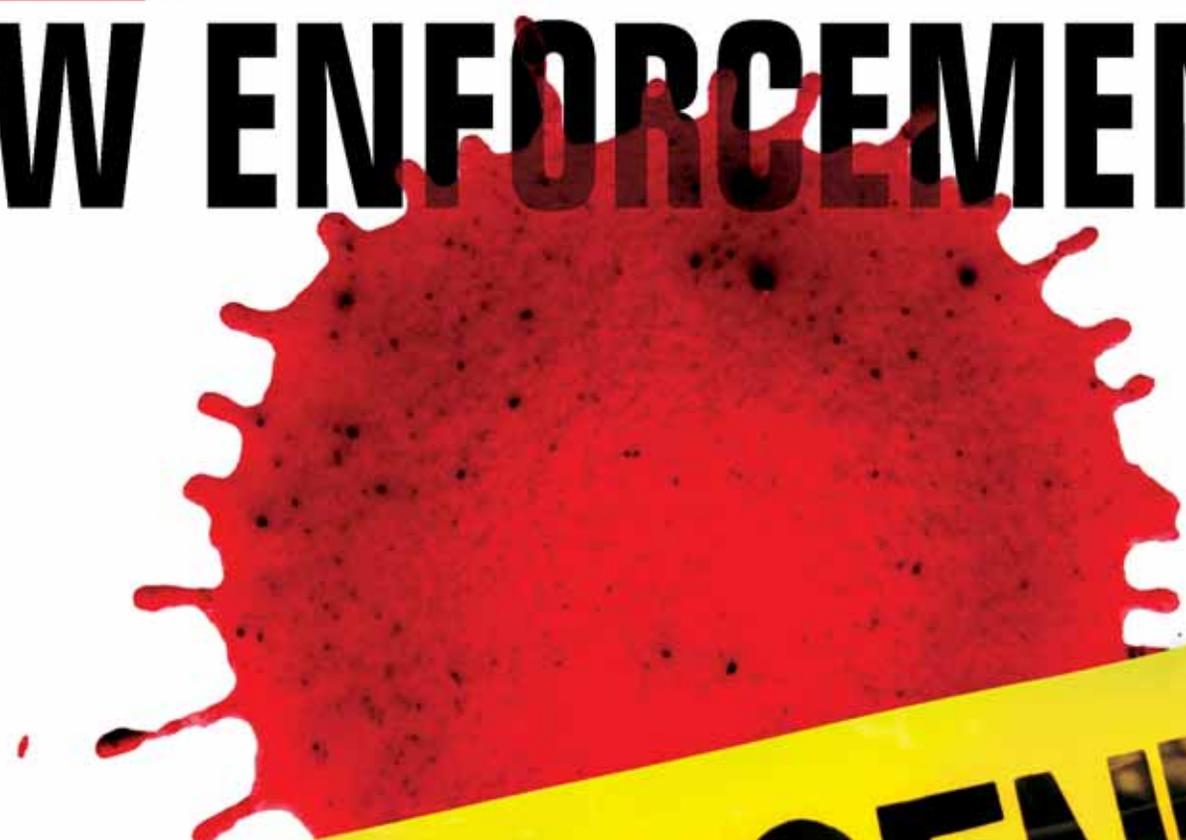


LAW ENFORCEMENT



CRIME SCENE

FEATURES



10



18



54



56

10 I'm Lovin' It

Profiling Jerry Healy, McDonald's franchise owner and staunch supporter of the Kentucky Law Enforcement Memorial Foundation. As an original member of the KLEMF board of directors and the Legion of Highest Commendation, Healy has shown his enthusiasm for, and appreciation and support of Kentucky's law enforcement community for many years.

54 Driven

Lexington Division of Police Ofc. Tembree Murphy's career recently took a turn down a new path as she became the first woman in the commonwealth to be certified as a motorcycle officer.

18 Road Warriors

The Department of Kentucky Vehicle Enforcement has steadily grown and improved over the last several years, and now stands as one of the premier commercial vehicle enforcement agencies in the country – attested to by their accreditation through the Commission of Accreditation for Law Enforcement Agencies in November.

56 Memorializing the Past

The Kentucky law enforcement community remembered its fallen heroes at the Kentucky Law Enforcement Memorial Ceremony in September. Thirty-five new names were added to the monument and dedicated at this year's ceremony.

- 4** Accreditation is Confirmation
- 5** Law Enforcement Needs Everyone's Help to Stop Predators
- 6 Briefs**
 - 6 Bratton Earns Shein Award
 - 6 Tamara Thomas, KWLEN Award Winner
 - 6 KSP Detective Receives Law Enforcement Award
- 7** A Better System: Expansion of Vine Will Help Keep Victims of Crime Informed
- 7** 16th Annual Competition Shoot
- 7** New State Police Cadets Report for Training
- 8** KSP SRT Wins Big at First KTOA Convention
- 8** DOCJT Annual Meeting 2007
- 8** 2008 KWLEN Officers
- 9** DOCJT Presents CDP Certificates
- 10** I'm Lovin' It: Profile of Jerry Healy
- 16** Employee Profile: Robin Whitaker
- 18** Road Warriors
- 26** KVE Obtains CALEA Accreditation
- 27** Kentucky's Accredited Agencies
- 28** Ball Receives Prestigious NHTSA Award
- 29** Eastern District Task Force a Success
- 30** Appalachia HIDTA Opens Investigative Support Center
- 32** Electronic Monitoring of Pseudoephedrine Going Statewide in Effort to Combat Meth
- 33** A State Going to Pot
- 34** Johnson Retires from DOCJT
- 36** Kazlauskas Leaves Owensboro PD
- 38** Feature — CSI: Kentucky
- 48 In the Spotlight**
 - 48 Chief Alan Alsup
 - 49 Sheriff Robert E. Hopper, Sr.
 - 50 Chief Bobby Hall
- 51** New Chiefs of Police Across the Commonwealth
- 53** Book Review: Woman, Child for Sale: The New Slave Trade in the 21st Century
- 54** Driven
- 56** Memorializing the Past
- 60** Problem Based Learning
- 63** 2008 Training Opportunities in Advanced Individual Training
- 64** Service Dogs and the Law
- 66** How to Obtain Copies of Out-of-State Convictions
- 68** Negotiating Open Records Request
- 71** LPASS 2007: A Change to Practical Legal Trainings
- 72** The Camera Doesn't Lie, Right? Well –

Steve Beshear
Governor

J. Michael Brown
Justice and Public Safety
Cabinet Secretary

John W. Bizzack
Commissioner

Kentucky Law Enforcement
is published by the
Kentucky Justice and Public
Safety Cabinet, and is
distributed free to the
Kentucky law
enforcement and criminal justice
community.

Staff:

Dave Wilkinson, Editor
Diane Patton, Coordinator
Jamie Ball
Abbie Darst
Amicheli Salyer
Elizabeth Thomas

Contributors:

Edliniae Sweat



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

Printed with state funds

The Kentucky Law Enforcement staff welcomes submissions of law enforcement-related photos and articles for possible submission in the magazine. We can use black and white or color prints, or digital images. KLEN 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.



Accreditation is Confirmation

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

An organization claiming to be good at something may be absolutely correct. However, when an organization declares it is good at something and has an independent third party validate that declaration, then it's not just talk; it's confirmation. Accreditation is confirmation.

Historically, in the field of law enforcement, chiefs and sheriffs along with mayors and other elected officials are usually charged with self promotion of the good work accomplished by their law enforcement agencies. While this approach has successfully worked in the past, in today's society it is not necessarily the universal solution that reassures communities their law enforcement services are as exceptional as claimed. Accreditation bridges that gap.

Accreditation, which is a progressive and time-proven way of helping institutions and organizations evaluate and improve their overall performance, is most commonly equated with higher education and hospitals. The cornerstone of the accreditation strategy lies in the promulgation of nationally accepted standards containing clear, professional objectives. Participating administrators conduct a thorough analysis to determine how existing operations can be adapted to meet the objectives established by the standards. When the procedures are in place, a team of independent professionals from an accrediting body verifies that all applicable standards have been successfully implemented and are consistently followed. The process culminates only when the authoritative body concludes that the organization is worthy of accreditation.

The basic standards of all law enforcement accreditation programs reflect the current thinking and experience of practitioners and researchers. The Commission on Accreditation for Law Enforcement Agencies' Standards for Law Enforcement Agencies serves as the benchmark for today's policing institutions as well as independent state accreditation programs. Major law enforcement associations, leading educational and training institutions, governmental agencies and law enforcement executives internationally, acknowledge that CALEA sets the bar for law enforcement standards and practice.

Accreditation is not a cure-all for agencies seeking to add credentials, credibility and state-of-the-art management to their public image. Accredited agencies can make mistakes and errors in their administration and operations as well. However, accreditation is a commitment and one that provides a professional standard through which virtually all agencies can be evaluated, but more importantly, led.

A CALEA-accredited agency must live with the standards it adopts in order to lessen civil liabilities, improve management practices and maintain the status that must be re-assessed every three years by the accrediting body. Losing accredited status is a devastating message to send to a community.

Agencies or executives who offer only lip service to the effort of achieving or maintaining the status are guilty of a disservice not only to

their departments and personnel but to their communities as well.

Accreditation by CALEA is not the only recognized route to accreditation. Many state organizations, usually led by a law enforcement professional association in a state like chiefs' or sheriffs' associations, have developed their own state accrediting bodies. In Kentucky there are more than 400 law enforcement agencies. Of these agencies, 69 have undergone the process and are accredited by the Kentucky Association of Chiefs of Police. An additional 42 are in the process at this time. There are 20 other states with similar state programs.

CALEA has awarded accreditation status to only 650 law enforcement agencies and public safety training programs, such as the Department of Criminal Justice Training, across the globe, not just in the United States. In 2003 DOCJT became the first nationally accredited public safety training program. In 2006 DOCJT was honored as a CALEA flagship institution.

In Kentucky, five agencies have been nationally accredited by CALEA: the Department of Criminal Justice Training, Lexington Division of Police, Kentucky Vehicle Enforcement, Kentucky State Police and Newport Police Department.

All accreditation programs require an agency to:

- A. develop a comprehensive, well thought out, uniform set of written directives. This is one of the most successful methods for reaching administrative and operational goals, while also providing direction to personnel.
- B. provide the necessary reports and analyses a CEO needs to make fact-based, informed management decisions.
- C. develop a preparedness program to be put in place – so an agency is ready to address natural or man-made unusual occurrences.
- D. develop or improve upon an agency's relationship with the community.
- E. strengthen an agency's accountability, both within the agency and the community, through a continuum of standards that clearly define authority, performance, and responsibilities.

Without question, accreditation facilitates any agency's pursuit of professional excellence.

Accreditation, whether it is a state or national program, is likely to continue to prove to be the best future mechanism and management tool for administrators and communities to assure effective organization of their public safety functions. J

Law Enforcement Needs Everyone's Help to Stop Predators

/Amul Thapar, U.S. Attorney for the Eastern District of Kentucky
Ray Larson, Commonwealth's Attorney, Fayette County
Larry Roberts, Fayette County Attorney

Reprinted with permission from the Lexington Herald Leader

Bold headlines accompanying a Faith and Values article about pornography and churches said, "57 percent of all pastors said pornography was the most damaging sexual issue affecting congregations."

We are not here to tackle the issue of freedom of speech, but rather a greater issue that surprisingly was not addressed in the article that affects everyone, not just congregations. Child pornography – the graphic, violent and horrific images and videos depicting sexual abuse of children – is rampant in the country today.

These images are not merely flirtatious pictures of teenagers in bikinis or babies in a bathtub. Perhaps that is why Americans do not want to hear the horrors of sexual abuse. Or perhaps they think that this issue does not affect them.

It is not an exaggeration to say that there is a war being waged in this nation against our children. Every day, children are targeted by sexual predators whose desires are so striking and so unconscionable that many Americans choose to ignore their existence.

But we cannot ignore this crime any longer. Advances in technology have brought a tremendous amount of freedom and good to our society as a whole. But as with all things, that freedom can be abused by those who choose to harm the most innocent among us, our children.

Two-thirds of Americans, including child predators, have the Internet in their home. According to a recent Department of Justice study there are 50,000 predators on the Internet prowling for children at any given time of day.

With the increased use of social-networking sites, blogs and online journals, child predators have a new way to reach potential victims. No longer can people assume this problem will not affect them or their children. Anyone can fall victim to a predator.

And sexual predators are not always online, and they are not usually strangers. Rather, these individuals are often in our communities, our schools, our churches and most frightening of all, in our homes.

But as law enforcement officers who see these images on a daily basis, we cannot be silent any longer. We cannot win this battle alone. We need the strength of the communities to join with us and stand up against predators.

As a community, we must do more. This means education. This means learning about the social networking sites on which your children spend hours a day. This means parents must talk to teachers and coaches. Most of all, this means talking to your children about this threat.

Prosecuting these crimes is a top priority for our offices. That is why we created a Project Safe Childhood Task Force comprised of our offices and local, state and federal law enforcement from the area, to find these predators and prosecute them more effectively.

Preventing these crimes should be a top priority for the community. Children can never fully recover from the damage of sexual abuse. It's not enough to simply put a predator behind bars. Every citizen must be a part of this united front to eliminate child predators and protect our future generations.

For more information on the Department of Justice Project Safe Childhood initiative or how you can help in the fight against child predators, go to www.project-safechildhood.gov or www.ncmec.org. J



Briefs

■ Bratton Earns Shein Award

Paducah Police Chief Randy Bratton was honored this fall by the Kentucky Law Enforcement Council with the 2007 Shein Award. The award, named for Dr. Melvin Shein of Louisville and given annually since 1973, is presented for distinguished service and contributions in law enforcement in the commonwealth.

Bratton's law enforcement career spans more than 20 years, beginning with the St. Petersburg Police Department in Florida. In St. Petersburg, Bratton served as DUI officer and instructor, arson detective, major crimes detective, community policing and patrol sergeant, patrol lieutenant, traffic lieutenant and criminal investigations major. Bratton has an Associate of Arts in Political

Science and a Bachelor of Arts in Criminology. He is a member of KLEC.

"Bratton chose to return home to Kentucky and apply his organizational skills and untiring energy to make the Paducah Police Department what it is today," said Larry Ball, KLEC's executive director.

Bratton revamped the mission, policies and procedures, training and professionalism of the Paducah Police Department, enhancing the reputation of the department and making it one of the more effective and respected police agencies in the commonwealth.

Bratton is also active in the Kentucky Association of Chiefs of Police.



■ KSP Detective Receives Law Enforcement Award

On September 27, Drug Enforcement Special Investigations East Det. Bret Kirkland received a law enforcement award in Charleston, West Virginia. U.S. Attorney Charles Miller presented Kirkland and 39 other law enforcement officers with awards in recognition of meritorious service and acts that materially contributed to attain the highest standards of cooperative law enforcement and justice in the United States.

Kirkland was recognized for his work during a meth investigation in 2006. The Drug Enforcement Administration contacted Kirkland at his home and asked for his immediate assistance in locating two suspects en route

to Charleston, West Virginia. Having some prior knowledge of the suspects, Kirkland and DEA Special Agent Frank Hicks managed to locate the suspects in Mount Sterling and followed them for more than 12 hours before being spotted near Huntington, West Virginia. Hicks requested assistance from DEA agents who continued the surveillance to Charleston. The next morning, the suspects delivered 3 pounds of meth to undercover DEA agents.

Kirkland was the sole witness of the suspects loading a vehicle for the trip. One suspect was sentenced to 10 years and the other (who was the main drug trafficker) was sentenced to 30 years.

■ A Better System: Expansion of VINE Will Help Keep Victims of Crime Informed

A good system that informs victims of crimes when the perpetrators of those crimes are released from custody is now better in several counties.

The counties have been selected for a pilot program that expands what is most commonly known as VINE, an acronym for Victim Information and Notification Everyday. Since 1996, VINE has provided information to crime victims who sign up for the program whenever there is a change in the custody status of those convicted of committing crimes against them.

VINE Court Service went live in several Kentucky counties in September, according to the Kentucky Department of Corrections. Those counties include Daviess, Boone, Bullitt, Campbell, Christian, Fayette, Franklin, Hardin, Kenton, Laurel, Mc-

Cracken, Oldham, Pike, Shelby, Spencer and Warren.

VINE will notify crime victims of a change in status by e-mail, telephone or both. The system is not automatic. Victims must register to be included. They can do so by calling toll-free at (800) 511-1670. They must know the felony case number.

Victims of crimes already are notified when their offenders are scheduled for a parole hearing and are given the option of either attending the hearing or submitting their comments to the parole board.

VINE Court System is being funded through a federal grant to the Department of Corrections. If the program proves effective and more funds are secured, it will be expanded to include more counties.

■ 16th Annual Competition Shoot



▲ Gary Frodge, Mark Branham and Tim Vinson, part of the Alexandria Pistol Team, stand with their trophies.

The Department of Criminal Justice Training hosted the 16th Annual Charity Competition Shoot on October 6, at the Boonesborough Firing Range. Teams from Alexandria, Frankfort and Bowling Green police departments competed in the shoot. The Bowling Green team with Brett Kreilein and Mike Lemon won the top hon-

ors, keeping possession of the DOCJT Competition Cup. All proceeds were donated through the Kentucky Employee's Charitable Campaign, to Big Brothers Big Sisters of South Central Kentucky. Next year's competition will be held October 4, 2008. Any questions may be directed to DOCJT's Firearms Section at (859) 622-2216.

■ Tamara Thomas, KWLEN Award Winner

Tamara A. Thomas was awarded the KWLEN Special Appreciation Award at the November Kentucky Women's Law Enforcement Network conference. Thomas is the Administrative Section supervisor of the Technical Services Division at the Department of Criminal Justice Training. She received a bachelor's degree in Police Administration from Eastern Kentucky University. With more than 30 years of service to citizens of the commonwealth and the law enforcement community specifically, she has served in a variety of positions at DOCJT. She has represented the DOCJT

in several capacities through volunteer efforts on the local and state level, including serving on the DOCJT administrative support team for the Statewide Drug Control Assessment Summit. She is a continuing supporter of the Kentucky Women's Law Enforcement Network and, along with several departmental employees at DOCJT, is committed to the activities and mission of KWLEN. Thomas also serves in a number of volunteer roles at the First Baptist Church in Richmond. This award is presented to her in recognition of her exceptional performance to the Commonwealth of Kentucky.

■ New State Police Cadets Report For Training



▲ Physical conditioning is a vital part of cadet training throughout the 23-week program.

The Kentucky State Police welcomed cadets to its headquarters in Frankfort on September 9 to begin the agency's first training class in nearly two years. During a 23-week period, the cadets will be challenged both mentally and physically to determine if they have what it takes to become Kentucky state troopers.

"As an agency, we're really excited about this new class of cadets," KSP Commissioner Jack Adams said. "Sixty-three troopers have retired since our last class graduated in December of 2005, so we're eager to replenish our ranks in order to continue our mission of protecting the citizens of Kentucky."

The cadets face a tough road before they can put on the dis-

tinctive campaign hat and gray uniform of KSP. They'll have to complete more than 1,000 hours of classroom and field study.

"Physically, the cadets will have to prove themselves daily," said Capt. Tony Terry, commander of the KSP Academy. "They must repeatedly demonstrate the ability to perform under stressful conditions and successfully overcome adversity."

Due to these mental and physical demands, the attrition rate is high.

"Historically, 20 percent of the cadets drop out before completing their training," he said.

The cadets are tentatively scheduled to graduate on February 25, 2008.

KSP SRT Wins Big At First KTOA Convention



As of 2007, tactical teams in Kentucky have a new outlet for training and information sharing. The Kentucky Tactical Officers Association was formed earlier this year with the motto of "stand as one." The idea behind the association was to form a bridge between tactical teams in Kentucky and surrounding states. There are more than 60 tactical-style teams now operating in Kentucky and their training and proficiency vary greatly. Team sizes fluctuate

from a four-man warrant service team to a 42-man, full-service SWAT team.

The KTOA held its first annual convention on October 3 and 4. The convention was hosted by the Lexington Division of Police and was a good opportunity for networking and information sharing among teams. The first day featured instruction from various agencies and covered important issues such as domestic terrorism, legal updates, lessons learned, and a variety of

other topics.

Day two was a full day of competition and gave each participating team the opportunity to show off its talents at a variety of events. There were four team competitions, which included a speed-shooting competition, a pistol-exertion course and a three-gun challenge. The day concluded with the running of Lexington's 1.2 mile obstacle course. The Kentucky State Police Special Response Team placed first in all four events.

DOCJT Annual Meeting 2007

Amanda Basham was named Instructor of the Year at the Department of Criminal Justice Training's annual meeting held September 5. Basham is a training instructor in the Advanced Telecommunication Section. She was recognized for her effective team member skills and as a communicator in and out of the classroom.

Linda Renfro received the Administrative Staff Person of the Year award. Renfro was cited for her positive attitude and her enjoyment to aid other

staff members in achieving their goals.

The Investigation Section, Facilities Section and the Vehicle Operation Section received the Teamwork Award. These sections worked together to construct eight rooms that are used for simulated crime scenes and are instrumental in the newly developed Kentucky Criminalistic Academy. The team members were acknowledged for their excellent teamwork performance and professionalism in a group effort.

"An array of talented individuals with emphasis on never-ending qualities" was used to describe the Communication Section as they were the recipients of the Commissioner's Award for 2007.

Don Pendleton, director of the Training Support Division, received special recognition for his leadership and service to the Kentucky Law Enforcement Memorial Foundation. Pendleton was instrumental in leading, redesigning and relocating the KLEMF monument.

2008 KWLEN Officers

New Kentucky Women's Law Enforcement Network officers were elected at the November KWLEN Conference. The newly elected officers for 2008 are:

President
Kathy Eigelbach
keigelbach@stmatthews.com

First Vice President
Melanie Watts
melanie.watts@bgky.org

Second Vice President
Jennifer Lube
jlube@lfucg.com

Secretary
Tiua Chilton
trgrit1@email.uky.edu

Treasurer
Sharon Davis
lsedavis@gmail.com

Historian
Jennifer Sandlin
jennifer.sandlin@ky.gov

Eastern Regional Co-coordinator
Pat Aldridge
pat.aldridge@eku.edu

Western Regional Co-coordinator
Donitka Kay
donitka.kay@bgky.org

Central Regional Co-coordinator
Melissa Stephens
melissad.stephens@ky.gov

Northern Regional Co-coordinator
Shari Schwalbach
buffey119@yahoo.com

Chaplain
April Brown
jbrown2@lfucg.com

Important Information and Reminders:

On November 14, 2007, an amendment was passed to the KWLEN by-laws and enacted by vote of the general membership for the purpose of adding the office of Chaplain. Please notify our Chaplain of any deaths, bereavements, injuries, etc.

DOCJT Presents CDP Certificates

/DOCJT Staff Report

The Department of Criminal Justice Training's Career Development Program is a voluntary program that awards specialty certificates based on an individual's education, training and experience as a peace officer or telecommunicator. There are a total of 14 professional certificates, nine for law enforcement and five for telecommunications. The variety of certificates allows a person to individualize his or her course of study, just as someone would if pursuing a specific degree in college.

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

ADVANCED LAW ENFORCEMENT OFFICER

David Boggs, Lexington Division of Police

Larry Casey, Lexington Division of Police

Steven Collingsworth, Boone County Sheriff's Office

Jeffrey Greenfield, Georgetown Police Department

Nancy Huebener, Cincinnati/N. Kentucky Airport Police Department

Matthew Hugenberg, Covington Police Department

John Hunt, Pikeville Police Department

Gregg Jones, Lexington Division of Police

Daniel Kreinest, Fort Wright Police Department

Donald Lunsford, Georgetown Police Department

James McCubbins, Bowling Green Police Department

Paul McDonald, Campbellsburg Police Department

Patrick McQueen, Danville Police Department

Douglas Nelson, Somerset Police Department

Randall Newsom, Fort Wright Police Department

Douglas Pape, Lexington Division of Police

Robert Stack, Lexington Division of Police

Janice Thompson, Berea Police Department

Keith Todd, Lexington Division of Police

Michele Young, Lexington Division of Police

Wesley Thompson, Pikeville Police Department

Monica Woods, Bowling Green Police Department

Jeffrey Greenfield, Georgetown Police Department

Eric Hobson, Lexington Division of Police

John Hunt, Pikeville Police Department

Terry Jacobs, Evarts Police Department

Gregg Jones, Lexington Division of Police

Gwendolyn Kelley, Covington Police Department

Daniel Kreinest, Fort Wright Police Department

George Kreutzjans, Fort Wright Police Department

Donald Lunsford, Georgetown Police Department

John Mairose, Fort Wright Police Department

Daniel Martin, Fort Wright Police Department

James McCubbins, Bowling Green Police Department

Paul McDonald, Campbellsburg Police Department

Mark McDowell, Ashland Police Department

Douglas Nelson, Somerset Police Department

Randall Newsom, Fort Wright Police Department

Timothy Pangallo, Fort Wright Police Department

Doug Pape, Lexington Division of Police

Eddie Pearson, Lexington Division of Police

Mark Spanyer, Fort Wright Police Department

Robert Stack, Lexington Division of Police

Kevin Stivers, Covington Police Department

David Boggs, Lexington Division of Police

Larry Casey, Lexington Division of Police

Steven Collingsworth, Boone County Sheriff's Office

Jeffrey Greenfield, Georgetown Police Department

Eric Hobson, Lexington Division of Police

John Hunt, Pikeville Police Department

Terry Jacobs, Evarts Police Department

Gregg Jones, Lexington Division of Police

Gwendolyn Kelley, Covington Police Department

Daniel Kreinest, Fort Wright Police Department

George Kreutzjans, Fort Wright Police Department

Donald Lunsford, Georgetown Police Department

John Mairose, Fort Wright Police Department

Daniel Martin, Fort Wright Police Department

James McCubbins, Bowling Green Police Department

Paul McDonald, Campbellsburg Police Department

Mark McDowell, Ashland Police Department

Douglas Nelson, Somerset Police Department

Randall Newsom, Fort Wright Police Department

Timothy Pangallo, Fort Wright Police Department

Doug Pape, Lexington Division of Police

Eddie Pearson, Lexington Division of Police

Mark Spanyer, Fort Wright Police Department

Robert Stack, Lexington Division of Police

Kevin Stivers, Covington Police Department

David Boggs, Lexington Division of Police

Larry Casey, Lexington Division of Police

Steven Collingsworth, Boone County Sheriff's Office

Jeffrey Greenfield, Georgetown Police Department

Eric Hobson, Lexington Division of Police

John Hunt, Pikeville Police Department

Terry Jacobs, Evarts Police Department

Gregg Jones, Lexington Division of Police

Gwendolyn Kelley, Covington Police Department

Daniel Kreinest, Fort Wright Police Department

George Kreutzjans, Fort Wright Police Department

Donald Lunsford, Georgetown Police Department

John Mairose, Fort Wright Police Department

Daniel Martin, Fort Wright Police Department

James McCubbins, Bowling Green Police Department

Paul McDonald, Campbellsburg Police Department

Mark McDowell, Ashland Police Department

Douglas Nelson, Somerset Police Department

Randall Newsom, Fort Wright Police Department

Timothy Pangallo, Fort Wright Police Department

Doug Pape, Lexington Division of Police

Eddie Pearson, Lexington Division of Police

Mark Spanyer, Fort Wright Police Department

Robert Stack, Lexington Division of Police

Kevin Stivers, Covington Police Department

David Boggs, Lexington Division of Police

Larry Casey, Lexington Division of Police

Steven Collingsworth, Boone County Sheriff's Office

Jeffrey Greenfield, Georgetown Police Department

Eric Hobson, Lexington Division of Police

John Hunt, Pikeville Police Department

Terry Jacobs, Evarts Police Department

Gregg Jones, Lexington Division of Police

Gwendolyn Kelley, Covington Police Department

Daniel Kreinest, Fort Wright Police Department

George Kreutzjans, Fort Wright Police Department

Donald Lunsford, Georgetown Police Department

John Mairose, Fort Wright Police Department

Daniel Martin, Fort Wright Police Department

James McCubbins, Bowling Green Police Department

Paul McDonald, Campbellsburg Police Department

Mark McDowell, Ashland Police Department

Douglas Nelson, Somerset Police Department

Randall Newsom, Fort Wright Police Department

Timothy Pangallo, Fort Wright Police Department

Doug Pape, Lexington Division of Police

Eddie Pearson, Lexington Division of Police

Mark Spanyer, Fort Wright Police Department

Robert Stack, Lexington Division of Police

Kevin Stivers, Covington Police Department

David Boggs, Lexington Division of Police

Larry Casey, Lexington Division of Police

Steven Collingsworth, Boone County Sheriff's Office

Jeffrey Greenfield, Georgetown Police Department

Eric Hobson, Lexington Division of Police

John Hunt, Pikeville Police Department

Terry Jacobs, Evarts Police Department

Gregg Jones, Lexington Division of Police

Gwendolyn Kelley, Covington Police Department

Daniel Kreinest, Fort Wright Police Department

George Kreutzjans, Fort Wright Police Department

Donald Lunsford, Georgetown Police Department

John Mairose, Fort Wright Police Department

Daniel Martin, Fort Wright Police Department

James McCubbins, Bowling Green Police Department

Paul McDonald, Campbellsburg Police Department

Mark McDowell, Ashland Police Department

Douglas Nelson, Somerset Police Department

Randall Newsom, Fort Wright Police Department

Timothy Pangallo, Fort Wright Police Department

Doug Pape, Lexington Division of Police

Eddie Pearson, Lexington Division of Police

Mark Spanyer, Fort Wright Police Department

Robert Stack, Lexington Division of Police

Kevin Stivers, Covington Police Department

David Boggs, Lexington Division of Police

Larry Casey, Lexington Division of Police

Steven Collingsworth, Boone County Sheriff's Office

Jeffrey Greenfield, Georgetown Police Department

Eric Hobson, Lexington Division of Police

John Hunt, Pikeville Police Department

Terry Jacobs, Evarts Police Department

Gregg Jones, Lexington Division of Police

Gwendolyn Kelley, Covington Police Department

Daniel Kreinest, Fort Wright Police Department

George Kreutzjans, Fort Wright Police Department

Donald Lunsford, Georgetown Police Department

John Mairose, Fort Wright Police Department

Daniel Martin, Fort Wright Police Department

James McCubbins, Bowling Green Police Department

Paul McDonald, Campbellsburg Police Department

Mark McDowell, Ashland Police Department

Douglas Nelson, Somerset Police Department

Randall Newsom, Fort Wright Police Department

Timothy Pangallo, Fort Wright Police Department

Doug Pape, Lexington Division of Police

Eddie Pearson, Lexington Division of Police

Mark Spanyer, Fort Wright Police Department

Robert Stack, Lexington Division of Police

Kevin Stivers, Covington Police Department

David Boggs, Lexington Division of Police

Larry Casey, Lexington Division of Police

Steven Collingsworth, Boone County Sheriff's Office

Jeffrey Greenfield, Georgetown Police Department

Eric Hobson, Lexington Division of Police

John Hunt, Pikeville Police Department

Terry Jacobs, Evarts Police Department

Gregg Jones, Lexington Division of Police

Gwendolyn Kelley, Covington Police Department

Daniel Kreinest, Fort Wright Police Department

George Kreutzjans, Fort Wright Police Department

Donald Lunsford, Georgetown Police Department

John Mairose, Fort Wright Police Department

Daniel Martin, Fort Wright Police Department

James McCubbins, Bowling Green Police Department

Paul McDonald, Campbellsburg Police Department

Mark McDowell, Ashland Police Department

Douglas Nelson, Somerset Police Department

Randall Newsom, Fort Wright Police Department

Timothy Pangallo, Fort Wright Police Department

Doug Pape, Lexington Division of Police

Eddie Pearson, Lexington Division of Police

Mark Spanyer, Fort Wright Police Department

Robert Stack, Lexington Division of Police

Kevin Stivers, Covington Police Department

David Boggs, Lexington Division of Police

Larry Casey, Lexington Division of Police

I'M LOVIN' IT

Jerry Healy loves giving back to the community, including the Kentucky Law Enforcement Memorial Foundation

