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It's Always a Question of Leadership

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

In the face of a crisis — terrorism, healthcare, education, drug and juvenile crime or others — cries for leadership are loud and clear. Crises clearly etch the image of leadership needed, or lacking, at the time. Calls for leadership, like the fashions we wear, are changeable, and eventually, everything old becomes new again.

One can hardly turn on a television or read a periodical today without being told that America needs more creative solutions, greater energy aimed at our problems and reform. We are constantly told that “we can do better.”

Perhaps what we need is not new ideas, but old ones; not reform, but revival. What we seek in times of crisis is authentic leadership — levelheaded leadership that does not fret about offending the sensibilities of anyone or everyone.

Businesses, government, schools and communities often don't need new social experiments, but rather the old verities embodied in authentic leadership.

Men Without Chests

C.S. Lewis observed that, “We make men without chests, and expect of them virtue, enterprise and leadership We castrate and bid the gelding be fruitful.” Have we become what Lewis described, a nation of “men without chests?” We seem to expect leaders to rise to our personally defined crises rather than the crisis encompassing society. At some point we often expect less of our leaders, just enough to get by. Leadership has never been about pleasing everyone. It's like the man who sat in front of a cold stove and demanded heat without first putting in the wood. That man will very likely freeze. Can we expect leaders without chests to be effective?

It should be no mystery that different times call for different types of leaders. Lee Iacocca, for instance, functioned best when he was leading Chrysler out of financial disarray. Similarly, Winston Churchill was rejected from office once he had fulfilled his mission and World War II was won by the Allies. After a friend commiserated with Churchill, saying his defeat at the polls was a blessing in disguise, Churchill muttered, “If it is, the disguise is perfect.” Leaders are often incapable of realizing that they can leave an imprint only when certain alignments of historical or societal forces are present.

Although the study of leadership has made valuable contributions to our understanding of how leaders and followers in organizations interact, most leadership studies neglect the actual arenas in which

leaders must operate. We know from observation and experience that a successful captaincy in business, government, or the military does not necessarily transfer to other fields. Gen. Ulysses S. Grant, in spite of his brilliant military career, was not a great president.

The scientific quest for a generic model of leadership only goes so far. When we try to quantify leadership and focus on qualities, we lose sight of the environment in which leaders function. Inevitably, we return to the qualities list in search of remedies and ideas. Gen. George S. Patton, when asked for his definition of leadership, gruffly responded, “I'll be damned if I can define it, but I know it when I see it.”

A Concrete Substructure

Today, it is fashionable to declare that our leaders must have vision. Vision, no doubt, is a key, but describing authentic leadership as only visionary, is a bit like describing the space shuttle as a thing that flies. It's accurate, but hardly an adequate explanation. Authentic leaders are ordinary people with extraordinary determination who are challenged by changes, not threatened by them. Genuine and significant changes begin through ordinary people every day. Authentic leadership is unpretentious, rooted in principle, sometimes unpopular, and, ultimately, essential to each of us in our respective fields.

Authentic leaders declare their core beliefs through actions. Core beliefs are principles and fundamental truths for effective living. Like a lighthouse beacon, these core beliefs serve and help us determine the right direction and what is the right thing to do in our work, with our families, and in our service to the community. This beacon supplies authentic leaders with a deep-seated knack to do the right thing while simultaneously helping focus attention on the question of whether the right thing is being done. That one statement forges the deep rudder that steers the actions of the authentic leader.

Much of what we agree to be innovative today in leadership is merely the relearning of old, nearly forgotten, fundamental truths. The right thing — the set of positive, constructive beliefs practiced by some leaders — is essentially the same set of beliefs practiced by leaders of previous generations. Everything old becomes new again, even on the perch of leadership.

A handwritten signature in cursive script that reads "John Bizzack".

DOCJT Presents CDP Certificates

/DOCJT Staff Report

The 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 DEPUTY SHERIFF

Michael Tigges, Hardin County Sheriff's Office

ADVANCED LAW ENFORCEMENT OFFICER

David Bruce, Mayfield Police Department

Edward Burk, Cold Spring Police Department

Ronnie Culver, Carrollton Police Department

Christopher Ernst, Covington Police Department

Steven Gregg, Richmond Police Department

Jeffery Simmons, Richmond Police Department

Robert Stamper, Carrollton Police Department

Michael Willhoite, Carrollton Police Department

ADVANCED TELECOMMUNICATOR

Mavis Fryman, Paris Police Department

BASIC TELECOMMUNICATOR

Lora Barlow, Campbell County Dispatch

Tina Hardy, Kenton County Emergency Center

Candace Hood, Warren County Sheriff's Office

Travis Manley, University of Kentucky Police Department

Betty Vandiver, Lawrenceburg Police Department

Terry Wattenbarger, London/Laurel County 911

INTERMEDIATE LAW ENFORCEMENT OFFICER

Steven Abbott, Carrollton Police Department

Jason Adkins, Richmond Police Department

Steven Bohman, Covington Police Department

Daniel Brewer, Berea Police Department

Edward Burk, Cold Spring Police Department

William Conrad, Covington Police Department

Ronnie Culver, Carrollton Police Department

Christopher Ernst, Covington Police Department

Charles Farthing, Mayfield Police Department

Timothy Gividen, Carrollton Police Department

Steven Gregg, Richmond

Police Department

David Halfhill, Campbell County Police Department

Eric Higgins, Covington Police Department

Christopher Livingood, Paris Police Department

Aaron Mears, Covington Police Department

Greg Ripberger, Newport Police Department

Jeffery Simmons, Richmond Police Department

Robert Stamper, Carrollton Police Department

Kevin Sumner, Covington Police Department

Steven Tucker, Paris Police Department

Michael Willhoite, Carrollton Police Department

Richard Williams, Covington Police Department

LAW ENFORCEMENT CHIEF EXECUTIVE

Kenneth Claud, Murray Police Department

Keith Hill, Campbell County Police Department

Michael Willhoite, Carrollton Police Department

LAW ENFORCEMENT EXECUTIVE

Edward Burk, Cold Spring Police Department

Paul Morgan, Newport Police Department

LAW ENFORCEMENT OFFICER

INVESTIGATOR

Daniel Brewer, Berea Police Department

Buford Brumley, Berea Police Department

Steven Gregg, Richmond Police Department

Shannon Smith, Somerset Police Department

James Stamper, Rowan County Sheriff's Office

LAW ENFORCEMENT MANAGER

Edward Burk, Cold Spring Police Department

Buford Brumley, Berea Police Department

David Ellis, Berea Police Department

Patrick Flaherty, Florence Police Department

LAW ENFORCEMENT SUPERVISOR

Daniel Brewer, Berea Police Department

Buford Brumley, Berea Police Department

David Ellis, Berea Police Department

Steven Gregg, Richmond Police Department

Kevin Wiles, Bowling Green Police Department

TELECOMMUNICATION SUPERVISOR

Peggy Lewis, Logan County 911

KSP Participating In FBI Regional Computer Forensics Lab



The FBI recently announced the opening of the Kentucky Regional Computer Forensics Laboratory on the University of Louisville's Shelby Campus. The KRCFL is a full-service digital forensics laboratory and training center devoted entirely to the examination of digital evidence in support of local, state and federal criminal investigations.

The laboratory is the 14th to enter the FBI's RCFL program, which is making expert digital forensics services available to approximately 4,000 law enforcement agencies across 17 states.

Joining in this collaborative effort with the FBI and U of L are: Lexington-Fayette Urban County Division of Police, Louisville Metro Police Department, Kentucky State Police and Kentucky Bureau of Investigation. Each of these agencies has assigned personnel to work full time at the KRCFL as examiners.

Today's information age has "created new opportunities for criminal and terrorist enterprises to exploit digital communications methods to conduct their 'business.' It's

law enforcement's job to put these individuals out of business, and with the help of the Kentucky RCFL and the entire RCFL network, we will make our communities and our nation safer," said Kerry E. Haynes, executive assistant director of the FBI's Science and Technology Branch.

The new lab includes computers for extracting and recording digital evidence, storage space for computers seized as evidence and space for duplicating evidence and creating back-up files. There is room for 10 examiners with space for up to eight more. It also includes equipment for audio enhancement of evidence obtained in undercover cases.

Digital forensics, the application of science and engineering to the recovery of digital evidence in a legally acceptable manner, applies to a variety of electronic devices such as computers, personal digital assistants, cell phones and video cameras.

Preliminary statistics show that the RCFL program was highly productive in 2006. Thirteen RCFLs examined approximately 49,000 electronic devices, trained 4,500 law enforcement personnel in computer forensics techniques and conducted 3,500 digital forensics examinations.

The lab will be available to all law enforcement agencies in Kentucky.

Kentucky State Park Rangers Honored

Six Kentucky state park rangers were recognized for excellent service.

Danny Quillen, a ranger based at Kingdom Come State Park in Harlan County, was honored as Kentucky's Ranger of the Year. District winners were:

- Chad Campbell, Kentucky Dam Village State Resort Park at Gilbertsville.
- Darrell Tomlinson, General Butler State Resort Park at Carrollton.
- David Goode, Green River Lake State Park near Campbellsville.
- Paul Evans, a Yatesville Lake State Park near Louisa.
- Ron Thompson, who died in

2006, was awarded the honor posthumously. He was based at John James Audubon State Park in Henderson.

Col. Joey Hoover, the director of the state park rangers, said supervisors recommend rangers for the honor based on criteria that includes job performance, handling of investigations, initiative, dealing with park employees and visitors, training and dependability.

There are 66 rangers working for the state park system. Each month, these rangers make 4,100 courtesy contacts with the public, assist 150 motorists, respond to 115 calls for assistance, and open 10 criminal cases.

Northern Kentucky Office Launches Fugitive Unit

The Northern Kentucky Probation and Parole Office, which supervises offenders in Boone, Kenton and Campbell counties, recently launched a fugitive apprehension team. Officers Dean Naramore and Brian Anderson were assigned to the fugitive unit.

Two probation and parole officers have been permanently assigned to the unit. The officers will gather information using common law enforcement resources on offenders that have left their last known address without notifying authorities and, as

a result, have had a warrant issued for their arrest.

This concept has been used in Jefferson and Fayette counties and reduced the number of outstanding warrants for probation and parole violators.

"I'm pleased we had the resources to establish this unit," Corrections Commissioner John D. Rees said. "We work with the U.S. Marshals Service and the different law enforcement agencies in other parts of the state to do this and I look forward to us having a similar relationship in northern Kentucky."

■ KSP Saddles Up Ford Mustang for Trooper Island Fundraising Raffle

To support its Trooper Island summer camp for disadvantaged children, the Kentucky State Police is selling \$10 raffle tickets for a chance to win a 2007 Ford Mustang GT convertible.

"Summer camp is an all-American experience that offers physical, mental and character-building opportunities that can benefit a child throughout a lifetime," said KSP Tpr. Craig Sutton, director of Trooper Island, which is located on Dale Hollow Lake in southern Kentucky. "What better way to raise funds for this worthwhile effort than to offer a chance to win a classic American muscle car? Only 15,000 tickets

will be sold, so the odds are better than the lottery."

To obtain raffle tickets, contact any Kentucky State Police post or call the KSP Media Relations Branch in Frankfort at (502) 695-6344. For locations and phone numbers of Kentucky State Police posts, visit www.kentuckystatepolice.org. Participants must be at least 18 years old to purchase a ticket.

The drawing for the winning ticket will be held at the KSP exhibit during the Kentucky State Fair at 4 p.m. August 26. Ticket holders need not be present to win. The winner is re-

sponsible for all taxes and license fees.

The Kentucky State Police established Trooper Island in 1965 at Dale Hollow Lake near the Cumberland and Clinton county line as part of a long-range program of public service to the disadvantaged youth of Kentucky. It is a non-profit organization that operates solely on private, tax-deductible contributions. Each year, approximately 700 boys and girls ages 10 to 12 attend the free camp to participate in athletics, water safety, canoeing, swimming, fishing, archery and crafts, as well as character-building activities.



▲ Military Policeman SSG Steve Damron of Alabama demonstrates a breath test on the Intoxilizer5000 at Bagram Airfield in Afghanistan. "Alcohol is a prohibited item here. There aren't too many alcohol-related incidents, but we have our occasional violator," said SSG Keith Williams, MP Operations sergeant of the 34th Military Police Detachment, Fort Knox.

Williams, who attended the BRAC course in December 2004 at the Department of Criminal Justice Training, requested and received class materials from the DUI Section at DOCJT to provide MPs working knowledge of the instrument. There are eight non-commissioned officer MPs trained to use the instrument for any alcohol violations by U.S. military personnel and civilian contingency contractors.

■ Telecommunications Branch Offers New Class

The Effective Telecommunications Supervisor class will be held April 12 to 13, at Pine Mountain State Park and October 11 to 12, at Lake Barkley State Park. This year's classes will address the issues involved in dealing with difficult people, from a supervisory

perspective. James Hale, the guest instructor, is the founder and CEO of Path Choices, and a former trainer with the Kentucky Department of Transportation and the Office of Employee and Organizational Development.

■ Larry Ousley Retires From DOCJT

In December 2006, the Department of Criminal Justice Training employees came together to enjoy their annual holiday festivities and to say so long to Larry Ousley. After more than 10 years with DOCJT, Ousley, a law enforcement training instructor in the Firearms Section of the Skills Branch, announced his retirement. Commissioner John Bizzack recognized Ousley for his professionalism during his time with DOCJT and when

he worked with him at the Lexington Police Department. Bizzack presented Ousley with a professional service award noting that his wisdom and kindness to staff, recruits, and the citizens of Kentucky will be missed. Ousley began his career at DOCJT November 1996 in the Carrying Concealed Deadly Weapons Section. While at the department he also worked in professional development, skills, firearms and evaluation.

KSP Troopers Recognized For DUI Enforcement Efforts



Sixteen KSP troopers and one sergeant were recently recognized at the 2006 Governor's Impaired Driving Enforcement Awards. They were part of a group of 190 law enforcement officers from 186 agencies across the state recognized for their efforts to keep impaired drivers off the roads.

Together, these KSP troopers accounted for 1,253 impaired

driving arrests during the past year. As an agency, KSP made 9,712 impaired driving arrests during this time period.

Those receiving awards included: Tpr. Cory Jessup, Post 1 (76 arrests); Tpr. Dan Morck, Post 2 (105 arrests); Tpr. Erik Salman, Post 3 (46 arrests); Tpr. Jonathan Vaughn, Post 4 (66 arrests); Tpr. James Mitchell, Post

5 (36 arrests); Tpr. Delzie Kelly, Post 6 (43 arrests); Tpr. Toby Coyle, Post 7 (61 arrests); Tpr. Chris Hollon and Tpr. Toney Allen, Post 8 (59 arrests each); Tpr. Austin Hicks, Post 9 (49 arrests); Tpr. Jason York, Post 10 (74 arrests); Sgt. Steve Walker, Post 11 (184 arrests); Tpr. Mitch Harris, Post 12 (69 arrests); Tpr. Joey King, Post 13 (41 arrests); Tpr. Shane Goodall, Post 14 (76 arrests); Tpr. Jeremy Johnson, Post 15 (70 arrests) and Tpr. Paul Herron, Post 16 (139 arrests).

Sgt. Steve Walker was also named a division winner for his 184 impaired driving arrests, the top individual effort for all KSP posts. A 20-year KSP veteran, Walker has more than 3,000 impaired driving arrests to his credit.

2007 KWLEN Officers

President

Lt. Kathy Eigelbach, St. Matthews Police Department, keigelbach@kystmatthews.com

1st Vice President

Sgt. Melanie Watts, Bowling Green Police Department, melanie.watts@bgky.org

2nd Vice President

Det. Jennifer Lube, Lexington Fayette Urban Government Division of Police, jlube@lfucg.com

Secretary

Dorothy Howard, Agent (Retired), Kentucky Bureau of Investigations (KBI), d2howard@earthlink.net

Treasurer

Sharon Davis, Program Coordinator, Kentucky Community Preparedness

Program (KCPP), Sharon.Davis@ky.gov

Historian

Trooper Jackie Pickrell, Kentucky State Police, Jackie.Pickrell@ky.gov

Executive Director

Officer Debbie Holly, St. Matthews Police Department, dbholly871@aol.com

Northern Regional Coordinator

Officer Elizabeth "Liz" Cobb, Florence Police Department, cobbgirl@hotmail.com

Central Regional Coordinator

Trooper Melissa Stephens, Kentucky State Police, Melissad.stephens@ky.gov

Western Regional Coordinator

Officer Donitka Kay, Bowling Green Police Department, Donitka.Kay@bgky.org

DOCJT Comings & Goings

TRANSFERS

Jane Carrier, transferred from Firearms Section to Skills Branch on 10/01/06.

Janet Brockwell, transferred from Basic Telecommunications Section to Telecommunications Branch on 11/01/06.

Kay Fuson, transferred from Leadership Development Section to Advanced Telecommunications Section on 12/01/06.

PROMOTIONS

Richard D. Hanzes, promoted to Law Enforcement Training Section Supervisor on 11/01/06.

Margaret Johnson, promoted to Law Enforcement Training Section Supervisor on 11/01/06.

Amanda Basham, promoted to Law Enforcement Training Instructor II - Telecommunications on 12/18/06.

Jeff Duerson, promoted to Purchasing Associate on 01/16/07.

Becky Tudor, promoted to Personnel Administrator Associate on 01/16/07.

GOINGS

Larry Ousley, retired on 12/31/06.

TPS Certificates Granted

Since the inception of the Telecommunicator Professional Standards, the Kentucky Law Enforcement Council has grandfathered nearly 1,500 full-time telecommunicators from 165 agencies in Kentucky. Certificates were mailed in November. There are a few agencies that have not returned the needed paperwork and, therefore, have not received their certificates. If your agency has not received its certificates, please contact Melissa Beck in the KLEC office at (859) 622-6218.

Dudgeon Named Executive Director of ODCP



The Justice and Public Safety Cabinet announced Laurie K. Dudgeon has been selected to serve as executive director of the Office of Drug Control Policy. Dudgeon, who was a former staff attorney for the Justice and Public Safety Cabinet replaces former director Teresa A. Barton.

"During her career as a practicing attorney, Laurie saw first hand the devastation that drugs can have on people. I am confident she will

draw on her experience and commitment to fight substance abuse," Gov. Ernie Fletcher said.

Prior to joining the cabinet in 2005, Dudgeon worked in private practice for 11 years. Dudgeon's areas of practice have included constitutional law, employment law, administrative law, commercial and residential real estate.

"I look forward to this opportunity to continue the success ODCP has already established," Dudgeon said. "Kentucky is a national leader when it comes to developing drug-control policy. Preventing drug abuse through prevention-education, law en-

forcement and treatment is truly a noble cause which everyone can support."

Gov. Fletcher created ODCP, which is part of the Justice and Public Safety Cabinet, in September 2004 to coordinate Kentucky's response to substance abuse, close gaps in service and administrative issues to improve drug control programs, and to implement effective strategies and long-range planning in Kentucky.

"From the moment Ms. Dudgeon was appointed as executive director of ODCP, she has hit the ground running," Justice and Public Safety Cabinet Deputy Secre-

tary Teresa Barton said. "Laurie has already made significant strides in a short time, and I am convinced she has the dedication and knowledge to fulfill the mission of ODCP."

Dudgeon has also been actively involved in local charities, including Hospice of the Bluegrass, the American Cancer Society and the New Horizons Child Development Center.

Dudgeon received a bachelor's degree in history from the University of Kentucky, and graduated from UK Law School in 1994. She is originally from Somerset, but now resides in Frankfort.

Second Narcotic Officers' Conference

The Second Narcotic Officers' Conference was held in Louisville December 4 to 6. The event was sponsored by the Office of Drug Control Policy, Kentucky State Police, Kentucky Narcotics Officers Association and the Regional Organized Crime Information Center.

Nearly 350 representatives of law enforcement throughout the state attended. The conference featured topics regarding the scope of Kentucky's prescription drug problems, Internet drug investigations, parcel interdiction, asset forfeiture and Mexican drug cartels. Local, state and federal law enforcement agencies were represented at the conference.

"Finding ways to work together toward the same goal at the local, state and federal levels is vital in our ongoing battle against substance abuse," said Teresa Barton, deputy secretary of the Justice and Public Safety Cabinet. "It is so important to share informa-

tion from officers-on-the-beat on through the federal level, and back again, so every member of law enforcement can work as a team in targeting drug abuse."

"The Office of Drug Control Policy as a part of the Justice and Public Safety Cabinet is the central coordinating agency for anti-drug efforts in the commonwealth," stated Laurie Dudgeon, executive director for the Office of Drug Control Policy. "The education and training this conference offers is invaluable to the officers in the fight against drugs."

Justice and Public Safety Cabinet Deputy Secretary Teresa Barton presented the Narcotic Officer of the Year Award to Det. Ron Lafferty of the Barren-Edmonson County Drug Task Force. Sen. Richie Sanders received the legislative leadership award for his efforts in securing funding and support for drug task forces.

Marijuana Eradication Awards

/Submitted by the AHIDTA Staff

Detectives Doyle Wilson and Greg Mullins with the Kentucky State Police and Drug Enforcement Administration Analyst George A. Sungy were recipients of individual awards for significant contributions made in marijuana eradication at the National Marijuana Eradication Initiative Conference in Washington, D.C. January 18. Also, the Kentucky Eradication Initiative won its second consecutive team award.

Detectives Doyle Wilson and Greg Mullins recently retired from the Kentucky State Police with a combined 45 years of service. Both were involved with eradication efforts during the early formation of the Kentucky Governor's Marijuana Eradication Task Force established in 1990 to combat the marijuana epidemic that plagued Kentucky. Wilson and Mullins are considered to be premier marijuana spotters in the United States and

both have trained spotters from around the country. Additionally, they are experienced indoor growth and narcotic investigators. Their contributions have been a significant factor in the success of the Kentucky Eradication Initiative.

DEA Intelligence Research Specialist, George A. Sungy, assigned to the Appalachia High Intensity Drug Trafficking Area Investigative Support Center in London was recognized for his numerous contributions to outdoor and indoor marijuana investigations including marijuana trafficking organizations.

The Kentucky Eradication Initiative was again recognized as the country's best eradication program. The initiative is led by KSP and supported by the Appalachia HIDTA. It is comprised of personnel from KSP, Kentucky Army National Guard, U. S. Forest Service, U. S. Marshals Service, DEA and numerous local law enforcement officers.



SOUTHERN POLICING

/Abbie Darst, Public Information Officer

William F. Walsh is the director of the Southern Police Institute and is a professor in the Department of Justice Administration at the University of Louisville. Walsh is also a member of the Kentucky Law Enforcement Council Board of Directors and is serving his sixth year as chair of the board. He holds a Bachelor of Arts in Behavioral Sciences and a Master of Arts in Criminal Justice from John Jay College of Criminal Justice and a Doctorate of Philosophy in Sociology from Fordham University.

A former member of the New York City Police Department with 21 years of service, he has conducted research on police and security issues and published a number of articles and books on police administration and management. The Academy of Criminal Justice Sciences awarded him the O.W. Wilson Award in recognition for his Outstanding Contributions to Police Education, Research and Practice at their annual meeting in 1999. Before coming to the University of Louisville he was a member of the administration of justice faculty at Pennsylvania State University, where he received the National Continuing Education Association Faculty Service Award in 1988. In 2003, he received the Governor's Award for his outstanding contributions to Kentucky's law enforcement.

What is the main focus and mission of the Southern Police Institute?

The main mission of the Southern Police Institute is to enhance the professional development of law enforcement personnel and practitioners basically, and it has been since 1951.

What segment of the law enforcement community would usually attend the institute?

The institute has several programs. At one level, we're dealing with police managers in our managerial programs and our executive level leadership programs. At another level, we're dealing with the technical aspects of the practitioner. So we're focusing on investigatory cases, homicide cases and special types of >>

Photos by Elizabeth Thomas

>> investigations, like sex crimes, and then also subsets of the managerial function. So you get first-line supervisors, lieutenants and chief executives attending for those programs.

Is the institute ever open for civilians to attend?

The only civilian personnel who ever attend any of our programs would be, occasionally, people from the security field who attend the Administrative Officers Course, which is our principle program. It is 12 weeks in residency and is considered one of the top three leading executive leadership programs in the United States for police and law enforcement managers.

“ This institute is a very, very small and interesting blip on the radar of professional aspects of policing, law and justice, but we have a massive impact. ”

What do you feel is the most vital training that is offered through SPI?

The most vital training is an education. It's an education and training institute – more specifically, organizational management, in all its forms, because that's what runs the agency. We are teaching people how to provide police services at a very effective level, and we are teaching individuals or we're sharing information with individuals so that they can become better managers. I have one student who recently got promoted and took over a specialized function and utilized all the techniques that were taught in the course he attended to help him not only understand this function, but also understand the quality of his people and the driving forces that affect that organizational unit. He's taken that unit to a higher level. It's those kinds of things that are very important for what we do.

How many students do you have come through SPI each year?

We have, first of all, two courses a year in what we call the certificate program in Executive Leadership Development, which has 120 students attend each year. We also offer approximately 50 weeks of off-campus and on-campus programmatic activity and specialized training courses. On the average, some of those classes can have between 20 to 50 people in

them. So we're talking maybe an additional 600 or 700 people a year.

How does the program of instruction offered at SPI differ from the types of programs offered at DOCJT or other training facilities?

Training programs are training programs. It depends on the focus of the training program. Our programs, of course, have a national and international draw and DOCJT is training people for working in the state. So that's one thing. They're using in house instructors, we're using national experts. We have a certificate program as well as two 12-week programs here that are credit courses. And then we do an off-campus 10-week course called Command Officer Development, which meets two weeks a month for five months. Those programs are very intense, long-term management and leadership development courses, in which we really engage in changing the mind set of the individuals. It's not just a limited training program lasting three or four weeks. Instead, it's a definite perspective-changing development course, both in education and training, and it's at a higher pedagogical level. So it's different than what other facilities do. There are similarities and there are differences.

Approximately how many individuals go through training at SPI that are from other countries outside of the United States?

Well, through the years we've trained the whole Romanian command staff. We've had programs in Slovakia and Hungary. We're now developing a programmatic relationship with the Panamanian National Police. We've had numerous graduates from the Philippines, Thailand, Pacific Rim countries, New Zealand and places like that. Numerous individuals from other countries have come through here through the years.

Are there any new initiatives or programs that SPI is offering that would interest the law enforcement community?

We have a national sheriffs' certification program that we just launched a few years ago, and it's doing substantially well in North Carolina and South Carolina. That is a strategic course that focuses on enhancing the managerial ability of sheriff commanders. We're co-sponsoring that with the National Sheriffs' Association.

Also, we are constantly changing our content material. The newest initiative was the Board of Trustees at the University of Louisville allowed us to create

and develop a certificate program that is both at the undergraduate and graduate level. The majority of the people that are coming through our main course here at the university, which is 12 weeks in residence, are at the graduate level. They are getting a graduate certificate in Executive Leadership Development. It's probably the only one in the country. That makes us rather unique.

What is the relationship between the University of Louisville and the Southern Police Institute?

We are an integral part of the Department of Justice Administration. We're a sub-unit of the department that's in the College of Arts and Sciences. The SPI, as a separate and distinct entity, was actually established in 1951 at U of L. It was established in response to a suggestion made by Gunnar Myrdal in his book, *The American Dilemma*, which was a study of the American negro in the south. He's a Swedish economist and he devoted a whole chapter on the southern policeman, as he called it. In that chapter he basically identified the fact that the police officers in the south were caught between two worlds. A white world expected them to ensure their Constitutional protections and enforce Jim Crow laws. They had no respect for them basically because of the fact that they were uneducated and ill trained. Myrdal also noted that the African-Americans didn't have any respect for police officers, most of whom were ill trained, ill prepared, ill educated and predominantly all men. The officers were caught between these two worlds. He basically foresaw the changes that were going to come in American society as a result of the civil rights movement that hadn't really begun yet, since he was here in the late 30s and 40s. The dilemma was that we had a society incorporated by documents, such as the Constitution, that claimed all people were created equal, but we had these two separate worlds, with the police in the middle of them. In a very European model, he suggested that a college be established in the south to train police at a higher pedagogical level. That was very unique at the time because only about 25 percent of the American police departments in the United States even had training academies. Most people learned on the job. Also, there were no high school requirements.

High school was a requirement for the better departments, but there were really no standard educational requirements, and he was suggesting a college education for police officers. A number of people in the country took that suggestion and, with the assistance of the Ford Foundation, the Carnegie Foundation and, at that time, the administrative leadership of this university and the public safety leadership of Louisville, created the Southern Police Institute here at the University of Louisville. We've been here since 1951. We were, in those years, especially during the civil rights time, probably on the cutting edge of training people to deal with problems of race relations, ethnicity fairness – what we call diversity today.

