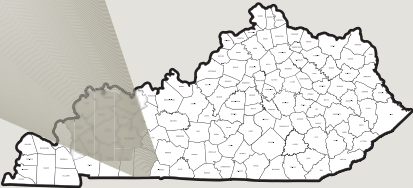
I have emphasized training. We do a lot of in-house training that revolves around the perishable skills such as driving, shooting and fighting. The training has morphed into team building and the officers look forward to the training. Another training we do is Police One Academy. They can watch the web-based videos and take the test when it best suits them.

HOW DID YOUR AGENCY'S PHYSICAL FITNESS INITIATIVE COME ABOUT?

Three years ago, I mandated that every certified officer participate in a physical-fitness test on an annual basis. As a department, we would complete the entry-level POPS standard. I did not make it punitive, meaning you didn't have to pass, everyone just had to participate. This, too, has turned into a team building session for the department.

WHAT ARE YOUR AGENCY'S SHORT-TERM AND LONG-TERM GOALS?

My short-term goals are to continue improving our fleet and maintaining the equipment and standards of hiring that we started. My long-term goal in the future is to enhance our training to have officers specialized in specific areas to help us deal with more complex crimes and issues.





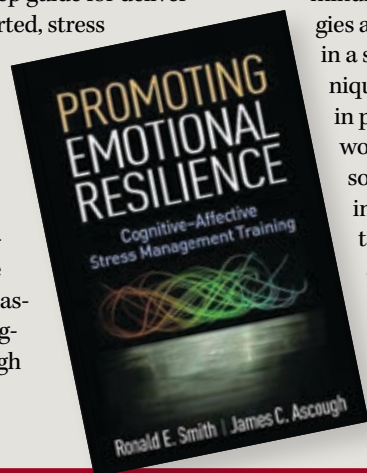


## Promoting Emotional Resilience

*Cognitive-Affective Stress Management Training*

Police officers across the nation experience high stress situations on a daily basis in the field. Traumatic scenes of car crashes, deaths, shootings, overdoses, and a seemingly endless list of circumstances, leave lasting images imprinted on officers' memories. Recently, the Dallas shootings and events across the nation bring an even more challenging time of high stress to the law enforcement profession. Dr. Kevin Gilmartin discusses emotional survival and does an excellent job of pointing out the effects of stress on officers physically and mentally throughout a career if left unchecked. There are numerous motivational speakers and books on dealing with stress and the lasting impact over a lifetime on officers' professional and personal lives. The question is, what are we doing to prepare police officers to cope with these high-stress and traumatic situations before they happen?

"Promoting Emotional Resilience" by Ronald Smith and James Ascough, released in 2016, is an excellent resource book based upon empirical studies and provides a step-by-step guide for delivering a research supported, stress management and emotional regulation program. The authors' concept of conditioning officers to have emotion-focused coping mechanisms in place before the events occur will assist emotional self-regulation in times of high stress and trauma.



"Emotional resilience is defined as the ability to engage in overt and/or covert emotion self-regulation behaviors that allow the person to minimize negative affects in the face of stressful life events," Smith and Ascough explain in the book.

The program, titled Cognitive-Affective Stress Management Training, is discussed in detail by the doctors and provides a treatment regimen or preventive program to enhance stress resilience and reduce future impact on the person mentally. This book becomes very technical and was written for clinical professionals treating patients with stress-related issues, but it can be used by others coaching individuals with high stress or dysfunctional fear.

The authors relate the training as a skill, just as practice makes officers more proficient in firearms, defensive tactics and driving, the use and practice of stress-management skills will make officers more resilient in times of high stress. In this concept, the application of the program's basics would assist in police departments' preparation of officers in emotional resilience. CASMT uses relaxation training, mindfulness, acceptance-based strategies and scenario training combined in a six-step process. The simple techniques of deep abdominal breathing in place of shallow chest breaths, word association to focus the mind, social structuring and mindfulness in attributing the proper importance on the stressful situations, are methods provided in the program.