/Abbie Darst, Program Coordinator

A successful and passionate businessman, Gerald Healy II has made a name for himself across central Kentucky through more than just the 14 McDonald's franchise restaurants he owns and operates. Healy is a community and civic leader with a heart and compassion for people. His business motto, "To exceed the customers' expectations," seems to filter into his approach to life in general. Through his support and guidance as a member of the Legion of Highest Commendation and board of directors with the Kentucky Law Enforcement Memorial Foundation, Healy has been crucial to the success of the fund and to the memorial itself, which was recently expanded and relocated. In addition to his work with KLEMF, he is a strong supporter of many charitable organizations, including the Ronald McDonald House. Healy has been married to his wife, Sarah, for 46 years and he has four children and numerous grandchildren.

What sparked your interest in the McDonald's franchise?

Prior to McDonald's, I was in hospital administration in Madison, Wisconsin, a 350-bed hospital. I had always wanted to own my own business, and I knew that I would never own my own hospital. I'd been in the hospital business for 10 years, five as a management consultant and then five working in administration in Madison. My brother-in-law had gotten a McDonald's in 1973 in Columbus, Indiana and he told me about it and said, 'It's great and with your management background and your community involvement, you're exactly what McDonald's needs.' So my wife and I went down to his restaurant, in Columbus, which is south of Indianapolis, and I spent a long weekend there cooking hamburgers, making shakes and mopping the floor. I found that I just loved it –working with the kids – and so I got back up to Madison and wrote to McDonald's Corporation. They sent me an application and one thing led to another and here I am. I was 38 and, at the time everyone thought I was crazy because I had somewhat of a prestigious position in the hospital field and McDonald's, 33 years ago, was not what it is today. I mean, it was just a hamburger place and it was just starting to break through the surface of becoming a national brand. It was still a little shaky at that time. Everybody thought I'd lost my mind leaving a prominent position to go cook hamburgers – they were wrong

How many McDonald's do you own and where are they located?

Our first was in Winchester, which opened April 23, 1974. We also have two in Mount Sterling, one in Owingsville, two in Morehead, three in George- >>



/Photos by Elizabeth Thomas

>> town, Paris has one, Cynthiana has one, Falmouth has one, and Jackson and Stanton each have one. Now, I did have a total of 14 and I still do in a sense, but my son, Kelly, has two of those and my son-in-law Randy has two of those that had been mine. I plan to transfer all of them someday, when I get to the point when I want to retire.

What aspect do you most enjoy of owning these McDonald's franchises?

I would have to say that it's people, whether it's the little 3 year old in the lobby eating her happy meal or over at the nursing home talking to someone there on her birthday who's 90 years old. The spectrum goes from a 3 year old to a 90 year old and we deal with all groups of people, from the mayor to the high school maintenance person. When people come into McDonald's, we don't care whether they're the mayor or the governor or who they are, we show them all respect. We work with senior citizens, we work with high schools, we work with grade schools and it's just neat that you get to see every facet of life – people that are old, people that are young, people that are wealthy, people that are on welfare. And it's neat that you have an opportunity to have such a span of dealing with, working with and being friends with such a wide group of people.

What is it that you spend the majority of your time doing?

I'm slowing down. I moved to chairman of the board about four years ago and elevated my son up to president of all the restaurants and my son-in-law, Randy Mason, to executive vice president, and that gave me time to slow down and do what I want and pick and choose what meetings I want to go to.

I'm out visiting restaurants as much as I can with Kelly, Randy, Jim Bennett and other people that are key. And I go to meetings – a whole lot of different things. We have 1,000 employees, so we really are in the people business, whether it's behind the counter or in front of the counter, we're dealing with people all day long. It's interesting, every one of our employees either has a mother or

father or a husband or wife who is interested in their job, so if we hire one person, we're getting two, three or four in the package deal whose interested in their wife's job or their husband's job – why couldn't they do this or why didn't they get that. So we have a wide gate of people we deal with in the employment circle as well.

Has being involved with McDonald's made it easy for you to be involved in local communities? In what ways?

Very much so. McDonald's has always had a philosophy, for 50 some years, to give back to the community. And this started in February of 1974, for me, when I got to Winchester two months before the restaurant opened up. I then started to get involved in the community and went to certain meetings. I went to the Chamber of Commerce and introduced myself and tried to meet and become involved with as many people as possible before I even opened the restaurant. That's McDonald's huge, huge philosophy is to give back to the community, whether it be time, money, or whatever it is, to say thank you for the things that they've given to you. And that's what I do. All of our management people do it, our support staff, my son and my son-in-law, the other officers in the corporation are all very, very involved. Whether it is Little League or the church choir or whatever it is, they're involved.

Why have you chosen to be so supportive of Kentucky law enforcement and the Kentucky Law Enforcement Memorial Foundation?

I just have tremendous respect for police officers, for law enforcement officers, whatever area they might be in, and I have the same feeling for firefighters. These are two categories that are so important to our community and taking care of us, our children and grandchildren and yet, my opinion is, they are so little appreciated. I think we should put them where they belong and that's at the top of the pyramid. When I became involved with the group in Richmond, it gave me a great deal of satisfaction and, in a sense, my dreams as a little boy of 5 years old and people asked me what I wanted to be, I said a policeman, and now I have many friends in law enforcement. I didn't make the cut, but at least I know a lot of people that did, and I enjoy it very, very much helping and working with them. I also do what I'm doing with the foundation because of John Bizzack. I've known John and Carole for years. I've thought the world of them, and when he asked me to get involved I said I'd be happy to. And, then, it's like putting one toe in the swimming pool. I can't do that. If I'm going to put a toe in the swimming pool, I've got to jump into the whole thing right in the middle. When John asked

me to do it, I think so much of him as an individual and as a friend that I decided to do it. What I do today with the Kentucky Law Enforcement Memorial Foundation and what I do in the future is a direct result of my friendship, respect and admiration for John Bizzack.

How do you feel about the new memorial location and the work that was done to expand and relocate the monument?

I think it is awesome. Relocating the memorial was very, very essential. It gives us more room unfortunately or fortunately. I wish we didn't have a need for room, but we do and it's more accessible to the public. It stands out and it's just something that everyone involved is very, very pleased with.

How much say did the board have in the relocation, design and look of the monument?

Don Pendleton and his crew came up with guidelines and recommendations. They were presented to the board and the board gave its input, thoughts and direction. From that, there was board approval given to the project. But Don, Larry Ball and a whole lot of other people – Herb Bowling – they were the quarterbacks, they were the architects for that program and the board just supported their efforts. We gave some input, but they certainly were the ones who were calling the plays and getting the job done.

In addition to KLEMF, you support various charities and community outreach programs. Why do you feel this involvement is so important and which organizations are you the most passionate about serving/helping?

Well when it comes specifically to law enforcement and these officers that have lost their lives, anything that we can do for their families, which we can never fill that void, but if we can soften it, or cushion it a little bit and help them along the road, I feel a need to do it – I want to do it. The same thing applies to the Markey Cancer Center at the University of Kentucky. I have done some things with them from time to time, and they're in need of research for cancer. There are people that need certain things and if I can work with an organization that can help fill those needs, I do. I'm active with the Ronald McDonald House in Lexington. I'm a charter member, as well as a lifetime member of their board and they fill a tremendous need as well. They take care of those people that have a family member at one of Lexington's hospitals. The family can stay at the Ronald House versus sleeping on the floor in the waiting room or sleeping in their car or their truck for a week or two weeks or three weeks while their child

is being treated. We now have the Ronald House there and it's a home away from home.

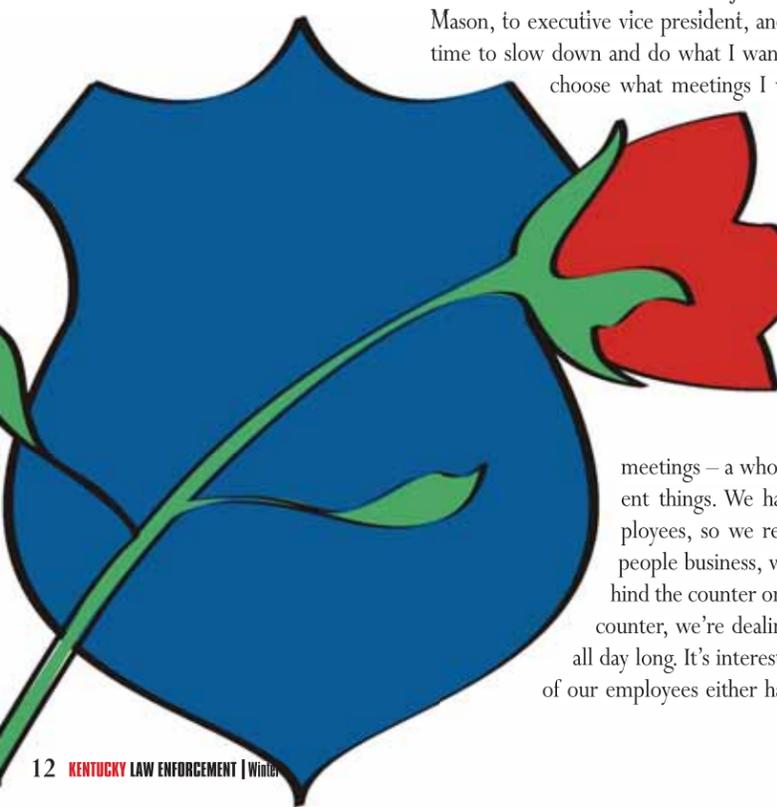
Specifically, how have you been involved with the Ronald McDonald House?

A group of female community leaders in Lexington approached some of the owner/operators in the area and said, 'We know that you've thought of the Ronald House, we've thought of it too and would like to join forces and move forward in the possibility of building one.' They did an unbelievable job – the ladies who spearheaded it. I can honestly say that if it hadn't been for that group of women, we probably would not have a Ronald McDonald House here today. The group that spearheaded it, with the owner/operators, has just done a wonderful thing and it still is today – they're still involved.

“ I just have tremendous respect for police officers, for law enforcement officers, whatever area they might be in, and I have the same feeling for fire fighters. ”

You and your family have traveled around the world. What are some of the most memorable moments and places you have visited?

My most favorite would probably be the opportunity to take all the children and grandchildren around the world. The highlight was Rome and having an opportunity to see the Holy Father at that time and for the children to see him – Sarah and I had seen him before – but to have the children and grandchildren see him and to be able to arrange for our son and daughter to have an audience with him. The second highlight of that probably would have been to see the Olympics in Australia that year. After Rome we went to China then went to Australia. It was neat to see the Olympics there, to see all the countries of the world in a hundred square miles and watch these people interact, and watch these people talk and compete and go over and congratulate the winner, even though they may have lost by 10 links or whatever it was, they still went and congratulated them. Or the winner went and congratulated the one >>





>> who was second, third or fourth. And to me, that is fantastic to see, this type of relationship between people of the world, first, and then secondly, competitive people of the world. The next one was probably China. China was interesting to all of us because it was so much different than what the grandchildren had ever seen. The language was different, the appearance of the people was different. Their clothing was different. Their food was surely different. I'm not much for raw fish; I call it bait where I come from. Either way, the kids loved it. We were gone about five weeks altogether. Eleven of us took the trip. That was in 2000. Then two years later we went to the winter Olympics in Salt Lake City. It was a great opportunity. I just like watching people, looking at people and listening to them.

What types of activities do you and your wife, Sarah, enjoy in your down time?

Traveling is a hobby, and we truly enjoy it. We take the children with us as much as possible whether for a weekend or a week. Secondly, Kentucky basketball takes a lot of our time, for Sarah, me and for the whole family. Basketball is a hobby and, as everyone has said, a way of life in Kentucky. Is there life after basketball? I don't know. But I sure hope there's a basketball court in heaven if I get up there. It's great – we enjoy it, we've been involved in it for many, many years. We were involved in the basketball program all the way back to Joe Hall. And now up to today to Billy Clyde, and it's just fantastic. Tubby was a very dear friend – a very, very, very good friend. We knew him and Donna when they were here as assistants and then he came back as head coach. I hated to see Tubby leave Kentucky, but I personally felt it was the best thing for him.

If you could offer one piece of advice to anyone, young or old, on how to lead a successful, rewarding life, what would it be?

I've been asked that question in the past 15, 20, 25 or 30 times. What is the one factor that might have the greatest impact in your personal life, your community involvement, your business or whatever it may be? If I had to select one word, which I have done in the past, I think that would be passion. John Kennedy had a passion for politics. Norman Vincent Peale had a passion for communications. Vince Lombardi of the Green Bay Packers had a passion for football. I hope and think I have a passion for people. Whether it's laughing, joking and being around them, or whether it's helping someone. It's just as important to help an elderly lady across the street as it is to sit down and talk and visit with them at lunch. I think we all have so much to give in our lifetime, and I don't mean to be preaching, but whatever you do, develop a passion for it. If it's to be the best high school quarterback, then work at it, work at it, work at it. Don't neglect your studies – but develop a passion for whatever it is. Passion to me is an all-encompassing word that describes so many things of success. I have a passion for McDonald's. In the same way I have a passion for Kentucky basketball. I have a passion for my family. Without my wife, Sarah, I wouldn't be where I am today. She was behind me all the time and beside me all the time and because of her enthusiasm and support, we are where we are today – wherever that is. We've been married 46 years. I'm the luckiest guy in the world. How she's put up with me all that long is unbelievable. She's wonderful. J

▲ DOCJT Commissioner John Bizzack; Don Pendleton, KLEMF board member; Jerry Healy; and Larry Ball, KLEMF executive director in front of the Kentucky Law Enforcement Memorial in Richmond.

■ Training Instructor Tom Blankenship leads the pack of 114 motorcycles and their 149 riders in the 5th Annual Blue Knights Memorial Motorcycle Ride. The ride, which raised \$4,337 for the Kentucky Law Enforcement Memorial Foundation, was held September 8, 2007. An article on the KLEMF annual memorial ceremony is on page 56.

PROFILE BIO

ROBIN WHITAKER

Robin Whitaker was born and raised in Richmond. After graduating from Madison Central High School, she began working at the Begley Drug Company as assistant to the Warehouse manager. Whitaker left the Begley Drug Company four years later to be a stay-at-home mom. After two years, she accepted a part-time position with Madison National Bank as a teller. During her career at the bank, she was promoted to loan teller and secretary to the manager of the loan department. She also enrolled in the American School of Banking. After six years, a larger bank corporation bought the bank and the loan department was moved to Louisville. Whitaker was left without a job. Two months later, she was employed by the Department of Criminal Justice Training and has been working there 17 years. She married her high school sweetheart, Steve, and they have two sons, John, who is a safety specialist at Toyota Motor Manufacturing and Jacob, who is a junior at Eastern Kentucky University majoring in asset protection.



/Photo by Elizabeth Thomas

Robin Whitaker

Who has been your most positive influence during your career?

There have been many who have been positive influences during my career at DOCJT. I owe so much to several people, especially early in my career. I would like to take this opportunity to thank Linda Renfro, Tamara Thomas, Harold Mason, Pat West, Jan DeSloover, Mary Amster, Judy Martin and Jane Powell Long for sharing all their insight and expertise in helping me develop the knowledge and skills I have today. I am especially indebted to Jane Powell Long. My father used to say that you could learn a great deal from a person through their actions and treatment of others. Through Jane's actions, I have learned to treat our clients with respect, patience and kindness. I can only hope that I am passing these actions on to others.

If you were running an image campaign involving DOCJT employees, what would be your number one focus and why?

Teamwork! That is the component that keeps DOCJT working like a well-oiled machine. It takes all of us doing our jobs plus the willingness and ability to step in when and where needed to successfully fulfill the goals of our agency. I can truthfully say that each and every employee at DOCJT possesses the desire to pull together his or her skills and knowledge to complete each task. We have such a wonderful work environment, and it is a joy to work with these great people.

What has been the highlight of your career at DOCJT or the most rewarding experience?

The highlight of my career, which is also my most

rewarding experience, is the sense of pleasure I get in knowing I have helped our clients. I love helping people, whether it is work related, family related or even helping someone find an item at Wal-Mart. Chiefs and training directors will call with a dilemma or a training need, and being able to provide them with a solution, well, that's a pretty good feeling.

How long have you worked in registration, and what do you do?

I have worked in registration for 15 years. I register recruits for Basic Training classes and, along with Wanda Mason, register law enforcement personnel for their annual in-service classes. I also fill in at the switchboard when needed.

What is the most rewarding part of your job?

Oh, definitely the camaraderie I share with chiefs and training directors. I love these people! I truly feel like we share a friendship. We talk about our families, hobbies (and no, the golf game is not getting much better), and we share our faith. When my father passed away two years ago, their cards and e-mails of encouragement were such a blessing to me. I like to think that I have the best job in the agency, working directly with law enforcement personnel across the state.

How do you like to spend your time when you are away from DOCJT?

I love spending time with my family. My husband Steve and I have two sons, John, 25, who is married to Jessica, and Jake, 22, and our 4-year-old black Lab, Jack. My husband and sons love to play golf and, well, they are patient with me while I am learning. My daughter-in-law is considering learning the game, and I hope she does. I also love to walk, Jack, every evening although some like to say that he walks me! I really just enjoy being with my family and doing whatever we can together. J

- ▶ Whitaker family pet, Jack.
- ▼ Robin and Steve Whitaker on vacation at Calabash, North Carolina.
- ▼ Whitaker's son John and his wife Jessica and other son Jacob.





ROAD WARRIORS

/Abbie Darst, Program Coordinator

Traffic is heavy on Interstate 65 coming out of Louisville. It is just after 5 p.m. as travelers, commuter and commercial, flood the interstate, tired and in a hurry to reach their destinations. Few notice a Cessna 172 circling high above, looking down on the typical Friday afternoon commotion. The plane's on-board observer urges the pilot to keep close track of a semi truck that seems to be weaving dangerously in and out of the congestion below. As brake lights flash, tires screech and horns blare, the plane observer radios a warning to a nearby Kentucky Vehicle Enforcement officer on the ground who issues a citation.

Another truck whizzes past one of KVE's unmarked Dodge Magnums, a specialized K-9 unit, and he leaps into hot pursuit. After nearly a mile, the semi finally lurches to a halt on the shoulder. The KVE officer and black Labrador exit their vehicle with caution. As the officer asks for the trucker's license and commercial papers, the K-9 begins responding to the truck's front tire, scratching furiously at the enormous chrome rim. Immediately, the officer calls for back-up and orders the driver from the truck. After a thorough search of the semi, officers find nearly 500 pounds of marijuana stashed in various locations throughout the truck. The combined efforts of this force have made for a very productive day.

Few agencies in the commonwealth have the resources to carry out the complicated interdiction in the scenario above, but in recent years the Department of Kentucky Vehicle Enforcement has raised the bar on department collaboration, service and state security as its officers patrol the highways and byways across Kentucky.

KVE has been a part of Kentucky's law enforcement services since 1950, but in June 2004 KVE transitioned from a division in >>

Photos by Elizabeth Thomas

>> the Transportation Cabinet to its own department in the Justice and Public Safety Cabinet. Soon the department began to be recognized statewide.

“There is an expectation of our professionalism,” said KVE Maj. Jeff Heady, who has served with the department for 23 years. “When I started in 1984 we were just checking trucks at weight facilities. Now we have expanded to being recognized as one of the premier commercial vehicle enforcement agencies in the nation.”

Heady credits that increased professional expectation to becoming part of a cabinet that supports law enforcement.

commercial vehicles with cars.”

And with that function and purpose clearly understood by each of the department’s 173 officers, KVE is one of few agencies in the state that has had few issues in recent years in recruiting and retaining qualified officers, Howard said.

“When I arrived in 2004, there were 70 people on the state register who were interested in becoming a KVE officer,” Howard said. “In our most recent hiring process, there were more than 500 men and women on that same state register. I believe that our specialized function, recruiting efforts and some of the recent endeavors to im-

“ There is an expectation of our professionalism. We went from ... just checking trucks at weigh facilities, and now we’ve expanded to actually one of the premier commercial vehicle enforcement agencies in the nation. ”

“We are now recognized as police officers,” he said. “Under the leadership of Commissioner [Greg] Howard, we have been given so many opportunities for training”

KVE officers have to meet the Peace Officer Professional Standards just like any other Kentucky law enforcement officer.

KVE’s mission is to encourage and promote a safe driving environment through education and safety awareness while enforcing state and federal laws and regulations, placing special emphasis on commercial vehicles, according to their Web site.

“Our primary mission is commercial vehicle enforcement and regulation – 99 percent of what we do is on the highways,” Howard said. “However, that also involves the interaction of

prove the overall atmosphere in the department have contributed to this significant increase.”

Others on the KVE staff agree that there are numerous reasons for the department’s success in this usually difficult area.

“Everybody here has a professional attitude, everybody works well together,” said Bobby Clue, KVE public information officer. “There’s a community feel at the local level between the posts. It’s just a real positive, local community feel between the different regions and everybody interacts and works very well together.

“A lot of agencies are very large and overwhelming to a brand new police officer,” Clue continued. “But they come here, and they are welcomed



with open arms, and it’s a very family-oriented atmosphere.”

But perhaps more than all these attributes, KVE’s accreditation in November by the Commission on Accreditation for Law Enforcement Agencies defines the level of professionalism obtained by the department in recent years.

“Up front we recognized accountability,” said David Herald, KVE’s accreditation manager. “The process allowed our agency the opportunity to self evaluate and to look at the agency in all areas. And in doing that, it gave us the opportunity to identify our strengths and more importantly our weaknesses. CALEA provided us the opportunity to do that.”

In the recommendation for accreditation after the on-site evaluation, CALEA’s assessors highlighted KVE’s extensive use of technology to aid officers and improve the speed and quality of the information and service provided to their clientele.

From the mobile data terminals in each vehicle, making the department nearly paperless, to the newly implemented barcode evidence-tracking system, KVE’s technology is a huge benefit both for its officers and for the other entities to which it provides information.

“The biggest benefit for KVE is the quality of the data that is collected from the field directly into the computer,” KVE Deputy Commissioner David Leddy said. “Most data collected is uploaded to federal commercial vehicle safety systems so it has to be right. Federal safety ratings of motor carrier businesses depend on the data we put in there and the federal government places great emphasis on the quality of data entered into their systems.”

In addition to data collection, MDTs allow officers to write citations and produce crime reports, safety inspections, intelligence reports and collision reports electronically. The electronic transmission of these reports allows for more timely availability of the information to the agency and the public, with considerable savings in data-entry costs.

The availability of new technology is only one of the advantages KVE officers receive.

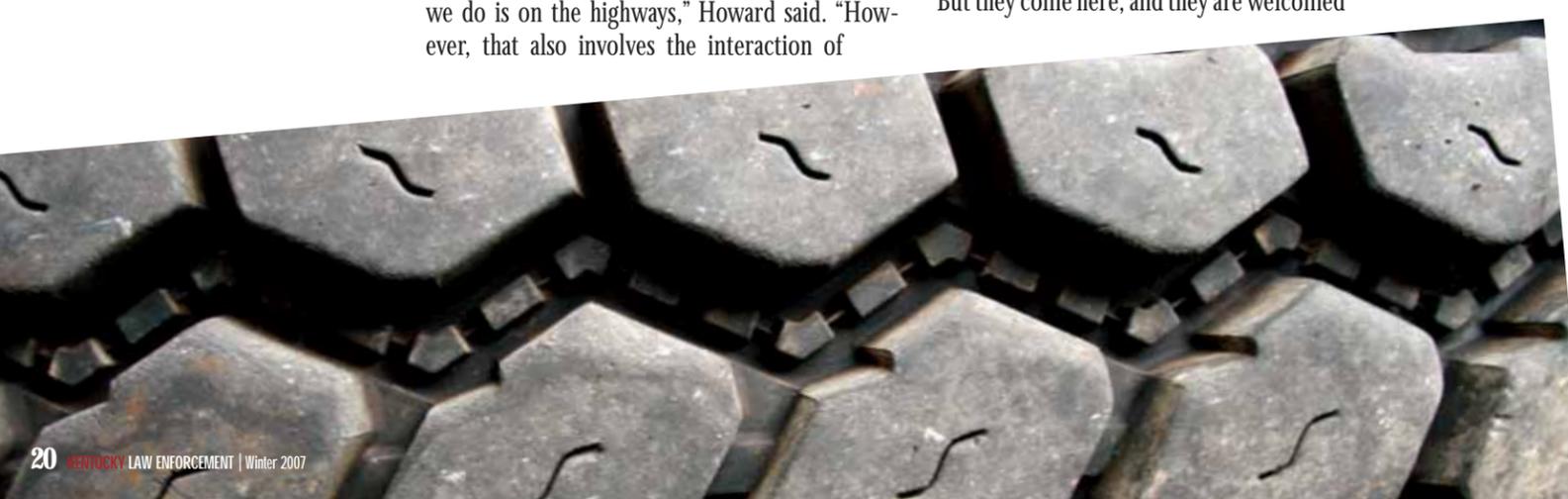
“Technology improvements have definitely made a difference,

but, I believe we have to do more than just provide good equipment, excellent training and decent salaries, Howard said. “We have to know our employees. For me, understanding the people who work for me and making sure that they know we support them in every aspect of their lives promotes a work environment that produces tremendous results. Do I think they deserve more money? Absolutely, but it’s not all about money.”