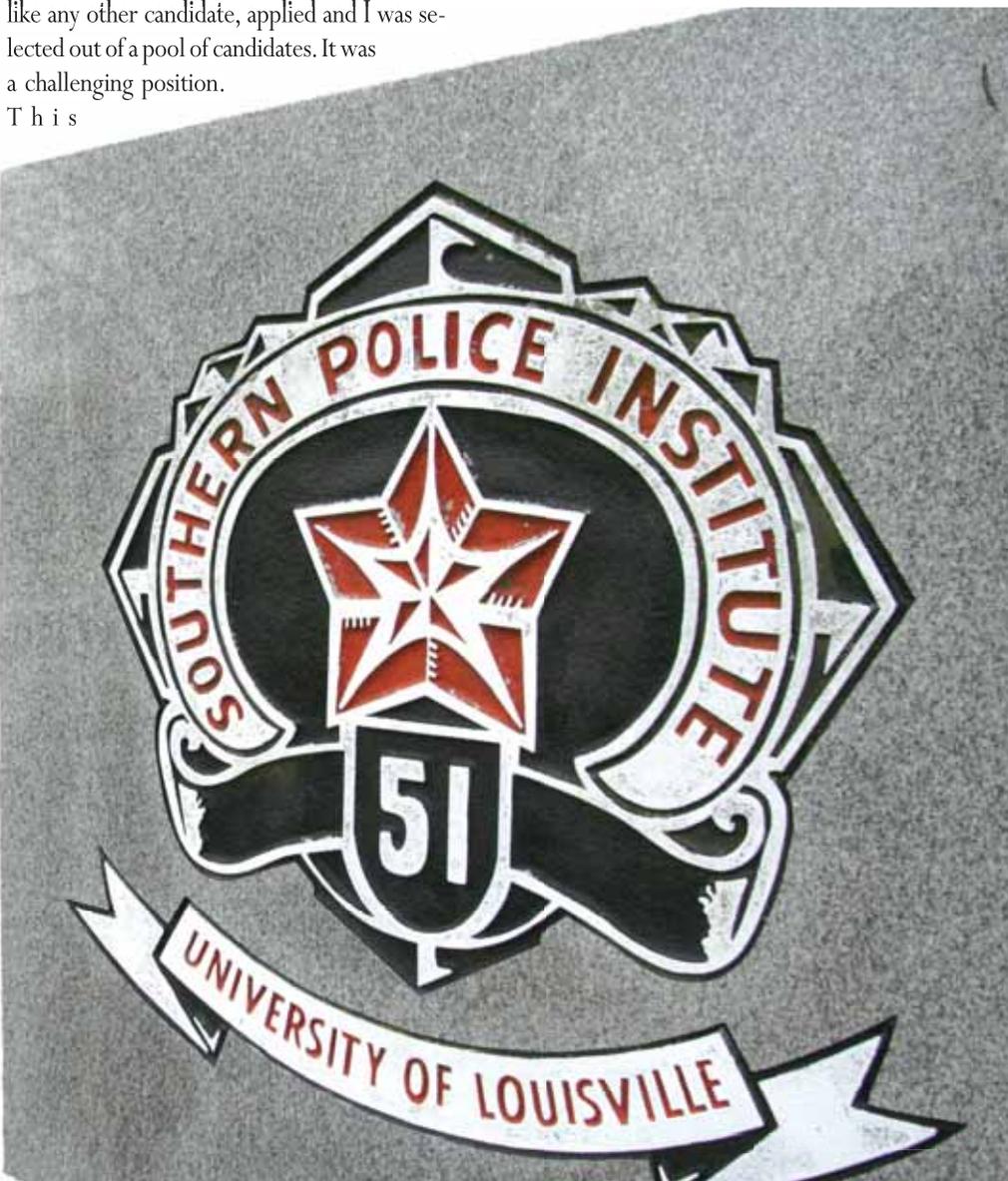
What brought you to the Southern Police Institute and how long have you served?

I've been here 13 years. The institute was looking for a director and they had a search going on. Several people reached out to me and I, like any other candidate, applied and I was selected out of a pool of candidates. It was a challenging position.

T h i s

institute is a very, very small and interesting blip on the radar of professional aspects of policing, law and justice, but we have a massive impact. In the 13 years that I have been here, we have trained many individuals. People who have gone through our leadership development program and our certificate program, have competed and become police chiefs in various places in the south. The head of the national accreditation body for law enforcement, CALEA's Sylvester Daughtry, is a graduate from here. In our educational training programs, we have made significant impact across the field of >>

▼ The 86th Administrative Officers course donated the stone insignia below. Many of A.O.C. classes that come through the Southern Police Institute and complete the course leave behind special objects to remember and represent their class.





>> policing, especially in the south. There are police chiefs of many cities, small communities and mid-range communities who are graduates. For instance the police chief of Paris, Kentucky is a graduate.

What do you feel has been your biggest accomplishment in your tenure as director of the SPI?

Probably my biggest accomplishment has been to shift the direction of this institute from, as I found it back in 1993 when I arrived here, to a more diversified, strategic developmental program. People who come to us now are getting programmatic activity that you can find in the Harvard MBA program, at the Wharton School of Business and others. We're developing police executive-level managers on a programmatic initiative that is now similar to an MBA program. Most of them don't know that. We're mixing the knowledge, skills and research of the private sector with the public sector because we see them both as the same. Organizational management is organizational management. And that tends to shock people

sometimes. What we're focusing on is for people to grasp the concept of learning organizations and teaching organizations so that they understand that they are living in a dynamic external environment. They have to match the resources of the internal environment with that of the external environment.

How do you feel your 21 years of service at the New York Police Department prepared you or is useful to you in your position as SPI director?

It was very useful to me. In my 21 years of service, I moved through various positions at NYPD. In my last six years I was the police commissioner's representative to the Vera Institute of Justice, which is a private research group that actually has a function of enhancing and developing the criminal justice system. I also had access to the entire criminal justice system in New York City and to the political structure. I worked across agency lines, so I've had a very broad developmental background. At that time, when I was going through my Ph.D. program, it permitted me to have a much different perspective than one who nor-

▲ Inside the front lobby of the Southern Police Institute there are several cases filled with memorabilia from various law enforcement agencies that have sent their personnel to SPI for training.

mally just moves from one position to another position in an agency.

You have been a consultant for numerous police agencies, including the national police forces of Hungary and Romania. What types of services do you offer to these agencies?

Usually, when you're brought in, agencies have had a specific problem. A politician, mayor or city manager will believe that the police department needs to be assessed and looked at in terms of where it should be instead of where it's at now – what's its level of proficiency, what's its level of effectiveness – other than what the police department claims. So when you go into an agency, it's an evaluation research design and what you do is basically look at where they're at now, where they should be, where they can be and what they need to

do. I remember many years ago I evaluated a department where, within the scope of our investigation and analysis, we came up with 27 immediate things they had to fix in order to bring them up to some level of proficiency. That's one aspect of it. Some of the other aspects of it are executive searches and we also develop exams and job task analyses. And a lot of it is the application of social science research in an investigative capacity to the services of the individual – what they want. So it's a natural marriage between research and the techniques we use in typical research and social sciences to the analysis of problems and issues that relate to organizational management.

You hold a Bachelor of Arts in Behavioral Science, a Master of Arts in Criminal Justice and a Doctorate of Philosophy in Sociology. How does your diverse educational background better equip you for your current position?

It gives me a much broader perspective. For instance, I can teach courses on administration or on organizational behavior, which I do. I also teach courses on organizational management. As part of my New York development, I was sent by the New York City Police Department to the American Management Association for developmental training with a group of people in the early 70s. It involved bringing techniques of business management and organizational management from the private sector to the public sector at that time. Early development and training in the bachelor's degree provided me with an understanding of human behavior in organizations. The master's degree gave me a much broader approach to understanding the criminal justice system. For my doctorate my major query was theory, giving me a whole theoretical perspective, which has formed the way I do research, and the way I do my investigative studies. They all blended together and it worked out quite well. That was not my plan, but that's what happened to me and it just worked out extremely well.

What is your connection to the Kentucky Law Enforcement Council and how do you think your involvement in the council better serves Kentucky's law enforcement community?

As part of the Kentucky Revised Statutes, the director of the Southern Police Institute sits on the council – it's a permanent position. Just like the dean of the college of law enforcement at Eastern Kentucky University sits on it. There are other positions that float in and out, we're permanent. For the last five years, I've been the chair of the council. And I've just consented to be the chair again. I see that as not only

a terrific service to the commonwealth, but also as an opportunity to share information and to learn from my colleagues on that council. The council's work is vital to the professionalization of the commonwealth with the certification of training instructors, of law enforcement officers and of training programs. It is vital work and I really enjoy my colleagues on the council and the great work that the Department of Criminal Justice Training is doing in this state. It's an outstanding department with good leadership – outstanding leadership. And it's something that I enjoy – four times a year getting together with the council. Actually, the first couple of years I was director here my chairperson was on the council. It actually was the position that the KRS claims the director of the Southern Police Institute should have. I was here the first year or two before I began working on the council. I've been on it ever since.

As a published author, how does writing compare with the classroom teaching experience?

One informs the other. The classrooms that I deal with are highly dynamic and they are changing. People come to us because they want information, but people also come to us to bring them into the greater aspects of the field. If you're not constantly staying up on a field, if you're not constantly involved with it, then you're behind and you're teaching the same stuff over and over again. So one of the things we do is by engaging in writing and doing research and publications. We're staying current with research, issues

“ People who come to us now are getting programmatic activity that you can find in the Harvard MBA program, at the Wharton School of Business and others. ”

and problems in the field. That can assist you when bringing stuff into the classroom. The classroom dialogue with officers that are currently in the field also leads you to other aspects or other areas of research to which you should be looking. So it's a consistent circle between research, service and teaching. J



Kentucky Law Enforcement Memorial

ANNUAL LAW ENFORCEMENT MEMORIAL SERVICE

Law enforcement personnel, family survivors, friends and the citizens of Kentucky can join together to honor Kentucky's fallen officers at the annual memorial service TBA when relocation is complete. The Department of Criminal Justice Training, in conjunction with the Kentucky Law Enforcement Memorial Foundation, will host the service in Richmond, where the law enforcement memorial is located. The ceremony honors those officers who gave their lives protecting our communities.

The service will honor three Kentucky officers

killed in the line of duty in 2006. Their names will be added to the memorial. Constable Elmer Kiser, Carter County, died on September 27 after being assaulted seven days earlier while conducting a traffic stop. Officer David Whitson, Bowling Green Police Department, was shot on October 31 after responding to a call of a disorderly man. Trooper Jonathan Leonard, Kentucky State Police, died on December 19 in a vehicle accident while responding to a call.

The annual National Peace Officers' Memorial Day service will be held on Tuesday, May 15 in Washington D.C.

■ The Kentucky Law Enforcement Memorial Foundation board welcomes Officer David Culler as a new board member. Officer Culler is employed at the Louisville Metro Police Department.

■ KLEMF will hold its sixth annual golf tournament in June. For more information contact Larry Ball, executive director of the foundation at (859) 622-2221.

■ To make a donation or for additional information, please contact the foundation:

Kentucky Law Enforcement Memorial Foundation
Funderburk Building
521 Lancaster Avenue
Richmond, KY 40475-3102
(859) 622-2221



LAW ENFORCEMENT MEMORIAL MOTORCYCLE LICENSE PLATE

During the 2006 General Assembly session, Senate Bill 124 was passed to amend KRS 186.162 to allow special motorcycle license plates. The KLEMF will offer a law enforcement memorial motorcycle license plate. In order for the plate to be printed, the Transportation Cabinet must receive 300 applications along with the initial \$25 fee per applicant. The \$25 reserves the plate and guarantees production if 300 are reserved. Once the required number of applications is submitted to the Transportation Cabinet the special memorial motorcycle license plate will be available at the local county clerk's office. The total cost of the plate is \$38, and the difference of \$13 will be due when the applicants receive their plates. The foundation will receive \$10 for each plate purchased and \$10 annually when renewed. The sale of the motorcycle plate will enable the foundation to expand its service to the law enforcement community with emergency, medical and educational assistance.

The form to apply for the plate can be found on the Transportation Cabinet Web site, www.transportation.ky.gov or by contacting the foundation at (859) 622-2221.

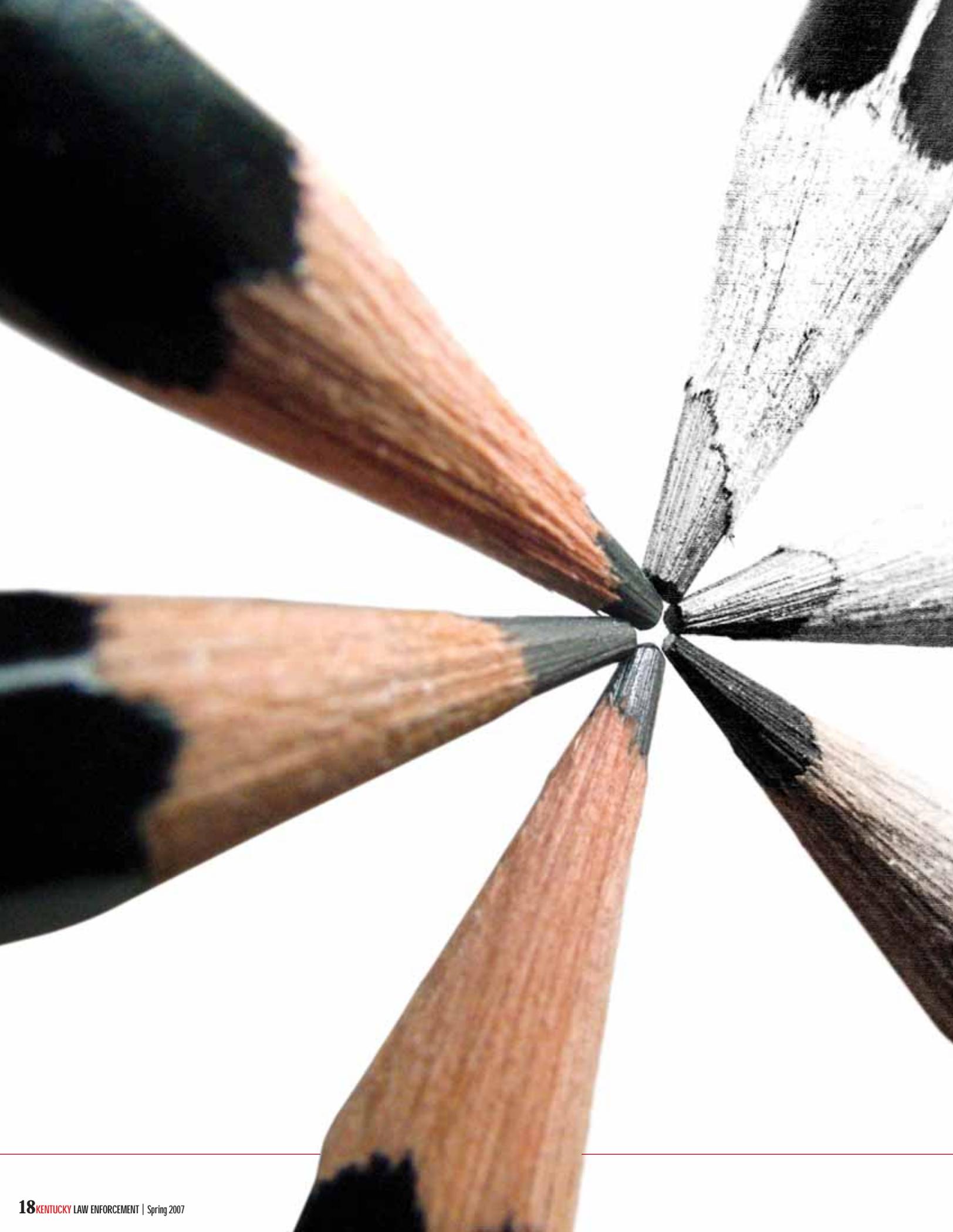
Foundation

/Photo by Elizabeth Thomas

EDUCATIONAL SCHOLARSHIPS

The foundation established an educational scholarship program to help law enforcement officers, telecommunicators and their families pay for college. For the fourth year the foundation will be awarding 25 \$1,000 educational scholarships for the fall semester. The scholarship is restricted to law enforcement officers and telecommunications personnel (current, retired or disabled) and their survivors or dependents. The scholarships may be used at any accredited college or university, including two-year and community colleges and may also be used for attendance at recognized or certified vocational or trade schools. Students do not have to major in law enforcement or criminal justice to be eligible for the scholarship. The application deadline is June 30. The scholarship form and criteria can be downloaded from the memorial foundation Web site or contact the foundation to obtain a copy.





FROM COMPOSITE TO CONVICTION

/Abbie Darst, Public Information Officer

Law enforcement uses forensic art to solve crimes and close cases

She had large, sad eyes, so deep brown they almost looked like great black holes into her soul. Her face was thin, her cheek bones high and her nose narrow and petite like the face of a perfect porcelain doll. She had a mouth, with pouty little lips that widened into a huge, mirthful smile when her daddy walked into the room. The last time they saw her she was a delicate five

year old, twirling down the aisle of their local grocery store like she was on Broadway's main stage. Our forensic artist recalls her parent's descriptions as he updates the missing person posters year after year, each time making her appear a little older, a little more withdrawn into those sad, deep eyes. More than 20 years later, leads have all run cold. The artist is pulled from his age-progression composite to an excava-

tion scene where a body was discovered in the early morning hours. With no leads on the identity of the disheveled remains, our forensic artist begins work transforming the intact skull into a face of clay, calculating the shape of the eyes, the size of the nose as the cold bone seems to slowly come to life. When finished, our forensic artist's work may become the key to unlocking a mystery from decades past. >>

>> **F**orensic art is a law enforcement technique used in the identification, apprehension or conviction of wanted or missing persons. The art has several dimensions, including clay facial reconstruction, post-mortem reconstruction and age progression. However, composite drawing is by far the most common form of forensic artistry used in the field.

From the Old West wanted posters to America's Most Wanted top 10 posters, composite drawing has been an integral part of American society and law enforcement's strategy for capturing criminals, retrieving missing children and identifying victims for more than a century.

Composite art is an unusual marriage of two unlikely disciplines – police investigative work and art. The forensic artist possesses both skills. It is a technique used to create a drawing from individually described parts into a single image. It is intended to be a likeness or similarity of a victim's or witness's perception of a suspect or subject at the time of the encounter. A law enforcement sketch artist should possess the ability to create a quality facial drawing with confidence, but much more important than artistic skill, are the skills of effectively and thoroughly interviewing the witness or victim.

"You should let the witness talk about whatever comes to their mind, the interview should be very open ended, especially at the beginning," said Det. Leah Anderson, a composite artist for the Lexington Division of Police. "Sometimes it helps to draw the room and try to get the person's mind back to the scene. Often, by mentally placing them back at the incident, they can recall more clearly details that they may have forgotten otherwise or may have been left off the original report given to the detective."

Establishing a comfort level for the interviewee and interviewer is the first and often

most important step in ensuring an effective composite sketch, according to a Kentucky State Police hosted training in December, 2006 by Stuart Parks Forensic Associates, a premier composite drawing training company out of Cataldo, Idaho. The interviewee needs to be comfortable in order to reliably relay information about the assailant, but the interviewer needs to be equally comfortable in order to produce a quality drawing. Finding neutral territory on which to conduct the interview and drawing session is very important. Though the interviewee may be very comfortable in their own home, it is a difficult place for producing accurate sketches because of the potential for constant interruptions by children or family members, telephones ringing or televisions blaring. Likewise, a detective may be comfortable running a session in an interview room at the police station, but this usually puts an interviewee in an uneasy state. Instead, interview and sketch sessions are better held in public places such as libraries; restaurants; schools, colleges or universities; churches; or personal vehicles.

The sketch artist also must be aware that simple things like the way he or she is dressed can have a major effect on the witness or victim. Cincinnati Police Department Officer Jane Noel recalled a specific case where she had been dressed up for a day of meetings and presentations, and then was called on to do a composite interview. And her formal suit made the interviewee visibly uncomfortable. Noel was a student in the certification portion of the Stuart Parks training.

Also the interviewer needs to take a sincere interest in the plight of the victim. Jumping to conclusions about the victim or giving in to preconceived notions or judgments about the interviewee can have a negative impact on the interview. It can hinder the accuracy and depth of the information recalled and related by the witness or victim.

Once the interview location and environment have been successfully moderated, the interviewer should start with a blank sheet of paper and begin by asking very open-ended questions and allowing the interviewee to do the majority of the talking.

Photo by Elizabeth Thomas

A composite sketch is created in three stages – proportions, characteristics and rendering. The artist will first block out the facial proportions, then fill in the shapes of the facial characteristics in the areas as determined by the proportions. Last, the artist will render facial form, value and texture through shading.

“You don’t want to ask leading questions,” said Charity Hedges, forensic artist for KSP. “You have to make sure you say both sides of the spectrum. For example, I wouldn’t ask if the eyes should be smaller, I’d ask if they thought the eyes should be larger or smaller than what I have drawn.”

Learning not to lead the interviewee can be difficult, but is critical to the integrity of the composite.

“You should let the witness take breaks frequently, but never draw while the witness isn’t there,” Hedges said. “The victim or witness should always be present when you put anything on the paper.”

Det. Bryan Majors of the Gainesville, Georgia, Police Department agrees. Majors participated in the Workshop I composite art training hosted by KSP in December.

“You have to remember, it’s not your picture,” he said. “The witness has to control it – you can’t take ownership of the drawing.”

The FBI Facial Identification Catalog is another strategy composite artists may use to help victims or witnesses pinpoint particular features of an individual. The catalog has hundreds of variants of each facial feature from the overall size and shape of the face to the most detailed aspects of eye, nose, mouth and chin shapes. As a witness or victim moves through the catalog selecting particular features, the composite artist begins drawing the facial features into one combined image, while also leaving the option for the witness or victim to critique, replace or alter any feature.

Though it could be argued that using images of other individuals may skew the memory of the witness or victim by giving them different features to focus on, it can actually be easier for a witness or victim to visually pick features that match their recollection of the assailant.



Photo by Elizabeth Thomas

▲ Bobbie West of the Kentucky State Police finishes some final shading to a composite drawing. West was one of nine students who participated in the Stuart Parks Basic class in Frankfort December 4 to 8.





Photos submitted by KSP



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“At first I was concerned about using photos for witnesses or victims to use, but they actually prove useful because victims can visually verify better than they can verbally identify features,” Louisville Metro Det. Mona Sullivan said. Sullivan also attended the December Stuart Parks training. She, like Hedges and Anderson, is trained to use EFIT, a computerized composite software that allows the artist to choose and manipulate facial features to create a composite sketch. The FBI Facial Identification Catalog can also be used with the EFIT software, and as each feature is added to the computer composite, it can be tweaked in a variety of ways to make it nearly as accurate as a hand-drawn sketch composite.

Before the December composite drawing training, there were only three individuals in Kentucky who were capable of producing composites for law enforcement. Hedges has been trained to produce both hand-drawn and computer composites, while Anderson and Barbara Sherrod in Lexington are trained exclusively on EFIT.

“EFIT is faster and therefore better for the victim,” Anderson said. “It is not meant to be a photograph, you’re just trying to get enough similarities to see if someone recognizes the features. When the victim or witness actually sees it coming together on the computer, they get more excited about getting the image out.”

Since the average composite interview and sketch take approximately four hours to com-

plete, it is understandable that a detective or composite artist would want to use whichever method allows for the least strain on the victim or witness. This is especially true if the victim or witness happens to be a child – whose attention span and ability to cooperate can only last a limited amount of time.

On the other hand, Carrie Stuart Parks of the Stuart Parks Forensic Associates, who taught the December KSP-hosted training, disagrees. She said that computer-generated composites are one of the challenges facing composite artistry today.

“Getting agencies to use the artists and train artists is a major challenge,” she said. “Often a computer is used, which has no track record and can’t even come close to the results of the artist.”

Parks has been a forensic artist since 1981 and has trained and certified dozens of individuals in the art of composite drawing in the last 20 years.

“The skill is learnable, supplies are inexpensive, it has a positive impact on the community and victims,” Parks said. “It works and has a proven track record, and participants love the training. There’s all positives, no negatives.”

Fifteen people attended the Stuart Parks training session in December, which included three levels – Basic, Workshop I and Certification. Participants hailed from all over the eastern United States, including six from Kentucky agencies.

Kim Chatoney, who works in the Radcliff Police Department’s records section, was asked by her supervisor to take the basic composite drawing class because of her background in art.

“With homeland security and everything going on, they just felt the need [for an in-house artist],” Chatoney said.

Chatoney found the use of scales and proportions, as well as the techniques of effective shading to be the most helpful lessons in the class.

“The instructors are amazing,” she said. “The tips and instruction are very different than picking up a book and trying to learn. I am definitely confident that I can go back to Radcliff and be successful.”

Jules Comte, an officer at the Wilder Police Department, also attended the basic composite class. He said his only background in art was the drawings he did as a child.

“For me, the most important aspect of the class was the confidence building,” he said. “What I’m learning I’m going to take out and use, but I’ll definitely need to practice because it’s not just a one time thing in class; you must keep up on tools and practice.”



This basic composite class equipped five more individuals in the commonwealth to provide composite services to the departments and surrounding communities they serve.

"In the past, we would usually have called Frankfort for any composite needs we had," Radcliff's Chatoney said.

There is also a cost-effective benefit of departments having someone on staff trained in composite art.

"You have to remember that it costs money to have an outside person come in and do composite sketches," Louisville Metro's Sullivan added.

Although composite drawing is one of the most widely recognized versions of forensic art, there are many other avenues encompassed in the genre. In August, 2006 another chapter of forensic art helped put a new face on a homicide case in Shively – literally.

Last summer, forensic anthropologist Emily Craig unveiled a clay image of a woman's face – constructed by using an intact skull

found with other bones at a Shively construction site in July 2005.

After more than a year of unsuccessful research and investigation into this ultimate cold case, Craig went to the site where the bones were found to help sift through the rubble, trying to find as much of the skeleton as possible. Though many of the bones were damaged by the bulldozers, the entire skull was intact, allowing Craig to move forward with a clay-model reconstruction.

Forensic facial reconstruction is the process of recreating the face of an unidentified individual from their skeletal remains through an amalgamation of artistry, forensic science, anthropology, osteology and anatomy. An approximation of the victim's facial shape and proportions is the best you can hope for, according to Craig. It is easily one of the most subjective and controversial techniques used in the field of forensic anthropology. However, cases like this are very rare, Craig said.

"Facial reconstruction is an absolute last resort," she said. I only do one or two every three years out of approximately 70 to 80 cases I work each year."

Facial reconstruction is not an exact science. Reconstruction of facial features cannot be reduced to a mathematical formula,

Craig said. All the parameters – the proportions, shapes and age range are estimates – she added.

"Many forensic television shows these days tell the public that there is some magic formula that will give an exact replica," Craig said. "But a reconstruction is more like a caricature of a person The object is to get an intimate acquaintance of the victim to recognize the face."

According to Craig, there are very few successful facial reconstructionists in the United States.

"There are a lot that try, but only about a half dozen are successful," she said. "Also, the quality of the reconstruction is only as good as the publicity that gets the reconstruction out there."

Craig's clay reconstruction from the Shively case has been aired on Crime Stoppers and has been posted on the coroner's Web site since August. Unfortunately, according to >>

▲ The skull is the basis of facial reconstruction. Once an examination is complete, the skull is cleaned and any damaged areas are repaired with wax. Undercuts (like the nasal openings) are filled in with modeling clay and prosthetic eyes are inserted into the orbits. At this point, a plaster cast of the skull is prepared.

After the cast is set, colored plastics are attached at 21 specific landmark areas that correspond to the reference data. These sites represent the average facial tissue thickness for persons of the same sex, race and age as that of the remains. From this point on, all features are added using modeling clay.

First, the facial muscles are layered onto the cast. Next, tissues are built up to within one millimeter of the tissue thickness markers and the ears (noted as being extremely complicated to reproduce) are added. Finally, the face is fleshed, meaning clay is added until the tissue thickness markers are covered, and any specific characterization is added (for example, hair, wrinkles in the skin, noted racial traits, glasses, etc.). In the above reconstruction, completed by Kentucky State Police artist Charity Hedges, an age progression was then performed on the clay model.



>> Shively Det. Chris Ashby, there have been no calls or leads generated from the facial reconstruction to date.

There are two methods used in forensic facial approximation – two dimensional and three dimensional.

Two-dimensional facial reconstructions are hand-drawn portraits based on radiographs, ante mortem photographs and the skull, and usually require the collaboration of an artist and a forensic anthropologist.

Three-dimensional facial reconstructions are either sculptures made from a cast of cranial remains created with modeling clay and other materials, or high-resolution computer images created by manipulating scanned photographs of the unidentified cranial remains, stock photographs of facial features and other available reconstructions.