Stressful or traumatic events in the law enforcement profession can leave an officer with

feelings of helplessness and hopelessness, which may result in dramatic actions by the individual, if proper care is not provided. Stress and trauma cannot be eliminated from the profession, but personal resourcefulness and resilience can be increased by officers. Increasing emotional resilience is key to enhancing physical, social and psychological well-being in an occupation intertwined with stressful life events. Police departments and training should be proactive in preventing the effects of stress on officers, and instead of officers becoming survivors, prevent it from becoming a problem to begin with. "Promoting Emotional Resilience" provides a good program to implement and practice today to prevent the problems and lasting effects of stress tomorrow. 🐾

### Additional Resources

Below is a list of additional law enforcement related articles on the topic of emotional resilience:

Browning, S. L. (2013). Risk and resilience in law enforcement stress: Contributions of the law enforcement officer stress survey. (Unpublished doctoral dissertation). Nova Southeastern University, Fort Lauderdale, FL.

Christopher, M. S., Goerling, R. J., Rogers, B. S., Hunsinger, M., Baron, G., Bergman, A. L., & Zava, D. T. (2016). A pilot study evaluating the effectiveness of a mindfulness-based intervention on cortisol awakening response and health outcomes among law enforcement officers. "Journal of Police and Criminal Psychology." 31(1) 15-28.

Grant, L. & Kinman, G. (2014). Emotional resilience in helping professions and how it can be enhanced. "Health and Social Care Education." 3(1), 23-34

By Ronald E. Smith and James C. Ascough, Guilford Press, 2016, pp. 340

## STRANGE STORIES FROM THE BEAT

### » Woman trying to catch Pokemon in cemetery gets stuck in tree

Authorities say a New Jersey woman trying to catch Pokemon in a cemetery ended up stuck in a tree and had to call 911 to rescue her. Firefighters say the woman climbed a tree at night while playing "Pokemon Go" on her smartphone inside the cemetery. She called 911, and the local Fire and Rescue arrived to get her down with



a ladder. The fire chief said she was a bit embarrassed at that point. Fire officials didn't release her name to spare her additional embarrassment.

### » An escaped Arkansas inmate walks into a bar...

An inmate who escaped an Arkansas jail, showed up at a nearby bar a week later, ordered a beer and declared he was turning himself in. The 45-year-old inmate turned up at the bar about six miles from the jail. He was wearing a dirty prison uniform and covered in insect bites. There had been no sightings of the man since he picked a lock and fled the county jail. The bar's owner called police, saying the inmate was there and he wanted to turn himself in. He was drinking a beer when police arrived and surrendered without incident.



### Man used brain-preserving fluid to soak marijuana

A central Pennsylvania man was charged after police say he sprayed fluid used to embalm a human brain on marijuana and then smoked it. State police charged the 26-year-old man with abuse of a corpse and conspiracy. Court records indicate the suspect's aunt contacted detectives after finding a human brain in a department store bag under a porch while cleaning out a trailer. He allegedly told her during a phone conversation from jail that he used the formaldehyde-soaked pot to get high. The defendant related that he knew it was illegal to have the brain and that he and another man would spray the embalming fluid on weed to get high. A coroner concluded the brain was real and the defendant supposedly named it Freddy. The coroners who examined the brain believe it was most likely a stolen teaching specimen.

PHOTOS COURTESY OF 123RF.COM

### Residents beat home intruder with his own bat

A suspect allegedly stopped at a home and asked for someone named "Josh," saying he was owed some money. The homeowner said he had the wrong address. The victims told police that he then broke down the door and attacked the occupants — including three children — with a bat. After being hit, a male resident wrestled the suspect and put him in a bear hug. The resident's wife then grabbed the bat and struck him on the head several times. The suspect then fled without the bat. He also left behind a hat and lots of blood.



### Naked couple arrested with stolen lawn mower

Authorities arrested a couple accused of riding naked on a stolen lawn mower in Missouri. A 55-year-old man and a 40-year-old woman admitted they rode the lawn mower home naked after their clothing was stolen while they skinny dipped in a nearby creek. Authorities arrested the pair on suspicion of stealing after finding them at a house with the riding mower parked in the front yard.



## IF YOU HAVE ANY

funny, interesting or strange stories from the beat, please send them to [jimd.robertson@ky.gov](mailto:jimd.robertson@ky.gov)





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# Put More On Your Plate!



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