KVE makes strides to be a well-trained agency in all areas, >>>



▶ KVE implemented a Bar Coded Evidence Analysis Statistics and Tracking system or BEAST in its newly renovated evidence room. The box to the right shows how new evidence is labeled in the evidence room.





KVE COMMISSIONER, GREG HOWARD

Appointed in January 2004, Greg Howard's experience includes a distinguished career in law enforcement. He is a retired captain of the Lexington Division of Police and worked at the Department of Criminal Justice Training from 1996 to 2003. Howard served in several capacities at DOCJT including law enforcement instructor, basic training supervisor and training support and operations director. Howard received a bachelor's degree in Criminal Justice/Police Administration in 1990 and a master's degree in loss prevention and security in 2003, both from Eastern Kentucky University. He is also a graduate of the FBI National Academy Class 164. He is a past president of the Kentucky Law Enforcement Memorial Foundation and a founding member. He is also a member of the international and Kentucky associations of chiefs of police, National Academy Association, Kentucky Criminal Justice Council, Governor's Executive Highway Safety committee and the Governor's Executive Committee on Homeland Security. Greg is married to Keene Howard. They have two grown children, Jason Howard and Shannon Hager. They also have two grandchildren, Cade and Jack. ■



>> especially leadership. All new first-line sergeants attend the Department of Criminal Justice Training's Academy of Police Supervision and numerous individuals have completed the Criminal Justice Executive Development program. In 2007, KVE also had its first graduate of the FBI National Academy. Moreover, KVE pays for officers to finish college degrees, bachelor and master, and currently has an individual working toward his doctorate.

"We require either 54 hours of college or two years of law enforcement, military or inspector experience to qualify for the register," Howard emphasized.

An educational requirement is just one way that KVE encourages

officers to meet a high standard across the board.

"We have problems, we have issues, but we address them quickly and the troops like that," he said. "Police officers should be held to a higher standard. If you're going to be a police officer then you have to be different.

"I often tell the officers that if they will put God first and family second, other parts of their personal lives will fall into place." Howard continued. "We can equip and train them to be professionals, but personal character comes from within and I believe people in law enforcement must be people of character."

KVE has also seen a lot of success in recent years in its Special Operations Division and other special programs the department has implemented to better serve the public. Only 10 officers make up KVE's Special Operations Division, but their accomplishments in criminal and drug interdiction and their K-9 unit are impressive.

With criminal interdiction as their main focus, according to Lt. Greg Jenkins, commander of special operations, the division concentrates on the commercial aspect of interdiction. They participate in numerous blitzes across the state, as well as a tri-state blitz with bordering states, pulling a variety of people from various regions and concentrating them in a particular highway corridor for three days.

Some of these blitzes result in large drug seizures, and recently, Sgt. Tony Wilson was involved in catching two murder suspects from North Carolina with the alleged murder weapon on an interdiction stop.

Wilson is one of four K-9 officers within the Special Operations Division.

"Some of our largest seizures involve the dogs," Wilson said, citing two cases where a K-9 helped find 1,400 pounds of marijuana and 51 kilograms of cocaine. "They are a very good tool."

Wilson has served with the KVE K-9 unit for 11 of the 17 years it has existed, and his black Labrador, Ben, has been with him for six

years. Labradors and Belgian Malnois are the two types of dogs that KVE uses in its K-9 unit.

"It's unique working with dogs and trucks," Jenkins said. "It takes special dogs and size is a big option for us. We have to have a good frame on a dog."

Another unique aspect of KVE's K-9 unit is the fact that they do all of their own training. Jenkins and Wilson have been trained through U.S. Customs, and KVE's dogs and handlers are trained together in an 8-week academy. In addition, they certify annually through the United States Police Canine Association, the largest and oldest active organization of its kind.

"It's easier to train the two together and it produces a much more efficient team," Jenkins said.

KVE's officers are assigned a dog like they are their car, gun or other state property, with property numbers, Wilson said. Though the dogs live with their handlers, there is a line drawn that keeps them a working service dog, not just another family pet.

Outside of their Special Operations Division, KVE has other programs that set them apart. One of KVE's newest programs targets the aggressive behaviors of cars and trucks on the highways, one of only five such programs funded by the Federal Motor Carrier Safety Administration. The Ticketing Aggressive Cars and Trucks or TACT program was kicked off in September. It focuses enforcement efforts in two of Kentucky's most dangerous interstate corridors where a large number of commercial motor vehicle and passenger vehicle collisions occur. The program involves a public information campaign, and enforcement of violations such as excessive speeding, improper lane

changing, reckless driving, and not leaving sufficient space around all vehicles.

"It's not a vehicle, but a driving behavior that we are targeting," said Thad Sullivan, KVE's TACT grant coordinator. "If drivers would look at speed in terms of velocity, they're not gaining that much distance by speeding. So the gain is minimal, but the risk is phenomenal. And it's not just about the safety of that car or truck - when trucks are involved in collisions, there is a domino effect that locks up the highway for hours sometimes."

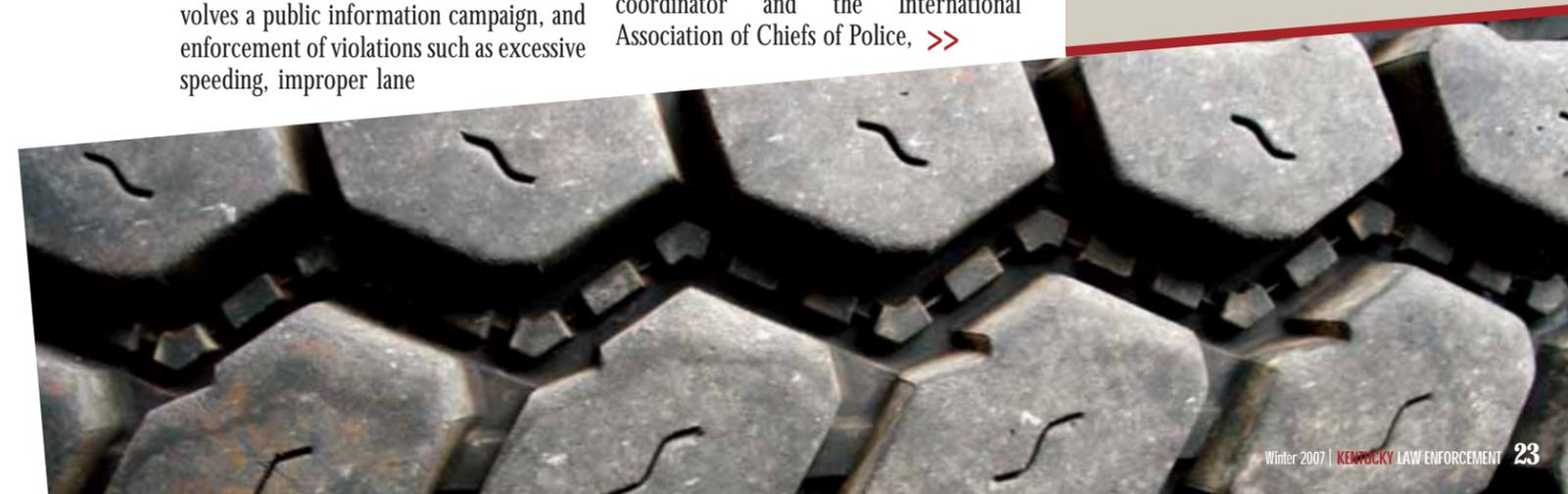
KVE plans to run the TACT program through September 2008. At the program's conclusion, they will have crash analysis data to see if it actually made a difference in the number and severity of collisions in the two targeted corridors in Louisville on I-65 and on I-75 in Boone and Kenton counties. Other police agencies partnering with KVE in this effort include the Kentucky State Police, Louisville Metro Police Department, and Boone County Sheriff's Office.

As the TACT program looks at aggressive and potentially dangerous driving habits, KVE is also tackling another deadly trend that is becoming more and more prominent across the state. In 2006, 12 KVE officers participated in Kentucky's first Drug Recognition Expert training class. Originating in Los Angeles, California, the DRE program has primarily been used in the western United States to combat the rising number of DUI arrests where the influence of drugs, not alcohol, causes impairment.

Working closely with DOCJT's Daryl Cook, the state DRE program coordinator and the International Association of Chiefs of Police, >>



◀ Sgt. Tony Wilson and his K-9, Ben, demonstrate how KVE canines search large commercial vehicles for illicit materials. KVE only uses Labradors and Belgian Malnois at the agency because of their strong, sturdy frame.





>> KVE helped begin this training in Kentucky. To date there have been 33 KVE officers trained, as well as 20 officers from the KSP and 47 other men and women representing agencies across the state.

Though the trends started in the west, Kentucky is no stranger to these cases. Of the nearly 4,800 collisions in Kentucky that resulted in DUI arrests in 2006, drugs were involved in more than 20 percent, leading to 39 deaths and 972 injured persons, according to the 2006 Kentucky Crash Data report. Moreover, KSP labs report that 63 percent of DUI cases test positive for drugs. These numbers, coupled with the fact that Kentucky leads the nation in prescription drug abuse, shows the extensive need in the commonwealth for enforcement intervention.

KVE Capt. Phillip Frazier said the success of the program depends on the aggressiveness of the officer in not just apprehending, but also following through with prosecution of offenders. As a matter of fact, every officer must receive a nomination from a

local prosecutor to be admitted into the DRE program as a DRE nationwide standard.

"Making a good arrest is only half the battle – prosecution is the other half," Frazier said. "They have to demonstrate that they have the ability to testify effectively in drug impairment cases."

More than demonstrating good prosecution skills, candidates for the DRE program must have the drive to specialize in the field of drugged and intoxicated drivers. The class is very difficult with frequent updates and recertification, Frazier said.

"As DRE officers, we provide evidence, like a crime scene investigator, for the officer who has made the arrest," Frazier said. "The misconception is that if a DRE officer is called in to assist with a drug-impaired driving arrest that we will take over the arrest. That's not true. We help the officer gather evidence that will help that officer to prosecute the case in court."

And as the agency with the most trained DRE officers in the state, KVE offers its services to other agencies as well.

"As a state agency, we've tried to select people throughout the state where, geographically, we have someone to assist no matter where in the state they are located," Frazier explained. "This is not just a KVE prosecutorial program, this is for any agency."

In August 2005, KVE, along with the Kentucky Transportation Cabinet, Oak Ridge National Laboratory and the Kentucky Transportation Center at the University of Kentucky, implemented an Integrated Safety and Security Enforcement System using funding from the Federal Intelligent Transportation Systems and Kentucky Office of Homeland Security grants.

ISSES includes a radiation detection system, a license plate reader, an infrared brake monitoring system, an integrated user interface and a chemical detection unit. These features were added to three Kentucky weigh stations to detect radioactive material for safety and security, quickly and accurately identify commercial vehicles and improve the vehicle inspection process. The first one was placed in Laurel County on I-75, and the others are located in Simpson County on I-65 and Kenton County south of Cincinnati. A tactical team is being assembled that will provide an effective, immediate response to contain and control any radiological materials found during a scan.

"In the event that we would have a possible terrorist situation, it gives us an opportunity for interdiction before it reaches its destination," said Sgt. Brian Jackson, who works at the Region 7 Laurel County post and has done extensive work with the radiological detectors since their implementation. "The team that we put together gives us the capability of effectively containing and taking control of the illicit material."

Kentucky was the first state in the nation to have ISSES and has taken the lead on implementing the national standard in training and concept of operation, Jackson said. The primary purpose behind the radiological detectors is to find items such as dirty bombs, and KVE's response team has been trained to not only use the equipment, but has also received training in radiation awareness and radiation detection, and tactical training to effectively contain the situation.

"We scan tens of thousands of trucks every month through the ISSES trying to keep the highways safer and trying to intercept some of this illicit material, and it's working," Jackson said. "Once implemented

nationwide, I think it will be very effective in stopping domestic attacks in the future. The next attack may be radiological or nuclear and this technology is designed to stop that."

Though KVE's mission hinges on its interaction with and regulation of the commercial trucking industry and interdiction on Kentucky's highways, there is one program that has been implemented that has a different focus and purpose. The seven members of KVE's honor guard strive to honor officers killed in the line of duty by serving at funerals and ceremonies for fallen officers across the commonwealth.

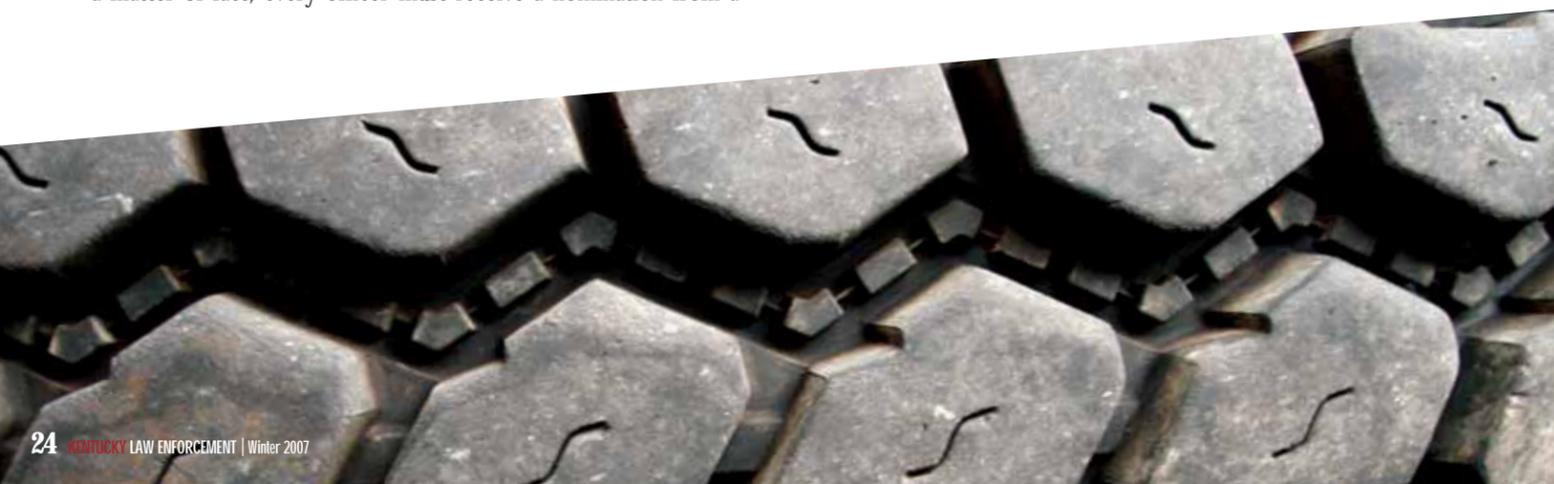
"I don't look at it as a benefit for the department, but I look at it as a benefit for the person we are honoring," said Lt. Brandon Eggen, KVE honor guard commander. "But it's also a building block of a professional image. We give a professional representation of KVE no matter if it is at a funeral, parade, a conference presenting the colors, or whatever. It really seems to get people's attention."

Commissioner Howard thinks the honor guard is one of KVE's most valuable and visible department representations.

"The Honor Guard represents our department in a unique way," he said. "The skill, discipline and precision that is required of these officers is demonstrated each time they perform. There is a sense of country, a patriotic atmosphere that can completely change a setting when they participate. However, these officers know that this aspect of their job is not about them, but rather the focus is on honoring each specific situation."

The honor guard is just another example of the successful programs that stand out at KVE, marking it as a progressive and professional agency excelling in law enforcement and meeting the needs of citizens across the state. J

◀ A semi truck comes through the Integrated Safety and Security Enforcement System at the KVE Laurel County Region 7 weigh facility. The ISSES is used to detect radiological materials and keep commercial vehicles from hauling such materials into the state.



KVE OBTAINS CALEA ACCREDITATION

In November, KVE became the first police agency in the country dedicated primarily to enforcement of commercial vehicle laws and regulations to gain CALEA accreditation /Abbie Darst, Program Coordinator

In just 28 months, the Department of Kentucky Vehicle Enforcement went from a brand new department with meager policies and procedures to an advanced, highly-effective agency, becoming only the fifth law enforcement agency in Kentucky to be fully accredited by the Commission on Accreditation for Law Enforcement Agencies.

"It was a heck of a process," said Maj. David Herald, KVE's accreditation manager. "I understand why they give you three years. Nobody has an appreciation of that time span until they've gone through it."

Kentucky Vehicle Enforcement is the first police agency in the country dedicated primarily to enforcement of commercial vehicle laws and regulations to gain CALEA accreditation.

Though the official quest for CALEA accreditation began in April 2005, the process started much earlier than that, KVE Commissioner Greg Howard said.

"When we first made the transition from a division under the Transportation Cabinet to a department within the Justice and Public Safety Cabinet, I had a department to run, but not the [resources] to run a department and I was doing a lot of stuff myself," he said. "We couldn't start the CALEA process then, but a lot of the decisions I made were based on starting accreditation in the near future. And thinking about that really got the ball rolling"

That forethought and vision set the tone for the entire agency, making the process run smoother for the department as a whole.

"Going through the CALEA process raises the standard of our whole department," Maj.

Jeff Heady said. "There's more accountability, not only for the officers, but it makes the leadership more accountable. It provides better documentation and work environment for policy and procedures. It also brings a lot of accountability with other law enforcement agencies that we work with and I think they respect us for that."

During their accreditation-seeking process, KVE gained more than just respect from other agencies in the state. The accreditation team was able to use the experience and expertise from other agencies that have successfully completed the process, such as the Lexington Division of Police and the Department of Criminal Justice Training, to assist them in getting everything in order for their on-site evaluation.

"When you talk about CALEA-accredited agencies, you are talking about the highest level of professional agencies in the business and those people are the ones that will be willing to sacrifice to make sure that all agencies are at that level, and Lexington Metro is one of the tops, no question," Herald said.

At the beginning of the accreditation process KVE had areas in which many of the CALEA standards were already being met, but just needed proper documentation. There were also particular areas that needed work to bring them up to where they needed to be. KVE's evidence room was one area chosen for a complete overhaul. The total renovation, which cost approximately \$200,000, included a new security system that tracks all access to the building and the addition of video recording capabilities within the facility. The evidence room was also fitted with an electronic evidence tracking

system called the Bar Coded Evidence Analysis Statistics and Tracking or BEAST. It consists of a bar code system allowing KVE to scan all evidence being processed by the department. Overall, the upgrade and redesign tripled the size of the evidence room.

KVE's quest for accreditation was a little different than some of their law enforcement counterparts, however. As a department that focuses on the regulation of the commercial trucking industry, not all of the typical segments of law enforcement apply to the agency.

Of the 459 standards required for accreditation under CALEA's law enforcement agency accreditation program, KVE had to comply with 315 because of the unique nature of the department's responsibilities, Herald said.

"We are going to do everything we can to market it and hope that we can be a lead agency to influence other commercial enforcement agencies out there across the country to come on board with CALEA and that process," Herald said.

KVE is excited about where accreditation has brought the agency and about watching the department-wide changes continue to trickle down to every level.

"People can tell you all day long about the benefits, but you can't understand it until you sit down and look at your policies and procedures," Herald said. "When you sit down and review your policies and procedures to the word of the standard that CALEA has set, you are assured that they are on solid ground." J

Accreditation programs are designed to improve the delivery of public safety services, primarily by maintaining a body of standards, developed by public safety practitioners, covering a wide range of up-to-date public safety initiatives; establishing and administering an accreditation process; and recognizing professional excellence. The Commission on Accreditation for Law Enforcement Agencies (CALEA) is the highest level of public safety accreditation in the world. Its exceptional standards and requirements are not only the basis for which most state accrediting bodies base their standards, but they also ensure that the agencies it accredits are of the highest caliber in the world.

CALEA ACCREDITED AGENCIES

Lexington Division of Police, November 1993; reaccredited November 2004
Newport Police Department, November 1998, reaccredited November 2004
Department of Criminal Justice Training, March 2003; reaccredited March 2006
Kentucky State Police, March 2003; reaccredited March 2006
Kentucky Vehicle Enforcement, November 2007

KENTUCKY ASSOCIATION OF CHIEFS OF POLICE ACCREDITED AGENCIES

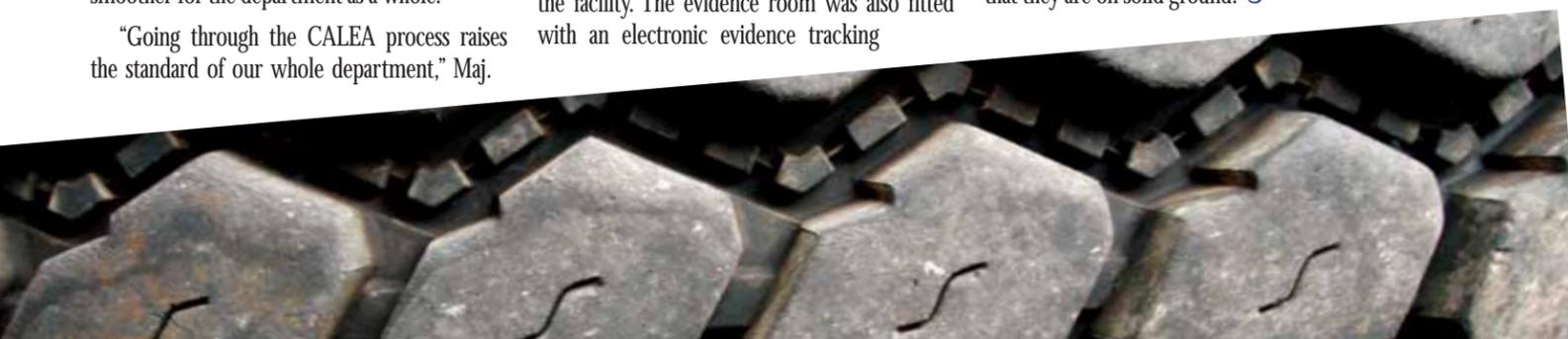
Status: Approved for Third Five-Year Certification
Jeffersontown Police Department, January 2003
Bowling Green Police Department, August 2003
Western Kentucky University Police Department, January 2004
Fort Thomas Police Department, July 2004
Cincinnati/Northern Kentucky International Police Department, June 2005
Villa Hills Police Department, June 2005
University of Kentucky Police Department, January 2006
Anchorage Police Department, April 2006
Somerset Police Department, July 2006
Morehead State University Police Department, July 2006
Covington Police Department, July 2007
Newport Police Department, July 2007
Florence Police Department, July 2007

Status: Approved for Second Five-Year Certification
Henderson Police Department, January 2003

Erlanger Police Department, January 2003
Owensboro Police Department, April 2003
Wilders Police Department, April 2003
Calvert City Police Department, August 2003
Shively Police Department, August 2003
Southgate Police Department, July 2003
Cold Spring Police Department, January 2004
Saint Matthews Police Department, January 2004
Highland Heights Police Department, January 2004
London Police Department, April 2004
Benton Police Department, July 2004
Morehead Police Department, July 2004
Versailles Police Department, July 2004
Fort Wright Police Department, June 2005
Campbell County Police Department, June 2005
Crescent Springs Police Department, July 2005
Jefferson County Sheriff's Office, August 2005
Fort Mitchell Police Department, July 2006
Taylor Mill Police Department, March 2007
Paris Police Department, March 2007
Oldham County Police Department, April 2007
Lakeside Park/Crestview Hills Police Authority, June 2007
Glasgow Police Department, June 2007
Eastern Kentucky University Police Department, June 2007
Alexandria Police Department, June 2007

Status: Approved for First Five-Year Certification
Horse Cave Police Department, January 2002

Cave City Police Department, March 2002
Northern Kentucky Drug Strike Force, April 2003
University of Louisville Police Department, July 2003
Kentucky Department of Alcoholic Beverages Control (Enforcement), July 2003
Wilmore Police Department, August 2003
Eddyville Police Department, August 2003
Northern Kentucky University Police Department, January 2004
Lexington Division of Police, July 2004
Nicholasville Police Department, July 2004
Paducah Police Department, July 2004
Russellville Police Department, January 2005
Boone County Sheriff's Office, January 2005
Beaver Dam Police Department, April 2005
Audubon Park Police Department, July 2005
Falmouth Police Department, July 2005
Operation UNITE, July 2005
Berea Police Department, January 2006
Leitchfield Police Department, April 2006
Danville Police Department, June 2006
Harlan Police Department, July 2006
Kenton County Sheriff's Office, July 2006
Murray Police Department, April 2007
Murray State University Police Department, April 2007
Elizabethtown Police Department, April 2007
Hazard Police Department, June 2007
Radcliff Police Department, July 2007
Edgewood Police Department, July 2007 ■



Ball Receives Prestigious NHTSA Award



/Photo by Elizabeth Thomas

Kentucky Law Enforcement Council Executive Director Larry Ball received the prestigious J. Stannard Baker Award for Highway Safety at the International Association of Chiefs of Police annual conference in October.

Ball was selected as one of three award recipients for his sustained, continuous and career-spanning initiative and creativity in developing, implementing and

improving traffic-safety programs and technologies within the Commonwealth of Kentucky and for his willingness to promote nationally significant traffic-safety issues.

"I've been involved in law enforcement for a long time and highway safety has always been a huge issue with me," Ball said. "Keeping Kentucky's citizens and officers safe on the highways has been and will remain one of my priorities, and I was very honored to receive this much-coveted award."

Sponsored by the IACP, the National Highway Traffic Safety Administration and the Northwestern University's Center for Public Safety, this prestigious award annually recognizes individual law enforcement officers and others who have made significant, outstanding lifetime contributions to highway safety.

Ball, who retired from the Lexington Division of Police as assistant chief of police, has more than 25 years of law enforcement experience and has served as KLEC executive director for nearly eight years.

Ball has injected highway safety into every position he has held and has saved an untold number of lives through the programs he actively has initiated and supported. He has given law enforcement a myriad of firsts in highway safety, and truly embodies the lifetime contribution, which the J. Stannard Baker Award for Highway Safety recognizes, according to members of the IACP award selection panel.

His career-spanning highway safety efforts include:

- Introducing infrared breathalyzers to Kentucky.

- Developing, implementing and managing the Selective Traffic Enforcement Program, which reduced crashes by 14 percent in high-collision locations.
- Introducing moving radar to Kentucky, educating beforehand the judiciary and thereafter securing a 94 percent conviction rate for speed violations.
- Developing, implementing and managing the Traffic Alcohol Patrol program, which reduced alcohol-related fatalities by 60 percent and achieved a 96 percent conviction rate, once again educating judges as to the program's aims. TAP was recognized by NHTSA, Mothers Against Drunk Driving and the University of Kentucky.
- Being among the first of Kentucky's police officers to be trained in Standardized Field Sobriety Testing and Horizontal Gaze Nystagmus.
- Initiating Kentucky's first crash reconstruction unit, which secured the longest DWI sentence in the country for a double fatality (73 years).
- Designing and purchasing Kentucky's first mobile breath-alcohol testing unit (BAT-mobile).
- Lexington becoming only the second U.S. city to enact a seat-belt ordinance without the state's having a seat-belt statute.
- Playing an integral role in developing and funding Lexington's Safety City, the first of its kind in the nation to teach all aspects of traffic safety to school-aged children.
- Implementing a police pursuit driver training program that reduced officer-related crashes more than 70 percent.
- Converting the Neighborhood Watch concept to Safety Watch and implementing the citation jacket to explain the necessity and importance of traffic law enforcement.