Age progression is another type of forensic artistry. Photo age progression is a combination of science and art. It enables a trained forensic artist to create from photographs a portrait with a likeness of what a missing person would look like today.

Computer-generated and hand-drawn age progressions are created both for suspect

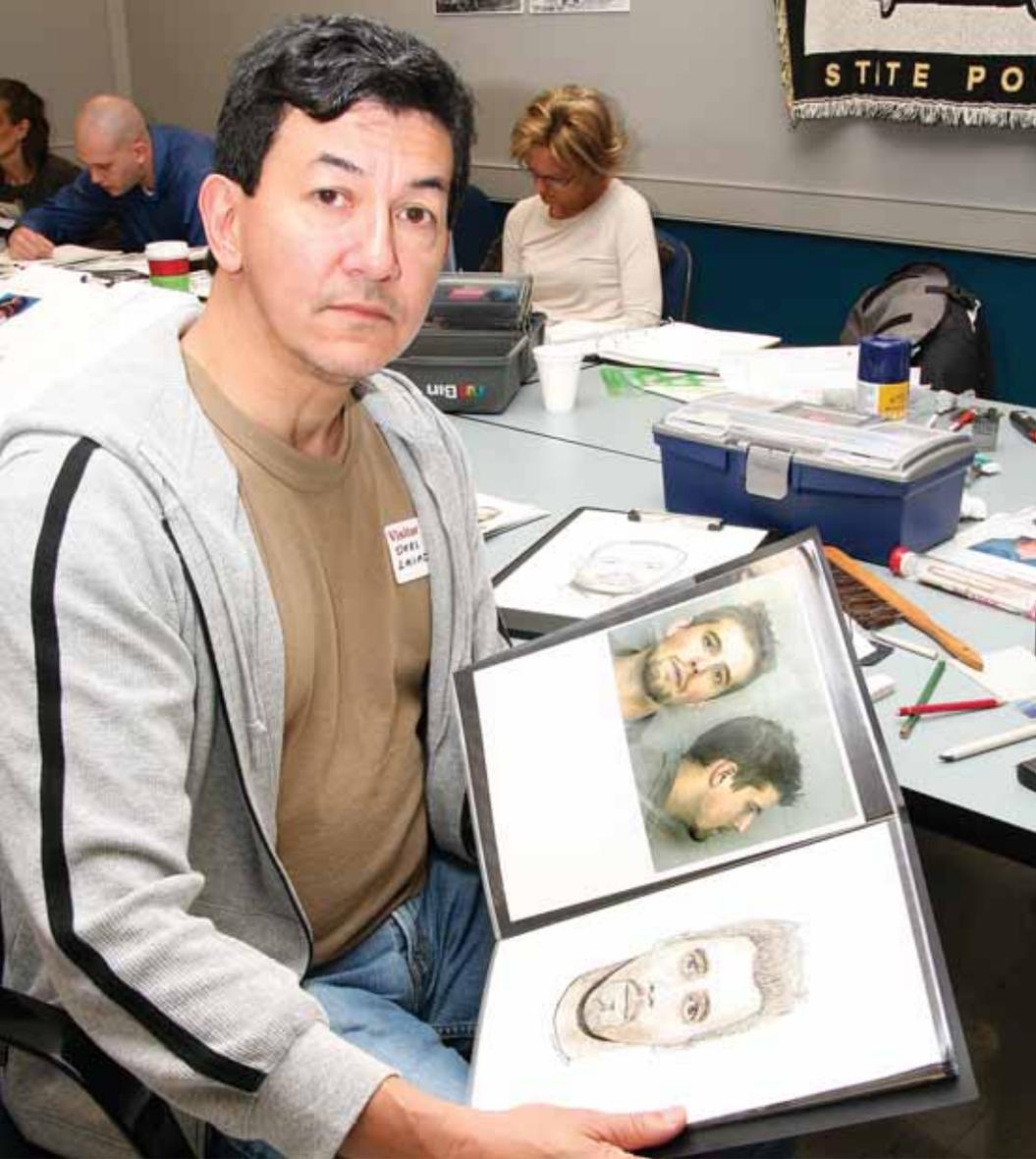
and victim identification. Family members of persons who have been missing for an extended period of time, as well as investigators can benefit from an age progression.

The most common usage for the age progression is to assist in the capture of wanted fugitives. Often, suspects are wanted for crimes and have not been located, and the only available photographs are outdated. The artist takes into consideration all the variables involved with the natural process of the aging of the human face. Information is gathered on the suspect or victim such as lifestyle, genetics for weight considerations, hair loss and occupations. By using all this information, the artist can produce an educated estimation on how the individual should look. When producing age progressions with the computer, programs like Photoshop are used to paint directly on a digitized photograph of the suspect. When a quality photograph is not available, a hand-drawn sketch may be done in lieu of the computer.

Age progression is also especially helpful in cases involving missing children. When a child has been reported missing, it is essential that the investigating police officer has a complete description and other important information about the child. When a child has been missing over an extended period of time, the original photographs of the child become outdated. It is important that an investigator has up-to-date photographs of the child for use on flyers and posters, to verify sightings and generate new leads for the police. It would be unlikely that a child on a poster would be recognized if the photograph portrays the child at a young age and he/she is now two or more years older.

However, it is important to keep in mind that an age progression is not a scientific technique, nor is it meant to provide a definitive result. The age progression is one possibility of many biological outcomes that could affect an individual over the course of several years or, in some cases, decades.

Though forensic artistry encompasses several genres, it is still not a widely practiced art across the nation. All aspects of forensic artistry take extensive training and experience to be successful. For that reason, forensic artistry is not



◀ Debs Laird, a composite artist for the West Monroe Police Department in Louisiana demonstrates one of his successful composite sketches. The drawing on the right was created from a witness interview. The pictures on the left are the suspect, which the composite helped capture.

Bringing Court Cases to Life

In the early stages of forensic artistry, before the turn of the century, artists produced courtroom drawings of criminals to be published in newspapers and helped with diagrams of crime scenes, to aid in reconstructing what happened. Today, forensic artists, with the help of computer software, can render a variety of demonstrative evidence to help bring the specifics of a case to life before the eyes of the jury.

Demonstrative evidence is a law enforcement artistic technique involving visual materials used during legal proceedings as courtroom presentations or visual materials used as investigative aids. These images can be everything from flat diagrams on illustration board or multimedia animated crime scene reenactments.

In cases where a shooting was involved, demonstrative evidence can track the bullet trajectories through the human body. These trajectories can help pinpoint from where the shots came and how they affected the victim. Though traditional flat displays portray some of the pertinent bullet-trajectory information, 3-D animation demonstrates this information more dramatically. It also illustrates additional information about the victim's wounds such as entrance and exit wound locations and body positioning.

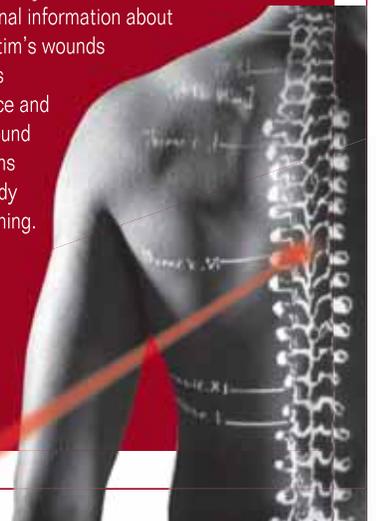


Photo by Elizabeth Thomas

unique to the law enforcement community. There is a surge in civilians seeking the knowledge and training necessary to be forensic artists, particularly composite drawers, and then hiring themselves out as free-lance artists to law enforcement organizations.

At the Stuart Parks training held in December, several of the participants were free-lance artists, not associated with any law enforcement agency. Ashley Bransome of Charleston, South Carolina, has a background in courtroom art. She said that she's noticed a lot of departments are turning to civilian forensic artists. There are primarily two ways to be certified in composite artistry – through the Stuart Parks Forensic Associates or the International Association of Identification. According to Bransome, there are currently approximately 10 free-lance composite

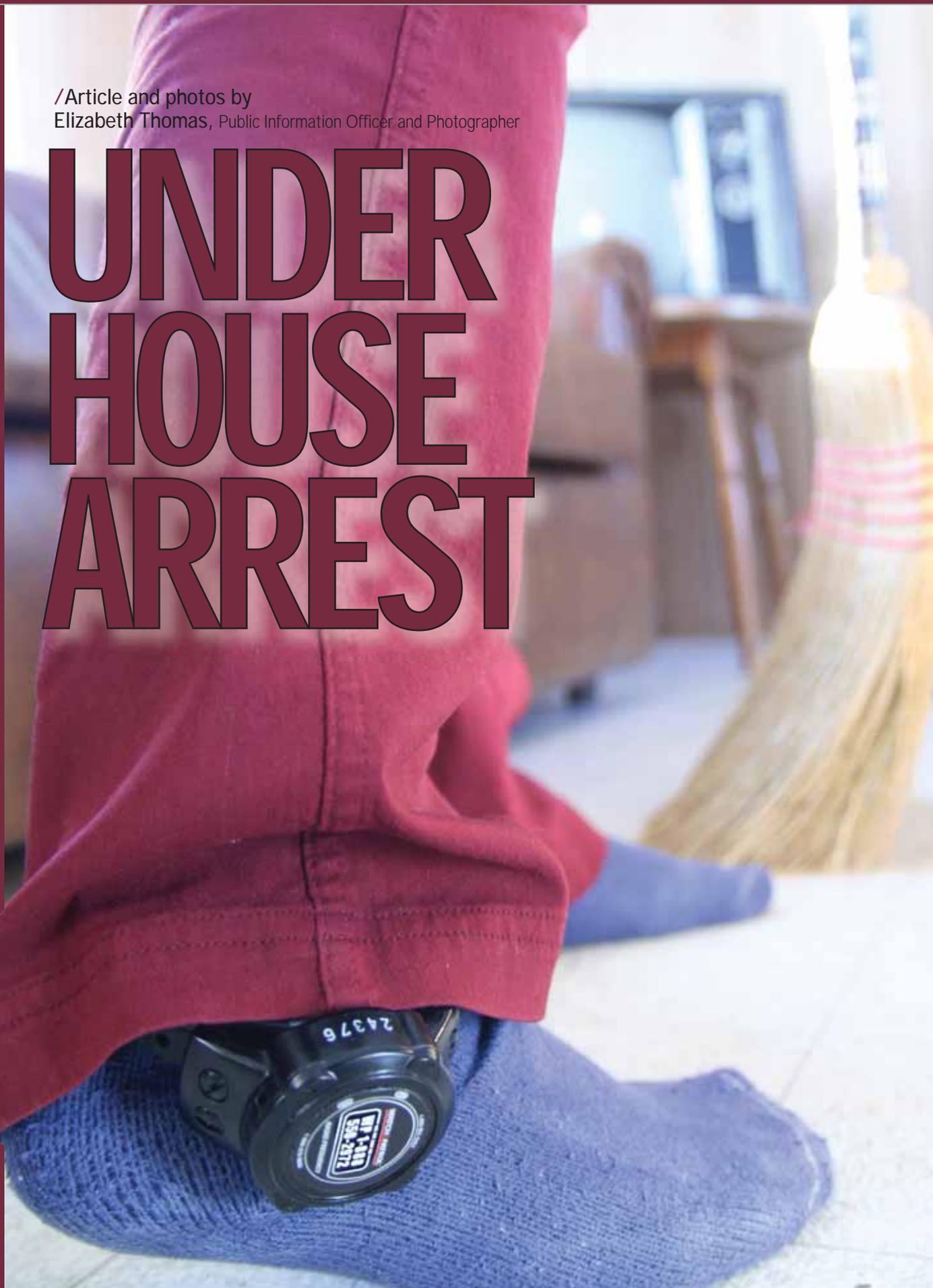
artists in the country.

As part of a small and specialized population, the forensic artist can often make a huge difference in a case. The skills of in-depth interviewing, intense research and years of training often place the forensic artist in a place where they can provide the missing piece of a puzzle that may bring an entire case together.

As our forensic artist sits staring into the deep, sad eyes of his completed skull reconstruction, the face seems all too familiar. The words of her parents echo in his memory as years of age-progression composites finally find their way into a form of reality – the young girl twirling through the aisles may never find her way home, but her disappearance may no longer be a mystery either, as our forensic artist may have helped close the file on nearly two decades of work. 🍌

/Article and photos by
Elizabeth Thomas, Public Information Officer and Photographer

UNDER HOUSE ARREST



Home incarceration is not a new idea. Galileo, after the inquisition found him to be a heretic in 1632 for insisting the earth revolved around the sun, spent the rest of his life under house arrest. And nearly 400 years later, following her incarceration at a minimum-security prison ironically known as “Camp Cupcake,” Martha Stewart spent the final months of her sentence in 2005 at home wearing an electronic anklet.

Kentucky’s Department of Corrections introduced the Home Incarceration Program to the commonwealth in July 2005, primarily as a mechanism to control costs, DOC Commissioner John Rees said. The program has since seen more than 250 inmates participate. Already a success, this program has the potential to save taxpayers hundreds of thousands of dollars according to DOC.

With a budget of \$960,000, the cost for the department is \$8.12 a day per inmate in the home incarceration program. That’s minimal compared to the traditionally incarcerated inmate, costing the state \$49.80 in a prison or \$33.07 in a county jail and \$30.93 in a community center. These figures don’t include medical expenses required to treat some inmates.

“We had one female inmate on the program that needed dialysis treatment three times a week at over \$1,000 per treatment. By putting her on the program, we saved over \$3,000 per week on this one inmate,” Rees said.

Not every potential parolee is qualified for the Home Incarceration Program. Only Class D and a few Class C felons are eligible. For an inmate to participate, they must have a consistent good behavior record; no violent, escape or sex felony convictions; no active felony warrants; and no Category 7 convictions for serious assaults on staff or inmates.

Legislation in July 2006 expanded the program to include inmates in county jails and community centers as eligible. What began as a home incarceration period of up to 60 days prior to release was increased to up to 90 days with the legislation.

The inmates, in many cases, have been serving time for failure to pay child support and drug offenses, according to Lonnie Buckingham, Graves County’s restricted custody coordinator.

Since the 2006 legislation, the program’s number of participants per month has increased from 18 to more than 80. Just since July, 267 inmates have been released to the Home Incarceration Program, with a quarter of those being female.

Inmates must pay \$5 a day for the ankle monitoring fee and have a basic land-line phone for monitoring purposes. A state parole officer must be able to reach them at any time. The probation and parole officer determines the time constraints for the participant to be outside of the home, and curfews vary. Curfew hours are put into a program called WebPatrol. When a participant is not in the home when required, the monitor alerts the system and the officer is notified by Group 4 Securicor, the distributor of the

monitor that a possible violation has occurred. If the participant is out more than three hours past the designated time, they’ll likely be charged with escape which carries a one to five year sentence. In its 18-month history, seven of the program’s 17 violations were considered escapes, according to DOC.

Tampering with or removal of an electronic monitoring device is a felony. Due to previous felony convictions, violations can result in the participant being classified as a persistent felony offender and consequently, serving additional time.

Participants are often rewarded with extended curfews as they obtain employment and participate in church, school and state-mandated classes such as Alcoholics Anonymous and Narcotics Anonymous. Inmates must provide proof of participation.

“It helps places like us because it gives inmates an incentive to do right,” Buckingham said.

Program administrator Mavis McCowan, who took the reigns of the Home Incarceration Program in December, said she hopes the program will grow as more information gets to the facilities and jails about the program, including its money saving benefits and the success of its participants.

“By providing offenders with a structured environment for up to 90 days prior to their release, this will give offenders the opportunity to develop positive family ties, secure employment and develop positive habits that will help them become productive citizens and reduce recidivism,” McCowan said.

In addition, the program will greatly alleviate overcrowding in the jails and prisons, according to McCowan.

Buckingham agreed. “It’s a great deal for the state,” he said. ■



SEIZED





Criminals often use money laundering schemes to make their illegal funds appear to have been earned legally. Law enforcement has its own, legal way of turning criminals' ill-gotten gains into clean, useable money. It's called asset forfeiture and in the real-life game of cops and robbers, it can pay off big for Kentucky law enforcement.

Asset forfeiture, which exists on the state and federal levels, allows the government to confiscate money, property, businesses, vehicles and other valuables involved in committing crimes or received/purchased as the result of crimes and use them for law enforcement purposes and to compensate crime victims.

Officials say asset forfeiture helps disband crime rings and punishes offenders by taking away the reason many of them commit crimes – cash. Cash which can then be used for legitimate law enforcement activities. >>

FORFEITING THE GAME

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Cases Can Mean Asset Forfeiture Bucks for Law Enforcement

For five years, Kenneth Wiggins headed a moneymaking scheme in which he and fellow western Kentucky pharmacists duped customers and defrauded Medicaid by using drug samples – some of them stolen or expired – to fill prescriptions.

But in a twist of fate, his crimes turned out to be just what the doctor ordered for the McLean County Sheriff's Office's cramped space and need for overtime pay, new vehicles and other equipment.

Those are some of the uses Sheriff Frank Cox has in mind for the \$1.2 million in federal asset forfeiture funds the agency recently received for its part in dismantling Wiggins' operation in 2004. That's more than three times what the sheriff's office collects in fees annually to support its functions, not including salaries for its seven deputies and other staff, Cox said.

"It's going to make a big difference for us," he said.

Federal asset forfeiture, which was set out in the Comprehensive Crime Control Act of 1984, allows the government to take possession of materials used in or gained through criminal activity, including cash, property like houses, vehicles and even businesses, and use them for law enforcement purposes and to compensate crime victims.

There are forfeiture critics – those who say that it skews law enforcement's priorities by placing emphasis on money and that it sometimes hurts innocent people – but the government says it is an important tool.

"We are trying to take away the profit from crime," said Assistant U.S. Attorney Amy Sullivan, chief of the Western District U.S. Attorney's forfeiture unit.

Forfeiture punishes and deters criminals by taking away the fruits of their illegal labors, she said. It pays restitution to crime victims and fosters cooperation among local, state and federal law enforcement. And

it distributes money back into crime-fighting efforts, she said.

Lt. Greg Jenkins of Kentucky Vehicle Enforcement said forfeiture hits criminals where it hurts – their wallets.

"The best way to disband any outfit out there is to take their money," Jenkins said.

'You just don't walk in and bust these big operations up'

Asset forfeiture is divided into state and federal levels.

When state and local law enforcement work with federal agencies like the Federal Bureau of Investigation or Drug Enforcement Agency on a case with forfeiture, they are eligible for a share of those proceeds, depending on their level of involvement.

McLean County, for instance, received the tip that began the investigation in the Wiggins case and stayed with it after federal and state agencies became involved. Their portion was the largest of the \$3.6 million forfeiture divided among agencies that worked the case, including the Penny-rile Narcotics Task Force, which received \$541,530, according to information from the U.S. Attorney's Office, Western District.

"We just wanted to prosecute him," Cox said. "When we went into it, we never dreamed of him paying a \$10.5 million fine."

With the \$3.6 million in forfeiture and other payments, including restitution and fines, Wiggins paid a total of \$10.5 million.

Most major forfeitures start with street-level work like a traffic stop, said Todd Hansford, a criminal investigator for the U.S. Marshals Service, which plays a role in many forfeiture cases.

"You don't just walk in and bust these big operations up," he said.

The federal government can retain at least 20 percent of the forfeiture proceeds in a case to cover its costs for administering the program, but that share varies depending on

circumstances.

Federal law enforcement can get involved with a case by:

- investigating it with local and state law enforcement agents, such as in the Wiggins case, or
- adopting a case at the request of local or state law enforcement to handle the forfeiture.

"It is not a for-profit operation" for the federal government, explained Assistant U.S. Attorney David Olinger, who heads the Eastern District's forfeiture unit.

The point is to get money back to the agencies that investigated the cases, Olinger said.

While it's unusual for an agency like the McLean County Sheriff's Office to



get more than \$1 million in federal asset >>

CRIME PAYS\$

/ Jamie Neal-Ball, Public Information Officer
/ With contributions by Tamerra Chittum,
Administrative Specialist



8183-0072068
Check No.

\$1,265,571.20

Sheriff's Department

VOID AFTER ONE YEAR

UNITED STATES MARSHAL

BY: NON-NEGOTIABLE

20686**

Asset Forfeiture

>> forfeiture from a single case, some Kentucky law enforcement agencies are consistently bringing in dollars through the program.

In the past five years, state and local law enforcement agencies and commonwealth's attorneys' offices in Kentucky have received \$17.8 million in federal asset forfeiture money through the U.S. Department of Justice's program, allowing them to purchase a variety of items not included in their department budgets.

The Hazard Police Department put forfeiture money to work by buying video cameras for cruisers, shotguns, Tasers, back-up weapons, computers, K-9 equipment and training.

The agency, which counts a Lexus among the items it has forfeited in the past, has received \$109,670 from the fund in the past five years, according to the U.S. DOJ.

In Florence, city police recently used federal forfeiture money to purchase cubicles for two new detectives, several cruisers and a computer server with a terabyte of storage, Chief Tom Szurlinski said.

Florence received \$116,913 in federal forfeiture in the past two years, according to the U.S. DOJ.

State Forfeiture: \$1.5 Million

Agencies also receive funds through Kentucky's asset forfeiture statutes, which only apply to drug crimes. The laws allow the investigating department to receive up to 90 percent of the forfeiture proceeds when the amount is less than \$50,000; the commonwealth's attorney in the prosecuting jurisdiction gets the other 10 percent.

The Stanton Police Department reported receiving \$8,921 in state asset forfeiture in 2006, including more than \$7,000 from one case that started a couple of years ago, according to Lt. Arthur Lacy, who handles forfeiture for the department.

The forfeiture resulted from a traffic stop in which the driver was transporting Oxy-

▼ McLean County Sheriff Frank Cox says he is planning to use some of the \$1.2 million his agency received in federal asset forfeiture money in December to purchase the building behind him (right) for the sheriff's office. The agency's current space (left) is cramped, he says. The forfeiture money resulted from a case against a pharmacist. Ironically, the new space is a former pharmacy. The office has also purchased a new cruiser (right) with the money and has plans to buy more.



Contin and funds associated with the drug dealing, Lacy said. Stanton forfeited the money in the vehicle and funds in the dealer's safety deposit box from previous drug deals, he said.

See story on proposed Kentucky legislation to change the sharing percentages in cases involving more than \$50,000, page 36.

Agencies received \$1.5 million in state asset forfeiture funds during the 2005-2006 fiscal year, according to the Kentucky Office of Drug Control Policy, which administers the program on the state level.

In both state and federal forfeiture regulations, law enforcement agencies are permitted by law to use funds to purchase items not included in their regular budgets, but cannot count on potential forfeiture gains when planning their budgets. Forfeiture money can't be used to hire personnel, but it can be used to pay overtime.

Some agencies, such as the Kentucky State Police, use some of their proceeds to make undercover drug buys, according to KSP Maj. Lisa Rudzinski. KSP, which received \$1.1 million in federal forfeiture funds in 2006, puts all of its money into drug investigations, which is where most of its forfeiture cases originate, she said.

Drug money

In Nicholasville, the department started its K-9 program about three years ago with its share of \$39,000 it took from a man waiting in a parking lot to buy drugs, according to Chief Barry Waldrop. And the department has continued to fund its K-9 program solely with federal asset forfeiture dollars, he said.

City police have received forfeiture funds "off of land, houses, trucks, cars – you name it," he said.

Nicholasville Police, which the U.S. DOJ reports received \$470,454 in federal forfeiture money during the past five years, also has bought computers, handguns, gun holsters, and equipment for its emergency response team, Waldrop said. The agency recently purchased a new computer server

and is preparing to buy an imaging system to scan in paper records and store them electronically, he said.

The key to banking major forfeiture bucks, Waldrop explained, is to have an officer assigned to a drug task force, like the DEA task force of which Nicholasville is a member.

"That's how we supplement our budget, pay for equipment that we couldn't buy," he said. "A lot of the money comes from there."

Approximately 80 percent of the cases handled by the U.S. Attorney's Office in the Eastern District are drug-related, according to Meg Moseley, a paralegal who works on forfeiture cases for the office.

Kentucky Vehicle Enforcement, which the U.S. DOJ reports received \$644,611 in federal asset forfeiture funds in the past two years, gets most of that money from drug-money couriers who have large amounts of cash with them while traveling the state's highways, KVE's Jenkins said.

While the couriers often don't have drugs with them, the law allows officers to confiscate cash when they think it is related to drugs. The drivers can't explain where they got the cash and usually don't claim it when the federal government advertises that the cash has been taken and is available to its legal owner, KVE Commissioner Greg Howard said.

"It's so rewarding to be able to take a dope dealer's money and use it for citizens," Howard said.

Forfeiture funds are crucial for KVE, but its officers don't target the areas where they think they can take the most money, Howard said.

"Our job is to seize dope," he concluded.

Outside the DOJ

The government has specific requirements for informing potential innocent owners that their property is up for forfei- >>

There are three types of federal asset forfeiture — criminal, civil judicial and administrative.

CRIMINAL FORFEITURE is forfeiture included as part of a criminal prosecution of a person. The property the government alleges was part of the individual's crime is charged along with the defendant. If a jury finds the property forfeitable, the court issues an order of forfeiture.

For forfeitures related to the Controlled Substances Act, Racketeer Influenced and Corrupt Organizations, and money laundering and obscenity laws, there is an ancillary hearing for third parties to assert their interest in the property. After those interests are addressed, the court issues a final forfeiture order.

CIVIL JUDICIAL FORFEITURE is an action brought in court against the property that the government alleges was part of a crime. Criminal charges do not have to be filed against a defendant for civil forfeiture, so it is like suing the property. Also, the burden of proof is lower than in criminal cases.

Civil judicial has historically been the most controversial of the forfeiture methods. Some people have said that it violates due process because a criminal defendant doesn't have to be involved in order for the government to take possession of a person's property through civil forfeiture.

The Civil Asset Forfeiture Reform Act of 2000, or CAFRA, changed responsibility for the burden of proof in civil forfeiture from the owner of the property to the government, meaning the government has to prove the property was involved in illegal activity. Also, CAFRA mandated that the government pay an individual's court costs if the judgment was in his or her favor.

ADMINISTRATIVE FORFEITURE permits a federal agency to forfeit property without judicial involvement. There are several requirements for administrative forfeiture, including that the property involved does not exceed \$500,000 in value if it is not cash. Administrative forfeiture cannot be applied to real property.



>> ture, such as advertising in local newspapers, allowing them an opportunity to file a claim for the property.

Cases that involve asset forfeiture but not drugs often include money laundering, white-collar crimes, fraud and child pornography, but all crimes qualify for asset forfeiture consideration, Moseley explained.

In a November 1996 money-laundering case, a federal jury convicted Don Ford of operating an illegal gambling business under the guise of charitable gaming in Louisville and of laundering the money associated with the business. The federal government forfeited

the operation, and the Louisville Metro Police Department received \$526,447 of the proceeds, according to the U.S. Attorney's Office, Western District.

Another case, based on illegal immigrants working at four hotels in London, was investigated by local police as well as by agents from federal agencies that have asset forfeiture programs outside of the U.S. DOJ's. The U.S. Department of Treasury and the U.S. Department of Homeland Security have their own asset forfeiture programs. Agents with the IRS – part of Treasury – and Immigrations and Customs Enforcement – part of Homeland Security – worked the hotel case.

The U.S. Attorney's Office, Western District is seeing more cases lately involving illegal immigrants and expects the increase to continue with the federal crackdown on illegal immigration, Moseley said.

Meanwhile, in cases where property is forfeited, another federal agency is called upon – the U.S. Marshals Service. It is the custodian of property forfeited in cases, such as land, jewelry, vehicles, homes and businesses. The agency liquidates the property into cash through in-person or online auctions. See story on the Marshals Service, page 40.

Occasionally, state and local agencies simply request seized equipment rather than cash, such as the Winchester Police Department, which received a vehicle valued at \$3,800 through the asset forfeiture program last year, according to the U.S. DOJ.

The Lexington Police and the Louisville Metro Police's narcotics task force each took possession of five vehicles through the program last year.

But in McLean County, the sheriff is looking forward to using the cash from the Wiggins case to buy and renovate a new space for the agency and some breathing room for his seven deputies and two clerks.

"We're all cramped up pretty tight," he said. J



/Photos KSP contributed

▲ Kentucky State Police seized all-terrain vehicles (left) along with a 177-acre farm, \$342,000 and other items in a drug case. A search of a building on the property revealed about 1,170 pounds of marijuana that filled two full-size freezers to capacity. ▼ In November 2005, Kentucky Vehicle Enforcement officers discovered four bundles of cash totaling \$386,545 wrapped in camouflage tape while inspecting a tractor-trailer at the Simpson County weigh station. The truck's driver later admitted that he was paid \$10,000 to deliver the money to Texas. Police may confiscate money from drivers if they suspect it is related to criminal activity and the drivers cannot prove it belongs to them.



/Photo KVE contributed



MONEY, MONEY, MONEY



According to the U.S. Department of Justice, these local and state law enforcement agencies and task forces received asset forfeiture proceeds in 2006 from federal cases they investigated or helped federal agents investigate in past years.

These figures do not necessarily reflect what these or other agencies in Kentucky receive each year through asset forfeiture, nor do they show what agencies may have received through federal agencies with separate forfeiture programs outside of the U.S. Department of Justice, such as the U.S. Department of Treasury.

To see U.S. DOJ equitable sharing reports for Kentucky from other years or for other states, visit www.usdoj.gov/jmd/afp/02fundreport/index.htm.

AGENCY NAME	TOTAL
Adair County Sheriff's Office	\$2,597
Boone County Sheriff's Office.....	\$305,649
Cincinnati/Kentucky International Airport Police	\$15,638
Covington Police Department	\$73,393
Erlanger Police Department	\$40,854
Falmouth Police Department.....	\$7,940
Florence Police Department.....	\$73,393
Frankfort Police Department.....	\$253,740
Garrard County Sheriff's Office	\$622
Georgetown Police Department.....	\$4,545
Graves County Sheriff's Office	\$3,359
Greater Hardin County Narcotics Task Force	\$10,190
Hazard Police Department	\$17,461
Irvine Police Department.....	\$183,055
Jefferson County Sheriff's Office.....	\$59,084
Kenton County Sheriff's Office	\$45,743
Kentucky Army National Guard	\$12,809
Kentucky State Police.....	\$1,104,260
Kentucky Vehicle Enforcement.....	\$359,345
Lake Cumberland Area Drug Task Force	\$9,125
Laurel County Sheriff's Office	\$215,289
Letcher County Sheriff's Office.....	\$58,367
Lexington Fayette Police Department.....	\$522,590
London Police Department.....	\$76,932
Marion County Sheriff's Office.....	\$835

AGENCY NAME	TOTAL
McCreary County Sheriff's Office.....	\$4,070
McLean County Sheriff's Office	\$79,483
Meade County Sheriff's Office.....	\$15,000
Menifee County Sheriff's Office.....	\$1,026
Metro-Louisville/Jefferson County Task Force.....	\$262,563
Middlesboro Police Department	\$814
Nicholasville Police Department	\$295,777
Northern Kentucky Drug Strike Force	\$19,776
Oldham County Police Department	\$43,707
Operation UNITE	\$140,517
Owensboro Police Department	\$33,439
Pendleton County Sheriff's Office.....	\$7,940
Pennyrite Narcotics Task Force.....	\$39,535
Perry County Sheriff's Office	\$17,461
Pikeville Police Department	\$12,004
Richmond Police Department.....	\$295,969
Rockcastle County Sheriff's Office	\$698,950
Scott County Sheriff's Office	\$13,381
Somerset Police Department.....	\$8,514
Spencer County Sheriff's Office.....	\$145
Springfield Police Department.....	\$3,432
University of Kentucky Police Department.....	\$4,287
Versailles Police Department	\$87,866
Winchester Police Department	\$13,250

Source: U.S. Department of Justice



State Legislation
Would Alter Law
Enforcement's Share
of Forfeiture Funds

Law of Sharing

/Jamie Neal-Ball, Public Information Officer

Legislation filed in the Kentucky General Assembly would change law enforcement's share of asset forfeiture funding in state cases to 80 percent across the board.

Presently, agencies can receive 45 percent of forfeiture proceeds from cases involving \$50,000 or more in asset forfeiture after the first \$50,000; they can receive 90 percent of the first \$50,000. They also get 90 percent of the proceeds in cases when the amount is less than \$50,000.

Sen. Robert Stivers, R-Manchester, is sponsoring Senate Bill 88, which would dedicate 15 percent of the remaining forfeiture dollars to the commonwealth's attorneys prosecuting the cases and 5 percent to grants

for drug prevention, treatment and enforcement programs.

Governor Ernie Fletcher announced the legislation at a February press conference.

"This new legislation brings Kentucky's asset forfeiture statutes more in line with federal laws," he said. "This will provide law enforcement with an equal opportunity to present asset forfeiture cases in state court as well as federal court."

If passed, the division would resemble that of the federal government when it adopts asset forfeiture cases at the request of state and local law enforcement. State and locals may receive up to 80 percent of the proceeds in a federal forfeiture case. This amount varies

based
on the case.

With the appeal of the larger payoff, most law enforcement agencies in Kentucky now ask the federal government to get involved in their cases for forfeiture when the amount exceeds \$50,000 rather than handle them on the state level, said Van Ingram, Compliance Branch manager for the Office of Drug Control Policy.

The Office of Drug Control Policy oversees the state's asset forfeiture fund for the Justice and Public Safety Cabinet.



If Kentucky's sharing guidelines were like those of the federal government, agencies could be enticed to file more of their forfeiture cases with the state since they would be getting the same money as on the federal level and could see their returns sooner, Ingram said. State cases are generally adjudicated more quickly, he said.

"The legislation will just give law enforcement more options, more tools," he said.

While the legislation would give law enforcement another avenue for asset forfeiture if passed, local and state agencies would continue to file many

cases on the federal level for several reasons, said Meg Moseley, a paralegal who works on forfeiture cases for the U.S. Attorney's Office, Eastern District of Kentucky.

The federal courts traditionally hand out stiffer penalties; state prosecutors in some jurisdictions don't handle many or any asset forfeiture cases for a variety of reasons, including disinterest and/or an unfamiliarity with the process; and Kentucky asset forfeiture only applies to drug cases, while the federal laws are more far reaching, Moseley said.

Meanwhile, as evidence that local and

state agencies are taking their cases federal at the \$50,000 mark, the state's asset forfeiture trust fund has only received two deposits in the past two years, Ingram said.

In cases with \$50,000 or more in forfeiture, 55 percent of the money goes to the trust fund for a variety of uses.

The fund doesn't get any income when the value of currency or property forfeited in a case is below that amount. After law enforcement agencies receive 90 percent, the commonwealth's attorney in the relevant jurisdiction receives the remaining 10 percent. J

Show Me the Money

The seizure and forfeiture process can be an asset to any law enforcement agency if they follow the guidelines outlined by the Commonwealth of Kentucky and the federal government.

STATE FORFEITURE

Law enforcement agencies should contact their local commonwealth's attorney for the procedures they need to follow for forfeiture in an investigation, according to Van Ingram, Compliance Branch manager for the Office of Drug Control Policy.

ODCP administers the state's asset forfeiture program.

Each area/jurisdiction will have regulations for adopting cases for prosecution and applying for forfeiture proceeds at the state level, Ingram said.

For more information on state requirements for asset forfeiture, see page 38.

FEDERAL FORFEITURE

To participate in the federal government's equitable sharing of forfeiture program, state and local law enforcement agencies must submit the Federal Sharing Agreement at www.usmarshals.gov/assets/eshare/fesa.pdf and the Annual Certification Report at www.usmarshals.gov/assets/eshare/certification.pdf to:

Asset Forfeiture Money
Laundering Section
Criminal Division
U.S. Department of Justice
1400 New York Avenue, N.W.
Bond Building, 10th Floor
Washington, D.C. 20005

To claim forfeiture proceeds in a federal case, state and local law enforcement agencies are required to submit an application, referred to as a DAG-71 form, to the pertinent federal investigative agency. Agencies must complete a separate DAG-71 for each asset (or proceed) requested.

The deadline for submitting the form to the federal investigative agency processing the forfeiture is 60 days from the date of the last seizure in the case. If the DAG-71 is submitted after the deadline, the application will not be considered. The U.S. Department of Justice provides a link with a printable application and detailed guidelines for filling out the DAG-71 and submitting it to the U.S. DOJ at www.usdoj.gov/criminal/afmls/forms/Dag-71frm.pdf.

If the DAG-71 form is approved, the U.S. Attorney's Office involved in the case will decide how much each agency that worked the case will receive in forfeiture proceeds. The percentage of distributions are documented on a DAG-72 form and submitted to Congress annually. ■



\$STATE ASSET FORFEITURE REQUIREMENTS\$

/Steve Lynn, DOCJT Assistant General Counsel

Under Kentucky law, law enforcement agencies may seize property incident to the investigation and prosecution of drug offenses. To ensure your agency's continued ability to benefit from those assets gained from drug offenses, you need to be aware of your agency's duties and obligations as found in KRS 218A.405 through 218A.460, and 500 KAR Chapter 9:

Initial Handling and Division of Funds

Forfeitures of \$50,000 or less:

Ninety percent of the amount is given directly to the law enforcement agency that seized the property, and 10 percent is sent to the commonwealth or county attorney who participated in the forfeiture proceeding.

Forfeitures of \$50,000 or more:

The first \$50,000 is divided as provided above for forfeitures of \$50,000 or less. Thereafter, for amounts more than \$50,000, the law enforcement agency retains 45 per-

cent of the amount and the remainder is deposited in the asset forfeiture trust fund administered by the Office of Drug Control Policy on behalf of the Justice and Public Safety Cabinet.

If money or property is seized in a joint operation involving more than one law enforcement agency or prosecutorial office, the amounts listed above shall be apportioned to reflect the degree of participation of the agency or office.

Filing Financial Reports

KRS 218A.440 and 500 KAR 9:030 require each law enforcement agency to file a statement regarding seizures with the Auditor's Office and the Justice and Public Safety Cabinet within 30 days of the close of each fiscal year.

The statement must contain:

- (1) A detailed listing of all money and property seized during the year; and
- (2) The disposition of the money and property seized.

For the Justice and Public Safety Cabinet report, a portion can be completed electronically at an Office of Drug Control Policy site – <https://secure.kentucky.gov/odcp/forfeiture/web/>.

You are not required to submit copies of indictments, judgments, court orders, liens, or other documentation with the annual report. All that is required is the annual listing of money and property seized and the disposition.

Additional Reporting Requirements

In addition to the annual report, 500 KAR 9:030 further requires that each agency forward to the program coordinator:

- (1) A copy of the property seizure and storage form (or its equivalent as adopted by the agency) within 30 days following seizure of property to be forfeited;
- (2) Each final order of forfeiture relating to the property seized within 30 days of entry;



Who's who?

The federal asset forfeiture community under the U.S. Department of Justice consists of the U.S. Marshals Service, U.S. Attorney's Offices, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

All of the agencies operate under the DOJ's Asset Forfeiture and Money Laundering Section. Proceeds from forfeiture and seizures are managed and deposited into the Assets Forfeiture Fund.

- The U.S. Marshals Service is the primary custodian of seized property. The service maintains, manages and disposes of the majority of the property seized for forfeiture. It disburses the money obtained through auctioning the property in cases where forfeiture is ordered.
- U.S. Attorney's Offices are responsible for the prosecution of criminal and civil actions against people and property used or acquired through illegal activity.
- FBI investigates a broad range of criminal violations. They integrate the use of asset forfeiture into an overall strategy to eliminate targeted criminal enterprises.
- DEA implements major investigative strategies against drug networks and cartels. DEA adopts a significant portion of its cases from state and local law enforcement agencies.
- ATF works directly and in cooperation with other federal, state and local law enforcement agencies to enforce federal laws and regulations relating to alcohol, tobacco, firearms, explosives and arson. ATF has the authority to seize and forfeit firearms, ammunition, explosives, alcohol, tobacco, currency, conveyances and certain real property involved in violation of the law.

Other agencies that participate in the DOJ Asset Forfeiture Program, but only in judicial forfeitures:

- United States Postal Inspection Service
- Food and Drug Administration
- United State Department of Agriculture, Office of the Inspector General
- Department of States, Bureau of Diplomatic Security

Source: United States Department of Justice

- (3) A notification of retention of a forfeited vehicle for official use or separate sale within 30 days following the award of the vehicle by final order of forfeiture. Further, if the vehicle is sold, the agency shall indicate the sale proceeds and specific disposition of within 30 days of the sale.
- (4) A copy of any forfeiture lien within 30 days of its filing

You must file these financial reports for all money or property seized, regardless of whether the value is above or below \$50,000. Please note that your agency could be liable to the state for the full value of all property and money seized if you fail to comply with the reporting requirements. Under KRS 218A.440, the attorney general is required to bring a civil action to recover any proceeds that have not been reported.

The Office of Drug Control Policy requests that agencies that did not have any asset forfeitures in a particular fiscal year also send them a report for the purpose of records. The brief report can be completed electronically at <https://secure.kentucky.gov/odcp/forfeiture/web/>.

For the 2005/2006 fiscal year, 201 agencies sent reports to ODCP, which is less than half of all the law enforcement agencies in Kentucky, said Van Ingram, ODCP Compliance Branch manager.

Audits

At any time, the Justice and Public Safety Cabinet, the Auditor's Office or the attorney general may conduct an audit to verify that your agency is complying with all statutory requirements of asset forfeiture and properly using proceeds received from the asset forfeiture fund.

Asset Forfeiture Policies

KRS 218A.435(9) requires each state and local law enforcement agency to adopt policies relating to the seizure, maintenance, storage and care of properties pending forfeiture before being eligible for receipts from the state Asset Forfeiture Trust Fund.

In order to comply with this requirement, 500 KAR 9:020 authorizes each agency to:

- (1) Adopt their own seizure policy and provide a copy to the Justice and Public Safety Cabinet (which must be approved by the cabinet); or
- (2) Notify the cabinet that it has adopted the Model Policy For Forfeiture of Assets by Law Enforcement Agencies as promulgated by the cabinet.

Your agency will not receive disbursements from the Justice and Public Safety Cabinet's asset forfeiture fund until you adopt an asset forfeiture policy that complies with the model policy published by the Department of Criminal Justice Training. If you have not already done so, you should review the model policy, which can be found on the DOCJT Web site, adapt it to your agency's specific needs, and return it to:

Van Ingram or Monica Sacre
Office of Drug Control Policy
Justice and Public Safety Cabinet
125 Holmes Street
Frankfort, KY 40601

Forfeiture Statutes and Regulations

The laws on asset forfeiture may be found on the Commonwealth of Kentucky Web site at:

Administrative Regulations - www.lrc.state.ky.us/kar/TITLE500.HTM

Kentucky Revised Statutes - <http://162.114.4.13/KRS/218A00/CHAPTER.HTM>

To assist you in meeting the asset forfeiture requirements, the Model Policy for Forfeiture of Assets by Law Enforcement Agencies, a Request for Forfeiture form and a Property Seizure and Storage form is posted on the DOCJT Web page at:

<http://docjt.jus.state.ky.us/publications.asp#MP>

If you have questions regarding procedures for asset forfeiture, please contact Van Ingram or Monica Sacre at (502) 564-9564 or Steve Lynn at (859) 622-3073. J



What Breaking the Law Buys

/ Jamie Neal-Ball, Public Information Officer

For a while, Uncle Sam owned a piece of the Bluegrass – 131 acres of vacant land in Manchester.

He's also called many a home, business, vehicle, piece of jewelry, bank account, computer and weapon from Kentucky his own after his agents confiscated them from their owners.

When federal law enforcement agencies or U.S. attorneys employ asset forfeiture laws to seize and forfeit properties used in criminal activity, the properties are handed over to the U.S. Marshals Service to maintain, manage and dispose of them. This also involves items in state and local cases when the federal government adopts the cases for forfeiture proceedings.

While the cases related to the properties are working their way through the system, the U.S. Marshals are charged with maintaining the items, including businesses.

In such instances, the government has to keep the business going or face the possibility of having to pay their owners for their losses if there isn't a forfeiture ruling and they get their property back, said Todd Hansford, a criminal investigator for the U.S. Marshals Service in the Eastern District of Kentucky.

"With farms, we've had to have someone come in and harvest them," he said.

If the property becomes the government's, then the U.S. Marshals liquidate it through a variety of auctions, and the proceeds are shared among the agencies that investigated or had a part in the case and/or used to pay restitution to victims in the cases.

In the past five years, the Western District of the U.S. Marshals Service has shared \$7 million in asset forfeiture proceeds with state and local law enforcement, and the Eastern District has shared \$8.1 million, according to information from the districts.

"I think it's been successful," Hansford said of the program. "It's taking the toys and money away from the bad guys. Up until now, people were willing to go to prison for five, even 10 years, if they got to keep the money and toys they got from their criminal activity."

At the end of January, the U.S. Marshals auctioned the government's acreage in Manchester through the Bid4Assets Web site, and within a couple of days, it had sold for \$138,253.

The government took the land through asset forfeiture in a 2006 drug case against Miller Oscar Hubbard, a former Clay County school official. Hubbard was convicted of several charges, including conspiring to distribute cocaine and money laundering, and agreed to give up the property and cash as part of his plea agreement, according to the U.S. Marshals Service, Eastern District of Kentucky.

The main defendant in that case was Kenneth Day, who was running a multimillion-dollar marijuana and cocaine ring from his Manchester business, KD's Pawn Shop.

Day's sentence included prison time and forfeiting assets, including real property, vehicles, inventory from the pawn shop, construction equipment and cash, according to the U.S. Attorney's Office, Eastern District.

The pawn shop was also forfeited by the government, but it will be given to the bank that holds the mortgage on it because the amount owed on it was too high, Hansford said.

The Marshals Service has a list of vendors it uses to dispose of property, including three auction houses for automobiles (Mid America Auto Auction in Louisville, and ADESA Auto

Auction and KASP Auto Auction in Lexington) and another company for real estate, Fidelity National Asset Management Solutions.

The service often lists high-dollar assets and real estate on the Bid4Assets Web site so they get nationwide exposure, said Stephanie Alford of the U.S. Marshals Service, Western District of Kentucky.

Most of the time, forfeited real estate is difficult to sell because of the stigma attached to its origins, and real estate agents "want too much" to handle the property, so Bid4Assets is a good option, Hansford said.

Occasionally, the commonwealth decides to hang onto forfeited properties for its use rather than auction them.

The Foothills Academy, a group home for troubled boys, sits on 45 acres in Clinton County that was once the site of the largest underground marijuana-growing operation discovered in the United States. After police busted it in 1999, they decided to use the land for the boys' home, Alford said. ■





Resources

TIPS

The U.S. Attorney's Office, Eastern District, advises that officers should:

- document property that may be subject to asset forfeiture from the start of an investigation. For instance, an undercover detective should note that he or she observed a BMW in the driveway at a drug-dealing suspect's home. The vehicle may not be at the residence when it's time to work on forfeiture, but the officer will know of its existence.
- contact a federal law enforcement agency as soon as possible if you want federal involvement in a case that may involve forfeiture. You can request help with an investigation or discuss having a case adopted for forfeiture proceedings. There are time requirements for the federal government in adopting cases.
- stay involved with a case even after the federal government has adopted it. You are still responsible for the case.

Also, McLean County Sheriff Frank Cox, whose agency was recently awarded \$1.2 million in federal asset forfeiture, said it's important to stay with a case to claim your share of the proceeds.

- contact their U.S. Attorney's Office with asset forfeiture questions -

Western District of Kentucky
(502) 582-5911

Eastern District of Kentucky
(859) 233-2661, ext. 134

TRAININGS

Contact the Kentucky Law Enforcement Council if you are interested in credit approval for attending any of these courses.

For information on asset forfeiture training through the U.S. Attorney's Office in your area, contact the office's Law Enforcement Coordinating Committee representative:

Gary Howard, Western District
(502) 582-5911
gary.howard@usdoj.gov

Danny R. Smith, Eastern District
(859) 233-2661, ext. 134
danny.smith2@usdoj.gov

- A law enforcement conference with a section on asset forfeiture will be held May 14 to 18 in Gatlinburg, Tennessee. Contact the above-listed representatives for information.
- Drug Enforcement Administration
Contact your local DEA training coordinator. Cost: No fee
www.dea.gov
DEA presents a three-day course that focuses on practical applications of asset forfeiture for investigators and includes information on legal decisions regarding forfeiture.
- Public Agency Training Council
Asset Forfeiture Procedures in Drug and Criminal Investigation
www.patc.com/courses/drugs-forfeiture.shtml
www.patc.com/training/schedule.php
(800) 365-0119
PATC presents a two-day course that introduces officers to asset forfeiture and what they can achieve with it.
- Federal Law Enforcement Training Center
Money Laundering and Asset Forfeiture Training Program
Sponsored by the U.S. Department of Homeland Security

www.fletc.gov/training/programs/computer-financial-investigations/financial-investigation/money-laundering-and-asset-forfeiture-training-program-mlaftp/

The course provides an overview of the money-laundering investigative process.

Organized Crime Drug Enforcement Task Force

■ Financial Investigations Seminars

- April 23 to 27 in Columbia, South Carolina
- June 11 to 15 in Minneapolis, Minnesota

Drug task force officers are invited to attend this five-day seminar.

Travel, per diem and hotel costs for task force members are typically paid by the task force (DEA, FBI, ATF, etc.). TFOs interested in attending the financial investigations seminar should contact their task force's headquarters representative:

Headquarters Representatives

Drug Enforcement Agency
Tom Highsmith, (703) 632-5120

Federal Bureau of Investigation
Shelly Stollhans, (202) 324-8650

U.S. Marshals Service
Cheata Sieng, (202) 353-1445

U.S. Postal Inspection Service
Robin Henry, (703) 292-3826

U.S. Department of Agriculture
Sharon Weinstein, (202) 720-0325

U.S. Food and Drug Administration
Dwight Rawls, (301) 294-4052

Immigration and Customs Enforcement
Richard Alschuler, (202) 353-1615

Internal Revenue Service
Russell Sloan, (703) 208-2087

Diplomatic Security Service
Carlos Matus, (571) 345-2997

Bureau of Alcohol, Tobacco, Firearms and Explosives
Terry Porter, (202) 927-0731

State and local law enforcement officers who are not TFOs may attend when space is available, however, their agency must pay their expenses. Non-TFOs should contact Theresa Moon at (202) 514-0136 to obtain information about the seminars. ■



Hang Up and Drive

Terry W. Runner, DOCJT Basic Training Branch Instructor

Has the phrase “Hang up and drive!” ever flashed across your mind while in traffic? If so, you certainly are not alone. According to the CTIA Wireless Association, there were more than 229 million wireless subscribers in the United States in 2006. In Kentucky, more than 2.2 million people are wireless subscribers, which is more than the number of Kentuckians who have wire line connections. With such a prevalence of cell phone usage in the commonwealth, the use of cell phones

while driving is inevitable and increasing, and so are the dangers associated with them.

The National Highway Traffic Safety Administration and the Virginia Tech Transportation Institute has found that almost 80 percent of crashes and 65 percent of near crashes involved some form of driver inattention within three seconds before the event. NHTSA estimates that driver distraction contributes to 25 percent of all crashes reported to police. The most common distraction for drivers is the use of the cell phone or other wireless devices, such as a personal digital assistants. NHTSA has found as



many as 10 percent of motorists of all ages may be using some type of phone, either hand held or hands free, during daytime driving hours. That is approximately 20 million motorists. Drivers engaging in visually or manually complex activities have a near crash/crash rate four times higher than drivers who are attentive.

Any eye-glance away from the forward roadway greater than two seconds greatly increases the near-crash/crash risk. Cell phones are multi-sensory distractions. The eyes are needed to find a ringing phone. The driver has to hold or dial the phone to make a call. Once the call is connected, the driver must listen and pay attention to carry on the conversation.

There was very little difference in hands-free phones and hand-held phones. Talking and listening to a conversation was the primary distraction. Also, the number of crashes and near crashes from dialing a phone is nearly identical to the number of those associated with talking or listening. Dialing is more dangerous, but occurs less often than talking or listening. NHTSA conducted a 100-car naturalistic study for more than a year, logging more than two million miles and more than 42,000 hours of data, using 241 drivers. Real drivers on the road in normal driving activities were recorded with on-board cameras at several angles and other technologies installed in their vehicles.

Some of the results included the propensity of drivers to take their hands off the wheel and their eyes off the road when dialing or answering a phone.

Experts at the U.S. Department of Transportation indicate four basic types of driving distractions. First is visual, such as looking away from the roadway to find the cell phone. Second is biomechanical, which would involve manipulating a control such as dialing a cell phone. This is also associated with a visual distraction. Next is auditory, like being startled by a ringing cell phone. Finally, there is cognitive. Having a conversation with someone can cause drivers to withdraw from situational awareness.

Telephones seem to carry an obligation to answer immediately. When the phone rings, the compulsion is to answer it whether it is safe or convenient. This could lead to an increase in perception/reaction time of the driver, which reduces the ability to avoid collisions. U.S. DOT studies indicate two categories of crashes when using cell phones – striking an object/ve-

hicle in front of the driver, and leaving their lane of traffic.

Another way researchers gather statistics is using police reports, although this may not be as reliable as some may think. In the 100-car study conducted by NHTSA researchers observed an interesting fact. The study allowed the capture of crash and collision events that included minor and non-property-damage contact. As a result, crash/collision involvement was much higher than expected. Of the 82 total crashes/collisions that were reported for this study, only 15 were reported to the police. This could indicate that total crash involvement could be as much as five times higher than police reported crashes. This would apply to potential cell-phone-related collisions as well. When it comes to potential liability issues, drivers who were using a cell phone prior to the crash are not very likely to report that fact to an investigating police officer. It's not very likely the investigating officer will check the vehicle for a cell phone that has been recently used.

According to the Kentucky Governor's Highway Safety Programs 2005 Collision Report, of the 234,303 crashes that took place, only 876 were specifically reported as cell phone related, including seven fatalities. However, individuals not reporting the use of a cell phone as a potential factor in an accident is only part of the reason for potential inaccuracies in relating cell phone use and collisions.

"Other contributing factors of interest may be inattention or distraction," said Jennifer Walton, transportation research engineer at the Kentucky Transportation Center. "Officers can mark up to three human factors for a driver."

When distraction and inattention are added into the stats as potential cell-phone related causes, the number of caused crashes jumps to 57,834, including 212 fatalities in 2005.

Only three states and the District of Columbia ban hand-held phones while driving. Ten states and Washington, D.C., limit the use of any kind of phone by teenage drivers, and in 11 states and Washington, D.C., the limits apply to school bus drivers. Kentucky does not have any laws that restrict the use of cell phones while operating a vehicle. On the contrary, KRS 65.873 states no city, county, urban-county or special district shall impose a restriction on the use of a mobile telephone in a motor vehicle.

Research indicates that just banning hand-

held cell phones from motor vehicles would not change the rate of crashes. The studies done in Australia and Canada found approximately equal increases in the risk of a crash regardless of the type of phone a driver was using.

In reference to data closer to home, a survey of Kentucky's Open Portal Solution for cell-phone related crashes in Kentucky is showing an increase of nearly 100 percent during the past five years in crashes that indicated a cell phone in the contributing factors – Human column.

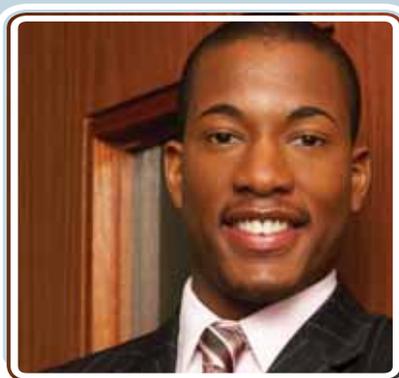
- 2001 – 469 reported collisions
- 2002 – 530 reported collisions
- 2003 – 675 reported collisions
- 2004 – 863 reported collisions
- 2005 – 876 reported collisions

The results are 3,413 total cell phone related collisions with 1,270 injuries and 16 fatalities. These are only the reported collisions with cell phones indicated in the human factors. If the NHTSA study is correct, and in actuality there could be as many as five times that rate, we would seem destined to see these numbers increase dramatically.

Law enforcement cannot do much about the collisions that are not reported, but the investigating officer can ask specific questions when investigating the scenes that do get reported. The ever-popular 'driver inattention' bubble on the crash report will still get filled in, but look for those bubbles that indicate why the driver was inattentive. It may well be due to the cell phone activity immediately prior to the crash.

Other statistics from the 100-car study can be found on the NHTSA Web site and the Insurance Institute for Highway Safety (IIHS) Web site. There is a great deal of data being gathered regarding to this growing problem in the U.S. and other countries. The U.S. DOT, NHTSA (part of U.S. DOT), and the Insurance Institute for Highway Safety are not the only ones investigating the cell phone distraction. The Journal of American Medical Association, the British Medical Journal and others are researching as well. The Internet has thousands of sources of information, all of which indicate this is a growing problem for motorists everywhere. All the investigating officer of a collision can do is review the statistics occasionally, ask a lot of questions of the drivers, and carefully make and note observations at the scene. J

It just makes
GOOD BUSINESS SENSE





www.protectyourbusiness.ky.gov

The federal government recently estimated that more than 40 percent of all American businesses never reopen following a major disaster, be it natural or man-made, according to Maj. (Ret) Alecia Edgington, director of the Kentucky Office of Homeland Security.

“The protection of Kentucky businesses is vital to the economy of our state and extends to the well-being of employees and customers as well,” Edgington said.