Ball was also instrumental in the development and nationwide presentation of the Police Fleet Safety – Occupant Protection Risk Management program, promoting safety within law enforcement agencies and seat-belt usage, and in originating and developing the IACP National Chiefs' Challenge program.

"Throughout Director Ball's impressive law enforcement career, he has made significant contributions to highway safety through his outstanding work with the Lexington Police Department and with the National Highway Traffic Safety Administration," Paducah Chief Randy Bratton said. "Everyone in the commonwealth should be very proud of Director Ball. I know I am."

Prior to his position as KLEC executive director, in 1997 he joined the Department of Criminal Justice Training as an instructor in the In-Service Training Section and was promoted in 1998 to executive staff advisor for Peace Officer Professional Standards. J



/Photo by Elizabeth Thomas

EASTERN DISTRICT TASK FORCE A SUCCESS

/U.S. Marshal Service for the Eastern District of Kentucky

United States marshals have been hunting the country's most notorious fugitives since 1789, earning the reputation as the nation's best fugitive hunters.

In November 1995, the U.S. Marshals Service for the Eastern District of Kentucky met with local law enforcement and started the Central Kentucky Fugitive Task Force. The U.S. Marshals Service, Lexington Police Department and the Fayette County Sheriff's Office were the original agencies that made up the task force. Today, the task force is comprised of the U.S. Marshals Service, Lexington Police Department, Kenton County Sheriff's Office, Boone County Sheriff's Office, Kentucky State Division of Probation and Parole, London Police Department, Ashland Police Department and the Florence Police Department. Dep. U.S. Marshal Roger Daniel and Dep. U.S. Marshal Calvin Whitis started the task force. Supervisory Dep. U.S. Marshal Gordon Hotchkiss, who started with the Task Force in 2000, was named commander of the task force in April of 2002 by U.S. Marshal John Schickel. Commander Hotchkiss was previously assigned to the U.S. Marshals Service Fugitive Task Force in Philadelphia, Pennsylvania.

Under Hotchkiss' leadership the task force has gained the reputation as one of the best in the country, Schickel said.

"The beauty of our task force is that we have full-time and part-time experienced officers throughout the district," added Hotchkiss.

In Lexington, which is the headquarters for the task force, there are six full-time members

that have nearly 20 years experience each. This group includes Dep. U.S. Marshal Whitis, Lexington Police detectives Mark Long and Tony Schweighardt and Kentucky State Probation and Parole Officer Kenny Vanover.

Since its inception, the task force has arrested nearly 6,000 federal, state and local fugitives. Under the leadership of Hotchkiss, the task force has brought to justice some of the nation's most notorious fugitives. In 2004, the task force was able to track fugitive Stephen Keller and his family from Michigan to Mexico to Panama City, Panama. Keller was the president and CEO of Kelco Inc., which was a viatical settlement company, which bought and sold life insurance policies. Keller was convicted of fraud and sentenced to 14 years in federal prison. He was on bond waiting to report to federal prison to serve his sentence when he fled the country. Hotchkiss and the task force, along with INTERPOL, the state department and the Panamanian National Police were able to locate and arrest Keller in Panama City and have him extradited back to Kentucky. Keller is now serving a very lengthy sentence in a federal prison.

In August 2005, Jennifer Hyatte shot and killed a Tennessee Correctional officer while helping her husband, George Hyatte, escape from state custody. The task force immediately received information that the Hyattes were traveling north on I-75. Task force members were able to track the two to a hotel in Erlanger, then to a hotel in Columbus, Ohio where they were arrested. Task force members were also able to find the gun used in the murder in a dumpster near the hotel in

Erlanger.

Most recently, task force members, along with assistance from the U.S. Marshals Service's Electronic Surveillance Unit, were able to track fugitive Anthony Artrip to a hotel in Morgan, Pennsylvania and arrest him after a six-hour standoff. Artrip escaped from the Grant County Jail in June and robbed several banks while on the run. Artrip was recently placed on the USMS Top 15 Fugitive List and was the feature story on the television show, America's Most Wanted.

The task force receives requests daily for assistance in locating and arresting state and local fugitives. The number of arrests has been very impressive. The task force has averaged more than 1,000 arrests per year since 2004. The biggest success of the unit is the working relationship between the U.S. Marshals Service and local law enforcement agencies.

"We could not do it without the state and local agencies," Hotchkiss said. "They are the reason that this task force has been so successful." The Lexington Police Department has been with us from the beginning. Along with the United States Marshals Service, they have been the backbone of the task force."

Part-time members of the task force include Kenton County sheriff's deputies Cooper Steele and Joe Sizelove; Boone County sheriff's deputies James Wagner, Chris Newman and Vic Lavender; London Police Sgt. Matthew Moore; Florence Police Det. Steve Kuhlman; Ashland police detectives Ryan Conley and David Slone; and Kentucky State Probation and Parole officers Dean Naramore and Brian Anderson. J



APPALACHIA HIDTA OPENS INVESTIGATIVE SUPPORT CENTER

/ Rachel Benge, AHIDTA



The Appalachia High Intensity Drug Trafficking Area Investigative Support Center (AHISC) is a multi-agency intelligence initiative consisting of federal, state and local agencies located within the three-state Appalachia HIDTA. The agencies have banded together to form a systems network and to exchange information/intelligence of common interest to participating agencies. Located in London, Kentucky, the AHISC is electronically linked to a central location in Tennessee and West Virginia to facilitate the exchange. By contributing to the free exchange of information/intelligence through more efficient coordination and communication, the AHISC enhances the ability of federal, state and local law enforcement agencies to identify, target, arrest and prosecute key members of drug trafficking organizations and/or individuals.

The mission of the Appalachia HIDTA is to measurably reduce, particularly as it relates to marijuana, the production and

trafficking of illegal drugs in its area of responsibility, to reduce drug-related violent crime in the region and to reduce the impact that Appalachia HIDTA drug production and trafficking have on other areas of the United States. Although marijuana is its primary focus, the Appalachia HIDTA responds to the threat other drug traffic poses. Central to this mission is the expansion of cooperative, multi-jurisdictional law enforcement efforts involving HIDTA-funded and non-HIDTA-funded resources.

The mission of the Investigative Support Center (ISC) is to provide accurate, detailed and timely tactical, investigative and strategic drug intelligence to HIDTA initiatives, HIDTA participating agencies, and other law enforcement agencies as appropriate, enabling a more effective and efficient use of drug investigative resources.

The HIDTA ISC serves as a hub for sharing drug intelligence among federal, state and local law enforcement in the HIDTA.

The Appalachia HIDTA Investigative

Support Center can provide participating agencies with a variety of analytical services for case support. These services include:

- Biographical profiles
- Telephone toll analysis
- Flow analysis
- Link analysis
- Organization charts
- Administrative subpoenas
- Graphics for courtroom presentation

The ISC provides intelligence support to HIDTA-funded initiatives and all participating agencies, in accordance with direction and guidance provided by the HIDTA Executive Board. Intelligence support includes trend and pattern analysis and the collection, collation, analysis and dissemination of investigative information concerning the composition, scope, magnitude and dynamics — both internal and external, of drug trafficking organizations.

The ISC serves as a location for collective access to participating agencies' law enforcement databases. Agencies participat-

ing in the ISC provide ISC personnel with on-site, direct access to their agencies' pertinent databases, whenever possible and in accordance with existing federal and state regulations.

Databases available to the ISC:

- ROCIC/RISSNET – Regional Organized Crime Information Center/Regional Information Sharing Network
- CHOICEPOINT/Analyst Notebook – Charting and analysis program
- TECS II – Treasury Enforcement Communications System II
- NDPIX – National Drug Pointer Index
- FinCEN – Financial Crimes Enforcement Network
- BOP – Bureau Of Prisons
- LEXIS-NEXIS – Provider of legal, government, business and high-tech information sources
- NCIC/NLETS – National Crime Information Network/National Law Enforcement Telecommunications System
- LINK – Law Enforcement Network of Kentucky

- SIPERNET – Secure Internet Protocol Router Network
- NADDIS – Narcotics and Dangerous Drugs Information System
- AVIS – Automated Vehicle Information System
- TIES – Tennessee Information Enforcement System
- KYDDL – Kentucky Digitized Drivers License
- KY employment records
- CJIS – Criminal Justice Information System
- COURTNET – Kentucky Criminal Database
- PENLINK – Telephone Toll Analysis Program
- SAFETNet – Secure Automated Fast Event Tracking Network
- AHIDTA/UNITE tipline – 1 (866) 424-4382

Information Sharing

The ISC establishes and maintains a relationship with its respective Regional In-

▲ The Appalachia High Intensity Drug Trafficking Area Investigative Support Center (AHISC), a multi-agency intelligence initiative covering three states, has developed a systems network for information/intelligence. Located in London, Kentucky, the AHISC is electronically linked to a central location in each AHIDTA state. The ISC also features 11 computers configured to interact with the Regional Organized Crime Information Center facility in Nashville, Tennessee.

formation Sharing System. The ISC has 11 computers configured to interact with the Regional Organized Crime Information Center facility in Nashville, Tennessee.

AHIDTA's ISC produces comprehensive and coordinated annual interagency drug threat assessments for their areas. AHIDTA's ISC and the NDIC coordinate the data collection system and survey process to ensure an accurate and non-duplicative effort when compiling the National Drug Threat Assessment. AHIDTA also provides a copy of the annual HIDTA Drug Threat Assessment for its area to the NDIC. J

Electronic Monitoring of Pseudoephedrine Going Statewide in Effort to Combat Meth

/Dale G. Morton, Communications Director, Operation UNITE

By his early 20s, Eddie Todd was solidly entrenched in the destructive world of illicit drugs – including selling, cooking and using methamphetamine.

“The deeper I got the more exciting it got. It became almost like a game,” said Todd, now 29 and working with a faith-based recovery program in Rockcastle County. “Meth is, by far, the wickedest thing I’ve ever done. It was like a monster inside of me that controlled me. When I was in the middle of that, it was just so easy to obtain materials.”

Then, in 2005, the Kentucky General Assembly unanimously passed Senate Bill 63, which placed products containing pseudoephedrine – a key ingredient in the production of meth – behind the counter, required a manual logbook to track purchases, and gave police agencies new enforcement tools.

Despite the benefit of SB 63, the tedious, time-consuming process of sorting through reams of manual logs made tracking pseudoephedrine purchases difficult and ineffective. So, in November 2005, the Kentucky Office of Drug Control Policy partnered with Operation UNITE to implement a real-time electronic reporting program known as MethCheck in Laurel County.

“We wanted to see if it would impact methamphetamine production ... and identify meth labs,” said Van Ingram, compliance branch manager with the Kentucky ODCP. The answer was a resounding “Yes!”

During the next 18-month period, 17 meth labs were busted, criminal charges placed on 42 individuals (including 18 exceeding the state’s monthly limit on pseudoephedrine purchase),

and 14 individuals were targets of pending investigations. MethCheck also assisted local and federal agencies in investigating 25 other people.

“The results exceeded initial expectations,” said Karen Engle, president and CEO of UNITE. “MethCheck has taken a process that took weeks or even months and reduced it to just a few minutes.”

Recognizing the tremendous potential, the 2007 General Assembly passed Senate Bill 88, requiring pharmacies to use electronic reporting if the state picked up the tab. By next summer, most of Kentucky’s nearly 1,300 pharmacies will be connected to MethCheck – the first and longest running pseudoephedrine electronic log in the country. The cost to equip pharmacies with this high-speed Internet system is approximately \$360,000 during the first year, with an estimated \$500,000 the second year.

A contract formalizing the agreement between Louisville-based Appriss and Kentucky ODCP was signed October 15, with strategic planning for implementation initiated the following week.

Smaller independent pharmacies will be the first to go on-line, said Vince Recktenwald, implementation analyst for Appriss.

“We should be able to set up accounts for the independents to log in to a secure Web site by January,” Recktenwald said. “We’re working with pharmacy chains to integrate MethCheck with their point-of-sale systems. Hopefully this should be completed around March 2008.”

The Kentucky All-Schedule Electronic Reporting system, operated by the Office of In-

spector General in the Cabinet for Health and Family Services, is partnering with the ODCP on the project, Ingram said.

“KASPER has done a great job managing data (on prescribed narcotics),” Ingram said. “We needed a single point of contact with the state, and KASPER was a natural fit and will aid law enforcement to gain access to the data. We really believe that this program is going to reduce homegrown mom-and-pop meth labs to nearly nothing. The impact of this is really going to be huge.”

Kentucky will be the first to use MethCheck statewide and only the second state in the country to monitor pseudoephedrine sales on a statewide basis. The other state, Oklahoma, which uses a different tracking system, experienced a 93 percent reduction in reported methamphetamine labs.

“From the beginning we realized meth was more than just another drug. It was killing families and destroying lives,” said Teresa Barton, deputy secretary of the Kentucky Justice and Public Safety Cabinet. “Now we’re taking it to the next level. Kentucky is taking a stand. We’re out front and we’re driving the train. We can make this (meth problem) go away.”

“We love the fact that Kentucky is taking such an aggressive step to drive meth out,” said Joe DeSensi, Appriss product manager. “The rest of the country is going to follow you.”

By year’s end MethCheck will be in use by approximately 6,000 pharmacies in 43 states; with law enforcement using the program in five states, said DeSensi, adding by mid-2008 roughly 15 percent of all pharmacies in the United States will be connected to MethCheck.

Pharmacists who participated with UNITE in the MethCheck pilot were recently lauded for their cooperation.

“You didn’t have to be involved,” Engle stated. “Thank you for believing ... and taking the time to save lives. You’ve really put your resources into making a difference. It’s a team effort, and we will save lives.”

Todd echoed that sentiment. He was eventually arrested, spent time in jail, and received treatment for his addiction.

“When I got put in jail it was the best thing for me,” he said. “By supporting programs like this, it protects the community from people like me more than you realize.” J

A STATE GOING TO POT

/Courier-Journal (Louisville)

Kentuckians may have reveled in being ranked No. 8 in football, but it is not such good news to be reminded that the state ranks second only to California in the amount of marijuana produced.

In fact, for years now, marijuana has been thought to be Kentucky’s biggest cash crop, bringing in probably \$1 billion a year. No wonder law enforcement doesn’t get a lot of cooperation in some parts of the state where it’s grown. The drug trade has always been attractive to folks who are poor and without a lot of options. In cities and in rural areas, that has been a fact of life for a long time. But even though the war on marijuana often feels like an endless cat-and-mouse game, it’s important that the police continue to play it. Pot may not be as much a threat to society as heroin, for example, but criminal activity, including violence, surrounds it. If state police and federal drug agents decided to ignore the hill-sides of pot, then the national forests could quickly become unwelcome grounds for hikers, campers and other visitors. Already there have been numerous reports of bullies with guns warning nature lovers away.

So law enforcement must stay vigilant. Kentucky has the right climate and soil, as well as large, isolated patches of land, so winning the war isn’t likely. But fighting it makes a positive difference.

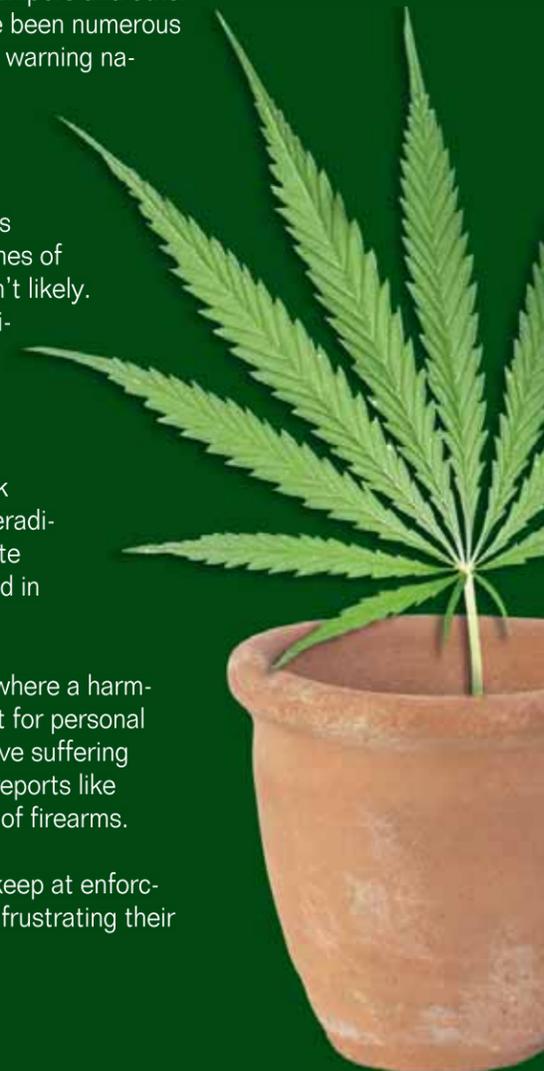
In mid-September, 483 plants were seized from a Bardstown home. The week before, 1,100 plants were eradicated in Todd County. In late July, 342 plants were seized in Adair County.

These were not situations where a harmless hippie was growing pot for personal consumption, or for a relative suffering from cancer. In fact, most reports like these also involve seizures of firearms.

So law enforcement must keep at enforcing the law, no matter how frustrating their task may be. ■



▲ Former drug user Eddie Todd told Laurel County pharmacists that support of programs making it difficult to obtain pseudoephedrine-containing products will have a far-reaching impact on methamphetamine production. Todd now works with a faith-based recovery program in Rockcastle County.



Johnson Retires from DOCJT

Abbie Darst, Program Coordinator

The Department of Criminal Justice Training is losing a staple of its progressive evolution in law enforcement training this month. Horace Johnson, Training Operations Division director, is retiring December 31, after nearly nine years of service at DOCJT and more than 30 years of law enforcement service to the commonwealth.

“Horace represents a generation of police officers and police executives that were educated and grew out of the late 1960s and 70s when a premium was put on education, leadership and forward thinking in law enforcement,” DOCJT Commissioner John Bizzack said of Johnson. “His career as a chief, investigator, manager and director of the Training Operations Division has consistently shown the premium that was placed on leadership, executive development and a return to plain old common sense in dealing with people and issues.”

Johnson began his law enforcement career with the Western Kentucky University Police Department in 1976, and served as chief from 1991 to 1999 before retiring and joining DOCJT. While at Western, Johnson was instrumental in the department becoming the fourth agency to be accredited through the Kentucky Association of Chiefs of Police.

Johnson’s beginning with DOCJT in April 1999 coincided with the beginning of another major section at the department. Getting DOCJT’s Compliance Section – still in concept form at that point – off the ground, was Johnson’s first responsibility. As Compliance Section investigator manager, he not only got

the section off to a good start by hiring qualified, effective personnel, he expanded the original goals of the section. The section now ensures all Kentucky law enforcement agencies are in compliance with the Peace Officers Professional Standards, monitors all Carrying Concealed Deadly Weapon activities in the commonwealth, and conducts background checks on all incoming DOCJT employees, among other duties.

“Horace Johnson has been a tremendous asset to DOCJT and the law enforcement community in Kentucky,” said DOCJT Dep. Commissioner Herb Bowling. “He has provided visionary leadership and guided program development in many innovative initiatives that have led to Kentucky being recognized as a national leader in law enforcement training.”

From the Compliance Section, Johnson was appointed as director of the Training Support Division, where he helped finalize the completion of the John W. Bizzack Law Enforcement Complex and the transfer of personnel, supplies and equipment into the new facilities.

“That was an exciting time,” Johnson said. “Moving into the other buildings made everything here so much better for everyone involved.”

However, when the Training Operations Division director position became available in 2003, Johnson was eager to switch titles.

“Training has always been in my blood,” Johnson said. “It’s what I am most passionate about in this field.”



In the four years Johnson has served as the head of training operations at DOCJT, he has innumerable accomplishments that have dramatically changed the face of law enforcement and telecommunications training in Kentucky, Bizzack said.

Under Johnson’s tenure there have been significant advances in in-service and basic training with the Problem-Based Learning and Police Training Officer concepts. Basic training was increased from 16 to 18 weeks and through basic and in-service training, every officer in the commonwealth was trained in the National Incident Management System or NIMS, making Kentucky the first state to comply with the national requirement.

In addition, the Kentucky Leadership Institute was created and implemented, allowing for advanced leadership training for Kentucky’s first-line supervisors and execu-

tives. The Telecommunications Academy was created and the Telecommunications Professional Standards were passed. The Distance Learning program has been successful, saving the department and other agencies across the state hundreds of thousands of dollars. And most recently, the Kentucky Criminalistics Academy began and graduated its first class in November – greatly improving the quality and effectiveness of crime scene investigation training in Kentucky.

“Horace is one of the most consistently quiet professionals I’ve ever worked with,” Bizzack said. “There’s never a concern about any project, program, event, issue or initiative when Horace Johnson is in charge of it.”

Johnson values the respect that he was given in his leadership positions.

“I’ve benefited from being able to enjoy

the freedom in working for a person like John Bizzack, who allows you to succeed or fail,” Johnson said. “He allows you to take an idea and run with it and trusts you enough to let you succeed or fail on your own. That type of leadership I have the utmost respect for.”

Johnson’s leadership style reflects the same trust in his branch managers, which has allowed for their success in many new programs and initiatives as well.

“When I became the branch manager for professional development, Horace welcomed me and became a mentor to me,” said Charles Melville, DOCJT Advanced Individual Training Branch Manager. “He allowed me to grow into my new position with his total support and confidence. He had the confidence in me to point me in the right direction and let me handle the details. I appreciate that approach and respect him for it. I will miss his welcome

HORACE JOHNSON

Western Kentucky University, Bachelor of Arts in History and Government, 1974

Western Kentucky University, Master of Public Administration, 1985

Western Kentucky University instructor for eight years

Chief at Western Kentucky University Police Department, 1977 to 1999

FBI National Academy graduate, Class No. 145

Graduate of Leadership Bowling Green, 1995

U.S. Army, Kentucky National Guard, U.S.

Army Reserves, retired lieutenant colonel, 2003

Association Involvement

- International Association of Chiefs of Police

- Kentucky Association of Chiefs of Police

- Kentucky Law Enforcement Council

- FBI National Academy Association

Awards

- Meritorious Service Medal (2)

- Army Commendation Medal

- Army Achievement Medal

- Good Conduct Medal

- Armed Forces Expeditionary Medal

advice, but he has put together a great program and staff that will continue to pursue the ideals he has championed.”

Melville has been selected as the interim Training Operations Division director after Johnson’s retirement.

Outside of law enforcement, Johnson has also had a very successful career in the U.S. Army, Kentucky Army National Guard and U.S. Army Reserves. After 34 years of military service and active duty assignments in Korea and Germany, Johnson retired as a Lieutenant colonel with numerous awards and decorations.

“Johnson came to us with a very diverse background, including an impressive military career, the FBI National Academy and university policing,” said Fran Root, DOCJT Skills Branch Manager. “The support this agency enjoys is in large part due to his networking throughout the commonwealth.”

Johnson has been married to his wife, Margaret, for 25 years and between them they have three children and seven grandchildren with another on the way. J



/Photos by Elizabeth Thomas

KAZLAUSKAS LEAVES OWENSBORO PD

Chief retires after 40 years of service to department

/Joanie Baker, reprinted with permission from the Owensboro Messenger Inquirer

"The department has come further in the last five years than it has in the last 20 as far as training and technology go," Dep. Chief Glenn Skeens said.

During Kazlauskas' five years as chief, the department has seen advancements in equipment for the bomb squad, emergency response team and police cruisers that now contain mobile data terminals. All of the officers were assigned take home vehicles and rifles that moved the department forward from shotguns.

Even the efficiency in record keeping has drastically improved since the innovation of an electronic records management system.

Cora Daniels, supervisor of the records division, said Kazlauskas is the type of chief who is involved in all departmental affairs and pushes for progress.

"He wanted us to be one of the most well-equipped departments in the state," Daniels said. "He's wonderful about seeing that we have everything we need."

Kazlauskas was appointed chief in 2002 after the city commission struggled to make a decision among five candidates. The commission had discussed looking outside the department for a chief but on the night of elections appointed Kazlauskas in a 3-2 vote.

Within two weeks, Kazlauskas announced his intentions to open the department up to the public by creating a Citizen's Advisory Panel of residents and enhancing the interdepartmental advisory panel.

Kazlauskas said of all the things the department has accomplished, he is most proud of the change in culture and relationship developed with the public.

"We have come out of a bunkered state," the chief said. "We have opened up new lines of communication with the citizen's academy, alumni program and neighborhood alliance groups."

Not to mention the implementation of Crime Stoppers and the public information officer position – both of which have brought in an outpouring of tips from the community.

Capt. David Thompson said when he first came to the department, he feared Kazlauskas, who was nicknamed the "Hatchet Man."

He remembers eating breakfast with other officers when they saw a cruiser fly en route to an arrest. Realizing it was then, Capt. Kazlauskas,

Thompson said he learned a lesson from seeing Kazlauskas do his job rather than chewing him out for dropping the ball.

"Even though he was known for being tough, it didn't take long to figure out if you did the job he was fair and took care of you," Thompson said.

Kazlauskas was drafted into the military just two years after he joined OPD in 1966, but picked right back up where he'd left off upon his return in 1971.

Kazlauskas and another officer helped develop the evidence collection unit in 1973 and the polygraph unit in 1981.

"I could stay here forever and say I want to get this done and this done but I think the timing is right. I believe after three to five years, you need to step back and let someone come in with different leadership, management style and ideas."

He was promoted to captain in 1983 and supervised patrol officers.

Kazlauskas later took over guiding the department through the accreditation process in 1994 – a task that involved implementing 120 standards required by the Kentucky Association of Chiefs of Police.

Though he has commanded the patrol division and the professional standards unit in addition to being chief, he said he is a little jealous of the new officers entering the department for the first time.

"I see all the technology and everything law enforcement has now that it didn't when I started," he said. "But on the other hand, I know the problems and turmoil they're faced with and I think, gosh, I'm glad they're young."

The chief gives credit to his command staff and entire department working in conjunction with the community for all the successes the department has seen. He said the good times throughout his career seem to have a way of erasing those that were bad.

"Am I satisfied with the job I've done? I don't think you're ever really satisfied," he said. "Have I been able to accomplish many things? Yes, with the

help of the employees we have been able to accomplish a whole lot."

When Kazlauskas was appointed chief more than five years ago, a commissioner told him to be the best chief Owensboro had ever seen. Throughout the endless daily decisions and calls that interrupt his nights, he said he always tries to fulfill that order while being fair.

When asked what his legacy would be, Kazlauskas just smiled.

"I hope they say he was a good leader, he was given the opportunity and he was a good leader," he said. "What better tribute, what else can be said?"

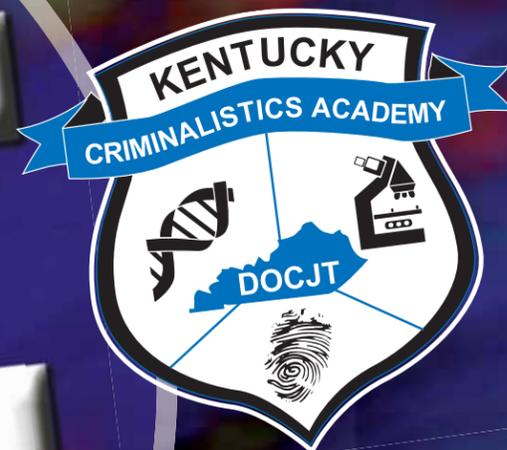
He lived by the rule, "Give your staff a task and tools and get out of the way," but Thompson said Kazlauskas will be remembered as a man of patience who valued input from community and staff.