“Just as it is important for every Kentucky family to make a plan and an emergency kit in case the unthinkable actually occurs, it is also of vital importance that Kentucky businesses make appropriate preparations,” she added.

To help Kentucky’s business men and women develop those plans quickly but thoroughly, KOHS recently launched a business centric Web site, www.ProtectYourBusiness.ky.gov, which provides details on preparing your business to handle and survive possible disasters.

“A commitment to planning today will help support employees, customers, the community, the local economy and even the state,” Edgington said. “It will definitely protect your business investment and give your company a better chance for long-term survival.”

Building a successful plan centers on four key areas of concern:

- being informed of the type of emergencies that might affect your company
- continuity planning
- emergency planning and protecting your employees
- protecting your investment

Emergencies run the whole gamut of potential catastrophes, from fire to flood to chemical

spills to man-made threats. Any could have a disastrous affect on your operations.

“For instance,” Edgington said, “it’s prudent to plan ahead for extended disruptions of electricity, gas, telecommunications and other utilities during and after a disaster. That may seem over simplistic, but if it’s not covered before an event occurs, your business could suffer irreparable damage.”

Continuity of operations includes an array of details that are covered on the Web site, such as emergency payroll, expedited financial decision-making offsite, maintaining operations critical to survival and lining up back-up vendors in case your current vendors are shut down.

“What would you do if your building, plant, store or office was suddenly inaccessible for a lengthy period of time?” Edgington asked. “Or what would you do if other businesses in your building or industrial complex inadvertently created a situation that forced everyone out?”

Of course, it’s in every employer’s interest to communicate with employees during such a situation.

“A communications mechanism as basic as a telephone calling tree or a more sophisticated, password-protected Web site or even an out-of-town number where employees can leave an ‘I’m okay,’ message, lets employers know the physical well-being of their staffs,” Edgington said, “and simultaneously shows your employees you care about them.”

And, of course, there are the drills. Emergency drills can seem like a hassle – we all remember standing outside in the freezing cold during grade school fire drills – but are proven life and time savers under adverse circumstances. “Drills take only a short amount of time out of a workday and, at the very least, demonstrate

to employees that you take their safety seriously,” Edgington said.

Details on putting together a business emergency supply kit – in case employees are forced to ‘shelter in place’ on the premises – and deciding whether or not to actually evacuate are available on the www.ProtectYourBusiness.ky.gov Web site, as well as information on assessing the HVAC system, cyber security and insurance coverage.

“A basic, but often-overlooked, detail is to keep copies of important records (see sidebar) in a waterproof, fireproof and portable container,” Edgington said. A second set of records

IMPORTANT RECORDS TO PROTECT

- Site maps
- Building plans
- Insurance policies
- Employee contact information
- Computer backups
- Other priority documents

should be maintained at an off-site location.

In short, an emergency preparedness plan for your business is as important as one for your family – and the families of your employees.

“The odds of your business surviving a disaster increase dramatically if you just take a little time – with the guidance of the advice at www.ProtectYourBusiness.ky.gov and plan ahead, just as you are doing for every other aspect of your business,” Edgington said. J



Special Needs Equals Special Attention

KOHS hosts summit addressing support to special needs populations during emergencies / **Abbie Darst**, Public Information Officer



In a western Kentucky town, on a warm May evening, a middle-aged couple sits watching television when an Emergency Broadcast System signal interrupts the program with an immediate tornado alert. However, the couple, both hearing impaired, is confused and nervous and then quickly become agitated because the broadcast has failed to include captions and now they are not sure to what emergency they have been alerted, leaving them no time to prepare.

Across the state, a small eastern Kentucky community has been issued a flood warning and asked to evacuate. However, with the water already beginning to rise in his home, one resident has no way of getting himself and his wheelchair out of the house and to a shelter.

In Richmond, an evacuation is issued due to a chemical leak at the Bluegrass Army Depot. One Hispanic resident hears the evacuation alert, but due to a limited English background, doesn't fully understand the warning and doesn't have personal transportation to evacuate herself and her family quickly.

These hypothetical but very plausible situations demonstrate just a few examples of how individuals with special needs may be affected during an emergency. In January, the Kentucky Department of Homeland Security held a summit to discuss the challenges the special needs community and first responders face in responding to emergencies such as these and how they can work together to combat these difficulties.

Keynote speaker Brian Parsons, senior policy advisor at the U.S. Department of Homeland Security's Office for Civil Rights and Civil Liberties, stressed how important it is that communities and first responders first break down the term 'special needs' in terms of the population's functional needs.

"The most important thing in breaking down the population is looking at what we call the functional needs of the community," Parsons said. "And if we can express those needs in terms of things that emergency management, fire and police would be thinking of, then we've made the bridge between the community and the response community."

"The kinds of functional areas that plans can actually be developed around have to do with communication, medication, independent living, supervision and transportation," he continued. "If you look at those five areas as sort of a working definition of what different functional needs are of people with disabilities and the elderly in times of emergency, those are things that, as an emergency planner, you can get your hands around."

In his presentation, Gen. Clay Bailey, Kentucky Division of Emergency Management director, defined special needs as "groups whose needs are not fully addressed by traditional service providers and who cannot safely access standard disaster relief services."

Data from the 2000 Census indicates that 24 percent of Kentuckians are living with a physical, mental or sensory disability. In addition, Bailey's definition takes into consideration those who not only have physical or mental disabilities or special medical needs, but also those with special needs due to language barriers or lack of transportation. Together, this special needs community can create an enormous challenge for first responders trying to respond thoroughly, safely and quickly in a disaster or emergency.

The summit addressed several ideas on how to best ensure that first responders are aware of the special needs residents in their communities and how to respond to them. One of the most contended subjects was the idea of creating a special needs registry. Such a registry would list all the individuals in an area that had some sort of disability or special need, allowing first responders to know immediately where they needed to focus special attention as well as what the specific needs would be before arriving on the scene.

Though the idea of a registry sounds like a simple answer to helping first responders best assist those with special needs, it is not that easy.

"A special needs registry is most effective if it is local in nature. So if you're going to invest the time and energy into maintaining a registry of people that have needs, then doing it at a local level and giving it the focus and ability to be updated and keep it maintained is the key," Parsons said. "If you try to elevate that higher to say the state or even potentially federal level, there are so many issues around privacy of information and how to keep it updated, etc., it becomes almost unmanageable. But it is

>>

>> possible to have local registries that give people with disabilities a secondary way of providing key information to emergency responders. And that's not to abdicate a person's responsibility to think through for themselves what they would do, but it does establish that dialogue between the person and the emergency management community."

Effective registries need to be pulled together from various local sources like non-governmental organizations geared toward serving particular segments of the special needs community, such as the Kentucky Disabilities Coalition, The Kentucky Council of the Blind, or the Mental Health Association of Kentucky. During breakout-session discussions at the January summit, many felt that creating a local registry was feasible if the organizations already set up to serve and meet the needs of particular groups within the special needs community provided information from those they serve to the local emergency managers. This tactic would allow a more accurate account of those in the community who have special needs and would provide more details as to what those needs will be. Specifically, it would take some pressure off local government and emergency managers to compile and maintain complete lists for the entire community.

Additionally, receiving information from these non-governmental organizations would better ensure adherence to privacy regulations.

"It really has to do with things like who has access to the information, what's the nature of the information, under what circumstances is it used or shared and things like that, so you have to build protections around the information to correspond to those types of things," Parsons said.

Another emphasized issue is that everyone needs to take responsibility for their own preparedness before a situation ever occurs, including those in the

special needs community, to whatever extent they are capable.

"We've got to have people that are normally capable of taking care of themselves getting informed, making a plan and building a kit," Bailey stressed. "You've got to have three to five days of emergency supplies, and a plan."

In his presentation, proper preparedness was the first of four things that Bailey said Kentucky needs to do in order to target the special needs community for support during an emergency or disaster. First, the non-special needs community needs to improve its level of preparedness. Next, professional care facilities need to make sure they have a working and manageable plan that does more than get the patients from the building to the parking lot, he said. Third, local emergency managers need to identify those with special needs and update the contact information. Also, emergency management needs to review and exercise emergency plans and define shelter requirements.

"Currently, we've thought through a situation that, in reality, doesn't exist. You're not just going to have people that need a place to sleep for a couple of nights. You're going to need a place that's going to have to provide, in a concentrated way, some pretty sophisticated medical and supervision services and I don't think we're there yet – I can tell you that we're not there yet," Bailey said.

The summit, which brought together individuals with disabilities, service providers and agencies, emergency management personnel, first responders and business and government personnel, concluded that dialogue between these groups was the first step toward making a real difference in the way that the special needs community and first responders interact during a disaster.

"Now that we are in a new world where preparedness is going to be part of our lives, whether we want it to be or not, let's embrace it and move forward," Parsons said. "To summarize what we've talked about, be informed, make a plan, build a kit – proactively engage emergency managers ... and then let's work together to change the lessons that we have documented from some of these incidences into actually lessons learned and lessons applied, so that we can work together to make this preparedness revolution come forward." J



SEE SOMETHING, SAY SOMETHING

Public Urged to Report Suspicious Activity to 1-866-EYE-ON-KY or Local Law Enforcement Tip Lines

The Kentucky Intelligence Fusion Center today launched the “See Something, Say Something” state-wide campaign; an effort aimed at improving crime prevention in Kentucky. The campaign urges citizens to report suspicious activity of any type to an anonymous toll-free tip line, 1-866-EYE-ON-KY (393-6659), or to local law enforcement tip lines.

“If Kentuckians see something suspicious or out of the ordinary, we encourage you to give us a call at 1-866-EYE-ON-KY,” said (Ret) Maj. Alecia Webb-Edgington, director of the Kentucky Office of Homeland Security and Chairman of the Intelligence Fusion Center Governance Board. “Campaigns like this in other states, and right here in Kentucky with Louisville’s (502) 574-LMPD and Bowling Green/Warren County’s (270) 781-CLUE, have been a highly successful part of local and state law enforcements efforts to prevent criminal activity and solve more cases.”

“Suspicious activity” can include:

Persons asking unusual questions about building security;

Persons taking pictures or video of buildings, bridges or other locations;

Persons asking detailed questions about the schedules of public transportation;

Persons seen timing the arrival/departure of public transportation;

Persons seen loitering around non-public areas around reservoirs, water treatment plants, dams or power plants;

Persons watching a building for extended periods of time;

Suspicious vehicles parked in unusual places or at unusual times.

1-866-EYE-ON-KY is an anonymous tip line, which allows Kentuckians to report any suspicious criminal or terrorist activity they see. Citizens may also issue a tip on-line by visiting www.homelandsecurity.ky.gov/tipline.

Analysts located in the Intelligence Fusion Center answer calls and record information for distribution to the appropriate

local, state or federal law enforcement agencies.

The Kentucky Intelligence Fusion Center is established to better secure the commonwealth against criminal activity and domestic and international terrorism. Member agencies with personnel in the Center include the Kentucky Office of Homeland Security, Kentucky State Police, Kentucky Transportation Cabinet, Kentucky Vehicle Enforcement, Kentucky Department of Military Affairs, Kentucky Department of Corrections, Federal Bureau of Investigation, Bureau of Alcohol, Tobacco, Firearms and Explosives, and the U.S. Department of Homeland Security.

The Kentucky Office of Homeland Security has been charged by Governor Fletcher to lead the Commonwealth’s prevention and preparedness efforts to ensure Kentucky’s communities, First Responders and families are Ready and Prepared. For more information about homeland security in Kentucky, please visit www.homelandsecurity.ky.gov.



KCPP Assessing Airports

Mike Souder, Assessor, KCPP

In an assassination attempt often forgotten since that bright fall morning in 1994, a stolen aircraft piloted by a man intent, according to the Secret Service, on killing then-President Bill Clinton, penetrated the monitored airspace surrounding the White House, slipping past elaborate defense systems and trained personnel, and plunged into the side of White House.

Although no one on the ground was injured, the pilot was killed and pictures of the wreckage, smoldering against the most secure government building in America, were flashed across the globe. The age of using an aircraft as a suicide weapon was launched... using a stolen aircraft from a private airfield seven years prior to 9/11. Could a similar event occur with an aircraft stolen from a Kentucky airfield?

Or course, in the aftermath of the terror attacks of 9/11, much attention has been directed to the commercial flight industry, the screening of bags and passengers and airport terminal security. These measures instituted by the federal government were intended to produce a safer environment for the commercial air traveler. However, some travelers and industry officials question the effectiveness and efficiency of these procedures.

In contrast, the U.S. general aviation community, which is comprised of more than 220,000 aircraft and 80 percent of the annual departures, is considerably less regulated, and its owners/operators are working to keep it that way. The Aircraft Owners and Pilots Association, with nearly 410,000 members (two-thirds of the U.S. pilot community) is partnering with the U.S. Transportation Security Administration in launching Airport Watch, a program similar to law enforcement's Neighborhood Watch, in an effort to increase security awareness for general aviation pilots and small community airports nationwide.

On the state level, the Kentucky Office of Homeland Security's community preparedness program has been tasked with conducting vulnerability assessments at all 58 general aviation airports in the commonwealth. This voluntary program allows locally owned and/or privately operated airports to develop a security posture without the compliance arm of the Federal Aviation Administration or TSA overshadowing the assessment, according to airport operators.

Steve Parker, deputy director of the Kentucky Department >>

/Photos by Elizabeth Thomas

>> of Aviation, said help from outside the aviation industry is needed and appreciated.

“These vital air transportation hubs are small-to medium-sized facilities with few, if any, full-time employees, and they are run by an all-volunteer airport board,” he said.

It is essential that the airports are as safe and secure as possible to ensure they are ready to serve their communities in times of crisis or emergency, Parker said.

As of mid-February, 18 Kentucky airports have participated in the Commonwealth Airport Assessment Program, resulting in nearly 200 specific recommendations for improved security and safety at Kentucky airfields. The goal is to complete an assessment of all 58 general aviation airports in Kentucky by the end of June, which is attainable according to Drexel Neal, executive director of the Kentucky Community Preparedness Program.

“We are on target to meet our objective of reaching every airport in the state,” he said. “Those that have participated so far have reported a positive experience in upgrading their overall security.”

Homeland security grants have been given to some

participants who met certain criteria regarding security expenditures. The London-Corbin Airport in Laurel County recently received its assessment results, as well as \$10,000 in grant money. Bob Blakeman, airport manager, said program recommendations were instituted following the assessment.

“We were reimbursed for closed-circuit television equipment,” he said. “Our facility is better prepared as a result of its use.”

Assessment team members originally underwent 48 hours of vulnerability assessment training, a curriculum assembled specifically for small communities from other prominent models currently in use. Additionally, assessors completed training in airport-assessment methodology and attended security sessions at the recent aviation conference in Lexington, hosted by the Kentucky Aviation Association and the Kentucky Department of Aviation.

The assessment process includes in-depth interviews with airport managers and key employees, as well as a physical tour of the facility and grounds to inspect for safety and security interests. The team of two to three assessors develops recommendations for the vulnerabilities discovered during the process.

There are three categories

▶ A TSA agent scours a passenger’s luggage and removes items prohibited in carry-on baggage.

▼ TSA intercepts 11.6 million cigarette lighters every year from carry-on luggage. More than 17,000 were confiscated at Lexington’s Blue Grass Airport.

of recommendations: physical, procedural and communications. A hard-copy report is developed and hand-delivered to the facility representative. Local law enforcement is invited to share in the findings in an effort to improve local emergency response.

Several airport operators are scheduling an assessment for their facilities.

Rob Barnett, president of the Kentucky Aviation Association and manager of the Bowling Green/Warren County Regional Airport is interested in having his facility assessed.

“Assessing airport security is an issue all airport operators face daily” he said. “Evaluating potential risks or vulnerabilities that may exist at our facility is a necessary part of security programming and aircraft crime prevention. A third party review will greatly benefit airport operators.”

In order to protect the nature of the vulnerabilities exposed, the Kentucky General Assembly passed House Bill 59 in 2005, which excludes the results of vulnerability assessments from the Kentucky Open Records Law.

As a student pilot, program assessor Kevin Kelly knows the importance of general aviation airport security.

“Every airport employee, air traveler and flying buff has a responsibility when it comes to aviation security,” he said. “Our efforts in the aviation assessment program are not only to raise awareness, but also to develop a means by which to keep that awareness elevated, maintaining a state of vigilance regarding this industry.”

Any airport operator or law enforcement agency interested in learning more about the Commonwealth Airport Assessment Program can contact Drexel Neal or Michael Souder at (859) 622-6824. J





Bad Connection: Killer Cell Phones Out There

Law enforcement, airport officials and others should be on the lookout for guns that are disguised as cell phones, according to several news reports.

The cell-phone gun, which ABC News reported on as early as 2000, looks like a regular cell phone, but beneath its face is a .22-caliber pistol. It's capable of firing four rounds in quick succession by hitting the digits 5 through 8 on the keypad, with its antenna acting as the gun barrel.

Such guns have been seized in drug raids in other countries, including England, according to Time Magazine online.

There are videos of cell-phone guns posted on the Internet. One video can be viewed at www.snopes.com/crime/warnings/cellgun.asp. ■



Typical Recommendations at Kentucky Airports

PHYSICAL RECOMMENDATIONS

- Encompass fuel tanks within a privacy fence so the units are not visible from public access points.
- Digitally record all operations using Closed Circuit TV. Assure a 30-day recording cycle and designate a responsible party to monitor the screens at all times.
- Install an 8-foot-perimeter-fence with a 3-strand barbed-wire top guard.
- Install an emergency generator that supports critical functions in the event of a power failure.
- Protect all utility connections that service buildings on the property. Pay particular attention to communication wiring such as those that service antennae and NavAids, etc.

PROCEDURAL RECOMMENDATIONS

- Develop and implement a comprehensive Emergency Operations Plan. Institute written policies and procedures for at least the following situations: security patrols; suspicious persons, vehicles, and packages/devices; intruders, active shooters, and suicide bombers; weapons on the premises; WMD threats (chemical,

biological, radiological); bomb threats and fire alarms; injured/ill persons; evacuations, reverse evacuations, and sheltering-in-place; lockdowns/lockouts; calling trees for emergency notification of employees; emergency operation of the HVAC system; crowd and traffic control; and media relations (provision of public information for emergencies or crisis situations).

- Issue ID cards to employees and those who regularly use the facility by lease agreement. Investigate the use of dual-purpose cards that can also be used for access control purposes.
- Conduct practical emergency exercises with local public safety agencies and provide appropriate documentation of completion and achievement.
- Record all aircraft activity (take-offs/landings, fuel sales, mechanical work, etc.) by tail number.

COMMUNICATION RECOMMENDATIONS

- Install public address system in order that emergency announcements can be heard at all points about the property.
- Collaborate with local emergency responders to establish an interoperable and redundant communications network.
- Install panic buttons with a direct link to local law enforcement at strategic locations throughout the facility. ■

KCPP ASSESSED COMMUNITIES



BROWNSVILLE

County: Edmonson
Population: 921
Size: 1.6 square miles
Class: Fifth class city
Mayor: Timothy Houchin
Chief: Michael Vincent

Sheriff: B.J. Honeycutt

Date of Assessment: October 30 to November 3

Sites assessed: Bear Creek Volunteer Fire Department; Brownsville City Hall; Edmonson County 5th/6th Grade Center; Edmonson County Courthouse; Edmonson County Emergency Medical Services; Edmonson County Health Department; Edmonson County middle and high schools; Edmonson County Sheriff's Office; Edmonson County Transportation Department; Edmonson County Water District; Kentucky Department of Transportation Edmonson County Maintenance Facility; Kyrock Elementary School; Kyrock Volunteer Fire Department; Mammoth Cave National Park; Nolin Lake and Dam; Rocky Hill Volunteer Fire Department

Chief: William Denton
Sheriff: Leonard Garrett

Date of Assessment: November 6 to 10

Sites assessed: Carlisle City Hall/Police Department; Carlisle Fire Department; Carlisle Measuring Station 803549 (Columbia Gas); Carlisle Water Department; City Maintenance Barn; City of Carlisle Wastewater Treatment Plant; Columbia Gas Lake Carnico Regulator; Department of Community Based Services; Nicholas County Courthouse; Nicholas County elementary and middle schools; Nicholas County Emergency Medical Service; Nicholas County Fire and Rescue; Nicholas County Health Department; Nicholas County High School; Nicholas County Hospital; Nicholas County State Highway Garage; Southern States



COVINGTON

County: Kenton
Population: 43,370
Size: 13.1 square miles
Class: Second class city
Mayor: Irvin Callery
Chief: Thomas Schoecker, at time of assessment (presently

Lee Russo)
Sheriff: Chuck Korzenborn

Date of Assessment: January 8 to 12

Sites assessed: Brent Spence Bridge; Cincinnati Bell-Covington Central Office; Covington/Cincinnati CSX Railroad Bridge; Covington City Hall; Covington Fire Department Company No. 1; Covington Fire Department Company No. 2; Covington Fire Department Company No. 5; Covington Fire Department Company No. 6; Covington Fire Department Company No. 8; Covington Police Department; Holmes Junior/Senior High School; Kenton County Building; Kenton County Detention Center; Marathon Petroleum Company; Northern Kentucky Convention Center; St. Elizabeth Hospital Center North



CAMPTON

County: Wolfe
Population: 424
Size: 1.1 square miles
Class: Sixth class city
Mayor: Gay Campbell
Chief: Leroy Colwell
Sheriff: H.V. Dunn

Date of Assessment: December 18 to 22

Sites assessed: Cabinet for Health and Family Services Protection and Permanency Office; Campton City Hall; Campton Elementary School; City of Campton Wastewater Plant; Middle Kentucky-Wolfe County Head Start; Red River Valley Elementary School; Rogers Elementary School; Wolfe County Board of Education; Wolfe County Courthouse; Wolfe County Health Center; Wolfe County High School; Wolfe County Middle School; Wolfe County Road Department; Wolfe County Water Treatment Plant



FRANKLIN

County: Simpson
Population: 8,079
Size: 7.4 square miles
Class: Fourth class city
Mayor: Jim Brown
Chief: James Powell
Sheriff: R.E. Starks

Date of Assessment: November 27 to December 1

Sites assessed: City of Franklin Water Plant; Franklin City



CARLISLE

County: Nicholas
Population: 2,030
Size: 1.3 square miles
Class: Fourth class city
Mayor: Ronnie Clark

Hall; Franklin Electric Plant Board; Franklin Elementary School; Franklin Police Department; Franklin-Simpson Fire Rescue; Franklin-Simpson Middle School; Franklin-Simpson High School; Learning Opportunity Center; Lincoln Elementary School; Simpson County Courthouse; Simpson County Emergency Communications Center; Simpson County Justice Center; Simpson Elementary School; The Medical Center Franklin; Warren RECC



LIBERTY

County: Casey
 Population: 1,892
 Size: 1.7 square miles
 Class: Fifth class city
 Mayor: Steve Sweeney
 Chief: Ron Whited
 Sheriff: Jerry Coffman

Date of Assessment: December 4 to 8

Sites assessed: Casey County Courthouse; Casey County Detention Center; Casey County Health Department; Casey County High School; Casey County Hospital; Casey County Judicial Center; Casey County Middle School; Central Kentucky AG-EXPO Center; Columbia Gulf Transmission; Jones Park Elementary School; Liberty City Hall; Liberty Elementary School; Liberty Wastewater Treatment Plant; Liberty Water Company; Walnut Hill Elementary; WKDO Radio Station Liberty



HICKMAN

County: Fulton
 Population: 2,560
 Size: 3.6 square miles
 Class: Fourth class city
 Mayor: Charles Murphy
 Chief: Tony Grogan
 Sheriff: Robert Hopper

Date of Assessment: January 8 to 12

Sites assessed: Cayce Volunteer Fire Department; Fulton County Area Technology Center; Fulton County Courthouse; Fulton County Detention Center; Fulton County Elementary School; Fulton County High School; Fulton County Office Building; Fulton County Rescue Squad; Fulton County Sheriff's Office; Fulton-Hickman County RECC; Helena Chemical Co.; Hick-Fulton County Floodwall; Hickman-Fulton County Riverport Authority; Hickman Public Safety Building; Hickman Public Works; Speed Ag



MOREHEAD

County: Rowan
 Population: 5,914
 Size: 9.2 square miles
 Class: Fourth class city
 Mayor: Bradley Collins
 Chief: Randy Waltz
 Sheriff: Jack Carter

Date of Assessment: November 13 to 17

Sites assessed: Clyde A. Thomas Airport; Don Greenhill City Park; J.R. Cowdill Wastewater Treatment Plant; Mc-Brayer Elementary School; Morehead City Hall; Morehead Conference Center; Morehead Fire Department Station No. 1; Morehead Fire Department Station No. 2; Morehead Water Treatment Plant; Rodburn Elementary School; Rowan County Courthouse; Rowan County Health Center; Rowan County Middle School; Rowan County Senior High School; St. Claire Regional Medical Center; Triangle Tower Site



HINDMAN

County: Knott
 Population: 787
 Size: 3.4 square miles
 Class: Fifth class city
 Mayor: Janice Jarrell
 Chief: Paul Jarrell
 Sheriff: Ray Bolen

Date of Assessment: November 13-17

Sites assessed: Cabinet for Families and Children, Community Based Services; City of Hindman Water Treatment Plant; Hindman City Hall; Hindman Elementary School; Hindman Wastewater Treatment Plant; Human Services Center; James Still Learning Center; June Buchanan Primary Care Center; Knott County Central High School; Knott County Courthouse; Knott County Health Center; Knott County Justice Center; Knott County Opportunity Center; Thacker Grigsby Telephone Company



NICHOLASVILLE

County: Jessamine
 Population: 23,897
 Size: 8.5 square miles
 Class: Third class city
 Mayor: Russell Meyer
 Chief: Barry Waldrop
 Sheriff: Kevin Corman

Date of Assessment: October 23 to 27

KCPP ASSESSED COMMUNITIES

Sites assessed: East Jessamine High School; East Jessamine Middle School; Jessamine Career and Technology Center; Jessamine County Board of Education Central Office Annex; Jessamine County Courthouse Annex; Jessamine County Courthouse; Jessamine County Public Safety Building; Jessamine Creek Environmental Control Facility No. 1; Nicholasville City Hall; Nicholasville Fire Department Station No. 2; Nicholasville Fire Department Station No. 3; Nicholasville Police Department/Nicholasville Fire Department No. 1; Nicholasville Water Treatment Plant; The Providence School; West Jessamine High School; West Jessamine Middle School

ment; Lewis County High School; Lewis County Justice Center; Lewis County Middle School; Lewis County Road Department; Urgent Care Portsmouth Ambulance Service; Vanceburg City Building; Vanceburg Fire Department



VANCEBURG

County: Lewis
Population: 1,731
Size: 1.2 square miles
Class: Fourth class city
Mayor: Angela Patton
Chief: Joseph Billman
Sheriff: William Lewis

Date of Assessment: December 11 to 15
Sites assessed: Department for Community Based Services; Garrison Water District; Lewis County 911 Center; Lewis County Alternative School; Lewis County Central Elementary School; Lewis County Communications Tower; Lewis County Courthouse; Lewis County Health Depart-



WILLIAMSBURG

County: Whitley
Population: 5,162
Size: 4.7 square miles
Class: Fourth class city
Mayor: Roddy Harrison
Chief: Denny Shelley
Sheriff: Lawrence Hodge

Date of Assessment: December 11 to 15
Sites assessed: Hal Rogers Family Entertainment Center; O. Wayne Rollins Convocation and Recreation Center, University of the Cumberlands; Science Complex, University of the Cumberlands; Williamsburg City Hall; Williamsburg Independent School District; Williamsburg Police-Fire Dispatch; Williamsburg Wastewater Treatment Plant; Williamsburg Water Treatment Plant; Williamsburg-Whitley County Airport; Whitley County Courthouse; Whitley County Health Department; Whitley County High School; Whitley County Middle School; Whitley County 911 Communications Center J

KCPP Receives Grant to Continue Assessments

The Kentucky Community Preparedness Program was awarded its third grant since the program's inception. KCPP received \$1.3 million, which will allow the program to assess an additional 30 communities as well as colleges, universities and airports.

As of February, KCPP has assessed 116 communities in 109 counties.

Since January 2005, KCPP has received more than \$2.6 million in grants from the Kentucky Office of Homeland Security. KCPP has awarded the communities assessed in 2005 more than \$430,000 for overtime and implementation expenditures and has committed \$865,800 for the 2006 and 2007 assessments.



■ Kentucky Vehicle Enforcement recruit Brent Wilson prepares to be officially sworn in following his graduation ceremony. In 2006 at DOCJT, 253 recruits completed basic training and 9002 law enforcement personnel returned for professional development classes, including 596 who finished Kentucky Leadership Institute programs.



Enhancing School Safety

/Jon R. Akers, Executive Director, Kentucky Center for School Safety

Everywhere I go, I am asked the same question repeatedly, “Are the schools safe?” My answer is always the same, “Yes! Our schools are still the safest places (statistically) to be in our society ... but they are not perfect.”

Increasingly, however, my standard response is becoming a harder sell, largely because the news media can now saturate the public for weeks following each incident of extreme school violence with extensive, repetitive reporting of the details in each case. The most recent examples, of course, were at schools in Bailey, Colorado (Platte Canyon High School), Lancaster County, Pennsylvania (an Amish school) and Cazenovia, Wisconsin (Weston High School). Inarguably, each incident was horribly tragic as precious lives were lost in each of these cases, and the fear inherent in all such tragedies involving children became pervasive throughout the nation. Moreover, the publicity, now intrinsic to all such tragedies, has led to many questioning the safety of their child’s or loved one’s school. This can, in some cases, be a good thing – if it leads to taking proactive steps to enhance school safety and emergency management plans already in place. However, it is not so good when the school community’s overall confidence in the school leaders’ ability to maximize safety in their schools is shaken. Unfortunately, that, I suspect, is sometimes the reason for the inquiry to me.

What is interesting about this topic as a whole is that it appears that many have only recently, in roughly the last decade, even begun to pose the question regarding school safety. It is interesting because school shootings are not new. There are reports of school shootings and bombings dating back as far as the early 1900s. Indeed, it is only the technological ability that the media now have to cover and publicize those stories that is new, and not the occurrences of the unfortunate school tragedies themselves. Increasing the public’s concern regarding school safety is that seldom, if ever, do the media give much attention to the ongoing efforts of local school and law enforcement officials (as well as other agencies like Kentucky Center for School Safety) throughout the state to enhance the safety for those who learn or work in a school. Therefore, I will attempt to condense some of the essential enhancements and modifications to school safety that have been introduced over the last several years.

With the passage of House Bill 330 (1998 Safe Schools Act), Kentucky’s General Assembly required all schools to have a school safety plan with a school-based emergency management plan in place. Over the past eight years, thanks to the exhaustive efforts of the U. S. Department of Education, particularly the Safe and Drug Free Schools Division, resources have been made available to assist schools in providing best practices when developing emergency response/crisis management plans. USDOE

strongly advises schools to include local law enforcement officials and first responders to assist all school staff members when developing emergency plans/guidelines. They further recommend that such plans include four phases of emergency planning: prevention/mitigation, preparedness, response and the often-overlooked recovery. School principals are becoming more aware of the incident command structure and how such a process can facilitate resolving a crime and/or an emergency incident.

Law enforcement officers, as well as educators, learned some very important lessons at a very high price with the Columbine tragedy. One such lesson encourages greater communication between law enforcement and schools, particularly when reviewing emergency protocols that involve school settings. To that end KCSS encourages all Kentucky schools to meet regularly with their local police to review emergency plans and to conduct table-top exercises in an attempt to be better prepared when an actual emergency occurs on school grounds.

One such example involves lockdown drills. The 2006 General Assembly passed House Bill 206, which requires all public schools to conduct at least one lockdown exercise per year. KCSS, again, advocates that these plans be developed collaboratively with local law enforcement officials. Therefore, when a lockdown drill is exercised, KCSS recommends that local police assist in evaluating the drill in order to develop the most effective and efficient protocol when responding to an active shooter.

Additionally, although schools may have very well-developed emergency plans, school and law enforcement officials are still very reliant on critical information being shared with them before a crisis occurs. KCSS works with schools to establish a positive school climate and culture that will naturally lead to students sharing critical (and confidential) information with staff members that may assist in averting an act of school violence (i.e. sharing with a school staff member that a fellow student has a weapon in his/her possession while on school grounds).

Simply put, school safety is greatly dependent on trained law enforcement officials to help guide educators in making safe schools even safer through developing comprehensive and effective emergency management plans. The message that is central to school safety is that school safety is everyone’s responsibility. It takes so many people both in and outside the schools to form the partnerships that can truly assist in enhancing school safety. I am confident that we are doing that in Kentucky, so I will continue to respond with confidence when asked if our schools are safe, “Yes, they are, although not perfect – and we are continually working to keep them that way.” J

Book Review

TERROR AT BESLAN: A Russian Tragedy with Lessons for America's Schools

by John Giduck (429 pages, Archangel Group, 2005)



REVIEWED BY / Jarred Ball, KCPP Assessor

For many Americans, the attack at Columbine High School by two of its own students represented the worst of what could happen at one of their schools. But on September 1, 2004, the Russian people realized just how bad a school attack could really be.

It was on that day that 49 Chechen, Ingush and Arab terrorist seized Beslan Middle School No. 1 and held hostage more than 1,000 people, many of them children, for three days. The attack resulted in 172 children killed, a total of 338 casualties and more than 700 injured.

John Giduck's book "Terror at Beslan" takes you with the Russian Special Forces as they attempt to resolve the Beslan situation.

Guided by personal interviews with Russian military and government officials, Giduck, a retired U.S. Military Special Forces operator, dissects the Beslan siege from the beginning of the hostage taking to the final assault by commando units.

Importantly, the book also describes what worked and what went wrong during this horrific event and offers valuable lessons to U.S. schools in preventing and mitigating an event similar to Beslan. It serves as a reminder that such an attack or a similar event could occur here.

Beslan lies approximately 900 miles south of Moscow. To the east of Beslan lies the war-torn terrain of Chechnya. The Chechen people began following a Sunni form of Islam in the 8th century and had their first contact and conflict with the Russians in 1663.

Since then Chechnya and Russia have waged

several battles and wars against one another that continue today as the Chechens strive for their independence from the Russian Federation. In their efforts, Chechens have committed numerous terrorist attacks on the Russian people, using such tactics as suicide bombing, assassination and hostage taking. In the early 1990s, during two Chechnya wars, Osama Bin Laden and his Al Qaeda network of terrorists aligned with Chechen warlords and began to send resources – including mujahadein fighters – to strengthen their Muslim brothers and the insurgency against Russian Forces.

The bonding of these two forces proved to be a formidable foe for the Russian Special Forces and catastrophic for the people of Beslan, as the terrorists had learned from their mistakes at the Nord Ost Theater siege and the Budennovsk Hospital siege. The terrorists had perfected their game plan by the time they mounted their attack in Beslan.

As events were unfolding at the Beslan school, Giduck realized that he had trained and worked with several of the Russian commandos from the elite Alpha and Vempyl units, which were the primary responders to the attack.

Once he grasped the situation that was unfolding in southern Russia, he started to lay the logistical groundwork needed to place him and an associate near the scene of the massacre.

In getting his up-close account at Beslan, Giduck learned of the hellish conditions the hostages faced for those three agonizing days at the hands of the terrorists and how the fearless special operation soldiers assaulted the school and battled the terrorists for nearly 10 hours, all the while trying to rescue the children trapped inside.

The book catalogs the losses that the heroic

Russian soldiers sustained, 21 in all as they tried to save as many hostages as possible. The author describes the threats that U.S. schools face from international terrorists similar to terrorists that conducted the Beslan attack, saying, "It is not if, but when."

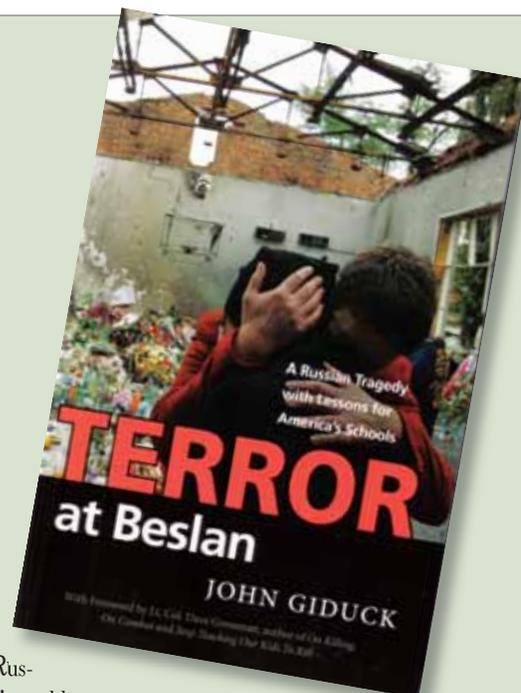
One of the terrorists' main objectives in conducting the operation at Beslan was for Russia to withdraw its forces from Chechnya. How easy would it be for the terrorists to exchange the words Russia and Chechnya for United States and Iraq?

Lt. Col. Dave Grossman, author of the books "On Killing" and "On Combat," wrote the foreword for "Terror at Beslan." Grossman is a terrorism- and school-security expert who has a unique perspective on school shootings. Grossman travels 300 days a year teaching law enforcement and businesses how to prepare for such events. I had the opportunity to hear Lt. Grossman's presentation last November at a conference in Atlantic City. His presentation was informative, inspirational and chilling.

The author, Giduck, performs anti-terrorism consulting for the military, law enforcement and security officials around the world through Archangel, a non-profit non-governmental organization.

His book gives a very descriptive and graphic account of the events at the Beslan school siege from a tactical and historical approach. I would recommend it to all law enforcement officers with schools in their jurisdiction. The lessons it offers could be invaluable.

This book contains violence and strong language. J



WHAT YOU DON'T KNOW WILL KILL YOU

/George Barrett and Lewis Nugent

DOCJT Advanced Individual Training Section instructors, Louisville Section

On October 12, 1984, British Prime Minister Margaret Thatcher attended a meeting in Brighton, England. As she left her room a bomb exploded, leveling the center of the hotel Thatcher was using, narrowly missing her. The next day the Provisional Irish Republican Army issued this message: "Yesterday we were unlucky, but remember, you must be lucky every day; we only need be lucky once."

This phrase underscores the principles of homeland security. In a time of short memories and the desire to move on and not look back, the United States must come to grips with the reality that we, as a nation, are committed to a war on terror that will last at least

20 years. Our enemies are patient and persistent. They will wait until we, as a nation or as a state, have let our guard down, and then they will strike again, as the IRA did with Great Britain.

Last year, all sworn peace officers in the commonwealth completed an online National Incident Management System/Incident Command System course and the 40-hour Kentucky homeland security class. To date, Kentucky is the only state to have accomplished this level of training and preparation. In the wake of Hurricane Katrina, the homeland security class was designed to encompass more than terrorism prevention and response. Used to train and help agencies plan for a wide variety of disasters, from tornados to aircraft collisions, this was only the first phase in Kentucky's plan to be prepared to meet all threats, natural and manmade.

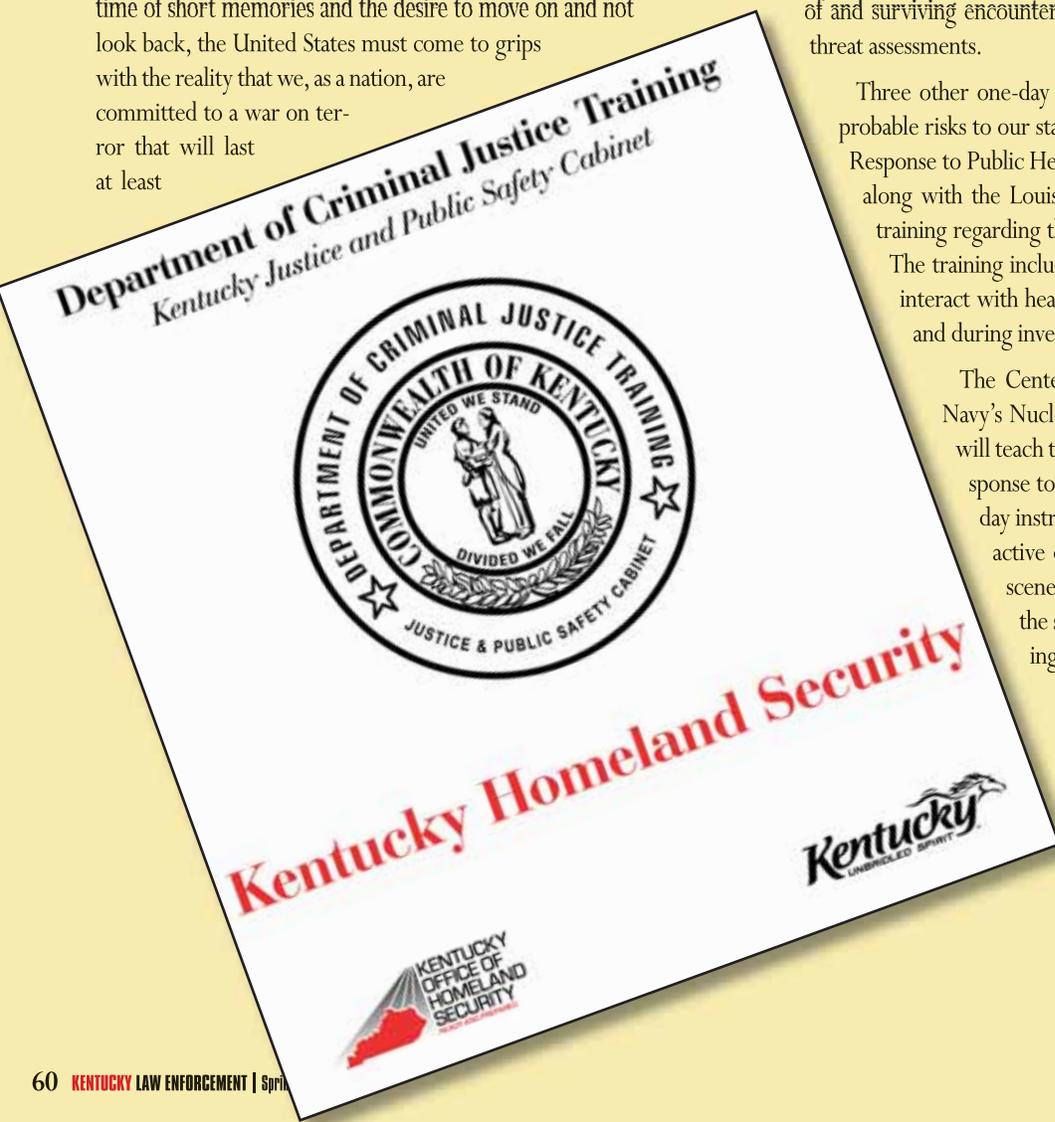
During this year the Department of Criminal Justice Training is offering advanced training courses that will expand upon the most likely risks with which communities will be confronted. Law Enforcement Response to Community Crisis is a three-day class that will cover four major areas. The first day will consist of a daylong exercise tailored to the community being trained. Class members will be given specific assignments and duties that will mirror a crisis that could someday occur in Kentucky. In the first use of Problem Based Learning form of training by DOCJT, officers will work their way through the crisis using ICS and their skills acquired in 2006. During the remaining two days trainers will address Incident Command Emergency Response as a model of containment for all incidents from major crimes to serious vehicle collisions; planning for, recognition of and surviving encounters with terrorists; and conducting community threat assessments.

Three other one-day classes will be offered by DOCJT to address probable risks to our state. The first of these will be Law Enforcement Response to Public Health Emergencies. The state health department along with the Louisville Metro Health Department will provide training regarding the signs and symptoms of a health emergency. The training includes how law enforcement should respond and interact with health department officials at the scene of a crisis and during investigations.

The Center for Disease Control and the United States Navy's Nuclear Propulsion, Operation and Design Bureau will teach the second one-day class, Law Enforcement Response to a Radiological Incident. The focus of this one-day instruction will be the risks associated with a radioactive dirty bomb and how to safely respond to the scene. A similar one-day training will be provided to the state's medical examiners and coroners regarding protocol for autopsies and evidence handling.

A third one-day class, Countering the Ter-

◀ Last year, all sworn peace officers in the commonwealth completed an online National Incident Management System/ Incident Command System course and the 40-hour Kentucky homeland security class.



rorist Suicide Bomber, will involve the risks of suicide bombers and how to plan for and prevent an attack. DOCJT instructors Scott Sharp and Ted Florence will teach the class. Sharp attended a weeklong training program in Israel in 2006 and will use the Israeli experience to help departments in Kentucky understand the risks and requirements that will be placed on them to address this future threat.

The message contained in all of these courses and those that will be offered in the future is that we must be always vigilant and prepared. The risks to the com-

monwealth are real. The question is not if but when an incident will occur. As agencies address crises and disasters, we encourage them to share their experiences with other departments and with DOCJT so that we can learn and improve.

Other homeland security classes available at DOCJT this year include Homeland Security Event Planning, Law Enforcement Response to Public Health Emergencies, and Law Enforcement Response to a Radiological Attack J

AIT Classes

Law Enforcement Working to End Human Trafficking in Kentucky

/By Gretchen Hunt, Staff Attorney
Cabinet for Health and Family Services
Division of Child Abuse and Domestic Violence Services

While many people view human trafficking, or modern day slavery, as a distant reality, law enforcement knows otherwise.

In December, officers from across the state attended the first human trafficking training class at the Department of Criminal Justice Training to develop tools and strategies for effectively screening for victims of trafficking.

Prior to this training, many of the officers might have not taken a second look at their prostitution busts of massage parlors, assaults between farm workers and other suspicious circumstances of foreign nationals and runaway children.

But thanks to the work of DOCJT instructor Cindy Hale and a multidisciplinary team of lawyers and social workers, the officers reviewed cases and prosecutions from other states, familiarized themselves with immigration remedies for victims and created mock trainings to bring back home to their own departments.

DOCJT has more human trafficking training classes scheduled for April 10 to 12 and November 5 to 7. Contact DOCJT to enroll.

Several of the officers also participate in a Lexington-area task force on trafficking, the first of its kind in Kentucky. This group, comprised of local police, a DOCJT instructor, prosecutors, victim advocates, attorneys and community members, is working on developing resources, public awareness and emergency response plans for trafficking cases.

The Kentucky Regional Community Police Institute sponsored Cindy Hale and provided the opportunity for her to receive training in Human Trafficking, allowing her to help provide training to Kentucky officers. ■

You may not know this:

The first biological attack involving the United States occurred in 1864 during the Civil War. A medical doctor in New Orleans, Luke Pryor Blackburn (a Kentucky native), frustrated by the losses of the Confederacy packaged and sent clothing and bedding used by victims of Yellow Fever to Union cities believing whoever wore these items would become infected with Yellow Fever. Today we know Yellow Fever is spread by the *Aedes aegypti* mosquito and cannot be spread by casual contact.

In 1984 the first terrorist use of a biological agent against the United States occurred in Dalles, Oregon. The Bhagwan Shree Rajneesh cult plotted to win two of three county judgeship elections along with the position of sheriff by incapacitating non-rajneesh voters. The cult contaminated more than a dozen salad bars with salmonella and also handed out contaminated water during a 10K race. After 700 people became ill, the public health department identified the source. The Indian guru Rajneesh and his chief aid Ma Anand Sheela were arrested and convicted of the crimes. ■



KASPER Technology May Haunt Drug Offenders

/Dave Sallengs, R.Ph., Manager, Drug Enforcement and Professional Practices Branch

The Drug Enforcement and Professional Practices Branch is housed in the Office of the Inspector General within the Cabinet for Health and Family Services. DEPPB enforces the provisions of Kentucky's Controlled Substances Act (KRS 218A) as well as the Food, Drug and Cosmetic Act (KRS 217), and reviews any proposed changes to those acts. DEPPB also operates the Kentucky All Schedule Prescription Electronic Reporting, or KASPER, program.

DEPPB has a legislative mandate to investigate controlled substance violations by the public and by medical professionals. Under KRS 218A.240, DEPPB investigators possess the full power and authority of peace officers, including the power of arrest and the authority to carry arms. In addition to being sworn law enforcement officers, DEPPB investigators must be registered pharmacists. This provides DEPPB investigators with a working knowledge of controlled substance usage and abuse potential, making them uniquely qualified to

assist law enforcement officers and agencies to evaluate and interpret the information contained in a KASPER report and to provide support for controlled substance prescription drug abuse and diversion investigations.

DEPPB drug cases have increased more than five-fold from 2003 to 2006; and KASPER is a key productivity tool allowing DEPPB to handle the increasing volume of drug cases while decreasing the amount of time to complete investigations. The DEPPB has four field investigators with plans to increase to six field investigators during 2007 in order to improve regional coverage throughout the state.

In addition to their law enforcement duties, DEPPB investigators are involved with education and training for law enforcement officers. They teach about investigating controlled substance doctor shopping and drug diversion cases and how to use KASPER reports as a tool to assist with those drug investigations. DEPPB investigators also provide training for healthcare providers to use

KASPER as a prescription drug abuse identification and treatment tool for patients. OIG and DEPPB staff members participated in more than 65 KASPER training sessions in 2006.

DEPPB investigators cooperate with law enforcement agencies throughout Kentucky to assist with controlled substance prescription-drug investigations and are available to assist or consult. DEPPB investigators are considered valuable partners by many law enforcement agencies throughout Kentucky, said Thomas M. Loving, director of the Bowling Green-Warren County Drug Task Force, and Lynne Thompson, an agent with the Kentucky Bureau of Investigation.

"I feel very fortunate to have DEPPB Investigator Duncan McCracken working closely with the Warren County Drug Task Force. Duncan has proved to be a great resource on many of our drug investigations," Loving said.

"The assistance given by the [DEPPB] investigators is invaluable," Thompson added. >>

Figure 2

Patient Behaviors	Examples
Multiple providers of the same type	3 or more general practitioners, dentists, etc.
Dispensers and prescribers are in different localities from each other and the patient's home address	Patient lives in Fayette county; prescriber in Franklin county; dispenser in Jessamine county
Overlapping prescriptions of the same drug from different prescriber types	Oxycodone scripts from dentist, family physician, and pain management doctor within 30 days
Excessive emergency room visits for non-emergent issues	3 or more emergency room visits in a month for chronic pain conditions
Requesting replacement for lost medications regularly	Patient states that controlled substance is lost and requests new prescription
Requesting early refills	Patient requests early refills due to extended out-of-state trip
Pressuring prescribers to prescribe controlled substances for the patient's family members	Patient requests the pediatrician prescribe cough syrup with codeine for his/her child stating that it is needed for the child to sleep better
Using multiple names, social security numbers, addresses, etc.	Patient fills three scripts under three different names
Seeking referrals to multiple pain management clinics	Patient requests referrals to pain management clinics without a specific diagnosis
Associating with others known to be pharmaceutical controlled substance provider shopping	Patient travels to clinic with another patient exhibiting shopping behavior and requests similar prescription
Self-mutilation	Patient presents with potential self-inflicted wound
Cash transactions	Patient prefers to pay cash when insurance available
Requesting partial dispensing of controlled substance script	Patient requests half of the script and returns for the rest script within 72 hours
After-hour, weekend and holiday calls for prescriptions	Patient calls prescriber at midnight on Friday to request a controlled substance script

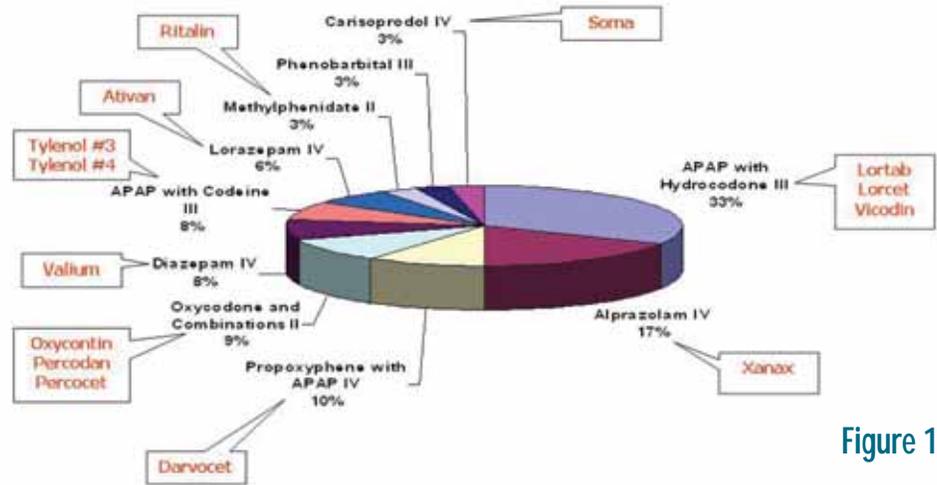


Figure 1

➤ The Scope of the Prescription Drug Problem

One of the largest threats to public safety in the Commonwealth of Kentucky is the abuse and diversion of controlled pharmaceutical substances.

In July 2005, the National Center for Addiction and Substance Abuse at Columbia University (CASA) published a study, *Under the Counter: The Diversion and Abuse of Controlled Prescription Drugs in the U.S.* The study reported that from 1992 through 2003, the U.S. population increased 14 percent. During this same time period, the number of adults 18 and older abusing controlled prescription drugs increased 81 percent; the number of 12 to 17 year-olds abusing such drugs increased 212 percent; and the number of prescriptions written for controlled drugs increased more than 150 percent, almost 12 times the rate of increase in population and almost three times the rate of increase for prescriptions written for all other drugs.

The CASA study determined that between 1992 and 2003, the total number of people

who admitted abusing controlled prescription drugs increased from 7.8 million in 1992 to 15.1 million in 2003, a 94 percent increase – almost seven times faster than the increase in the U.S. population. In addition to the alarming increase in controlled substance abuse, the CASA study revealed that in 2003 the 15.1 million Americans abusing prescription drugs exceeded the number of Americans abusing cocaine (5.9 million), hallucinogens (4.0 million), inhalants (2.1 million) and heroin (.3 million) combined. The following chart identifies the most widely prescribed controlled substances in Kentucky as reported to KASPER. (See Figure 1)

Controlled Pharmaceutical Diversion

Controlled pharmaceutical diversion occurs when a schedule II-V controlled substance is acquired and taken by an individual for reasons other than the legitimate medical purpose for which it was intended. Two common diversion methods include doctor shopping and provider diversion participation.



Doctor shopping activities are defined in KRS 218A.140 as misrepresentation or withholding of information from a provider for the purpose of obtaining a controlled substance. The following typical patient behaviors are associated with controlled pharmaceutical doctor shopping. While two or three of these behaviors alone may not be indicative of doctor shopping, three or more of these behaviors should be reason for further inquiry into the patient's controlled substance use. (See Figure 2)

Provider diversion takes many forms, and can include the diverting provider behaviors included in the following table. (See Figure 3)

About KASPER

KASPER is the commonwealth of Kentucky's Prescription Monitoring Program. In 1999, Kentucky became one of the first states to require pharmacies to report data on schedule II-V controlled substances dispensed and to generate reports for law enforcement, healthcare providers and other authorized requestors in order to enhance patient care and inhibit the flow of legal drugs into the illegal market. Today, 24 states have PMPs and nine more have passed legislation to implement PMPs.

In March 2005, a state-of-the-art Web-based version of the system, known as enhanced KASPER (eKASPER) was launched. It provides users the ability to obtain a real-time report, often in as little as 15 to 20 seconds. Regulations require dispensers to report their controlled substance prescriptions dispensed

every eight days to a data collection agent. The data collection agent then has eight days to perform some data validation and transmit the data to KASPER. This process results in data that is approximately 15 to 20 days old.

Cabinet for Health and Family Services is currently working to contract with a vendor to reduce the age of most data in KASPER to 24 hours. If successful, this will position KASPER as offering real-time access to near real-time data.

KASPER is widely considered the leading and most comprehensive PMP in the United States. In February 2006, President George W. Bush released a national drug control strategy that hails KASPER as one of the nation's flagship PMPs. No other state provides PMP access to as broad a range of users, for such a wide range of purposes.

The Kentucky General Assembly is responsible for the nationwide recognition and respect that is accorded the KASPER program. The legislature provided funding to develop the Web-based eKASPER system and allocated generous funding for a six-year capital project that funds ongoing enhancements and improvements to the system.

Furthermore, KASPER has received tremendous support from Congressman Hal Rogers in Kentucky's 5th Congressional District. Congressman Rogers is responsible for federal legislation that provides funding for states to plan, implement and enhance a PMP. Known as the Hal Rogers Grants, this funding program has helped many states implement their programs and has provided Kentucky with funding to support extensive education and training efforts and analysis of KASPER data to identify potential controlled substance prescription abuse and diversion trends. The

strong support of the KASPER program by the Kentucky legislature and Congressman Rogers is greatly appreciated.

KASPER use by law enforcement continues to increase as its value as an investigative tool becomes more widely understood and appreciated.

Sgt. Bill Stivers of the Louisville Metro Police Prescription Drug Squad uses KASPER extensively.