"I've worked for four chiefs, and John Kazlauskas has definitely been the best chief this department has seen," Thompson said. J



CSI 101	40
CSI on the Cheap	43
"Who Are You?"	43
Criminalistics Academy Coordinator is an Experienced Investigator	44
Kentucky CSIs Excavate Graves at Famous Forensic Facility	46

CSI!



KENTUCKY

Stories by Jamie Ball, Public Information Officer

"I see no more than you, but I have, trained myself to notice what I see."

— Sherlock Holmes in "The Adventure of the Blanched Soldier;" quote used in the Kentucky Criminalistics Academy

Rob Jones had just merged his vehicle onto Interstate 75-North in Richmond when an explosion ripped through his vehicle, sending an orange fireball rolling down the pavement and instantly turning him into a charred corpse.

The rear window on the driver's side of Jones' 1987 dark blue Ford Taurus wagon is gone. The bench-style backseat is flipped up, and there is a hole in the floorboard behind the driver's seat. The remainder of that section of floorboard is hanging under the car. Confetti-like particles of debris as well as larger pieces, including glass, metal washers and plastic bags, are scat-

tered in and outside of the vehicle.

This is the scene that greets the crime scene investigators who have been called to conduct the post-blast investigation. Rob Jones, they know, is fictitious, but the scenario of his death and the hulk of his vehicle are real, created as an extensive exercise for the first class of Kentucky's Criminalistics Academy.

"I think we need to do a line search," Elizabethtown Police Det. Pete Chytla says to his fellow CSIs, describing a method in which investigators walk next to each other in unison as they examine every inch of the ground for potential clues. >>



◀ Bowling Green Det. Brian Davidson calculates the average drop volume of human blood based on the instrument used (pin, hammer, knife, etc.) during bloodstain week in the new 10-week Kentucky Criminalistics Academy. Davidson and the other nine academy participants graduated on November 16.

/Photos by Elizabeth Thomas

>> The officers begin a painstaking sweep of the surrounding area. Evidence searches and explosion investigations are among the many exercises in which CSIs participate at the new Kentucky Criminalistics Academy, the first and only academy in the commonwealth for CSI training.

Chytha and nine other Kentucky CSIs were the KCA's first students when it opened in September at the state's Department of Criminal Justice Training. The class graduated in November.

"This training has far exceeded my expectations," Marshall County Det. Dan Melone said before graduating from the program. "I look back at cases I have worked over the years and I wish that I had this knowledge then."

A 10-week, or 400-hour, training course developed by DOCJT for full-time and newly appointed CSIs, including civilians who work for law enforcement, KCA also trains officers and detectives whose multiple duties include CSI work, the typical situation at most Kentucky law enforcement agencies.

The academy curriculum consists of lectures and practical exercises, covering numerous topics related to CSI work. DOCJT instructors, former law enforcement officers as well as experts from outside the agency, include veteran detectives/CSIs Tim Carnahan and Brian Cochran of the Boone County Sheriff's Office, John Smoot from Kentucky Vehicle Enforcement, bomb squad personnel from the Kentucky State Police and Lexington Police Department, and agents with the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives conduct the course.

The first week of the KCA is devoted to CSI fundamentals like crime scene search, alternate light sources, evidence collection, DNA, impression evidence, and crime scene sketching and diagramming.

Crime-scene management is also covered in the initial week of the academy. CSIs are taught from the ground up beginning with the basic steps to investigate a crime scene, including assessing the scene before and after processing it, said the KCA coordinator, Joe Wallace. But the students are urged not to get into a routine with scenes, he said.

"Every scene is not the same," Wallace said, explaining that the scene of a rape holds different evidence than that of a beating or a shooting.

At the end of their first week, students respond to a staged scene at which a man who had apparently been involved in gambling activity at his residence is dead. The CSIs must put what they have learned that week to work, including documenting, searching and collecting evidence at the scene.

The KCA was designed to meet Kentucky law enforcement's needs in evidence identification, collection and preservation, Wallace said. Students from the first class said the academy provided them with the training they needed in those areas.

"I have learned numerous processing techniques and practices that will definitely help in locating, processing and preserving evidence," said Bowling Green Police Officer Brian Davidson, a KCA graduate. "The training will

help me process scenes more efficiently and correctly preserve evidence for court."

In addition to the CSI fundamentals, a full week each is devoted to fingerprints, digital photography, explosives, computer crime/digital evidence and bloodstain-pattern analysis during the academy.

Wallace said he expects the week on bloodstain-pattern analysis to be the most eye-opening training for CSIs who go through the criminalistics academy.

"A lot of people go through their careers and see blood and never even think that it can tell them or give them information about that scene," he said. "To me that is a very, very crucial week that brings the level of what they're doing on that scene way beyond what they were doing before."

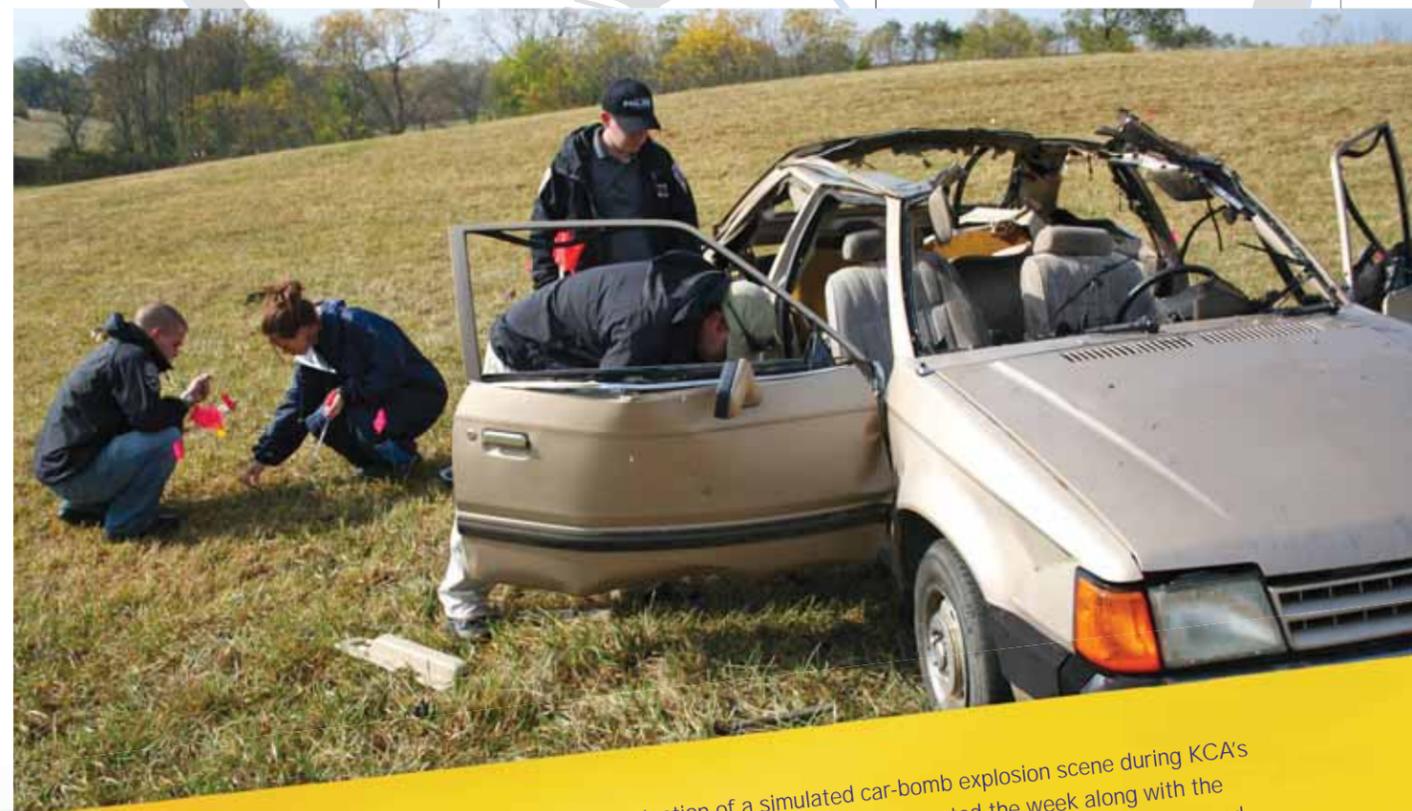
Early in bloodstain week, CSIs strike a fake human head containing blood to create bloodstain patterns on paper that will be used later

in training. Based on the blood spatter, the students use the techniques they have been taught during the week, to determine the point where the victim was hit and other factors.

Bloodstain patterns can provide CSIs with a wealth of insight, including the position of an individual's body when he or she was murdered, Wallace said. But many investigators haven't been educated about this.

A major highlight of the KCA training is a week of study with the University of Tennessee's Forensic Anthropology Center. The training includes a burial-excavation exercise at the center's world-renowned Anthropological Research Facility, which is commonly known as the Body Farm, in Knoxville. See story page 46.

Prior to the Knoxville trip, Kentucky's forensic anthropologist, Emily Craig, Ph.D. provides a presentation for the KCA students about death investigations and osteology, the study of bones. >>



▲ KCA students conducted a post blast investigation of a simulated car-bomb explosion scene during KCA's Bureau of Alcohol, Tobacco, Firearms and Explosives week. ATF agents instructed the week along with the Kentucky State Police and Lexington bomb squads on areas such as mapping a scene, photos, evidence and reacting to the scene.

CSI 101

The Department of Criminal Justice Training offers several 40-hour courses in Richmond similar to those included in the 10-week Kentucky Criminalistics Academy. The courses and dates for 2008 are:

Bloodstain Pattern Recognition
April 21 and November 3

Crime Scene Investigations
March 3, March 17, May 12, December 8

Digital Photography
April 7, May 5, September 29, October 6

Advanced Latent Fingerprints
February 18, June 2, November 17

Marijuana Identification
July 29 ■

The next Criminalistics Academy is scheduled for July 7 through September 12. Applications to attend the training are due by February 29. See DOCJT's 2008 training schedule book for more information. The book is available online at www.docjt.ky.gov/2008schedulebook/.

>>> In the first KCA class, Craig suggested CSIs contact their local coroners and then her office if they opened an investigation involving human remains, like bones, so that evidence could be examined at the scene.

"The context is as important – sometimes more important – than the bones themselves," she emphasized, adding that laboratory analysis of the bones only makes up about 10 percent of such an investigation.

Dr. Tracey Corey, Kentucky's chief medical examiner, also talks with the class. She lectures on investigating the cause, manner and mechanism of death, and the students witness an actual autopsy.

Other KCA training areas include shooting reconstruction and bullet trajectory, arson investigation, forensic crime-scene mapping,

marijuana identification, case preparation for coroner and hit-and-run vehicle investigation.

KCA graduates possess the knowledge to respond to and assist with any criminal investigation, including those involving terrorism, Wallace said. They will also be able to effectively respond to other incidents that may result in mass casualties, such as natural disasters.

Kim Newman, one of two civilian CSIs in the first KCA class, said she would put much of what she learned at the academy to use immediately at the Covington Police Department, especially the lessons on digital photography.

"The photography skills that were taught will help me a lot in taking better quality photographs," said Newman, who said her job includes photographing major crime scenes.

Although KCA students are trained with the most recent crime-

scene investigation techniques and technology available, CSIs are also taught inexpensive methods to produce the same results as they would get with expensive equipment, Wallace said.

"It might take you a little bit longer and a few more steps to do it, but at least you've got something that you can have the same end result without having that expensive piece of equipment," Wallace said.

For example, a CSI could use a \$50,000 to \$80,000 chamber to process fingerprints with a glue containing Cyanoacrylate, such as Super Glue or Krazy Glue, or he or she could use a method that involves a bag of cotton balls, a box of baking soda and the glue to achieve the same result for much less money, Wallace said. See sidebar 43.

Students in KCA's first class said alternate methods were an important part of the training.

"One of the most useful tips was the demonstration of techniques, which were less expensive and more available than what I previously thought," Kentucky State Police Det. Billy Correll said.

Students in the KCA also are encouraged to work with their agencies on forming regional CSI task forces with nearby agencies so they may share resources like expensive equipment, Wallace said.

Limited funding, an issue for many law enforcement agencies

During a forensic mapping exercise, KCA students participated in a simulated shooting incident practical exercise using Total Station mapping equipment. Total Station systems are very effective and are primarily used for large outdoor scenes. The equipment makes the scene easier to work, more efficient and more detailed, and it is readily available to departments for use in accident reconstruction.

when it comes to the CSI training, led to the creation of the KCA which is free to Kentucky law enforcement, Wallace said.

"We've got a full time staff here, and that's our job to teach them. Why not be teaching them just as good of quality or better quality stuff for free that they pay tax dollars for out on the market?" Wallace said.

Elizabethtown's Chytla said the training was the best he had attended in his career.

"This is a highlight of my 11 years on the job," he said.

It is important that Kentucky CSIs get the training they need, Wallace said.

"There is a huge need for training out there," Wallace said. "One week a year for someone who is doing this job is highly, highly deficient. You've got people out there processing major crime scenes that might not have any training at all on crime-scene processing, which is scary, but it's the reality."

DOCJT offers several one-week courses in CSI-related topics like digital photography and bloodstain-pattern analysis. See sidebar 40 Law enforcement officers in Kentucky must attend

40 hours of state-approved training each year, a requirement that is often met through a one-week CSI-related course.

Wallace, his fellow instructors in DOCJT's Investigation Section and others at the agency were dedicated to offering more than one-week classes for CSIs. They worked on materials for several years, laying the initial groundwork for the academy.

At the end of 2006, the instructors and others at the agency constructed eight dorm-room-like areas in the back of DOCJT's Vehicle Operations building to use for practical exercises in some of the weeklong CSI courses. They knew that they would need the training modules if they received funding for the KCA, Wallace said.

DOCJT awarded the Investigation Section and others who helped with the project a teamwork award this year for their efforts in building the training modules.

Horace Johnson, DOCJT Training Operations director, said the section's work in creating the KCA will make a dramatic impact on the effectiveness of Kentucky

law enforcement.

"We needed this training in Kentucky because there is no extensive training here for crime scene investigators," Johnson said. "This is going to take them far beyond what they were able to do before. We had the right people in the right place at the right time to conduct this type of course."

Time was also of the essence for the KCA team that investigated the car explosion that killed the fictional Rob Jones.

The CSIs were able to determine that the bomb in the car had been on a timer after roughly reconstructing a Sunbeam-brand timer from pieces they collected from the debris. This was just one of the clues that helped them solve their case.

"If anyone has the opportunity to attend this training, it is well worth it," Marshall County's Melone said. "If any supervisors are apprehensive about losing their investigators for 10 weeks, rest assure that you will gain far more than you have lost." J



CSI ON THE CHEAP

Marshall County Det. Dan Melone, a graduate of DOCJT's Kentucky Criminalistics Academy, offers this method for making your own fingerprint-fuming chamber* as an alternative to using an approximately \$150,000 piece of equipment commonly called a Super Glue chamber:

Warning - This method must be used in a well-ventilated area. It will produce toxic fumes.

Place four cotton balls inside a plastic sandwich bag. Pour baking soda into the bag and shake, saturating the cotton balls with the baking soda. Put the saturated cotton balls inside of a silver cupcake tin or a bowl shaped from aluminum foil. Place several drops of a glue containing Cyanoacrylate, such as Super Glue or Krazy Glue, over the cotton balls. Place the cupcake tin of cotton balls and a hot cup of water

into an air-tight container, such as a plastic storage container with a lid. Place the item you want to process for fingerprints into the container, using a prop to hold it off the bottom of the container so that both sides of the item will be processed for prints. Place a fingerprint card with your print on it inside the container. Close the container lid. When your fingerprint card is processed, the other item(s) in the container should be finished processing. Be careful not to overprocess your item(s). The fuming process shouldn't take longer than 30 minutes.

- Cotton balls - \$.97
- Sandwich bags - \$1.12
- Baking soda - \$1.50
- Cupcake tin - \$1.14
- Super Glue - \$1.92
- Air-tight container with lid - \$1.20
- Recovering a fingerprint that helps solve your case - priceless

* This method is taught in the KCA. Melone said he has been using this technique successfully for years. ■

"WHO ARE YOU?"

The Kentucky Criminalistics Academy's first graduates are:

I.D. Officer Ron Burleson, Henderson Police Department, eight years of CSI experience

Det. Peter Chytla, Elizabethtown Police Department, six years of CSI experience

Det. Billy Correll, Kentucky State Police, Post 11, five years of CSI experience

Officer Brian Davidson, Bowling Green Police Department, four years of CSI experience

Det. Dan Melone,

Marshall County Sheriff's Office, seven years of CSI experience

Det. Brian Moore, Georgetown Police Department, three years of CSI experience

Kim Newman (civilian), crime-scene technician, Covington Police Department, two years of CSI experience

Officer Brandon Sims, Owensboro Police Department, three years of CSI experience

Howard Trapnell (civilian), investigator, Alexandria Police Department, 25 years of CSI experience

Det. Jerry Welch, Lexington Police Department, eight years of CSI experience ■

KENTUCKY CRIMINALISTICS ACADEMY

CRIMINALISTICS ACADEMY COORDINATOR IS AN EXPERIENCED INVESTIGATOR

It wouldn't take much of a sleuth to figure out Joe Wallace's law-enforcement area of expertise.

Hanging on a wall in the instructor's office at the Department of Criminal Justice Training in Richmond is a framed certificate from the National Forensic Academy at the University of Tennessee and one from the National Academy of Police Diving for an underwater crime scene investigator.

Of course, one might overlook those clues at first for the seemingly disturbing item on the windowsill behind Wallace at his desk. There sits a white mug with black wording and what look like splashes of blood.

A closer inspection of the mug reveals that it's a novelty item from the International Association of Bloodstain Pattern Analysts, another hint to Wallace's background in crime scene investigation.

Wallace, who was a CSI for the Biloxi Police Department in his home state of Mississippi from 1994 to 2002, is the coordinator for DOCJT's new Kentucky Criminalistics Academy. He also designed the KCA curric-

ulum.

"Joe is an experienced crime-scene guy, and we were lucky to have him come to DOCJT," said Horace Johnson, DOCJT training operations director. "He has done a yeoman's job of pulling the criminalistics academy together with limited resources. Joe and the other talented instructors who are involved with this project have been very enthusiastic and are providing a real service to Kentucky's CSIs, and we are proud of that."

In addition to heading up the criminalistics academy, Wallace teaches many of the KCA courses, including Bloodstain Pattern Recognition, Crime Scene Investigation, Digital Photography, and Advanced Latent Fingerprints. He has been an instructor in DOCJT's Investigation Section since joining the agency in 2004.

"Joe Wallace brings real experience and knowledge to this training," said Marshall County Det. Dan Melone, a graduate of the first KCA class.

Wallace has extensive training in his field,

including courses in bloodstain-pattern analysis, fingerprint processing, underwater crime scene investigation, crime scene processing and crime scene techniques regarding buried bodies and surface skeletons.

As an underwater crime-scene diver, Wallace said he had retrieved everything, from guns to televisions to bodies, related to crimes. In the bayous of Mississippi, searching for evidence meant risking a meeting with an alligator and using only touch to find what you wanted in the murky waters, he said.

Wallace left his job as a CSI in Mississippi to be police chief in Fort Yukon, Alaska, where he worked for three years before moving to Kentucky.

He has a bachelor's degree in criminal justice from the University of Southern Mississippi and a master's degree in public administration from the University of South Alabama.

"Joe was chosen to be the Kentucky

Criminalistics Academy coordinator because of his many skills," said Frank Kubala, supervisor of DOCJT's Investigation Section. "He has the training and experience to run this program not only from a teaching standpoint, but also in the administrative area. Joe is an outstanding instructor and is able to work effectively with many types of people and bring them together as a team."

Wallace said he had long wanted to be an investigator and then became interested in being a CSI. He began taking courses in the field while applying to join the crime scene unit in Biloxi, where he was a patrol officer for nine months before becoming a CSI.

It was the puzzle of a crime scene that drew him to CSI work.

"To me it's just one of the neater parts of law enforcement to where you have to put all the pieces together," he said.

While in Biloxi, Wallace and his fellow CSIs had the opportunity to process many of those pieces since the police department had its own mini laboratory, he said. At an agency with approximately 150 sworn officers, the CSIs nearly ran the gamut in handling evidence for their agency as well as for other departments that weren't as well equipped – from developing fingerprints to using alternate light sources to determine if items contained bodily fluids, Wallace said. DNA testing, serology work and some other functions were handled outside the lab.

The first case Wallace worked as a CSI started, in a way, as one of the last cases he handled as a patrol officer for Biloxi.

A few weeks before he became a CSI, Wallace responded to a call about a prostitute who had been badly beaten. He told her she was going to end up dead if she didn't find a new line of work. His first call out as a CSI weeks later was to an abandoned house where the woman had been sexually assaulted and hanged to death, he said.

Another case Wallace investigated as a

CSI involved a man who had murdered his wife and stepson after an argument about the boy wanting to watch cartoons on television when the husband wanted to watch sports. Investigators discovered the wife's remains in the back bedroom of the house, where she apparently had been watching a religious program on television. Her Bible was open on the bed near her.

"Things like that kind of stick out at you," Wallace said.

But many of the intriguing cases Wallace said he worked in Biloxi were like the seemingly blood-spattered mug in his office – not what they seemed at first glance.

"Some of the more interesting ones actually turn out to be natural deaths that look like homicides to begin with," he said.

In one such instance, police were called after a man was found dead in his hotel room. There was blood all over the room, the man had a hole in his head that looked like a gunshot wound, and his keys and wallet were missing, Wallace said.

After further investigation, it was determined that the man had hit his head on the lamp above the hotel room bed while having a stroke, resulting in the wound to his head, Wallace said. A so-called friend had found him dead and taken his wallet and keys.

The man died from an upper gastrointestinal bleed, which caused him to have the stroke, Wallace said.

Such cases highlight the importance of working with coroners and medical examiners' offices, he said. J





KENTUCKY CSIS EXCAVATE GRAVES AT FAMOUS FORENSIC FACILITY

Quietly, as sun-tinted leaves of gold and red drift to the ground, Kentucky forensic investigators, bent over on their hands and knees, gently scrape away layer after layer of damp, packed earth within the two square meters bounded by neon yellow string.

Speaking in occasional hushed tones, they work methodically, making sure not to disturb the decomposing human remains poking indiscriminately up through the forest floor around them.

By mid-afternoon, after four hours of patient, meticulous labor, the investigators are rewarded with the sight of a curved row of teeth jutting from a small crevice less than a foot below the original surface. Nearby, another team of inspectors has discovered a fleshy foot in the shallow grave they had been painstakingly

unearthing.

For their purposes, both groups have hit pay dirt.

Pay dirt consists of a successful burial excavation at the world-renowned Anthropological Research Facility, the primary assignment for 10 Kentucky crime scene investigators during a University of Tennessee's Forensic Anthropology Center course. The course made up one full week of the 10-week Kentucky Criminalistics Academy.

The ARF, or "The Body Farm" as many people have called it since novelist Patricia Cornwell's 1994 fictional book based on the facility, is dedicated to the study of human decomposition for use in solving crimes. Its 1.3-acre patch of Tennessee woods is a laboratory like no other.

Here, on a hillside near the UT Medical

Center, approximately 180 bodies rot inside the boundaries of an 8-foot wooden privacy fence in a variety of realistic situations based on continuously-evolving research plans. Most of the bodies above ground are covered in black tarps, but several lie in the open for specific research such as a study about what animals do with remains. Other bodies are stuck inside plastic storage containers full of water, while 60 are buried 3-feet-deep or less throughout the area. A wooden stake by each body displays its arrival date.

Most of what is known about human decomposition is a result of research conducted at the ARF, including the ability to estimate how long a person has been dead.

Bodies generally arrive through donation – unclaimed corpses from medical examiners'

offices and people who donate themselves or whose families provide them.

Anthropology professor Lee Meadows Jantz, the facility's coordinator, works with the donors and their families, and she isn't fond of people calling the area "The Body Farm."

"It doesn't show them due respect," she said.

Respect for privacy is among the reasons the bodies are kept covered if possible, said Rebecca Wilson, an anthropology graduate student who also works at the ARF. But they are also kept under wraps so their decomposition characteristics will mimic what law enforcement officers frequently witness in the field, she said.

"How often are they going to find a body

uncovered?" said Wilson, whose earlobes sport skull-and-cross-bone earrings.

Beginning in 2000 when it conducted its first course for FBI agents, the facility has focused on training for law enforcement officers, particularly forensic specialists.

"The law enforcement people who come through here seem to get a lot out of it," Jantz said. "It gives them, if nothing else, an appreciation of what anthropology has to offer."

During their week of training, the Kentucky CSIs attended lectures by ARF's founder, William Bass, as well as Arpad Vass, an expert on determining time since death, a forensic odontologist and others. The burial excavation capped off the week.

"The Knoxville week was one of the highlights of the KCA," said Ron Bursleson, a Henderson CSI who graduated from the first criminalistics academy.

Det. Jerry Welch of the Lexington Police Department, who was among the Kentucky CSIs in Tennessee, said that while investigators don't excavate bodies without direction from the commonwealth's forensic anthropologist, the course was eye-opening.

"The experience itself is worth it," Welch said. "It's something not everybody gets to do. A lot of investigators never get to see how this is done."

An excavation typically involves a methodical multi-step process. Once the dirt the investigators scrape from the surface mounts during the excavation, they carefully brush it into a dustpan and slide the pile into a white bucket. Other colleagues pour the contents into a waist-high sifter, combing through the remaining material for bone or some other object that would indicate the presence of a decomposed human.

Lessons on entomology were also helpful, Welch said.

"In any death scene, especially one that's outside, it's a common thing to run into the bugs," he said. "A lot of times investigators run into something on the body and don't know what it is. After learning more about what insects do to a body, you can help identify

whether something is insect related versus a wound that has been inflicted by a person."

On Halloween, the day before the burial excavation, the investigators' exercise eerily evoked a macabre version of an Easter egg hunt – searching for bones and evidence that had been scattered in the woods for them to locate, document and collect.

UT's Forensic Anthropology Center has the largest collection of bones in America, with about 750 complete skeletons, most of which come from the bodies at the facility after they have completely skeletonized. Others are only parts of skeletons, often used for the scatter exercises, Wilson said.

The Kentucky CSIs performed the bone search on a two-acre site where the Forensic Anthropology Center plans to expand the facility's work by 2010. The graves at the present site have been used so many times that they are losing their value for training law enforcement, Jantz said.

"Burials that have been dug repeatedly lose some of the signatures that we are looking for," she said. "We are trying to train them on clandestine graves. We want them to be able to recognize the margins, the boundaries of a grave, and, after so many burials, we lose the tool marks and the margins. It becomes just an exercise in digging, which is not what we want."

The sterile land also would allow for research on how the environment changes in an area after bodies decompose there, Jantz said.

At the facility's present site, significant research focuses on determining how DNA degrades over time and in certain environments. The decomposing bodies submerged in water in Rubbermaid storage tubs are part of that research.

During their excavation, one of the Kentucky CSI teams worked close to a nearly skeletonized body that was part of a study about how animals affected decomposition. The body was that of a man who had been at the facility since April. Thin, white, neatly parted hair, still visible on his head in November, serves as a lasting testament to those who give up their bodies for the ultimate benefit of society. 



Chief Alan Alsup
Lewisburg Police Department

Alan Alsup graduated from Auburn High School in 1970 and attended Western Kentucky University. He served in the U.S Army Military Police from 1972 to 1974. In 1988, Alsup graduated from the Department of Criminal Justice Training's Basic Class No. 184. He served the Russellville Police Department from 1988 to 1996 starting out as a patrolman, later promoted to corporal and then to sergeant. He is a member of the drug interdiction team. He received the Impaired Driving Enforcement Award and the RPD Employee of the Year Award in 1995. Alsup has served as chief of Lewisburg since 1997. Alsup is married with three children and 10 grandchildren.

"I plan on leaving this department a much better place than when I arrived."

After serving as chief of Lewisburg for more than 10 years, what has been your most rewarding experience?

My most rewarding experience was that I, as a one-man police department, worked to get the state legislature to pass a law adding Hwy 431 to the National Truck Network. Over-width and over-length trucks had used the roadway illegally for years with very little or no consequence. I started stopping the truckers and warning them. After several months, I started issuing citations for these violations, due to the safety concerns that they presented. This created quite an uproar from the truckers and politicians.

What are your response techniques for gun violence in schools?

The Logan County school system has an emergency response notification plan for such situations. I have taken in-service courses in response to crisis situations and advanced public and police safety. These courses deal with responding to an active shooter in a school, among other things. In addition, I received an M-16 rifle through the military surplus program, so if such an incident occurred, I could respond immediately, while backup is on the way. In the meantime, I participate in the Project Childsafe free gunlocks program and I teach the National Rifle Association's Eddie Eagle gun-safety course for kindergarten and first grade at the local elementary school.

As a one-man police department, what is a typical day for you?

My typical day would bore most of you to tears. I am responsible for a small, rural community of approximately 1,000 people, most of which are elderly. I deal with drugs, assaults, thefts, traffic accidents, etc., just like most of you only on a much smaller scale. In addition I work the morning and afternoon school traffic, deal with animal complaints, city occupational licensing investigations and public relations. I work an occasional day shift, but, most of my hours are at night. I continually switch my days off, as well as starting and quitting times, so as not to be too predictable.

Do you find it hard to balance your job and your life outside of work?

In a small town, you are always on duty. I live several miles outside of town, but it's not unusual for someone to come to my residence at any time of day or night. I try to discourage that unless it is an emergency situation, but most people think that if it involves them it is an emergency. That is why when I go on vacation I leave the state and still end up handling several phone calls a day relating to work.

Since you're a one-man department, who protects the citizens while you are away?

When I'm gone for vacation or in-service, I notify the Logan County Sheriff's Office, Kentucky State Police Post 3 and Logan County Emergency Communications Center. Both the sheriff's office and KSP have been good about covering in my absence. I spend a lot of time as their primary backup in the northern part of the county.

What is your perspective on DOCJT's Career Development Program?

I have obtained certificates in advanced law enforcement officer and law enforcement officer investigator since its implementation. I am currently working toward a certificate in police supervision. With each certificate, my city council has rewarded me with an increase in pay. I don't know why anyone wouldn't participate.

Do you have any special projects or new responsibilities that you would like to share with your law enforcement peers?

When I came to this department, they didn't have a filing cabinet, let alone a recordkeeping system. Now reports are done through KYOPS. I have obtained grants for body armor and a mobile video camera. I have a new evidence room and gun safe, and I have recently received approval from the city council to pursue accreditation. The department now has hazardous-duty retirement, a drug fund and a cruiser replacement fund. The department has gone from the bare minimum of training to obtaining as much relevant training as possible. I am a charter member of the Joint Emergency Communications Board, which oversees the Emergency Communications Center. I plan on leaving this department a much better place than when I arrived. J



Sheriff Robert E. Hopper, Sr.
Fulton County Sheriff's Office

After serving three years as District 2 constable and eight years as chief deputy, Robert Hopper was elected Fulton County sheriff in 1993. Hopper is a Kentucky colonel, a member of the Kentucky Sheriffs' Association, National Sheriffs' Association and the Kentucky Sheriffs' Boys and Girls Ranch. He is the former chief of the Cayce Volunteer Fire Department, where he retired after 21 years. Hopper and his wife, Barbara, have been married almost 35 years and have three children and three grandchildren. They live in the Cayce community and are active members of Cayce Baptist Church. Hopper serves as the Sunday school superintendent.

"The most rewarding experience has been becoming familiar with my county and meeting and becoming friends with most of the citizens."

After serving in law enforcement for more than 20 years, what has been your most rewarding experience?

I began my career in law enforcement in 1985. The most rewarding experience has been becoming familiar with my county, and meeting and becoming friends with most of the citizens. Even in times when I had to do my duty, I was treated with respect from most of the people. Everyone realized I had to do my job. It's not a personal gain.

What are your department's response techniques for gun violence in schools?

I have two schools in my county, one in Fulton and one in Hickman. We will respond as backup for either city police department. Both cities have their procedures they follow. We will assist them wherever needed.

Generation X – who are these young police officers entering our profession today?

Most officers graduating from the academy are going to work for small departments, such as mine. They are doing it for experience, while looking for a higher-paying job in a larger city. Small departments do not have the revenue it takes to keep these young officers satisfied. Unlike at my department, they don't have to bailiff court. Sometimes we bailiff every day. Young officers like being on patrol. They don't like to sit around. I have two road deputies. If we are in court, then our patrol is limited. You can't blame the

officers for wanting better. Bigger cities are more inviting. You can't keep your hometown boys until you come up with what they need to keep them home.

What progress was made from the 2007 sheriffs' conference?

This is the first sheriffs' conference I have attended that was specifically set up for training for the sheriffs and deputies. I thought it was great and I am looking forward to the next one.

What challenges do you face that other Kentucky law enforcement agencies might not, being a border county?

Fulton County borders Hickman County, Kentucky, Obion County and Lake County, Tennessee and the Mississippi River that is connected by a ferry. Being the only wet county around, I have a lot of traffic. It is hard to take care of all the calls. By the time you receive one, the perpetrator can already be headed out to one of the surrounding counties, so you're rather in limbo, because you can't go to that city. It is very difficult managing all the day-to-day calls when you are limited on officers.

Do you have any special projects or new responsibilities that you would like to share with your law enforcement peers?

Not at this time. Working drug interdiction, bailiffing court and taking calls keeps us busy 24/7. J



Chief Bobby Hall

Olive Hill Police Department

Chief Bobby Hall is 34 years old and lives in Olive Hill with his wife Marsha and their three children: Nathan, 15; Stacy, 11; and Sarah, 7. Hall's wife is a Kentucky state park ranger at Carter Caves State Resort Park in Olive Hill and has been in law enforcement for eight years. Hall graduated from West Carter High School in 1992 and Eastern Kentucky University in 1998, majoring in Police Administration with a minor in Emergency Medicine. While attending ECU, he received certification as an Emergency Medical Technician and has kept current. He began his law enforcement career at the Olive Hill Police Department as an auxiliary officer in 1994. Hall also worked for the Carter County Sheriff's Office, the Grayson Police Department, as well as Morehead State University Police Department before returning to Olive Hill as chief. He has won numerous awards and commendations including the Governor's Award for Impaired Driving Enforcement eight times.

"...the most rewarding thing to me is to provide my community with a respectable, capable, balanced and professional police department that can provide the service our community demands and deserves."

After serving as chief for more than six years, what has been your most rewarding experience? I have had many rewarding experiences in my career, which include being recognized for my achievements. I have been able to make a living in a career that I love, and I enjoy the camaraderie among law enforcement officers. Most of all, though, the most rewarding thing to me is to provide my community with a respectable, capable, balanced and professional police department that can provide the service our community demands and deserves. Being able to lobby in Frankfort with the Kentucky League of Cities to provide funding through House Bill 413, which benefited police departments statewide, thus helping my peers, is also a highlight for me.

What are your department's response techniques for gun violence in schools? There are different schools of thought on active-shooter incidents in schools. The safety of the students and building occupants is of the utmost importance. To keep the loss of lives at a minimum, the active shooter, in my opinion, must be identified and engaged as soon as possible. Officers responding to the scene must be adequately trained and prepared to enter the building and to accomplish the mission of eliminating the threat to innocent lives as soon as possible. Planning and training are key to handling such a situation.

Generation X – who are these young police officers entering our profession today? Today's new officers are a direct reflection of today's society. Times change the same as when my generation was the new face of law enforcement. Policing must evolve and adapt to the changes in society in the world now as well as the future. We must instill the core values of policing in our new officers: honesty, integrity, good moral values and

so on. The desire to help others must be within these new officers also. Technological advances can be taught to our successors but they still must have good, strong core values and morals to be desirable law enforcement officers.

Your department serves a portion of eastern Kentucky. How does your department provide accident reconstruction services to surrounding departments? Our department stands ready to assist any requesting agency in regards to accident reconstruction. Officer Sam Lowe is one of only three people in the state that has attained national accreditation through Accreditation Commission for Traffic Accident Reconstruction. The department uses the Nikon Total Station system to conduct its scene mapping and also has the crash data recovery device to retrieve airbag crash information from vehicles involved in collisions. Lowe has more than 15 years experience in the field of accident reconstruction with extensive training in many areas including commercial vehicle, pedestrian, train and motorcycle collisions.

From a law enforcement executive perspective, why do you think it is important for officers to maintain a high physical fitness level? A high level of fitness benefits an agency in many ways. First, it enhances officer safety. An officer, often working alone, needs to be fit enough to struggle with a person who is resisting arrest or whatever the situation may be. If the officer is overpowered, his or her own weapon may be taken away and used against the officer. Another benefit is financial. Being in good shape reduces health problems for officers thus saving on insurance premiums. Workers Compensation claims are also greatly reduced. A fit person can also handle stress better, all of which leads to a more efficient and productive officer. J

New Chiefs of Police Across the Commonwealth

MICHAEL FRANKS, JR., was appointed chief of the Benham Police Department on August 28.

SHANNON TAYLOR is the newly appointed chief of the Clay City Police Department.

JAY NEWELL was appointed chief of the Danville Police Department on October 8. Newell has 12 years of law enforcement with Danville. He graduated from Western Kentucky University in 1994 with a major in Social and Behavioral Sciences. His future goals include expanding the department's investigation section and getting a new facility for the department.

WILLIAM ROBINETTE was appointed chief of the Elkhorn City Police Department on March 30.

DAVID MOSS is the newly appointed chief of the Ferguson Police Department.

RANDY SERGENT was appointed chief of the Flemingsburg Police Department on June 10. Sergeant has 23 years of law enforcement experience and three of those years were spent serving the military police. He attended Eastern Kentucky University and Morehead State University. Since taking office, his main initiative is to combat the war on drugs and maintain a steady workforce.

WILLIAM DWYER was appointed chief of the Guthrie Police Department on May 28. Dwyer has 12 years of law enforcement experience. His goal is to combat the war on drugs. Dwyer said that being a border town to Tennessee makes it hard, but he would put forth his greatest efforts.

HENRY DOAN was appointed chief of the Harlan Police Department on September 2. Doan is a graduate of the Department of Criminal Justice Training's Basic Training Academy Class No. 256. He has 11 years of law enforcement experience. Doan plans to keep his officers and department updated on and fully equipped for training in the electronic age. He also wants to maintain accreditation.

JAMES HOOPER is the newly appointed chief of the Hollow Creek Police Department.

ROBERT GLENN was appointed chief of the Leitchfield Police Department on August 1. Before coming to Leitchfield, he served the Houston Texas Police Department for 11 years. Glenn has more than 25 years of law enforcement experience. He plans to implement more community-oriented policing by stepping up the neighborhood-watch program. Glenn also wants to enhance the traffic-enforcement initiative.

DALE HALCOMB was appointed chief of the Lynch Police Department on May 28. Halcomb attended Southeast Community College. He has 12 years of experience in law enforcement. Since taking office, Halcomb has purchased three new police vehicles and has received department side-arms (body armor for law enforcement) from a grant through the Governor's Office for Local Development. Halcomb hopes to get his department more computer training and bring them up to the 21st century.

JEFF CULVER was appointed chief of the Manchester Police Department on August 6. Culver began his law enforcement career in 1984 and has served his entire career with Manchester. He is a graduate of Clay County High School and he attended Cumberland College. Culver will implement community-oriented policing as well as combat the war on drugs.

RAY O'NEAL was appointed chief of the Marion Police Department on August 1. O'Neal has served with the department for eight years, and before coming to Marion, he worked in coal mining for 18 years. He has already implemented a community-policing program. He wants to continue to upgrade technology and also participate in the accreditation process

through the Kentucky Association of Chiefs of Police.

DENNY HEEGEN was appointed chief of the Mortons Gap Police Department on September 16. Heegen attended Eastern Kentucky University and he has more than 30 years of law enforcement experience. Heegen's main goal is to hire one more full-time police officer.

JAMES MILLER was appointed chief of the Muldraugh Police Department on October 15. Before coming into law enforcement, he worked in his family's construction business. Miller has been in law enforcement for 10 years. He left Muldraugh and was appointed chief of Irvington in 2005 and went back to Muldraugh as a patrolman. He graduated from DOCJT's Basic Training Academy Class No. 274.

RICHARD FRANK is the newly appointed chief of the Northfield Police Department.

BILLY HOLBROOK was appointed chief of the Paintsville Police Department on September 4. Holbrook began his career in law enforcement in Columbus, Ohio and completed a 10-week basic training academy. In 2002 he also completed DOCJT's 16-week basic training. Holbrook has 10 years of law enforcement experience, and he served 14 years in the National Guard. His goal is to improve the relationship between the community and the department.

MERL BALDWIN was appointed chief of the Perryville Police Department on November 8, 2006. Baldwin has more than 16 years of law enforcement experience. Baldwin believes in community-oriented policing. Since becoming chief, he has implemented a program for the youth of Perryville by obtaining job applications from Big Lots, K-mart and McDonalds and passing them out to the youth of his community.

MATTHEW WATSON was appointed chief of the Salyersville Police Department on August 15. Watson has 14 years of law enforcement experience. He began his law enforcement career with the Magoffin County Sheriff's Office. Watson served as chief for Salyersville in 2000 and then went back to the sheriff's office in 2005. His goals are to hire more officers and serve the public more.

ROBERT WHITTLESEY was appointed chief of the Trenton Police Department on June 1. Whittlesey came to Trenton after serving 23½ years at Guthrie Police Department, retiring as chief. He has 24 years of law enforcement experience, and he served six years in the army. His goal is to maintain a working relationship with the citizens and surrounding communities.

JOHNNY LAYNE is the newly appointed chief of the Wayland Police Department.

JOSEPH JONES was appointed chief of the Williamsburg Police Department on August 20. Jones has served the Williamsburg Police Department for 23 years. He is a graduate of DOCJT's Basic Training Academy Class No. 162. His goals are to continue the outreach to local schools about saying no to drugs as well as working together more with the community.

STEVEN GARRETT is the newly appointed chief of the Liberty Police Department.

RICHARD FRANK was appointed chief of the Northfield Police Department on May 1. Before coming to Northfield he served the Jefferson County Police Department for 29 years. Frank has been with the Northfield Police Department for 9 years. His plans are to keep the long tradition of the meeting the needs of the community, purchasing new department vehicles and keeping up-to-date on new technology. ■

Book Review

WOMAN, CHILD FOR SALE: The New Slave Trade in the 21st Century

by Gilbert King, Chamberlain Bros. Publisher, New York, New York, 2004

/Reviewed by, Special Agent Andre Simons, Critical Incident Response Group FBI Academy

The Greek philosopher Aristotle noted in his work "Politics" that "a slave is a property with a soul." Outlawed in the United States in 1865 by the 13th Amendment, slavery and human trafficking generally have become relegated to the past as historical footnotes. But, as law enforcement agencies in this country increasingly come into contact with the children and women who comprise today's slaves, officers need to understand the underlying issues that fuel this gruesome sex and labor industry.

In "Woman, Child for Sale", Gilbert King serves a balanced wake-up call to those who view human trafficking, child sex tours, and forced labor as problems plaguing countries outside the United States. King presents a bevy of startling statistics that demonstrate how the enslavement of women and children has crossed international borders to become a serious issue for American law enforcement officers. The often-astounding facts clearly demonstrate how the business of human trafficking now rivals that of the drug trade, yielding an estimated profit of \$8 to \$10 billion. In the summer of 2004, the U.S. Department of State reported that 600,000 to 800,000 new victims are trafficked across international borders each year to feed the sex trade and forced labor industries. Lest readers dismiss this cancer as exclusive to those countries outside the United States, King takes pains to educate them by revealing that every 10 minutes, a woman or child is trafficked into the United States for forced labor, which translates into approximately 50,000 female and child slaves crossing U.S. borders

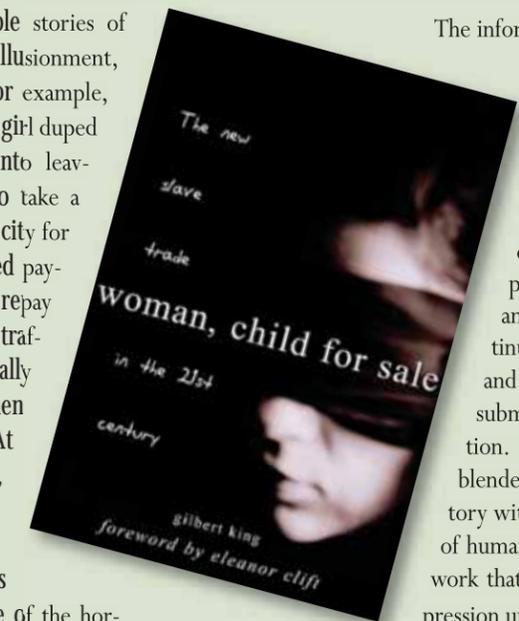
each year. These victims involve women 70 percent of the time with 50 percent of all victims being children, sometimes as young as 6 years old. The author avoids a drab recitation of research, presenting these mind-numbing numbers in a compelling and easily digestible format.

Despite the staggering fact that 10 million children worldwide currently are trapped in involuntary servitude and sexual slavery, it can be easy to depersonalize these "invisible" victims that toil in darkness. Recognizing that statistics often fail to tell the entire story, King bridges the gap between numbers and victims by personalizing the nightmare of human trafficking. Through gripping case studies, he profiles children and women from Asia, Russia, and Eastern Europe. The reader quickly becomes mesmerized by their incredible stories of entrapment, disillusionment, and servitude. For example, Siri is a Thai farm girl duped by a trafficker into leaving her village to take a "good job" in the city for a \$2,000 advanced payment. Forced to repay her debt to the traffickers, she sexually serviced 300 men each month. At \$4 per customer, her physical and psychological enslavement gives readers a glimpse of the hor-

rors endured on a daily basis by these young girls. From Florida to Georgia, New York, and Washington, each brutal story of lives led in misery without freedom shocks the reader's conscience and humanity.

King has wisely addressed the historical development of human enslavement and presents snapshots of various countries currently believed to engage in the exportation of children and women. Importantly, he calls attention to the difficulties faced by law enforcement and prosecutorial entities in seeking to investigate and convict the traffickers. The author warns of the challenges of infiltrating organized trafficking syndicates, obtaining cooperation from victims who are intimidated by their captors, and gaining cooperation from other countries that may not necessarily view human trafficking as criminal in nature.

The information contained in this book serves as a blunt and sobering example to the reader that without vigilance and dogged pursuit of criminal entrepreneurs, children and women will continue to be victimized and forced into lives of submission and humiliation. King has effectively blended statistics and history with touching accounts of human tragedy, creating a work that leaves a lasting impression upon the reader. J



■ Obscured by billowing waves of heat, firefighters practice extinguishing a controlled blaze during the 78th Annual Kentucky State Fire School and joint Homeland Security Conference. KOHS coordinates training for first responders around the state to better prepare for potential disasters, whether natural or man-made.

/Photo by Jim Robertson

DRIVEN

Lexington Patrolwoman Becomes First Female Motorcycle Officer in Kentucky



/Photo by Elizabeth Thomas

/Jamie Ball, Public Information Officer

Lexington Police Officer Tembree Murphy has enjoyed her work as a patrol officer for the past four years, but now, she says, she prefers to do it on the two wheels of a Harley-Davidson.

Murphy, 33, became the first state-certified female motorcycle officer in Kentucky after successfully completing the police department's two-week motorcycle training course in May, according to the Lexington Division of Police.

"It made me feel really good," Murphy said of passing the class. "It was a big accomplishment."

The officer is now among the 14 of Lexington's 23 certified motorcycle officers who patrol on the agency's Harley-Davidson Electra Glide motorcycles full time, save inclement weather.

"I absolutely love it," she said. "Prior to the bike, I thoroughly enjoyed my job. It's just that much better now."

But getting there wasn't easy.

Sgt. Billy Richmond said Murphy's passing the course "speaks volumes of her."

Murphy had never even taken a ride on a motorcycle prior to her training, so – at her sergeant's suggestion – she started with a beginner's class in Richmond a couple of weeks prior to the Lexington course.

"She was very dedicated to learning to ride the motorcycle," Richmond said. "She's about as tough as they come."

Once in Lexington's course, officers focused on techniques like braking; low-speed, high precision maneuvering; and collision avoidance.

"It was a very, very stressful class, both mentally and physically," Murphy said.

Students must also complete a timed obstacle course on the motorcycle and lift a bike lying on its side to an upright position. With police equipment on them,

the motorcycles weigh at least 900 pounds, said Lexington Officer Todd Kleinjan, who instructed Murphy's class.

"This is a very tough course," he said, noting that 15 to 20 percent of the officers in each class do not complete it.

Murphy said she considered herself naturally strong, but that she increased her workout to help her with picking up the bike and the slow-speed maneuvers that required extra control.

During the first week of her 80-hour course, Murphy became injured and was forced to take a couple of days off from training, Kleinjan said.

"She worked as hard as anybody to get through that course," he said. "She busted her butt and worked hard. This is something that she really wanted. She was just incredible to work with, willing to take instruction and never gave up, which is evidenced by her successful completion of the course."

Kleinjan, who is one of the few people in Kentucky who is state certified to provide police motorcycle training, said that only one other female has attempted the course in his four years as an instructor.

"It's just something that I wanted to accomplish," Murphy said. "There's not a lot in police work that you can do anymore that hasn't been accomplished by a female. But they hadn't done this," she said.

"I hope it encourages other females to try areas that have only been dominated by men," Murphy said.

Murphy said she had wanted to learn to drive a motorcycle for a long time. She gained the desire to become a motorcycle officer soon after she joined the police department and met some of the unit's officers while policing at University of Kentucky football games, she said.

"It looked like fun, and it is," she said. "To be able to do that with a job that I love is awesome."

The officer said she dislikes being off work now because she misses riding the motorcycle. She said she is considering getting a personal bike.

Murphy and the other full-time motorcycle officers make up Lexington's Selective Enforcement Unit, which works to enforce the traffic laws in areas of the city where there are a lot of wrecks and complaints about speeding and other violations, Kleinjan said.

"The police motorcycle is the number one traffic-control tool available," he said. "You can't beat it."

The motorcycle officers are also assigned cruisers for days the weather prevents them from using the bikes.

Motorcycles are practical for traffic, Richmond said. They are small and can be used to easily maneuver in traffic and around houses, which seem to be getting closer, Richmond said.

"They're so much easier to use than just cruisers," he said.

The motorcycles are also more fuel economic than police cruisers and a great public relations tool, Richmond said. The department uses them in parades and as funeral escorts, among other activities, he said.

"People pay attention to them, ask questions about them," he said. "Kids are drawn to them, and adults love them too."

Richmond said the department, which has 14 motorcycles, wants to own at least 20 of them by the 2010 World Equestrian Games that will be held in Lexington. The agency started motorcycle patrol in 2001.

Lexington's motorcycle instructors train at the Institute of Police Technology and Management in Florida, and are certified by the Kentucky Law Enforcement Council to provide training across the commonwealth.

For more information on the motorcycle-training course, contact Sgt. Billy Richmond at the Lexington Police Department at (859) 258-3600. J

Memorializing the Past

DOCJT dedicates names of 35 law enforcement officers killed in the line of duty / **Jamie Ball**, Public Information Officer

Beneath a clear, blue sky and an American flag gently furling in the breeze, the state's Department of Criminal Justice Training paid tribute September 19 to 35 Kentucky law enforcement officers who were killed in the line of duty by dedicating their names on the Kentucky Law Enforcement Memorial monument.

More than 400 family members, law enforcement officers, law enforcement recruits and others attended the ceremony at which DOCJT also rededicated the memorial at its new, more prestigious location at the agency. The memorial is now located in front of the John W. Bizzack Law Enforcement Training Complex.

Brig Gen. Norman E. Arflack, former secretary of the Kentucky Justice and Public Safety Cabinet, was the keynote speaker at the event.

"There is no ceremony that can pay absolute tribute to those among us who have fallen in the line of duty, but this is surely a wonderful day of remembrance for those individuals," said Arflack, who is a former law enforcement officer. "These are brave officers who placed the needs of others before those of their own – selfless individuals who went out daily doing what they thought was right, providing safety and security for all of us to live, work and raise a family. These individuals exemplify the dangers of our chosen profession."

Of the 35 names that were added to the monument this year and dedicated at the ceremony, three were officers killed in 2006.

Constable Elmer Kiser of Carter County died September 27, 2006 from wounds he received when a reckless driver he had been following assaulted him. Kiser was in his personal vehicle when the driver passed his and another vehicle on a curve, forcing the other vehicle off the roadway. The constable radioed a local police officer for backup as he followed the driver. Minutes later, a passerby reported to 911 that a wounded man was lying on the road. The man was Kiser. Kiser was transported to a local hospital and then to a trauma center, where he remained until he succumbed to his injuries.

Kentucky State Police Trooper Jonathan Leonard died December 19, 2006 from injuries he sustained in a vehicle accident in Pike County. His cruiser and another vehicle collided as he was on his way to respond to a domestic violence call. He was pronounced dead at the scene of the accident.

Bowling Green Police Officer David Whitson was shot and killed October 31, 2006 after he and two other officers responded to a call.

Whitson became engaged in a struggle with the suspect, who was armed with two knives. The other officers used deadly force against the suspect, and Whitson and the suspect suffered fatal gunshot wounds.

The Kentucky Law Enforcement Memorial Monument is the only monument in the commonwealth that recognizes all Kentucky peace officers who have been killed in the line of duty. This year's additions bring the total number of names on the monument to 382.

Two Kentucky law enforcement officers have been killed in the line of duty this year, and their names will be added to the memorial in 2008. Barren County Constable Ronnie K. Jones was killed April 2 when a vehicle struck his patrol car. Clay City Police Chief Randy Lacy was shot and killed June 13 by a prisoner he was transporting.

The monument, which was dedicated in 2000, was moved this year from in front of the Funderburk Building at DOCJT to its new location in front of the Bizzack complex, which is near the previous site. The monument had to be moved because it had reached its capacity for names, so the Kentucky Law Enforcement Memorial Foundation decided to give the monument a bigger and more fitting location in the move. The monument is now set in a grassy area with amphitheater seating.

The memorial foundation was established in 1999 to build the unique memorial. Once the memorial was completed in 2000, the organization expanded its efforts to include an ongoing financial endowment program, which helps Kentucky peace officers and their families with educational, medical and emergency needs. 🗡️



/Photo by Elizabeth Thomas



The other 32 lawmen whose names were dedicated at the memorial ceremony were killed in the line of duty between 1883 and 2001, but their names weren't added to the national memorial until recently. The criterion for having a name placed on the Kentucky Law Enforcement Memorial is that it be on the National Law Enforcement Memorial. Those officers are:

Marshal Harlan Taylor, Morganfield Police Department, died December 23, 1883. Taylor, 21, was shot to death while attempting to arrest a man for public intoxication.

Officer James Edgar, Newport Police Department, died November 17, 1884. Edgar died from a gunshot wound he received four days earlier when he and his partner attempted to arrest five men who were burglarizing a store.

Officer Charles Evans, Mount Sterling Police Department, died August 15, 1895. Evans died from a gunshot wound he received a day earlier as he and another officer were investigating a disturbance at a local saloon.

Deputy Sheriff William C. Brown, Hancock County Sheriff's Office, died May 22, 1905. A suspect who had shot and wounded a Lewisport town marshal and several other men the previous day shot Brown to death.

Chief Jon C. Tarp, Winchester Police Department, died April 2, 1907. Tarp died from gunshot wounds he received a week earlier when he and several officers attempted to arrest a man suspected of being involved in several burglaries.

Deputy Sheriff Andy Downs, McCreary County Sheriff's Office, died July 4, 1907. Downs was shot to death as he attempted to arrest a man suspected of running an illegal drinking establishment.