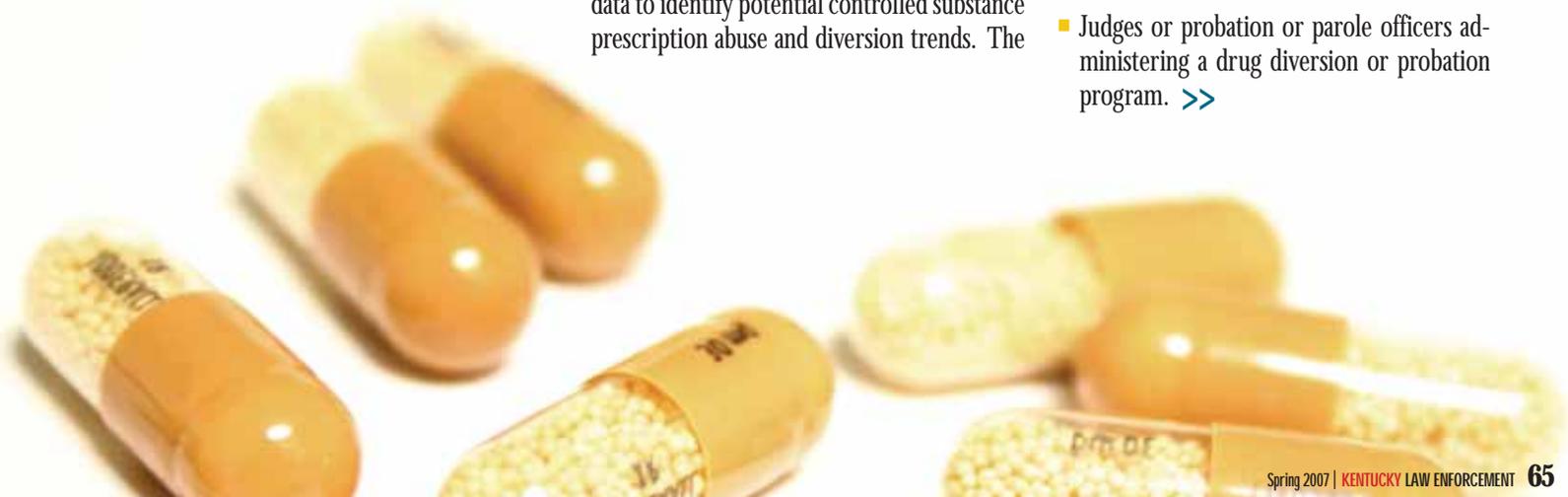
"The KASPER system is an extremely valuable tool which provides law enforcement a streamlined approach to identifying criminals involved in prescription drug fraud and abuse," he said.

KASPER Reports

It is important to note that KASPER reports are designed to be a treatment tool for practitioners and pharmacists and an investigative tool for law enforcement. They are not designed to prevent people from getting legal drugs or to decrease the number of doses dispensed for legitimate medical conditions.

Under KRS 218A.202, access to KASPER patient reports is available only to authorized entities, including:

- Prescribers for medical treatment and dispensers for pharmaceutical treatment for a current patient.
- Law enforcement officers for a bona fide drug-related investigation.
- Licensure boards for investigation of a licensee.
- Medicaid for use review on a recipient.
- Grand jury by subpoena.
- Judges or probation or parole officers administering a drug diversion or probation program. >>



>> KASPER reports available to law enforcement officers contain the following information:

- Date range for the report.
- Patient name, date of birth and address.
- Prescription information such as date filled, quantity, days supply and prescription number.
- Doctor name, degree and city.
- Drug name, strength and National Drug Control number.
- Pharmacy name, address, and phone number.

According to Kentucky Statutes, KASPER reports are available to any law enforcement officer engaged in a bona fide specific investigation involving a designated person. Law enforcement officers authorized to receive reports may not share the data or a report with anyone other than another law enforcement officer working on the same investigation who is authorized to receive data or reports. This sharing of data or reports requires that both the person providing and the person receiving the data or report shall document in writing each person to whom the data or report has been given or received, and the day, month and year that the data or report has been given or received. These documents or logs must be maintained in a file by each law enforcement agency engaged in the investigation. (Refer to KRS 218A.202.)

KASPER reports are requested via a secure Web-based system. To access the system, a law enforcement master account must be established by a supervisor by following the steps below. Once the master account has been established, the supervisor may then establish delegate ac-

counts for their drug investigators. The procedure for establishing an account is as follows:

1. Log onto <https://ekasper.chfs.ky.gov/accessrequest>.
2. Complete and submit the online form.
3. Print the online form and affix copies of all requested licensure information.
4. Send the form and copies to: Cabinet for Health & Family Services Office of the Inspector General Drug Enforcement & Professional Practices Branch

275 E. Main St. HS2CB
Frankfort, KY 40621

Via the Web-based system, reports are available 24 hours a day, seven days a week. In most cases, reports are delivered within 15 to 20 seconds of a request. However, occasionally a report must be reviewed manually. In these situations, written notification is received and the report is prepared and made available during DEPPB business hours.

For More Information

The DEPPB is available to support you in the fight against prescription drug abuse and diversion. For assistance please contact the DEPPB at (502) 564-7985 and we will put you in contact with the DEPPB investigator assigned to your area. For more information, please call DEPPB or visit the Web site for the Office of the Inspector General, Division of Fraud, Waste & Abuse/Identification and Prevention at <http://www.chfs.ky.gov/oig/dfwaip/> or the KASPER Web site at www.chfs.ky.gov/kasper. J

Figure 3

Diverting Provider Behaviors	Examples
Migration from general practice to pain management practice	A prescriber licensed as a cardiologist who has changed their practice to pain management patients only
Prescribing outside of the provider's designated specialty	A dentist prescribing diet pills
Excessively high volume of patients	A provider sees excessive number of patients for their specialty
Providers who typically see patients outside of their designated specialty	A cardiologist who sees patients for chronic back pain
Patients are limited to ages 25-40	A pain management physician only sees patients who are 30-35
Prescriptions written for patients who are outside of the typical age range for the designated specialty	An orthodontist who regularly prescribes for seniors
Excessive treatment time in relation to diagnoses	A dentist who prolongs the normal course of treatment for painful procedures such as root canals or extractions
Narcotic prescriptions are a significantly larger percentage of prescriptions in relation to other prescribers in the same specialty	75% of a pediatrician's prescriptions are for a controlled substance
Cash only practice	The practice refuses to accept insurance or any form of payment except cash
Traveling excessively long distances to attend a primary practice	A prescriber lives in Columbus, Ohio and has a primary practice in Lexington, Kentucky
Prescribing for family members or employees	A prescriber writes oxycodone scripts for his/her child who is under the age of 5

DOCJT Accepting Legal Questions

The Department of Criminal Justice Training has a new service on its Web site to assist agencies that have questions concerning various legal matters. Questions concerning changes in statutes, current case laws and general legal issues concerning law enforcement agencies and/or their officers can now be addressed to docjt.legal@ky.gov. The Legal Training Section staff will monitor this site, and questions received will be forwarded to a staff attorney for reply. Questions concerning the Kentucky Law Enforcement Council policies and those concerning Kentucky Law Enforcement Foundation Program Fund will be forwarded to the DOCJT general counsel for consideration. It is the goal that questions received be answered within two to three business days (Monday through Friday). Please include in the query your name, rank, agency and a day phone number in case the assigned attorney needs clarification on the issues to be addressed. ■



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/Photo by Elizabeth Thomas

■ Evidence in Internet crimes often includes many hardware components of a suspect's computer.

/Kelly Calk, Legal Instructor

911 DISPATCH: 911. What is your emergency?

VICTIM: Help me . . . please help me. My boyfriend . . . he won't leave me alone. He's hitting me; he tried to kill me! My house is at 4718 Lancelot Lane.

911 DISPATCH: Is your boyfriend still there?

VICTIM: Yes . . . (whispering) I'm hiding in the basement. He's upstairs and he's screaming and knocking things over and saying he's going to find me.

911 DISPATCH: Are you injured?

VICTIM: Yes . . . he's hit me in the face with his fist. He slammed me into the wall. Oh my god, please hurry.

911 DISPATCH: Ma'am, stay on the line with me. We have a police unit and EMS on the way.

There is no response but the dispatcher hears a scream.

911 DISPATCH: Ma'am? Ma'am, are you there?

The phone line goes dead.

LIVING TOGETHER
DEFINED

Officers respond to what they believe is a domestic violence call at 4718 Lancelot Lane. When they arrive, they find a hysterical female on the front porch. Her injuries are obvious; she is bleeding from a cut on her cheek, her left eye is beginning to swell and she has the beginning of deep bruising on her neck.

The officers ask where her “boyfriend” is and she indicates that he is still inside, in the bedroom. Noises from the house confirm the statement of the victim, Ashley.

She then proceeds to tell the officers that she and her boyfriend, James, got into a fight about money. She states that he lost his temper, which she says he has a habit of doing, and punched her in the face. She fell when he did this, cutting her cheek on the bedroom door frame. He then grabbed her by the neck and pulled her up off the floor, slamming her into the wall. She managed to escape, grabbing a cordless phone on her way to hide in the basement. She managed to get out a window in the basement just as he was about to grab her again, which is how she ended up on the front porch. She tells the police that she lives with James here at this residence and they’ve been together for seven years. They don’t have any children but she sure would like some.

The door is locked but when the officers knock on the door, the boyfriend, James, comes to the door and consents to the officers coming inside. He tells the officers that yes, there was an argument but it was not about money; it was about her trying to tell him what he could and could not do and he was not standing for it. He admits to “giving her a little smack” on the face and that she did fall but denies punching her or trying to strangle her. He denied that they lived together but instead stated that she stays overnight, sometimes two or three days in a row, but she also stays with her mom. He confirms that they do not have any children.

Familiar scenario? Sure. How do you proceed next? There is no question that Ashley has suffered physical injuries as a result of James hitting her. The elements for Assault 4th Degree are present. But before you can make a warrantless arrest for this misdemeanor, you must establish the “family member” or “member of an unmarried couple” relationship. KRS 431.005(2)(a). Based on the information provided to you by the parties, you know that “family member” does not apply. But does Ashley qualify as a “member of an unmarried couple?” KRS 431.005(2)(c) provides the definition for “member of an unmarried couple”

as “each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of an unmarried couple who are living together or who have formerly lived together.” This couple does not have children so you, as the officer, must determine whether or not the couple lives together. This can be difficult to do, especially when you have a he said/she said situation. But this is a vital piece of information that will determine how you proceed at the scene.

While the legislature chose not to define living together, the Kentucky Court of Appeals in *Ireland v. Davis*, (Ky. Ct. App., 1997) made an intimate (sexual) relationship a necessary component when trying to establish if two people, regardless of sexual orientation, live together. (Kentucky Criminal Law Manual, 2006, p. 2.3.1). This requirement has helped law enforcement officers to some extent but there is still often confusion when trying to figure out when two people are “living together” for the purposes of the domestic assault statutes.

The Kentucky Supreme Court finally offered much more guidance when it decided *Barnett v. Wiley*, (103 S.W.3d 17, Ky. 2003). In *Barnett*, the victim (Wiley) applied for an EPO based upon the infliction of fear of being killed by the perpetrator (Barnett) after he accosted her at her car, “banging on the window [and] threaten[ing] to kill her” (Barnett, p. 18). At the Domestic Violence Order hearing, Wiley testified that she had never lived with Barnett and that they did not have children. The case was appealed based on Barnett’s argument that Wiley did not have standing to apply for an Emergency Protective Order since they did not meet the definition of “unmarried couple.” The trial court used a broad interpretation of the definition, including in its Order that this was “consistent with the assuredly vital public policy of protecting and preventing domestic violence.” (Barnett, p. 18). The case ended up in the Kentucky Supreme Court, where the primary issue was: What is required to be members of an unmarried couple?

The Court’s response in this case, which has been cited with approval in a more recent, unpublished Kentucky case (*Henderson v. Taylor*, Ky. Ct. App., 2006), outlined six factors to be considered when determining if a couple lives together. These factors are as follows:

1. Sexual relations between the parties while sharing the same living quarters
2. Sharing of income or expenses
3. Joint use or ownership of property
4. Whether the parties hold themselves out

as husband wife

5. The continuity of the relationship

6. The length of the relationship.

(Barnett, p. 20).

The Court stated in its opinion that that these factors were “non-exclusive,” meaning that each one is a guideline for investigating officers to consider. Investigating officers can consider additional factors, if present, but at least now there is a place to begin.

In the familiar scenario, the officer might ask if the parties share a joint checking account or have any mail at the house addressed specifically to them. A visit to the neighbors could establish how often each party is at the house. Observations could include noting that both parties are wearing matching rings (indicating a “holding themselves out” to be husband and wife). If the officer chooses to arrest James based on the parties being “members of an unmarried couple,” he or she will then be able to articulate the factors that support his basis that the couple lives together. As long as the officer is acting in good faith, he will be immune to civil or criminal liability, if it then turns out they did not “live together” as prescribed by the Kentucky Supreme Court.

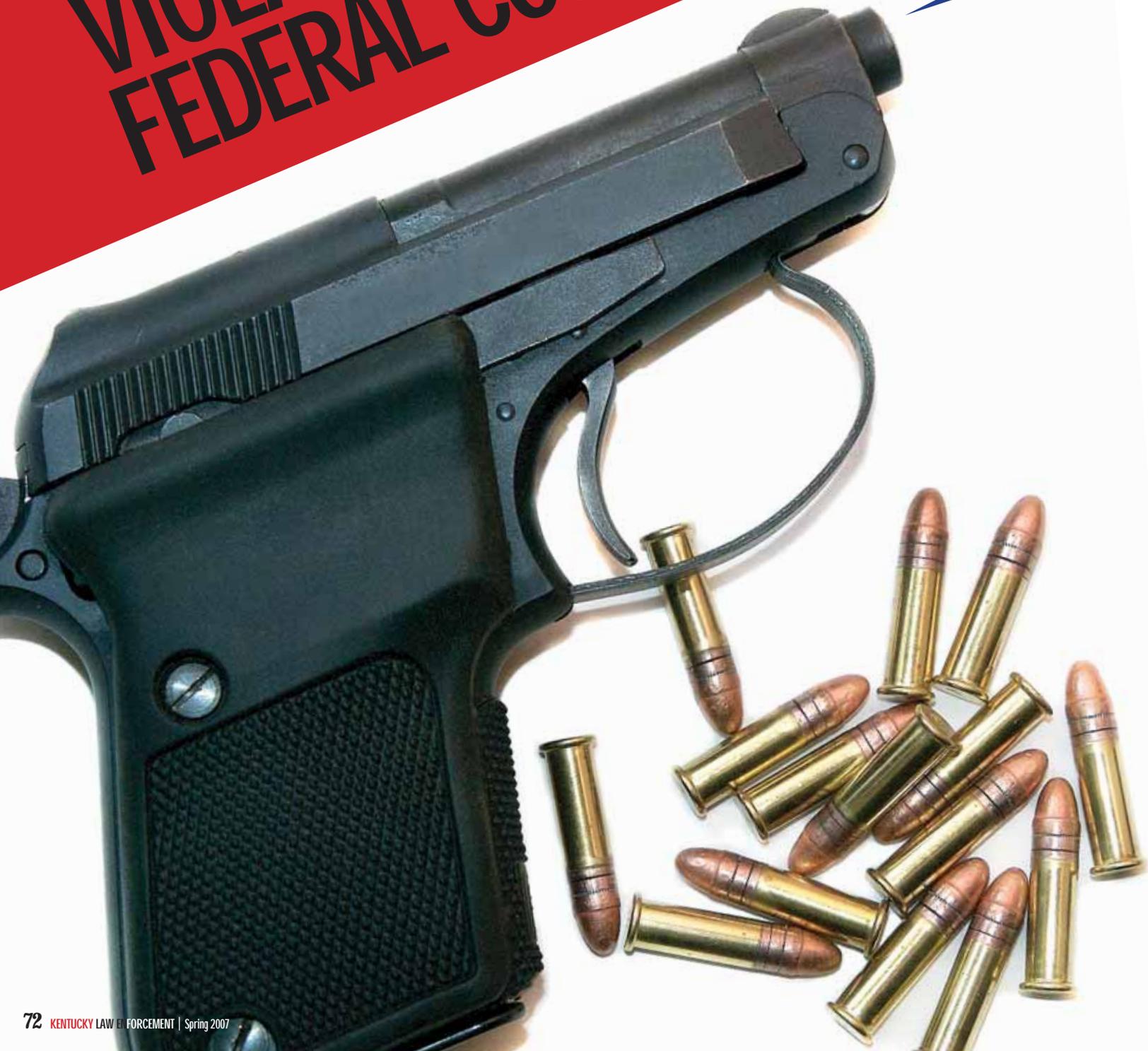
These factors will be excellent checkpoints for law enforcement officers to look for when determining how to proceed when investigating a domestic violence call. Being able to more accurately determine whether or not a couple lives together will affect the officer’s arrest authority, so the more information available to them at the scene, the better. If an assault is “domestic” and occurs within a “living together relationship,” an arrest for Assault in the 4th Degree is permitted, and, in fact, preferred. In contrast, if an assault occurs outside that relationship, between, for example, a boyfriend and girlfriend who do not meet the statutory criteria for living together, such an arrest would not be permitted and the victim should be directed to obtain a warrant for the perpetrator. However, as long as the officer is acting in good faith and can articulate specific factors, as outlined by the Kentucky Supreme Court in *Barnett*, he will be immune to civil or criminal liability. This will enable law enforcement officers across the commonwealth to do a better job when investigating cases of domestic violence and making arrest decisions that are legal and will be supported by the courts. J

PROGRAM PUTS GUN VIOLATIONS IN FEDERAL COURT

The net is wider, penalties harsher.

/Kay Stewart

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four years of supervised release for being a felon in possession of a .45-caliber pistol and drug offenses.

But gun violators are taken to federal court solely to hand out stiff punishments, Wendelsdorf said. "I'm not sure that's a legitimate reason, but it's legal and they do it, and God knows, it's effective."

Cases increase

In the past two years since U.S. Attorney Dave Huber announced an effort to increase Project Backfire federal prosecutions, gun-related cases in U.S. District Court in Western Kentucky have increased from 56 in 2004 to 79 cases in 2005. By late last year, there had been 66 cases.

That's still small compared with gun charges filed in Jefferson County's state court, where 1,162 cases were handled in 2005 by the county attorney's office as part of Project Backfire.

Huber said the federal prosecutions are designed to help local prosecutors and law enforcement agencies. They're "only being federalized," he said, because of inadequate funding at the state level "for state prosecutors and state prisons."

"If you don't want it to be federalized, support your prosecutors and state prisons," he said, adding that only a small number of cases are elevated to federal court.

He said he couldn't speculate on the overall impact on gun crimes resulting from the prosecutions but said scores of violators have been sent to federal prison.

"We're not a panacea," he said. "We're just trying to help where we can."

Dyke said federal prosecutors check gun-related charges in state courts in Jefferson County daily and talk to prosecutors. They also speak to police regularly throughout the western part of the state to encourage officers to let prosecutors know of cases appropriate for federal courts, he said.

Typically, that means cases involving charges of felons possessing a gun and occasionally a small amount of drugs. Most of the cases result in sentences of four to five years in federal court, according to the U.S. attorney's office.

Jeff Jones, chief deputy of the Daviess County Sheriff's Department, said the program has given his office "one more resource to prosecute" gun offenders.

In November, Mark A. Jeffries, 56, of Owensboro, was sentenced in U.S. District Court in Owensboro to seven years in prison, followed by

When Kentucky State Police searched felon William West's van early last year, they found ammunition for a .38-caliber pistol, but they didn't find a gun, so they couldn't charge him with a crime under state law.

But it's a crime under federal law for a felon to possess a gun – or ammunition.

Now the 51-year-old Eddyville man is serving 15 years and eight months in federal prison.

West's case highlights a strategy law enforcement increasingly is using to get offenders off the streets: Focus on gun-related violations, bypass the state court system and "go federal."

With more comprehensive laws, stiffer penalties and less plea bargaining, federal courts increasingly are becoming the favored venue of prosecutors who are choosing the defendants they want to try in the federal system, according to state and federal prosecutors and defense lawyers.

It's all part of the federal Justice Department "Safe Neighborhoods" program known locally as "Project Backfire," which targets gun violators in both the state and federal court systems in Western Kentucky.

In West's case, police were executing a search warrant on his van last February while investigating him in a murder case, but they "couldn't get him on murder," said Assistant U.S. Attorney Tom Dyke, lead prosecutor in Louisville for Project Backfire.

So state police sought the help of federal authorities, who were willing to take the case because of West's criminal history as a felon and the fact that he had violated a federal law by possessing the ammunition.

Although the tactic is "perfectly legal," federal public defender Scott Wendelsdorf said he questioned whether most of the gun-violation cases elevated to federal court are worth the trouble. He argues that federal prosecutions should be limited to crimes "uniquely federal in nature," such as interstate trafficking in child pornography or drugs — crimes local law enforcement isn't equipped to tackle.

While Jeffries might have received a stiff sentence in state court, there's no parole in federal prison, where offenders typically serve at least 85 percent of their sentence before being eligible for release, Jones said.

Huber acknowledged there are undoubtedly inconsistent punishments for gun violators, depending on whether their cases are heard in federal or state courts. But he said the goal is to help local law enforcement "in taking off the street those folks with guns who tend to be dangerous with guns. We might take a case local police say, 'Get this guy out of my hair.'"

Good outweighs bad

Jefferson Circuit Judge McKay Chauvin, who six years ago as a federal prosecutor helped launch Project Backfire for the U.S. attorney's office, agreed there are inconsistencies. But he said the benefits outweigh drawbacks.

The prosecutions, he said, have made defendants aware that carrying a gun can lead to a serious punishment.

Scott Cox, a defense lawyer and former prosecutor, said he questions whether there ever will be consistency, especially when state prosecutors occasionally threaten to take a case to federal court if a plea bargain offer is not accepted.

"I work hard to keep my clients in state court," he said, adding that penalties in federal court are almost always "way, way worse." J

For more information concerning the Safe Neighborhoods initiative, agencies should contact the nearest office of the U.S. Attorney.

WESTERN DISTRICT OF KENTUCKY

- <http://www.usdoj.gov/usao/kyw/index.html>
- The Hon. David L. Huber, U.S. Attorney
- Main Office
United States Attorney's Office
510 W. Broadway, 10th Floor
Louisville, KY 40202
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EASTERN DISTRICT OF KENTUCKY

- <http://www.usdoj.gov/usao/kye/index.html>
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Chief Ken Claud

Kenneth Claud began his law enforcement career in 1987 with the Murray Police Department. He served as a patrol officer, sergeant, captain, and nine years as assistant chief before being appointed chief in August 2004. He is active in the Murray Lions Club, the local Alliance for Substance Abuse Prevention board, domestic violence coalition, and Crimestoppers. He earned a bachelor's degree from Murray State University in criminal justice and political science in 1982 and a master's degree in public administration in 1990. He is also a graduate of the 211th session of the FBI National Academy. Recently he was elected chairman of the western region of the Kentucky Association of Chiefs of Police. He and his wife, Janice, have been married 19 years.

"Success as a police chief depends heavily on the support you receive from the public."

Was law enforcement your first career path?

In college I majored in political science and criminal justice with the plan of becoming an attorney. After earning my undergraduate degree, I began working on a master's degree in public administration. In 1987 I saw an opening for a patrol officer's position in the local paper. I applied with the intention of only working as a police officer for two or three years to gain some experience. I enjoyed the work so much I just stayed with it.

What are your survival skills as police chief?

Success as a police chief depends heavily on the support you receive from the public. I make an effort to attend as many community events as I can to make myself available for questions or comments on matters related to the police department. I also strive to keep the communication lines open with my staff. When officers feel comfortable approaching you with potential problems it is beneficial because it keeps you from being blindsided and gives you the opportunity to head off a potentially larger problem. You must have a thick skin for criticism and try to not take everything personally. If your first decision on a situation proves to not be the best, you must be willing to change and pursue something different.

How has technology evolved over the years in its use and importance to your department?

It is amazing when I think back over the last 20 years of the changes in technology and equipment used by law enforcement agencies. Whether it is use-of-force options, information gathering, report writing or communications, there have been vast changes since I was a patrol officer. Our department has acquired Tasers as an alternative use of force. They are effective not only if actually deployed, but also arrestees tend to be more cooperative when they see the officer carrying one. Through the Internet, officers can readily obtain information from databases such as CourtNet, JusticeXchange, and Regional Organized Crime Information Center that in the past would not have been accessible to them 24/7. Kentucky's Open Portal Solution is also helping to standardize agency reports across the state. I was impressed when the Kentucky State Police took the lead in establishing a statewide wireless infrastructure and made it available to smaller agencies so that everyone could use mobile data computers. Our MDCs have been online with the state's system for about a year. The flip side of all these technological advances is that while

it makes it easier for us in law enforcement to do our jobs, we must keep in mind that the criminal element also makes use of new technology. Law enforcement executives must do everything they can to stretch resources and pursue available grants in order to keep their officers ahead of the criminals technologically.

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

We are working to achieve accreditation status through the Kentucky Association of Chiefs of Police this year. Accreditation has been one of my priorities as chief. I believe we have already seen several instances where changes we have implemented to comply with accreditation standards have helped us to avoid potential problems. I am fortunate to have dedicated personnel working with me on this goal, especially my project manager and evidence custodian. Our property room has undergone an amazing transformation in the level of organization and security. I encourage all law enforcement agencies to undergo this process in order to professionalize law enforcement in the commonwealth.

Another project we are working on is to meet the requirements to become Phase II compliant to directly receive wireless 911 calls in our dispatch center. With the popularity of cell phones our revenues from 911 fees on wired phones has continued to decline the last few years. With the ability to receive calls directly we will be able to deliver emergency services to anyone calling from a cellular phone without a delay in transfer.

What role has DOCJT's leadership courses played in your agency.

I am very proud of all the progress the Department of Criminal Justice Training has made in recent years. The development of leadership courses such as Academy of Police Supervision and Criminal Justice Executive Development Program will provide continual benefits to law enforcement in Kentucky for years to come. Our agency has sent all of our sergeants and several senior officers through the APS course. They have all returned with a broader knowledge of their supervisory responsibilities and how to avoid potential hazards in their careers. Our next goal is to have our middle management team complete CJED. I had the good fortune to attend the FBI National Academy. While that is a great program, I am pleased we have a comparable quality leadership development course available through DOCJT. J



Sheriff Mark Matthews

After graduating from Paris High School, Matthews became a dispatcher for the Paris Police Department. While there he became an emergency medical technician in 1977 and still has a current license. In 1979, Matthews became a Paris firefighter. He graduated from Basic Training Class 127 in 1981 and was a safety officer for Lexington Police Department. When the sheriff of Bourbon County died in early 1982, the new sheriff offered Matthews a deputy position. He held that position until early 1988. Matthews' moved to the Bluegrass Airport Public Safety in Lexington, but returned to the Paris Police Department in late 1989. Matthews moved through the ranks of patrolman, sergeant and captain. He was elected Bourbon County sheriff in 2002 and re-elected for his second term in 2006. Matthews serves as the second vice president of the Kentucky Sheriffs' Association and is a member of the National Sheriffs' Association, the Kentucky Association of Chiefs of Police, and is the secretary/treasurer of the Fraternal Order of Police Lodge 38. His hobbies include hunting, farming, raising Tennessee Walking horses and trail riding. He and his wife, Lisa, have two daughters, Megan and Taylor.

"I think the most important aspects of policing are to be respectful, honest and fair."

Was law enforcement your first career path?

No. Growing up in a rural community and working on the farm, I pointed my career toward agriculture, but that soon faded, although not completely. As a senior in high school, I worked at a local service station that serviced the state and county police vehicles as well as operated a tow service. After hearing the war stories and helping to tow vehicles at wreck scenes, I was hooked. I started hanging out at dispatch, and my career in public safety began.

How does a sheriff's agency differ from municipal policing and how has working for a municipal police department helped you in your current position?

The policing differs slightly but the mission remains the same. With a small county agency your tactics may differ slightly because of the lack of backup. What changes are the many other duties the sheriff's office is responsible for besides law enforcement. These duties include criminal and civil process service, bailiff and court-related security, out-of-state vehicle inspections, prisoner transports both in and out of state, and tax collection. I started out as a dispatcher and rose through the ranks to the position of captain. The leadership role helped prepare me on the administration level on how to supervise employees, develop policy and procedures and to work with budgets.

What are the top three issues facing Kentucky peace officers?

First, I would have to say pay and benefits. Small agencies seem to be the training grounds for the larger agencies, not because the officers don't like to work in their own hometown, but because of pay and benefits. The officers who have families want what's best for them and small city and county

agencies just can't offer the pay and benefits to hold them. Another issue in the back of every officer's mind is the threat of being sued. Time and time again we see or hear of officers being sued for doing their jobs, and right or wrong it's constantly on their minds, "Am I doing the right thing?" Have I followed policy and procedure? How far is my agency going to back me? Some advice on that, remember to take care of No. 1 first. A good personal insurance policy is offered through the Fraternal Order of Police's Legal Defense Fund. See your local lodge. Another issue would have to be the health and well-being of the officers. Nobody wants to get hurt, and everybody wants to go home. Training and taking care of yourself (exercise) are the keys here.