City Marshal John C. Coomer, Burnside Police Department, died October 1, 1913. Coomer, 52, died from a gunshot wound he received several days earlier after arresting a drunken man at a railroad station.

Deputy Sheriff Frank Dulin, Spencer County Sheriff's Office, died October 4, 1916. Dulin, 26, was shot to death after arresting a man who had shot the deputy's father-in-law the previous week.

Sgt. Christopher Kolhoven, Newport Police Department, died July 11, 1917. Kolhoven was shot to death while attempting to arrest three drunken and disorderly men who had attempted to steal milk from a local saloon keeper.

Deputy Sheriff Oliver Slaven, McCreary County Sheriff's Office, died May 9, 1920. Slaven, 40, was shot to death while attempting to arrest an escaped prisoner.

Town Marshal James Melvin, Paintsville Police Department, died August 26, 1921. Melvin was shot to death while searching for an illegal still.

Sheriff John T. Roach, Graves County Sheriff's

Office, died March 6, 1922. A disgruntled former employee shot Roach to death.

Deputy Sheriff Kelly Walker, Leslie County Sheriff's Office, died March 28, 1923. Walker, 30, was shot to death as he and other prohibition officers served warrants at a home to search for illegal stills.

Deputy Sheriff J. Farris Ball, McCreary County Sheriff's Office, died December 14, 1923. An unknown person shot Ball, 35, to death as he was attempting to arrest two suspects.

Officer Anthony Siemon, Newport Police Department, died April 22, 1924. Siemon, 30, died from stab wounds he received 23 days earlier as he attempted to arrest two brothers.

City Marshal Hiram Gregory, Burnside Police Department, died April 23, 1926. Gregory, 50, was shot to death while attempting to arrest a man for being drunk in public.

City Marshal Charlie Wright, Burnside Police Department, died November 15, 1926. Wright, 49, was shot to death while attempting to arrest a man for public drunkenness.

Deputy Sheriff Jesse Fulton, Letcher County Sheriff's Office, died August 21, 1927. Fulton, 39, was shot to death while attempting to make an arrest.

Deputy Sheriff James Owens, Lewis County Sheriff's Office, died November 6, 1928. Owens, 46, was shot to death after breaking up a fight between two juveniles at a local school. He was posted at the school to keep peace during an election.

Marshal Francis L. Abell, Morganfield Police Department, died February 16, 1929. Abell, 50, was shot to death as he attempted to arrest a suspect.

Officer Poley L. Faulkner, Winchester Police Department, died November 7, 1929. Faulkner, 67, was shot to death when he and two officers attempted to arrest a man for drunk and disorderly conduct.

Officer Jesse B. Dills, Paintsville Police Department, died December 21, 1929. An individual who held a grudge against Dills, 39, for a previous arrest shot him to death.

Constable Leo R. Mann, Russell County, died September 13, 1931. Mann, 37, was shot to death while attempting to arrest a man for creating a disturbance.

Deputy Sheriff James W. Hogue, McCreary County Sheriff's Office, died November 5, 1931.

Hogue, 41, was shot to death after making an arrest while on a liquor-still raid with two other deputies.

Deputy Sheriff Fred Adams, Johnson County Sheriff's Office, died September 16, 1939. Adams, 65, was shot to death while attempting to break up a fight at a local beer parlor.

Constable William R. Coop, Clinton County, died September 17, 1947. Coop was shot to death as he and two other constables attempted to serve a warrant to search a home for illegal liquor.

Chief Deputy George T. Fisher, Bell County Sheriff's Office, died December 17, 1940. Fisher, 58, was shot to death as he and three other officers attempted to serve a warrant on a man wanted for robbery.

Officer Jesse Starks, Benton Police Department, died November 30, 1948. Starks, 46, was shot to death after responding to a disturbance call at a local theater.

Deputy Sheriff Grover D. Kennedy, McCreary County Sheriff's Office, died March 25, 1949. Kennedy, 50, was shot to death in an ambush while he was on patrol.

Deputy Sheriff Bill Miller, Magoffin County Sheriff's Office, died December 25, 1951. Miller, 46, was shot to death as he attempted to arrest a murder suspect.

Constable William A. Boyatt, McCreary County, died December 7, 1960. Boyatt, 41, was shot to death as he approached four individuals in a vehicle who he suspected of bootlegging.

Sgt. William J. Collins Jr., Hardin County Sheriff's Office, died June 9, 2001. A mentally deranged man who had stalked and ambushed Collins, 48, shot him to death.

More information on the officers is available at [The Officer Down Memorial Page](http://TheOfficerDownMemorialPage.com) at www.odmp.org.

/Photo by Elizabeth Thomas

“ These are brave officers who placed the needs of others before those of their own – selfless individuals who went out daily doing what they thought was right... ”

Brig. Gen. Norman E. Arflack

4 Problem-Based Learning

A series of articles have appeared in *Kentucky*

Law Enforcement that attempted to explain the concept

of Problem-Based Learning as we explore the PBL Tool

Shed. In this issue you will find volumes eight and nine of

the nine-volume series. The intention of these articles is

to capture your interest in the topic and encourage

you to do a little self learning about the topic.



From the PBL tool shed

Volume VIII/Fernando Alfaro, Training Instructor, General Studies

Coaching and mentoring what does it mean to law enforcement training?

Think back to your formative years. Was there a special person, besides Mom and Dad, who you looked up to, who inspired you to be better at anything you tried and who you went to for advice or guidance? Was it your Little League or high school coach? Was it your pastor? Was it just a friend, who was a little older and wiser, who inspired you in some way to always better yourself? They didn't call themselves mentors, but you knew that they were special to you as you grew up. What does this type of relationship have to do with the future of law enforcement training in Kentucky?

In the past, instructors lectured, recruits took notes, and then recruits took a written test. Throughout the years, practical exercises were added, and there was some scenario-based training, but basic classroom instruction remained pretty much the same. Then, in 2006, Department of Criminal Justice Training began incorporating a different concept in training, and more importantly, in learning: Problem Based Learning.

Part of the PBL training methodology is the concept of coaching and mentoring. Mentoring, like coaching, is a means of developing human resources. Coaching takes place as the instructor coaches the recruit in a certain task, such as report writing. This coaching is short term and is task oriented. It covers the curriculum of law enforcement training. Mentoring is a long-term commitment and involves the total process of the recruit becoming a fully trained peace officer. Coaching is ongoing during the mentoring process. This mentoring process is about guiding the recruit in his/her personal quest or growth through learning. The instructor acts as a trusted guide, offering advice when asked and opening doors to learning opportunities when possible and appropriate. No longer are instructors to be just trainers and evaluators, but coaches and mentors. As the recruit works through the ill-structured problem, the instructor serves as the guide and resource to the recruit, serving as a facilitator to the learning. An ill-structured problem is a clearly defined problem that has enough information so that it peaks the student's interest and then promotes further investigation.

Mentoring differs from traditional learning methods, in that mentoring involves a greater degree of partnership between the instructor and the recruit. This partnership takes on an even greater importance when applied to on-the-job training the re-

cruit receives once he/she has completed basic training. Under the old Field Training Officer Model, an FTO was a trainer and evaluator. Under the newer Police Training Officer Model, the PTO is now a coach and mentor throughout the recruit's training on the street.

Understanding the personal characteristics and behaviors of effective PTOs explains how a PTO must perform his/her assigned responsibility of recruit training. Some important qualities of an effective mentor/PTO are:

- PTOs set high standards and serve as role models for the recruit. Recruits see their PTO as a model for successful behavior. They learn as much, if not more, from observing their PTO as they do from what they say. PTOs must remember that what they do will make a greater impression than what they say.
- PTOs are willing to invest the time and effort required for the recruit to learn at an optimal level.
- PTOs keep the recruit engaged in developmental experiences and challenging problems and jobs.
- PTOs are successful and respected within their agency.
- PTOs have good people skills. They are good listeners, know how to empathize with others and have personalities that make mentoring genuinely satisfying for both parties.
- PTOs understand how their recruit learns best. Whether it is through demonstration, discussion, direct experience or some other method.
- PTOs possess a wealth of information and provide contact with other people who can assist the recruit.
- PTOs are sincere and honest in their dealings with the recruit and others.
- PTOs have a good rapport with the recruit, personally and professionally.
- PTOs enjoy their position, their agency, and most importantly, the job. This enthusiasm is evident in what they say, what they do and how they do it.

It's time for Kentucky law enforcement training to become the mentoring tool that shapes the minds and bodies of our new officers. Law enforcement instructors and PTOs must always think about the impact they have on their recruits. They must be mentors. >>





From the PBL tool shed

Volume IX/Thomas W. Fitzgerald, Staff Attorney, Legal Training Section

Cohort Learning Groups

This series of Tool Shed articles has presented concepts associated with problem-based learning. As part of the educational process in law enforcement training, the use of Problem-based learning has been encouraged because the concept, as a process, “encourages critical thinking, ethical decision making, and collaborative partnerships as a regular, normal part of police work.”

Cohort learning groups can be defined “as groups of students who enroll at the same time and go through a program by taking the same courses at the same time, a process that is sometimes referred to as lock step.” This definition applies to each group of recruits who enter and become a class at the Department of Criminal Justice Training’s 18-week Basic Training

Cohorts provide “structured opportunities for regular group engagement” in academic, extracurricular and residential activities that occur during the training process. Research has shown that cohorts “cultivate similar interests and equip students to flourish” in the institutional environment by “developing long-term, even lifelong, attachments” to their fellow recruits, their instructors and the academy itself.

While the cohort programs can be used as a means to improve the police academy training experience “by providing a community that encourages high quality student-to-student interaction” they are not without some potential problems. Several aspects of a cohort group-learning environment might

cause the group to be ineffective. Potential difficulties may exist because “Students don’t know in most cases how and why cohort engagement will benefit them academically. Students are reluctant to help their peers because it will potentially pull them down on the grading curve; and time management for participants becomes more important.”

Police training today employs problem-based learning as a method to enhance the adult education process, where “the development of critical reflection and knowledge construction is the focus of many cohorts. In these cohorts, students are encouraged to challenge assumptions and engage in joint knowledge construction with each other and the instructor.” The winning result is that “transformative learning frequently occurs” – which is the ability of the student to extend what has been learned in the classroom context to new, real-life, on-the-job contexts.

For additional information please review the following resources:

<http://www.cops.usdoj.gov/files/ric/Publications/pto%20-%20training%20standards.pdf>

http://www.post.ca.gov/training/bt_bureau/manual/ftg/FTG-FTP-pdfs/FTG-appendices-pdfs/FTG-A14-overview.PDF

http://ncsall.gse.harvard.edu/fob/2001/fob_5ib.pdf J



2008

Training Opportunities in Advanced Individual Training

/Chuck Melville, Branch Manager, AIT

The Department of Criminal Justice Training schedule book has been mailed and many chiefs and training officers are reviewing it to determine what their officers will take in 2008. The Advanced Individual Training Branch has a variety of classes from which to choose. For dates and locations, check the schedule book.

AIT will offer a dozen new courses for 2008 along with a variety of classes that we continue to present to address the needs of law enforcement across the state. The classes range from eight hours to the 400-hour Kentucky Criminalistics Academy.

NEW COURSES FOR 2008:

- Basic Data Recovery and Acquisition
- Cold Case Investigations
- Commercial Vehicle Interdiction
- Commercial Vehicle Interdiction/EPIC
- Criminal Investigation II
- Drug Unit Supervisors Course
- Hate and Bias Crimes Investigations
- Identifying and Seizing Electronic Evidence
- Incident Response to Terrorist Bombing
- Introduction to Controlled Substances
- Investigative Skills for Patrol
- Law Enforcement Response to Special Needs Populations
- Secure Techniques for Onsite Preview
- Sexual Assault Response Team Training

The second Kentucky Criminalistics Academy is scheduled in July, 2008. This is a 10-week academy held in Richmond. Class No. 1, recently concluded, received good reviews from the participants. The class is limited to 12 students and the applications will be reviewed prior to acceptance into the class.

The Rapid Deployment class is offered 10 times in 2008. This popular class was only held three times in Richmond in 2007 but will be taken on the road for 2008.

Investigative Skills for Patrol is a new 32-hour class designed to better inform the patrol officer on investigative steps to take at a crime scene, whether the case is being turned over to the investigators or the officer follows the case through to conclusion. This course is offered 12 times throughout the state.

Basic Data Recovery and Acquisition (32 hrs) and Secure Techniques for On-site Preview (16 hrs) are offerings from the National White Collar Crime Center (NW3C). These cyber investigations courses are aimed at developing investigators in Kentucky to address the growing problem of electronic crime in the commonwealth.

Identifying and Seizing Electronic Evidence is an eight-hour course to familiarize officers with the basics of recognizing potential sources of electronic evidence, to prepare them to respond to an electronic

crime scene and to safely and methodically preserve and collect items of evidentiary value. (NW3C)

The Police Training Officer course is offered five times in 2008. This is a new model for post-academy field training in law enforcement. It replaces the former FTO program. The PTO program uses a problem-solving method that is designed to enhance post-academy training and to minimize an agencies liability regarding police behavior.

We will continue to offer Crisis Intervention Team Training in partnership with Kentucky’s chapter of National Alliance on Mental Illness. The class is offered seven times regionally.

During 2008, we expect to offer a series of on-line classes, which addresses the mandatory training issues imposed by the General Assembly. KRS 15.334 decrees that officers will take classes approved by the Kentucky Law Enforcement Council in the areas of: elder abuse, domestic violence – including child abuse – HIV, and bias-related crimes. All certified peace officers are required to take the courses no more than two times in eight years after basic training. The classes will be designed to be available on-line and can be taken whenever an officer is available. These classes are not approved for Kentucky Law Enforcement Foundation Program Fund credit. J



◀ Otis, an assistance dog trained by volunteers from Paws with Purpose, shows off his skills in opening a refrigerator door, holding mail and pushing a button to open a door.



SERVICE DOGS AND THE LAW

/Photos and Story by Leslie Marlin, Information Officer II, Kentucky Commission on Human Rights

What comes to mind when you think of “working dogs?” Most people probably think of seeing-eye dogs. Law enforcement officers may think of dogs that detect drugs and bombs, search for bodies and rescue lost people.

But dogs that assist people with other disabilities are also working dogs. The disabilities may be obvious, such as those requiring the use of a wheelchair or other assistive device, or they may be invisible, such as heart problems, multiple sclerosis, cerebral palsy, seizure disorders, or even panic or anxiety attacks. Dogs that assist people with these types of medical conditions are all considered working service dogs (also known as assistance dogs) and as such, are allowed to accompany their partners into almost all public places and places of public accommodations (like hotels, motels, restaurants,

grocery stores, department stores, doctor offices, lawyer offices, theaters, buses, trains and airplanes). They are also allowed to accompany their partners to work under the same conditions.

Law enforcement officers should be aware that service dogs and dogs in training to become service dogs are allowed to accompany their disabled partners in places of public accommodations.

The federal Americans with Disabilities Act or ADA defines service dogs as “individually trained to do work or perform tasks for the benefit of an individual with a disability” (35 CFR 104, Definitions). The Department of Justice, which (along with other federal, state and local agencies) enforces the ADA, has established policies and guidelines that require places of public accommodations to make “reasonable

modifications in policies, practices, or procedures, when the modifications are necessary to afford goods, services, facilities, privileges, and advantages of accommodations to individuals with disabilities, unless the public accommodation can demonstrate that making the modification would fundamentally alter the nature of the goods, services, facilities, privileges, advantages or accommodations (CFR 36.302(a), Modifications in policies, practices or procedures).” Housing laws also require that landlords allow a disabled person to keep a service dog in rental property without additional fees, even if pets are not allowed or additional fees are required for pets. Under the law, service dogs are specifically designated as not being pets.

In addition, some states also have laws allowing dogs in training to accompany their trainers to places of public accommodations. Kentucky has such a law in KRS 258.500, which states,

“If a person [defined to include a disabled person or a trainer of an assistance dog] is accompanied by an assistance dog, neither the person nor the dog shall be denied admittance to any hotel, motel, restaurant or eating establishment, nor shall the person be denied full and equal accommodations, facilities and privileges of all public places of amusement, theater or resort when accompanied by an assistance dog” (KRS 258.500(2)). It further specifies that “any person accompanied by an assistance dog [or dog in training] shall be entitled to full and equal accommodations on all public transportation, if the dog does not occupy a seat in any public conveyance, nor endanger the public safety.” Further, it specifies that landlords must allow a dog in training the same as they would a service dog.

Some states have passed laws requiring that service dogs wear special vests, tags, collars or other items identifying them as service dogs. While states may impose these restrictions on dogs in training, the Department of Justice has determined that states cannot enforce these restrictions for service dogs. The Kentucky legislature recently amended Kentucky state law to remove these restrictions on service dogs so that Kentucky law now coincides with the ADA.

Kentucky law also provides that any person violating the statute shall be punished by a fine of “not less than two hundred and fifty dollars (\$250), nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not less than 10 nor more than 30 days, or both (KRS 258.991).”

Unfortunately, owners and operators of many restaurants, apartment buildings, and other places of public accommodations are not aware of the laws allowing disabled people to be accompanied by their service dogs. Sometimes law enforcement officers are called upon to mediate disagreements. A disabled person may be asked to remove his or her service dog if the animal’s behavior poses a direct threat to the health or safety of others (e.g., vicious behav-

ior, not allergies or fear of dogs). A proprietor may not make assumptions about how a particular animal is likely to behave based on past experience with other animals. Each situation must be considered individually. In addition, a public accommodation may exclude a service animal that is out of control (e.g., a dog barks repeatedly in a theater or during a movie) or when allowing the dog would result in a fundamental alteration to the nature of the business (e.g., a dog in the sterile areas of a hospital). Generally, this is not likely to occur in restaurants, hotels, retail stores, theaters, concert halls, sports facilities or even doctor offices.

Until recently, disabled people in Kentucky who wanted service dogs either had to train their own dogs or wait several years for a dog from a training organization in another state. Three years ago, Paws with Purpose was founded in Louisville, Kentucky. PWP is a non-profit organization comprised of volunteers from throughout the Kentuckiana area. Volunteers train the dogs to assist people who have disabilities other than blindness, to serve as facility dogs working with health care professionals to assist with physical and emotional therapy, and home-certified dogs to work with young children in their homes. Trainers use positive methods, offering praise and treats for a job well done.

The dogs spend up to two years living and training in a volunteer’s home. In addition, 10 dogs live at the Kentucky Correctional Institution for Women, where a select group of inmates train the dogs in partnership with part-time trainers who take the dogs out of the prison for weekend visits.

A major part of training is socializing the dogs and exposing them to as many public situations as possible. Many PWP trainers take their dogs to work with them, and nearly everywhere else they go. Along with basic obedience and proper public behavior, the dogs are taught skills like opening and closing doors and refrigerators, helping with the laundry, retrieving dropped items, carrying items, tugging to help remove clothing, walking next to wheelchairs, and wearing braces to assist a handler with balance and walking. They also are taught to stand up at a sales counter to hand over payment or deliver a purchase to their human partners.

PWP provides the dogs free of charge to approved applicants. The applicants must complete a detailed process, including personal interviews, home visits, at least 20 hours of classroom training, and between 20 and 60 hours of one-on-one training with the dog and a trainer.

The dogs are Golden Retrievers and Labrador Retrievers, chosen for their friendly temperament, intelligence and enthusiasm for retrieving. They are provided to people living within a 50-mile radius of Louisville and in Lexington. Once additional sources of funding are found, PWP hopes to expand its services to other areas of the state. To date, PWP has placed 15 dogs, including five who graduated June 30.

Recipients include children with autism, teenagers with seizure disorders and adults with multiple sclerosis or other physical conditions that interfere with their mobility. Some are able to use their wheelchairs less because the dogs assist them with walking by wearing a special bracing harness. Recipients report that the dogs not only assist them with physical tasks, but are helpful in social situations as well. One woman with MS said, “Now people look at the dog instead of gawking at me.” A mother of a young boy with autism reported that before her son received a PWP dog, her son felt unpopular and lonely. Now, she said, his dog is his best friend and the other kids are more likely to interact with him and the dog.

PWP welcomes law enforcement officers and others to observe training classes.

For additional information, to arrange class observation, or request demonstrations of how the dogs are trained and what they do, please contact PWP at (502) 689-0804 or e-mail workingpaws@insightbb.com.

For training on legal issues regarding public access for service dogs and dogs in training, please contact Leslie Marlin at the Kentucky Commission on Human Rights at (502) 595 4024 or leslie.marlin@ky.gov.

Leslie Marlin is an attorney employed as an Enforcement Officer II for the Kentucky Commission on Human Rights where she investigates claims of discrimination. She also volunteers for Paws with Purpose as a puppy trainer, serves on the PWP training team and as secretary to the PWP Board of Directors.

HOW TO OBTAIN COPIES OF

/Robert E. Stephens, Jr.,
Assistant Commonwealth's
Attorney, 34th Judicial Circuit,
Whitley and McCreary counties

OUT-OF-STATE CONVICTIONS

Introduction

Getting a defendant charged as a persistent felony offender is an effective tool both for plea negotiation and seeing that a repeat offender gets the appropriate punishment for the behavior. Proving the prior convictions is easy when the defendant has established his resume within the same county in which he is now charged. Sadly, some defendants could not be run out of the hollow they were born in if their lives depended on it. Getting a certified copy of prior convictions from one's own circuit court clerk, or that of any circuit court within the commonwealth, is relatively simple. However, it can be a good deal more difficult to locate and properly certify proof of prior criminal convictions from out of state. This article is intended to give some as-

sistance to officers and prosecutors in locating and correctly certifying defendants' prior out-of-state convictions by obtaining usable proof of out-of-state convictions. As such, justice will be better served and will result in dangerous repeat offenders prosecuted under the more stringent punishments for persistent felony offenders.

Gather Information

The first rule of obtaining out-of-state convictions is: get all the information you can before contacting the out-of-state clerk. For example, assume that you are looking for records on a sex offender who has moved into Kentucky without properly registering on the Kentucky Sex Offender Registry. The foreign (out-of-state) jurisdiction's sex

offender registry has the offender's name, date of conviction, crime committed and address. Even if you have the defendant's social security number and date of birth, which you usually will, of course, you still will not have the most important piece of information for obtaining a copy of the out-of-state conviction: the out-of-state clerk's contact information and phone number.

A good place to start is the county or city name of the prior arresting agency or the defendant's last known address. This can be trickier than you might think. Often the printout showing the prior conviction will not provide the actual name of the court in which the defendant was convicted, much less information on the clerk's office you will need to contact to get the copy of the

conviction. Often you will have a city name but not the county, or the county but not the multi-county district.¹ The Internet is very useful in this search, but bear in mind that not all clerks' offices have an individual Web site. Most clerks' phone numbers can be located by an Internet search, but sometimes the hardest part in locating an out-of-state clerk is knowing what official title to use in searching. For example, the Circuit Court in Kentucky is similar in jurisdiction to the General Sessions Court in Tennessee or the District Court in Iowa, in that each prosecutes felonies.

Consider too, some states divide their courts' jurisdiction by county, some by district. In Kentucky, some court circuits are multi-county, but each county has an individual circuit court clerk; in Tennessee the courts cover multi-county districts but the records are housed in individual county courthouses. The confusion only grows when one considers locating out-of-state misdemeanor DUI convictions in order to prove a DUI fourth offense in Kentucky, and the multitude of offices, which might hold misdemeanor records. Although the primary focus of this article is on obtaining felony records, the example of misdemeanor records illustrates how difficult it can be at times to locate the right court and clerk. In addition, there is often a statewide (administrative) clerk's office, similar to the Administrative Office of the Courts in Kentucky, which you might contact to help decipher the various court names and functions.

An occasional headache is the court or clerk's office that has changed names. For example, the Detroit Records Court that covered cases at one time for that city now has a new name - the Third Judicial Circuit Court. Although these name changes can be maddening until you discover why the court/clerk which you are searching for seems to have no current contact information, the problem is obviously not irresolvable. The administrative statewide office for the court system, or the state attorney general, should be able to assist you in locating the appropriate court.

Situations involving changed office names are similar to the more common problem of archived records. Often old (10 or 20 years) records are sent off to state or local archive departments for long-term storage. The big-

gest issue in such cases is usually the delay caused by the out-of-state clerk having to first send off for the information before they can mail it to you.

Contact the Out-of-State Clerk

Once you have gathered all the information you can, call the out-of-state clerk. Actually making a phone call is usually preferable to unsolicited e-mail, fax, or mail, because it makes a connection with someone at the foreign clerk's office to whom you can then follow up with an 'attention to:' written request. The human factor can be vital in locating and getting a copy of the records you need. Most out-of-state clerks ultimately will require a fax or letter specifying what record copies you want.²

The official written request is a good vehicle to remind the out-of-state clerk that you need not just a stamped, certified copy of the charging document³ (indictment or information) and final judgment, but an exemplified copy of these. Different states use different terminology, but most clerks seem to understand the term exemplified as meaning the kind of triple certified copy which is attested to by the clerk of court saying the documents are a record of his/her court, the judge certifying the clerk actually is the clerk, and the clerk then certifying that the judge is the judge. At first blush this may seem a little ponderous, but this is exactly the kind of triple certification that is required to establish out-of-state judgments.⁴

While requesting the copies of out-of-state convictions, be aware that in communicating with the out-of-state clerk you do not request merely certified copies. We are all used to certified copies being used for in-state convictions, but this is not enough to properly certify an out-of-state conviction. Be meticulous in requesting only exemplified copies, or copies that are triple certified according to the Acts of Congress, followed by a detailed explanation of what you are asking the clerk to provide.

Ask for Help, and Keep Asking

Never be afraid to admit your own ignorance about the workings of the courts in another

state. Once you locate the appropriate out-of-state clerk, or even while trying to locate that office, admit to whomever you are speaking that you need help. Most clerks are helpful, especially once they realize you are trying to get the information in order to see justice is served and a defendant is properly punished to the full extent permitted by law.

Finally, be persistent. Eventually, you will find the right court and the right clerk. Just make sure you keep calling or searching around, and always get suggestions from the person you are speaking to as to who you might contact to find the information you need. Often the listener can lead you in the right direction, even if they cannot tell you the clerk's exact phone number. After all, chances are whoever you are speaking to in the other state knows their area, including its jurisdictional oddities, far better than you do.

For copies of examples of letters to out-of-state clerks requesting exemplified copies of convictions and of an actual triple certification, please contact the author of this piece or the DOCJT Legal Section - at docjt.legal@ky.gov. J

Robert E. Stephens, Jr., Assistant Commonwealth's Attorney, Tel.: (606) 539-0800, Fax: (606) 539-0300, e-mail: restephens@kyprosecutors.com

¹KRS 532.080.

²Sometimes the arresting agency will be a city police organization, but the county name (and thus the name of the clerk's office which will have the records) is not listed. Internet map sites or a good old-fashioned atlas can help narrow the search for the clerk's office. You can also contact the arresting agency itself for help in locating the clerk - this may add another step to the process or be just the break you need. Really, the key is persistence, as is discussed below. Another source that might prove useful is the reference librarian at your local public or school library.

³Most clerks will also waive any standard copy fees since the service is being provided for law enforcement or prosecutorial purposes. Sometimes, however, getting the waiver may take a little gentle coaxing and explanation of how important it is that a hardened criminal is prosecuted to the full extent of the law and that time is of the essence. If possible, you do not want to wait for the records while the bureaucratic machinery cranks out the payment before they are sent. Gently inquiring for a waiver is better than waiting for someone else to provide the "required" payment, but occasionally you just have to bow to reality an obstinate clerk and see that the fee gets paid.

⁴A copy of the indictment or prosecutor's information which led to the defendant's charges is good to obtain because it often will have the defendant's identifying information, even when the final judgment (what will actually be presented in the PFO trial) does not. The charging document can then be used (after any court required redactions or removals) to show the defendant in the out-of-state conviction is the same outstanding citizen who is charged in your jurisdiction. This will also give prosecutors extra leverage in plea negotiations by providing often powerful details about the defendant's prior crimes, perhaps even 404b evidence of prior similar criminal behavior by the defendant that might be used against them in a prosecution.

NEGOTIATING OPEN RECORDS REQUESTS

/Shawn Herron, Staff Attorney, Legal Section

Open records requests are a constant demand on local government agencies, including police departments, sheriff's offices and dispatch centers. In recent decisions, the Kentucky Attorney General's Office, which is charged with the responsibility of enforcing the Kentucky Open Records Act, has rendered several decisions that illustrate what an agency must do should it receive a request for the written records and the audio recordings connected to 911 calls.

A recent open records case arose out of a homicide committed in Fort Thomas, Kentucky. On June 25, at about 8:15 a.m., Fort Thomas police responded to a report of a shooting. Arriving at the location, they found a man dead.¹ His wife, who made the call, admitted to having committed the shooting. Before the end of the day, a reporter for the Kentucky Enquirer made an open records request to the Campbell County Consolidated Dispatch Center (the Center) for "a log of all police calls and / or emergency runs to" the location of the homicide. The Open Record decision later elaborates that what was being requested were the written logs that reflected earlier emergency runs to the location prior to the date in question.

The Center initially denied the request, relying upon the case of *Bowling v. Brandenburg*.² The Center argued that "dispatch records that may identify the caller are not subject to public disclosure

under the Open Records Act."³ Further, the Center cited various subsections under KRS 61.878 as additional justification for its denial of the request. The decision also indicates the Center had stated it had, pursuant to its usual practice, conferred with the responding police department to learn its "position with respect to release of dispatch records for specific calls." The Fort Thomas Police Department requested that the information be withheld, "given the existing, pending police investigation into the shooting incident on June 25." The requestor was directed by the Center to follow up with the police department.

The Kentucky Enquirer subsequently appealed the decision to the Kentucky Attorney General, as permitted by KRS 61.880. Through an exchange of correspondence, the newspaper asserted that the information sought was needed to permit it to review the actions of the police and the dispatch center prior to the homicide. The resultant decision from the Attorney General's Office, issued on August 14, explains what it expects in such cases.

Among other issues, the decision emphasizes that it is not sufficient to simply give a blanket denial, but that it is critical that the reason for the denial "provide particular and detailed information in support of its denial" that are connected to the actual facts of the case. Specifically, "it is incumbent on the responding agency to provide, at a minimum, a brief explanation of how the cited exceptions

apply to the record withheld."

The decision discussed the difference between the "911 dispatch calls at issue in *Bowling v. Brandenburg*" and the "dispatch records" at issue in this case – and which are described as "seriatim notations ... of a summary character ... of police dispatches and disposition codes." The decision noted that in the specific facts of the case, it had already become publicly known that the caller was the decedent's wife, who reported "that she had shot her husband" and as such, any privacy interest on her behalf had already been eliminated. The decision further stated that KRS 61.878(1)(h) authorized the withholding of:

(h) Records of law enforcement agencies or agencies involved in administrative adjudication that were compiled in the process of detecting and investigating statutory or regulatory violations if the disclosure of the information would harm the agency by revealing the identity of informants not otherwise known or by premature release of information to be used in a prospective law enforcement action or administrative adjudication. Unless exempted by other provisions of KRS 61.870 to 61.884, public records exempted under this provision shall be open after enforcement action is completed or a decision is made to take no action; however, records or information compiled and maintained by county attorneys or commonwealth's attorneys pertaining to criminal investigations or crimi-

nal litigation shall be exempted from the provisions of KRS 61.870 to 61.884 and shall remain exempted after enforcement action, including litigation, is completed or a decision is made to take no action. The exemptions provided by this subsection shall not be used by the custodian of the records to delay or impede the exercise of rights granted by KRS 61.870 to 61.884

The decision elaborated that, to claim such exemption, it is necessary for the public agency to "satisfy a three-part test."

First, the agency must establish its identity as a law enforcement or related agency. Certainly, in this case, both the Center and the police agency qualify. Second, the agency must "establish that the requested records were compiled in the process of detecting and investigating statutory or regulatory violations." In a line of previous decisions, the attorney general's office had concluded that exemption did not extend to "dispatch logs that were 'not made uniquely in a specific detection or investigation process'" since at best, the records in question were "segregated" in connection with an investigation." The decision stated that "the disputed logs [did] not satisfy the second of the three requirements"

For the sake of completeness, the decision also addressed the applicability of the third prong, in which "the public agency must demonstrate that disclosure of the information would harm it by revealing the identity of informants not otherwise known or by premature release of information to be used in a prospective law enforcement action." The decision found no indication of any "actual harm" that might result from "premature disclosure."

The decision found that the Center had a statutory burden to provide "particular and detailed information" to justify "the withholding of ordinarily accessible public records" and absent that, it must release the records.

However, the decision noted that the timing of the request, on the same day as the crime in question, occurring when the police agency was "sifting through the

very same logs sought by" the newspaper, might have justified invoking the provisions of KRS 61.872 (5). The provision permits an agency to respond that the records are in "active use" and temporarily unavailable, provide "a detailed explanation of the cause for delay, and give an estimate on the "earliest" time on which the logs would be available for inspection as required" under the statute.

In a similar case earlier this year, Central City Dispatch⁴ received a request from a local newspaper concerning records relating to a shooting that occurred on May 14. Through its legal counsel, the dispatch agency responded simply by sending a copy of the *Bowling* decision, with portions highlighted. The reporter appealed the denial, arguing that he was entitled to a specific explanation as to why his request was denied. The attorney general's decision, issued on June 26, looked to *Edmondson v. Alig*⁵ and concluded that the Act "mandate[s] an agency response that contains 'particular and detailed information' and not a 'limited and perfunctory response' The decision noted that the "agency offer[ed] no explanation of how the vaguely referenced exemption applies to the records withheld." Citing a number of earlier decisions, the decision emphasized that the burden of proof in denying such records lies with the agency holding the record, and that it must clearly articulate the basis for the denial based upon the facts surrounding the specific record in question.

Finally, in a third decision⁶, the attorney general responded to an appeal made by an individual requesting records from the Kentucky State Police. That decision highlighted several important points. First, the decision notes that although it is certainly appropriate to involve legal counsel in deciding upon the disposition of a request, it is not a "proper basis" upon which to delay a response. In other words, the three-day rule applies even if legal counsel is involved in framing the response.

Next, the decision noted the continuing reliance on the *Bowling* case and stressed

that *Bowling* "cannot be construed to authorize nondisclosure of all 911 calls in light of" another Kentucky Supreme Court case, "but instead requires a case-specific analysis." The decision relies upon another decision rendered in 2006⁷ which held that it was inappropriate to claim a blanket exemption on 911 tapes and which limited the *Bowling* decision to "those portions of the tapes in which the 911 callers identify themselves and provide their cell phone [or other] numbers."

The decision also noted that since "Kentucky has no privacy statutes ... the Open Records Law does not prohibit release of otherwise exempt records." Further, "[b]ecause the exceptions are permissive, and the custodian of records is not exposed to any penalty if he releases exempt records, a dispatch center must make its log available for inspection in an unedited form, or, if it elects to edit a particular entry, justify that withholding by reference to a specific statutory exception." Using that precedent, the decision concluded that dispatch centers are "foreclosed from adopting a policy of blanket exclusion relative to names and identifying information." Instead, dispatch centers "may properly withhold particular entries arising from these calls only if it can justify its refusal to permit inspection with specificity."

The attorney general has acknowledged that certain records would continue to be respected as private and protected. As an example, in a case involving a murder-suicide that occurred in Barren County, the decision recognized a valid privacy interest on behalf of the victims, sufficient to warrant denial of the open records request, with respect to certain records, including photographs of the homicide victim's body, that victim's wife's recorded statements and her 911 calls. The decision notes, in particular, with respect to the 911 calls, that the "recordings are emotionally charged, documenting almost contemporaneously with the crimes, the victims' reactions." Further, "[s]uch highly emotional utterances are clearly of such a personal nature as to overcome the public's interest in disclosure."⁸ The decision agreed >>

>> that it was “safe to say that disclosure of the [911 calls] [would] further traumatize these victims” and agreed that the sheriff’s desire to protect these records was appropriate.⁹

So, what should dispatch and law enforcement agencies take away from these decisions? Each and every member of an agency needs an understanding of what actions to take when an open records decision arrives, whether by mail, fax or e-mail. Once a request comes into an office, Kentucky law gives the agency three days to respond, and certain exemptions are provided for by the Kentucky Open Records Act, KRS 61.870-884. However, these exemptions are not automatic, in

order to claim such exemptions, agencies must be prepared to defend specifically why a particular exemption applies to the facts. When the dispatch agency is asked for records for which it serves as the custodian, it is appropriate, even advisable, to confer with the law enforcement agencies impacted by the request, but, in order to actually withhold records, it is critical to obtain a detailed explanation from that agency concerning the reason why the agency wants the records to be withheld.

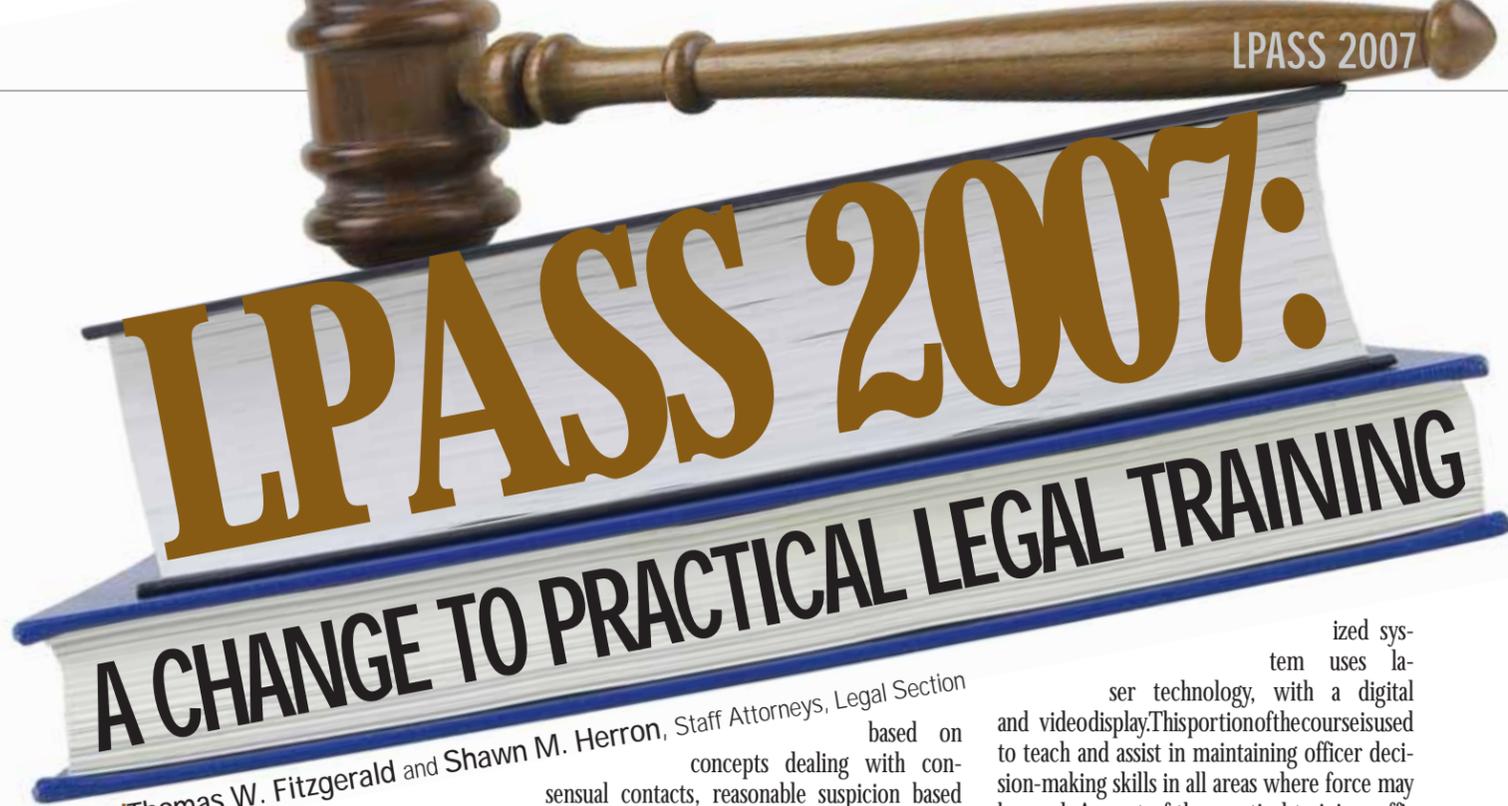
In 1992, the General Assembly stated “that the basic policy of KRS 61.870 to 61.884 is that free and open examination of public records is in the public interest and . . . shall be strictly construed . . .” It is

the responsibility of the Kentucky Attorney General’s Office to assist agencies to strike that delicate legal balance between releasing a record or claiming a legal exemption that permits an agency to deny a request. J

⁹Information concerning the criminal case is from stories and documents available through WCPO, the ABC television for the Cincinnati area. See www.wcpo.com for more information.
³⁷S.W.3d 785 (Ky. App. 2000)
³⁸Unless otherwise noted, all quotes are from the 07-ORD-167, dated August 14, 2007.
³⁹07-ORD-139
⁴⁰26 S.W.2d 856 (Ky. App. 1996)
⁴¹07-ORD-141, June 27, 2007. In re: Chris Henson/Kentucky State Police
⁴²06-ORD-230, November 20, 2006. In re: WLKY-TV/Lexington-Fayette Urban County Government Division of Police. This case is currently under appeal to the Fayette Circuit Court.
⁴³00-ORD-162, August 29, 2000. In re: Roberta Sowers/Barren County Sheriff’s Department.
⁴⁴Id.

THE LEGAL TRAINING SECTION

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



Thomas W. Fitzgerald and Shawn M. Herron, Staff Attorneys, Legal Section

In 2007 the Legal Training Section designed and implemented a new legal course. Legal Practical: Arrest, Search and Seizure, is a 16-hour, practical-based training course for officers who have been out of the basic academy for more than five years. Due to the practical nature of the course, the LPASS class size is limited to 18 officers.

The purpose of this course is to update officers and supervisors on fundamental legal skills that are related to critical legal tasks in law enforcement. It also provides a course for street-level officers feel they need in order to perform their jobs in a professional and competent manner. Officers and their agencies may face exposure to liability when they deviate from the constitutional rules and principles that are covered in this course.

Aside from the required course orientation and course critique/instructor evaluations, the format of the new course is four, one-hour blocks of legal instruction in the classroom. During this instruction, officers are presented with legal concepts review and discussion of changes that have taken place in the law by legislation or court decisions. Each of the one-hour blocks (Search and Seizure, Search Warrants, Use of Force, and Interviews and Interrogation) is followed by a practical-based, hands-on exercise.

The search and seizure exercises focus on actual street encounters. Officers make decisions

based on concepts dealing with sensual contacts, reasonable suspicion based stops and probable cause-based arrests, while evaluating whether a suspect might be legally frisked or searched. Officers wear their duty belts during these exercises, but due to safety precautions, duty weapons, ammunition, OC spray and ASPs are excluded and secured. Officers are provided with red training weapons.



/Photo by Shawn Herron

▲ DOCJT Legal staff attorney, Tom Fitzgerald, reviews the principles of Search and Seizure with the LPASS class.

During the search warrant exercise, officers evaluate a case investigation they are conducting, which requires preparing a search warrant affidavit and search warrant. In order to successfully complete this block of instruction, officers travel into the local community to obtain necessary information required to complete the warrant.

Use of Force training employs the Firearms Training Systems simulator. This computer-

ized system uses laser technology, with a digital and videodisplay. This portion of the course is used to teach and assist in maintaining officer decision-making skills in all areas where force may be used. As part of the practical training, officers are required to complete a written use-of-force report, which is then used as a basis for the final practical exercise.

The Interviews and Interrogations block covers some of the legal issues that impact law enforcement. The manner in which an officer conducts an interview/interrogation may directly impact the ability to successfully prosecute an offender. This is an area where the professionalism and credibility of an officer will be scrutinized and challenged and where an otherwise strong case may be lost due to a technical failure by officers to follow the ever-changing legal principles.

The final practical exercise involves having each officer participate in an administrative hearing based on his or her conduct during the Use of Force block.

One of the major changes with a practical-based training class is the method of evaluation. Gone is the written, final test. Instead, officers are evaluated from a grading Rubric, which explains the skills and performance outcomes measured. This allows officers to understand the performance expected to successfully complete the exercise prior to actually engaging in the practical.

The course critiques indicate that officers are enthused with this new training format covering legal issues. The course was conducted twice in 2007 and will be offered three times in 2008. Check your training schedule for details. J



THE CAMERA DOESN'T LIE, — RIGHT? — WEL-L-L-L-L-L-L-L-L

/Force Science News #76

Brief, dark and grainy, the video image is a punch to the gut.

A California sheriff's deputy trying to detain a subject who's on the ground after a high-speed chase says to him, "Get up! Get up!" The man says, "OK, I'm gonna get up," and starts to rise. Without another word, the deputy shoots him, three times in quick succession.

With millions of others, you probably became a vicarious eye witness when the scene was telecast over and over worldwide. Be honest. The man complied with an officer's command, and the shooting was not an unintentional discharge. Didn't it look like a slam-dunk case of egregious abuse of force?

In June, after less than four hours of deliberation following a trial that lasted more than a month, a jury acquitted the deputy, Ivory Webb Jr., of attempted voluntary manslaughter and firearms assault. The charges could have sent him to prison for 18 years. For people who knew nothing more about the case than what they'd seen on TV or the Internet, the verdict seemed a puzzlement, if not an outrageous miscarriage of justice.

But jurors said the tale of the video took on a whole different flavor when considered in context with circumstances that were little known publicly until Webb's trial.

Bill Lewinski, executive director of the Force Science Research Center at Minnesota State University-Mankato, was part of the defense team. He was brought into the case "to explain the human factors behind the shooting," based on his expertise as a behavioral scientist and on FSRC's unique studies of lethal-force dynamics.

In a recent interview with Force Science News, Lewinski reprised his courtroom testimony and his insider's knowledge of the pressure-cooker confrontation that embroiled Webb and resulted in his becoming the first law enforcement officer ever charged criminally for an on-duty shooting in the history of San Bernardino County.

"It was important to paint a picture of what happened from Webb's perspective," Lewinski said. "The video was so vivid, so seemingly clear-cut, that people didn't properly factor in what led up to the shooting."

The Players.

Webb was 46 years old at the time of the shooting, a former college football player (Rose Bowl '82), the son of a retired California police chief and a veteran of nearly 10 years with the San Bernardino County Sheriff's Department. Most of his career had been spent as a jail officer. Although he'd been on the street for more than four 4 years, "he had never been the primary officer on a felony vehicle stop," Lewinski said. "He performed pretty much as a backup officer."

The subjects he confronted at the shooting scene were Luis Escobedo, 22, who had a rap sheet from previous run-ins with police and would later be arrested for carrying a concealed weapon, and Elio Carrion, 21, an Air Force senior airman and security officer.

The Chase.

On the last weekend night in January 2006, Luis Escobedo and Elio Carrion were at a late-night barbeque in Montclair, east of Los Angeles, celebrating Carrion's recent return from a six-month stint in Iraq. They had been heavily consuming beer and tequila when >>

>> they decided to take a fellow partygoer's Corvette for a spin. Both had blood alcohol levels of more than double the state's legal limit.

Although he had no driver's license, Escobedo took the wheel and, on a lightly trafficked industrial road near some railroad tracks, he opened up the sleek muscle car to see how fast it would go. Soon they passed a San Bernardino deputy who gave pursuit but couldn't keep up.

Webb, returning to patrol from another call, heard radio traffic about the chase and moments later saw the Corvette "coming directly at me. If I hadn't swerved into the other lane, they would have smashed right into me," he said.

Webb barreled after them and soon was driving more than 100 mph to keep up. The Corvette screeched around a corner, caromed off curbs and at one point spun around and came directly at Webb a second time. Before colliding, it suddenly smoked into a U-turn and wove wildly from one side of the street to another, then crashed into a cinder block wall facing opposing traffic and got hung up there. The chase had ended in the municipality of Chino.

When Webb pulled up, the vehicle was shaking as the occupants tried to force the doors open, he said. The trunk lid had popped up from the impact, blocking the view from behind. He nosed in slightly toward the right rear of the Corvette and stepped out of his patrol car.

The Confrontation.

Considering that they'd played chicken with him twice and had shown no regard for human safety with their reckless speeding, Webb reasonably assessed the car's occupants as really dangerous," Lewinski said. "He had his full uniform on, his overheads were flashing, and he had his gun and flashlight out, so there was no mistaking his authority.

"Carrion began to exit the vehicle and took a step in the direction of Webb's patrol car. Webb

ordered him to show his hands clearly. Carrion didn't. Webb ordered him to get down. Carrion didn't. Inside the vehicle, Escobedo kept reaching his hands into areas Webb could not see." The deputy's commands to both subjects were repeated in a stream, with no compliance. In his frustration and concern, Webb ratcheted up his language with liberal infusions of profanity.

At trial a retired Los Angeles Sheriff's Department lieutenant testified as a tactical expert for the prosecution and condemned Webb for not remaining calm and assertive, as officers are trained to do. But Lewinski took Webb's words out of the context of antiseptic Monday morning quarterbacking and put them in the context of his on-the-spot fears.

The chase had led the deputy into an unfamiliar section of Chino and, essentially, "he was lost," Lewinski said. He knew the street he was on but in the blur of the pursuit he'd had a hard time tracking the cross streets. Several times he named the nearest intersection incorrectly when radioing for help. Deputies trying to reach him sometimes cited directions and their own locations erroneously, too.

The two suspects could overhear the radio jabber.

"Webb knew that they knew his back up couldn't find him and that he was all alone with two drunken young men who were not complying with any of his orders," Lewinski said.

The pair was physically separated, so Webb constantly had to shift his focus and his flashlight from one to the other to keep tabs on their actions. And they kept trying verbally to intimidate him, Lewinski said.

"Webb recognized all this from his jail experience as a common tactic among gangbangers: separate, keep up a barrage of chatter to distract, then attack," Lewinski said. "Webb ordered them to shut up, but they didn't."

At a point when Carrion had gotten within

his reactionary gap, Webb kicked him to take him to the ground. (The prosecution's expert would claim later that police are not trained to kick suspects because it puts them off-balance. But Lewinski points out that in kicks and leg strikes are common staples in contemporary defensive tactics.) On the ground, Carrion was propped up on his arms, controlled to some degree, but not prone out like Webb wanted.

The grinding crash of the speeding Corvette against the wall and the flashing lights and all the yelling that followed had alerted a used car salesman living across the street that something worth filming was going down. He grabbed his Sony digital zoom camera and started recording after Carrion climbed out of the car.

This man, a Cuban refugee, was wanted on old felony warrants for aggravated assault in Florida. His past would surface after his sensational footage saturated the airwaves.

But for now, his camera was about to capture what photographers call "the money shot."

The Shooting.

Then the video was first reviewed and broadcast, the figures of Webb and Carrion could be grossly seen on the darkened street, the deputy with his gun out standing over the semi-grounded suspect. But subtleties were hard to distinguish. The audio track, too, was tough to make out, although what could be heard sounded discouragingly incriminating.

Carrion: We're here on your side. We mean you no harm.

Webb: OK, get up! (inaudible) Get up!

Carrion: OK, I'm just gonna get up.

Carrion starts to move up. Three shots ring out from Webb's .45. Carrion is hit in the left shoulder, the left thigh, and the left ribs. He's critically wounded but survives.

The digital recording was enhanced by an

FBI laboratory to reveal more visual detail. Through the ultra-sophisticated technology of David Notowitz, a video expert engaged by Webb's attorneys, it was then enhanced even further, to the point that images were recovered from a section of the recording that seemingly had been completely whited out by the amateur cameraman ineptly fiddling with the controls.

Webb had experienced difficulty articulating precisely what happened just before he started shooting. In Lewinski's opinion, he suffered memory problems that are not uncommon after high-intensity officer-involved shootings.

"But when the enhanced footage was slowed down and time coded so we could study the action fragment by fragment, I became convinced he was reacting instinctively to a legitimate perceived threat," Lewinski said.

As Carrion braces on his hands, resistant to going fully to the ground, he first can be seen jabbing a hand up toward Webb's gun. The weapon is well within his grasp, but he quickly lowers his hand without attempting a grab.

Then the video confirms that he twice reaches his hand inside his black Raiders jacket. Carrion would claim on the witness stand that he was just pointing to his chest.

"But the enhanced image shows his hand buried in the jacket up to the knuckles," Lewinski said. "It was definitely inside."

Less than a second later, Webb jerks his gun barrel up slightly as if motioning with it as he commands, "Get up! Get up!"

"He's talking to the hand, focusing on it," Lewinski said. "What I sincerely believe he was thinking was, 'Get your hand up,' meaning get it away from where you may have a weapon hidden and out where I can see it. But the words came out different than his thought.

"Some of our studies have shown that when officers feel they are in control of a situation, they tend to give clear and relevant commands,"

Lewinski said. "But when they feel out of control, their commands often deteriorate. For Ivory Webb, that was an enormously stressful situation and there was nothing he felt in control of. Under stress and time compression, people commonly experience slips between thought and speech."

En route to the trial, for example, Lewinski asked a harried airline ticket agent for directions to a travelers' lounge. "Down there," she said, and pointed up. Even the prosecutor, while cross-examining Lewinski, misspoke in referencing something, and apologized for it.

"It's easy to do, isn't it?" Lewinski said.

Lewinski cited a case of an officer who, facing a suspect with a knife, repeatedly shouted, "Show me your hands!" even though both hands were visible. The officer was trying to say "Drop the knife," but "resorted to familiar commands from his training under stress," Lewinski explained.

In the uncertain and rapidly evolving circumstances on the street in Chino, Carrion reaching into his jacket had "extremely threatening implications," Lewinski said. "He turned out not to be armed, but Webb couldn't know that. For the first time in the encounter, Carrion obeyed the command he heard. He began to rise up and a little forward, like starting to lunge. Webb had already made the decision to fire, thinking his life was in jeopardy, and pulled the trigger."

A tactics expert who volunteered for the defense, Sgt. Kenton Ferrin of Inglewood, California, Police Department, said he would have shot under the same circumstances. Webb "thought he was going to die," Ferrin testified.

The prosecutor's expert, however, asserted that each of Webb's shots was a deliberate decision, bolstering the contention that the deputy in effect had committed a cold, calculating execution. But Lewinski pointed out that the time-

coded video enhancement showed there was just 6/10 of a second between each round. He explained that FSRC's time-and-motion studies had proven that in that tight sequencing, with both the officer and the subject moving slightly, there's no possibility of conscious decision making prompting each shot. "At that point, after the first round, it was just an instinctive process."

The purpose of Lewinski's testimony was to help the jury see that behavior the prosecution considered grounds for suspicion and criminal action could, in fact, be understood as common human behavior in circumstances of extreme stress, said Webb's attorney Michael Schwartz of the Santa Monica law firm Silver, Hadden, Silver, Wexler and Levine.

The Outcome.

The first poll inside the jury room was 11 for acquittal, one for conviction. The dissenter soon changed his mind. When the verdict was announced, Webb burst into tears and praised God.

That was just the first of the legal challenges he will face. Carrion and his family have asked federal authorities to bring criminal charges against Webb, and a civil suit has been filed.

Meanwhile, with cell-phone cameras and camcorders proliferating, a profusion of controversial police actions seem destined in days ahead to be seen and judged by millions who understand little about them.

After the Webb verdict, a reporter for the Associated Press interviewed Eugene O'Donnell, a former cop and prosecutor who now teaches police studies at John Jay College of Criminal Justice in New York City.

"Videos are drenched with caveats," O'Donnell said. "One thing we've learned about videos is that there are often missing pieces." J



PREPARE

www.ProtectYourFamily.ky.gov



DEPARTMENT FOR PUBLIC HEALTH

DEPARTMENT OF MILITARY AFFAIRS



KENTUCKY

LAW ENFORCEMENT

Department of Criminal Justice Training
Kentucky Justice and Public Safety Cabinet

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

615-010