What is an important aspect of policing that you stress to the Bourbon County Sheriff's Office?

I think the most important aspects of policing are to be respectful, honest and fair. Treat people, even the bad guys, like you would want to be treated. It will get you further than you think.

What are your survival skills as sheriff?

In the political arena, it's a dog-eat-dog, mudslinging world. Regardless of what you did right or wrong, the negative is always the other person's highlight. To survive this, you have to believe in yourself and keep your nose clean, but you also have to remember you're only human and humans make mistakes. When it gets personal you have to remember that it's politics and just do the best that you can. For me, I work the road, serve papers, transport prisoners and do all the other jobs my deputies do. I am active in the community, coaching girl's softball and attending school sports activities. J



Chief Shelton Young

Born in Lebanon, Kentucky, Eugene Shelton Young graduated from Lebanon High School in 1965. Young attended Western Kentucky University, and, after two years, joined the U.S. Air Force. After an honorable discharge he stayed in Lexington County, South Carolina, where he became director of the Family Courts' Childrens Home. He was also sworn as a special deputy with the county sheriff department. While there he earned an Associate's Degree in Criminal Justice/ Penology at the University of South Carolina. In 1978, he moved back to Kentucky and became a patrol officer with the Columbia Police Department. Six weeks later he took a patrol position in Lebanon. In 1980 he was promoted to patrol sergeant. Young began taking classes part time at Eastern Kentucky University and in 1985 received a B.A. in Law Enforcement Administration with a minor in Criminal Justice. He was promoted chief of Columbia Police Department in 2000 and holds that position today. He and his wife have three children: Troy, Toby and Traci.

"Our department is a prime example of how small departments can provide the same level of professional services that any big department can."

Was law enforcement your first career path?

No, initially I considered a career in the Air Force. However, my personal views as to political motivations, changed. My only other desire for a career was law enforcement.

For what could your department be nationally known?

Our department is a prime example of how small departments can provide the same level of professional services that any big department can. In reality, we provide the level of personal, one-on-one service most big departments have difficulty achieving.

What are your survival skills as a police chief?

Simply, I try to do as I was taught years ago and treat others as I would want to be treated. In addition, I surround myself with good people, then get out of their way and let them do their job.

How has technology evolved over the years in its use and importance to your department?

Being an old timer, I've lived through ink pens and paper to our current computer age. As with any department, we've become so dependent on technology that we've lost some of the old-school intuition that made us effective. No matter what technology brings, police work will always be people centered. Granted, technology makes our job more time efficient, and the avenues for information gathering and sharing more readily available. But, technology is no alternative to intuitive policing. However, it

does make our job easier and provides for better records keeping.

How do you think community oriented policing in your department compares to that of larger departments?

It's simple. In a smaller department we worship, play and live where we work. Sometimes it seems as if everybody is related by blood, marriage or circumstance. I really think that the community oriented policing concept was to teach big city police to interact with citizens the way small department cops have always done.

What are the top three issues facing Kentucky peace officers as individuals?

- 1) Budgets
- 2) Budgets
- 3) Politics

Officers must be paid at a professional rate to allow them to support themselves and their families. And, this has to be at more than a subsistence level. Officers have real-life issues of stress, prioritization and self-preservation. Financial survival should not have to be an issue.

Likewise, officers must have available the latest technology and equipment. When the bad guys have more and better equipment than the good guys, it's not hard to figure who is likely to come out second.

Leave the politics out of policing. We can't do the right thing for fear that it won't be the politically correct thing. J

New Chiefs of Police Across the Commonwealth

DOUG HAWKINS — BOWLING GREEN POLICE DEPARTMENT

Doug Hawkins was appointed chief of the Bowling Green Police Department November 1, 2006. He has been with the Bowling Green Police Department since 1990 and has most recently been serving as deputy chief. Hawkins intends to use all available technology and will continue to focus on developing leadership at all levels to ensure that individuals can readily assume roles and responsibilities within the agency. He has already begun work to improve the recruiting strategy by broadening the applications standards, while maintaining the hiring standards of the Bowling Green Police Department.

JOHN BELLAMY — BRODHEAD POLICE DEPARTMENT

John Bellamy was appointed chief of the Brodhead Police Department on December 21, 2006. He began his career in Tennessee at the Walter State Community College and the Hawkins County Sheriff's Department. He has worked at the Clay City Police Department and the Fayette County Public Schools.

LEE RUSSO — COVINGTON POLICE DEPARTMENT

Lee Russo was appointed chief of the Covington Police Department on January 15. He comes to the department with 23 years of law enforcement experience. His career started at the University of Delaware Public Safety Department in 1986 and then he served at the Baltimore County Police Department for 21 years. He plans for the department to become more proactive with the community and enhance the service delivery. One of his goals is to reduce crime through prevention.

ED BUTLER — KENTON COUNTY POLICE DEPARTMENT

Ed Butler was appointed chief of the Kenton County Police Department in May 2006. He began his career with the Kenton County Police Department in 1991, most recently serving as assistant chief. The top priority for Butler is to move the department forward using technology as a tool for crime analysis and investigating Internet crimes. He also plans to enhance community programs such as the Citizens and Youth Citizens Academy.

ARTHUR ADAMS — MCKEE POLICE DEPARTMENT

Arthur Adams was appointed chief of the McKee Police Department in November 2006. He began his law enforcement career in 1970 working as a deputy sheriff for the Jackson County Sheriff's Office.

KEVIN BOOTH — MILLERSBURG POLICE DEPARTMENT

Kevin Booth was appointed chief of the Millersburg Police Department December 11, 2006. He served four years in the Navy and was deployed to both Afghanistan and Iraq. After separating from the military, Booth worked other jobs while also serving as an auxiliary officer for the Millersburg Police Department in 2003 through 2005. He then joined the Mt. Sterling Police Department. Booth plans to work closely with the sheriff's office to form a Neighborhood Watch. He would like for the community to have faith in their police department.

RALPH MINIARD — MONTICELLO POLICE DEPARTMENT

Ralph Miniard was appointed chief of the Monticello Police Department January 1. He began his career in law enforcement in 1974 working for the Kentucky Department of Parks and also worked for the Wayne County Sheriff's Office. Miniard plans to pursue the possibility of accreditation for the department.

MICHAEL MARTIN — OWINGSVILLE POLICE DEPARTMENT

Michael Martin was appointed chief of the Owingsville Police Department on January 1. He began his career in law enforcement with the Mt. Sterling Police Department. He retired from the Kentucky State Police and has a total of 24 years law enforcement experience. Martin plans to make improvements on the department's equipment.

LOWELL WARD — PAINTSVILLE POLICE DEPARTMENT

Lowell Ward was appointed chief of the Paintsville Police Department on January 8. He started his career in law enforcement working for the Jefferson County Police Department and recently retired from the Kentucky State Police. In April he will have 30 years of law enforcement experience. Ward plans to have a strong emphasis on community participation and overall community involvement.

WILLIAM MATTHEWS — PINEVILLE POLICE DEPARTMENT

William Matthews was appointed chief of the Pineville Police Department in January. He has 10 years of experience in law enforcement and began his career at the Pineville Police Department.

New Face in Town



The 2006 Kentucky elections brought some new faces into Kentucky law enforcement. Below is a list of Kentucky's 120 counties and their sheriffs.

County	Sheriff	County	Sheriff
Adair County*	Ralph Curry	Carlisle County	Steve McChristian
Allen County*	Sam Carter	Carroll County*	Ben Smith, Jr.
Anderson County	Troy Young	Carter County	Kevin M. McDavid
Ballard County	Todd Cooper	Casey County	Jerry Coffman
Barren County*	Chris Eaton	Christian County*	Livy Leavell, Jr.
Bath County	Randall Armitage	Clark County*	Berl Perdue, Jr.
Bell County	Bruce Bennett	Clay County*	Kevin Johnson
Boone County	Michael A. Helmig	Clinton County	Ricky Riddle
Bourbon County	Mark L. Matthews	Crittenden County	Wayne Agent
Boyd County	Terry R. Keelin	Cumberland County	James Pruitt
Boyle County	Leeroy Hardin	Daviess County	Keith Cain
Bracken County*	Chuck Rechitin	Edmonson County	B.J. Honeycutt
Breathitt County*	Ray Clemons	Elliott County	Ronnie D. Stephens
Breckinridge County	Todd Pate	Estill County	Gary L. Freeman
Bullitt County*	Donald Tinnell	Fayette County	Kathy H. Witt
Butler County*	Joe Gaddie	Fleming County*	Scotty Royle
Caldwell County	Stan Hudson	Floyd County	John K. Blackburn
Calloway County*	William E. "Bill" Marcum	Franklin County*	Barry S. Clark
Campbell County	John Dunn Jr.	Fulton County	Robert "Bobby" Hopper
Gallatin County	Nelson D. Brown	Martin County	Garmon D. Preece

* newly elected sheriff

County	Sheriff	County	Sheriff
Garrard County	Ronald G. Wardrip	Mason County*	Patrick Boggs
Grant County	Charles E. Dills, II	Meade County*	William "Butch" Kerrick
Graves County	John L. Davis	Menifee County	Rodney Coffee
Grayson County*	Rick Clemons	Mercer County*	Chris Kehrt
Green County	Tim Stumph	Metcalfe County	Rondal Shirley
Greenup County	Keith M. Cooper	Monroe County	Jerry Gee
Hancock County	Ralph D. Bozarth	Montgomery County	Fred D. Shortridge
Hardin County	Charles A. Williams	Morgan County	Mickey Whitt
Harlan County*	Marvin J. Lipfird	Muhlenberg County*	Charles "Eddie" Perry
Harrison County	Bruce Hampton	Nelson County	Mike Newton
Hart County	Boston B. Hensley	Nicholas County	Leonard T. Garrett
Henderson County*	Mack "Ed" Brady	Ohio County	Elvis Doolin
Henry County*	Danny Cravens	Oldham County	Steve Sparrow
Hickman County*	John David Turner	Owen County	Zemer K. Hammond
Hopkins County	Frank Latham	Owsley County	Kelly Shouse
Jackson County	Tim Fee	Pendleton County*	Charles William Peoples
Jefferson County	John E. Aubrey	Perry County*	Les Burgett
Jessamine County*	Kevin Corman	Pike County	Charles Keesee
Johnson County	William D. "Bill" Witten	Powell County*	Danny Rogers
Kenton County	Charles L. Korzenborn	Pulaski County	Todd Wood
Knott County	Ray E. Bolen	Robertson County	Randy Bruce Insko
Knox County	John D. Pickard	Rockcastle County*	Michael E. Peters
Larue County	Bobby Carlton Shoffner	Rowan County	Jack Carter
Laurel County*	Fred Yaden	Russell County	Larry L. Bennett
Lawrence County	Garrett Roberts	Scott County	Bobby Hammons
Lee County*	Donnie Hogan	Shelby County	Mike Armstrong
Leslie County*	Paul Howard	Simpson County	R. E. "Gene" Starks
Letcher County	Danny Webb	Spencer County	Steve Coulter
Lewis County	William D. Lewis	Taylor County	John Shipp
Lincoln County*	Curt Folger	Todd County*	W. D. "Billy" Stokes
Livingston County	Tommy Williams	Trigg County	Randy K. Clark
Logan County	Wallace E. Whittaker	Trimble County	Tim Coons
Lyon County	Kent Murphy	Union County	Mike Thompson
McCracken County*	Jon Hayden	Warren County	Jerry "Peanuts" Gaines
McCreary County*	Randy Waters	Washington County	Tommy Bartley
McLean County	Frank Cox	Wayne County*	Charles Boston
Madison County*	Nelson E. O'Donnell	Webster County	Frankie L. Springfield
Magoffin County	Randall "Bob" Jordan	Whitley County	Basil Lawrence Hodge
Marion County	Carroll Kirkland	Wolfe County	H. V. "Rocky" Dunn
Marshall County*	Kevin Byars	Woodford County*	Wayne "Tiny" Wright



/Photo by Elizabeth Thomas

PROFILE BIO

JOE JUMPER

was born and raised in Oldham County. He received his undergraduate degree in criminal justice from Kentucky State University. Jumper had the opportunity to work for the Frankfort Police Department for a few years. He began working at the Department of Criminal Justice Training in August 2002. Jumper is an instructor in the Skills Branch, Physical Training and Defensive Tactics Section. He is married and has two children.

Joe Jumper

What is your daily routine to stay physically fit?

My workouts vary and are sporadic throughout the day. However, I try to begin every morning with 100 push-ups and crunches to galvanize my metabolism. On Monday, Wednesday and Friday, I try to do my cardio/aerobic training around 6 a.m. My cardio either includes an hour on the elliptical machine or the incumbent bike. This is my favorite part of the day because I do a lot of meditating. In the evenings I do my strength training and more cardio. Wednesday is the hardest day of the week because I attend Brazilian Jiu Jitsu and Muay Thai kickboxing classes in the evenings. Tuesday and Thursday are just cardio days.

How important is physical fitness for law enforcement officers?

I truly believe physical fitness is essential to law enforcement officers. I have all kinds of evidence that can substantiate this statement. Officers who are unfit have the tendency to use a higher level of force to control a situation that might require less or no force at all. We all know how detrimental stress can be on a person. I don't think any profession has more stress than law enforcement. Policing is not just a crime-fighting business. Today's officers are social workers in homes and schools, medics, mediators and so much more. How can an officer handle this kind of multi-tasking and still enjoy the job he or she is obligated to perform? One remedy is staying healthy. Studies are showing that physically fit

officers are more capable of handling stress than those who are not fit. It is important to remember that exercising not only builds muscles or improves your cardiovascular system, but also provides an outlet for negative emotions such as frustration, anger and irritability.

If you had to share a single thought to encourage someone going into the field of law enforcement, what would it be?

A good friend said, "Attitudes are contagious, is yours worth catching?" I want to share this quote with my recruits before they leave DOCJT. I want them to understand their attitudes will either draw people close or push them away.

How was the transition from the Frankfort Police Department to the Department of Criminal Justice Training?

My transition from a Frankfort police officer to an instructor was very hard at first. I still think about working the streets. I really love those guys in Frankfort and I still keep in touch. However, this transition was needed in my life. I was so caught up with policing I forgot about my family. It wasn't apparent until my oldest daughter developed cancer. I still remember L.J. Weber (retired PT/DT instructor) calling me about the opening. The call was made during my daughter's second operation as I was finishing praying for a change.

What is the most rewarding part of being a law enforcement training instructor?

I love the interaction with the recruits, and I am learning a lot from them. Each recruit is special because of his or her uniqueness. I strive to be the best in what I do so my recruits can receive good training. When I train with my recruits, I can see the motivation in them. Some of them even try to out perform me. I love it when that happens because the challenge lets me know they have the will to win. As their PT instructor, I want them to win. I truly feel that it's all about them, not me.

What do you enjoy doing outside of DOCJT?

When I enter my house, I transform from an instructor to a husband and a father. I try not

to bring work home. I learned this principle when I worked the streets in Frankfort. I have realized that tomorrow is promised to no one, so I try to relish the time I have left on Earth with family and friends. . J

▼ Joe Jumper with his wife, Haruko, and his daughters, Minako (4) and Mariko (8).

▼ Jumper instructs recruits on proper arrest techniques.



/Photo by Elizabeth Thomas



/Photos by Elizabeth Thomas

PROFILE BIO

PAT CARTER

has been employed with state government since March 1975. Carter was a telecommunicator with the Kentucky State Police, Dry Ridge post, from 1975 to 1979 and was a radio room supervisor there until 1989. She transferred to DOCJT in 1989 and was an instructor until 1994, when she was promoted to section supervisor in Telecommunications. Carter was promoted to branch manager in 2006. She resides in Richmond. Her son Chris White is a compliance officer with DOCJT after retiring from the Lexington Police Department. Carter's son Tony White is a UPS driver and daughter Kim Asher is studying architectural engineering at the University of Kentucky.

Pat Carter

Who has been the most positive influence during your career and why?

After 32 years in the career of telecommunications, that is a complex question. When I try and look back over all the experiences, opportunities and influences of my time with the Kentucky State Police, the people I worked alongside in the radio room and the road troopers are always foremost in my mind. From the first day on the job as a dispatcher at the Dry Ridge post in March 1975, I felt such an overwhelming responsibility and caring about getting the information right the first time and immediately passing it on to those who were putting their lives on the line with every call they answered. Because there were no female troopers when I was hired, I experienced more field work than many telecommunications personnel do today. That probably gave me a better perception of what calls

were all about, and I hope it reflected in the information I gathered. I also really loved my job. I transferred to the Department of Criminal Justice Training in 1989. I cannot say enough about the positive influences that this agency has on my career, but also the careers of telecommunications personnel across Kentucky. We obviously have the best communications training in the United States. This agency has stood steadfastly behind all the necessary training and legislative changes required to accomplish this. No small feat!

How did your career with the Kentucky State Police influence your career in telecommunications?

I was excited about going to work with the KSP. I do not remember a day that I did not look forward to being at work. How many people can

say that about their job? With such a lengthy career in telecommunications, you deal with some of the most horrific things that people do to each other or that just happen and are no one's apparent fault. I worked the Beverly Hills Supper Club fire in one of the first command posts right at the scene. I helped the LaGrange KSP Post with the Carrollton bus wreck. Even with those and other awful scenes forever in my memory, knowing that I helped make a difference every time I went to work counts for so much. I have tried to instill that passion to every telecommunications training student. I also see that passion in my coworkers in the Telecommunications Branch.

What is the most momentous change you have seen in telecommunications during your career?

I could cite all the technical advances that have been made over the last few years, but I won't. I think there is something more important. The telecommunicators today are so much more involved in the outcome of the call. We teach them to obtain the initial information, dispatch appropriate responders and then stay on the line and gather and give additional critical information during all in-progress calls if the caller is safe. Years ago the dispatcher was considered doing a good job if they got the name, telephone number, type of call and good directions to the location. Today they are trained to be the eyes and ears of the physical responder until they arrive. There is a volume of information that can be gathered as the public safety responder is progressing to the scene. Those moments and opportunities are no longer lost.

What advice would you give to new communications recruits?

Care. Care about your coworkers, your agency and the callers – even when it's hard. Help change what needs to be changed. Don't be afraid to step up to the challenge. Most instructors have had some experience with the book, *Who Moved My Cheese?* Be a Scurry!

You have received numerous awards for advancing telecommunications in Kentucky. How does that make you feel?

There has not been any recognition I have received that was given in accomplishment

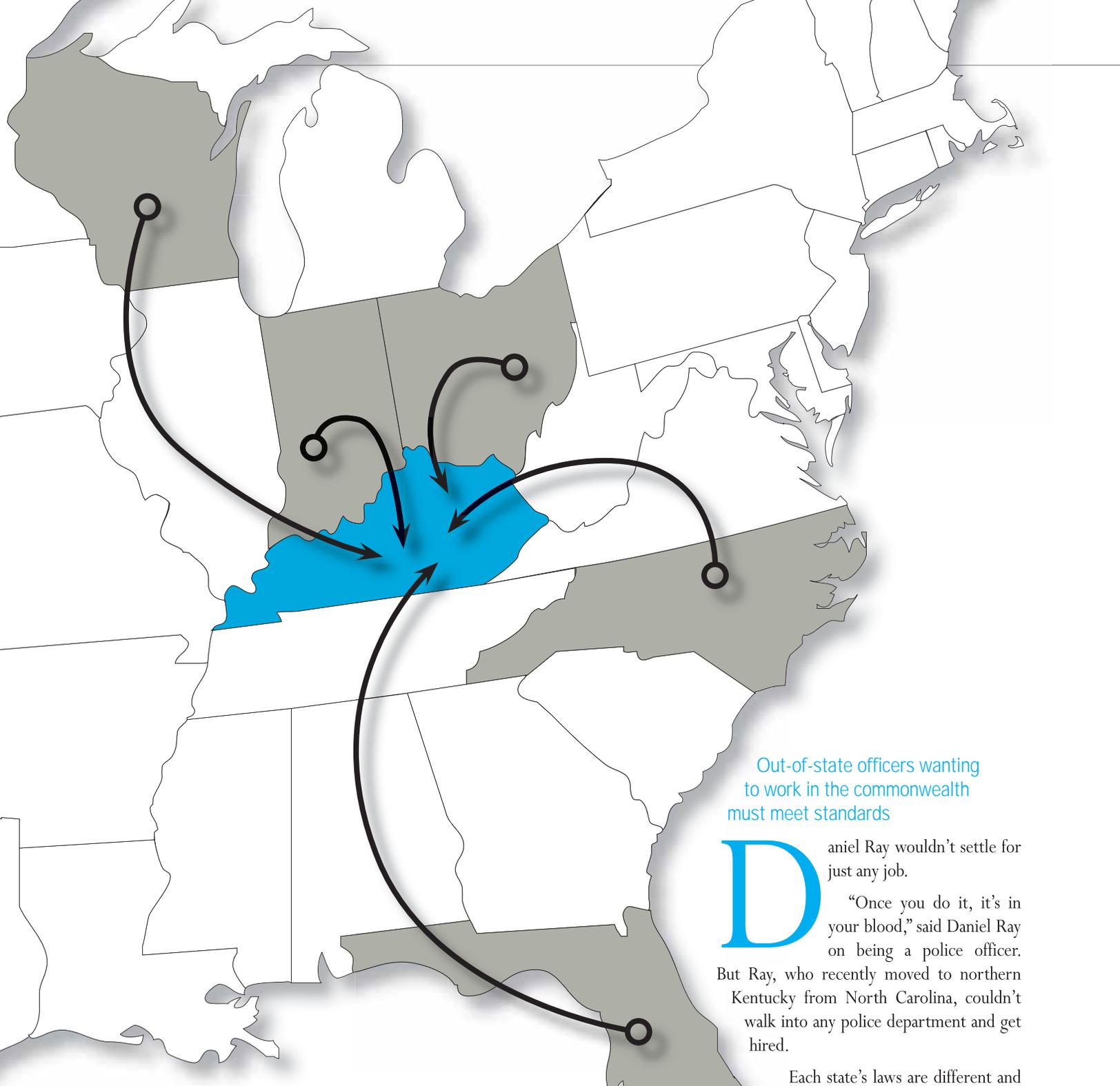
of anything I could have done alone. For myself, and everyone else who was involved – Thanks.

What do you enjoy outside of DOCJT?

For those that know me well, I can visualize some eyes rolling here! I am involved in the Bluegrass Shih Tzu Rescue. I have fostered many dogs, one at a time, and am currently involved in fundraising. I also have four small dogs of my own. Animal rescues typically have many volunteers from human service fields. Caring is caring. J

▼ Telecommunications Branch Manager Pat Carter aids students during tele practicals.





Out-of-state officers wanting to work in the commonwealth must meet standards

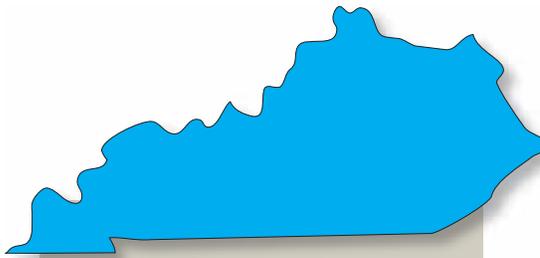
Daniel Ray wouldn't settle for just any job. "Once you do it, it's in your blood," said Daniel Ray on being a police officer. But Ray, who recently moved to northern Kentucky from North Carolina, couldn't walk into any police department and get hired.

Each state's laws are different and each has a governing law enforcement body, most often called Peace Officers Standards in Training. Until 1960s, the Kentucky Law Enforcement Council was referred to as KPOST.

Ray's first step was to contact KLEC and start the application process for what is known as academy reciprocity. KLEC must approve every out-of-state applicant before a law enforcement agency can hire a candidate.

THE GRASS IS BLUER IN KY

/Photo and Article by Elizabeth Thomas, Public Information Officer



“The rule of thumb is, if your training that you took in another state is equivalent to [Kentucky’s] at the time you took it and you’ve been working a year as a peace officer in that state, then we’ll accept you,” said Larry Ball, KLEC executive director.

If a candidate was trained after December 1, 1998, following the introduction of the Peace Officer Professional Standards law, he or she would be required to take the POPS test, a polygraph and drug screen. If a candidate was trained prior to December 1998, only the individual’s training academy is taken into consideration.

Once approved and hired by an agency, the officer is required within one year to take 120 hours of professional development training, which includes basic officer skills, constitutional law, Kentucky Revised Statutes and now homeland security.

Ray, who commutes to Lexington for his job as a corrections officer at the Fayette County Detention Center, received approval from KLEC in January. While in North Carolina, Ray worked 14 years as a police officer in the Raleigh area.

“I actually got more hours [540] than what Kentucky required [400] at the time I was trained,” said Ray, who had been running his own auto glass business before moving to Kentucky.

With hiring at a standstill just after he moved to Florence, Ray was concerned with getting hired as a police officer in the commonwealth until an officer encouraged him saying, “You’ve been an officer longer than you’ve been out.”

Averaging 150 academy reciprocity candidates a year, KLEC usually has to reject about 40 percent of those seeking approval. In November, KLEC began requiring applicants to work a year in the state they were trained.

“We started having a problem of people going out of state to get trained,” Ball said. “People were going into Ohio, paying for their training, and then coming back here to get a job. They were circumventing the system.”

“Many states allow you to pay your way

and then go try to get a job. We don’t believe in the philosophy that you should pay for your training. You should not pay for your training, and you should be paid while you’re [being trained],” Ball said.

According to Ball, one individual who couldn’t get hired in Kentucky, after minimal research, found an academy, took out a \$6,000 loan, and went to training at night. His advisor at the academy misinformed him of Kentucky’s requirements and assured him of his transcript being acceptable. When he finished and sought academy reciprocity, he learned he was 124 hours short of Kentucky’s requirement. He would have to settle for working in Ohio, pending an agency hiring him.

Most states have multiple academies. At last count, Ohio had 26. Kentucky has four: Department of Criminal Justice Training, Kentucky State Police, Lexington and Louisville Metro. Some states allow training within community colleges.

Often states have no quality control over so many academies with different standards, Ball said.

KLEC has teams that monitors all Kentucky academies, instructors, law enforcement polygraph tests and drug screens. The council is housed at DOCJT.

Drug Enforcement Administration, Secret Service and FBI training is accepted by KLEC standards, but military training is not. Also, in-service training is not taken into consideration, though many applicants suppose it will increase their chances of success with the council.

“They end up faxing us every certificate they’ve earned, but that’s only valuable to the agency hiring you. You might have 5,000 hours of in-service training, but we only look at basic training,” Ball said.

An accident reconstructionist, for instance, would have six to eight weeks of specialized training, which would make a candidate marketable to an agency, but not to KLEC.

Candidates seeking reciprocity often find Kentucky’s requirements through an Internet search or by contacting an agency of interest. >>

In 2006, 136 out-of-state candidates applied for academy reciprocity from the following states:

Alabama	2
Arkansas	2
California	6
District of Columbia	1
Florida	15*
Georgia	7
Illinois	3
Indiana	17
Kansas	2
Louisiana	1
Maryland	3*
Michigan	16
Missouri	5
Nevada	1
New Jersey	1
New York	1
North Carolina	12
Ohio	22
Pennsylvania	1
South Carolina	2
Tennessee	9
Texas	3
Virginia	5

*Note: one applicant had academy records in Florida and Maryland.



The Kentucky Law Enforcement Council recently granted academy reciprocity for the first time to a candidate from Puerto Rico, Officer Saloman Collazo, who now works for the Radcliff Police Department.



The agency then refers the candidate to KLEC. Ball and his team begin the process of acquiring transcripts, proof of graduation and employment.

Why all this work? The Kentucky Law Enforcement Foundation Program Fund, which provides a more than \$3,000 stipend to all law enforcement officers in the commonwealth, requires certain standards in basic training be met for an officer to receive the incentive pay.

“We’re not going to endanger a \$28 million program to let [anyone in] from say, Idaho, who might’ve only had two weeks worth of training,” Ball said.

“Our real interest is meeting the requirement for the KLEFPF law. We’re the only state in the country that pays for our officers to be trained every year, and we want to protect that,” Ball said. “A lot of states provide free training, but none of them provide free training and then pay them to get it.”

Recently, many requests have come from Detroit, with officers seeking work at Louisville Metro because of a surge in job openings following the merger of the city and county governments and many retirements. Other common states sending candidates include North Carolina and Florida according to KLEC.

Tennessee and Louisiana are states from which candidates are often disapproved. Though their metropolitan academies like Knoxville, Memphis and New Orleans meet or exceed Kentucky’s standards, the states’ academies fall short, Ball said.

Salomon Collazo, who had moved from Puerto Rico, was hired by the Radcliff Police Department in November following a near six-week approval process.

“This system is great,” Collazo said. “I like the way we work better here. It’s different in Puerto Rico.”

Collazo was the first candidate from Puerto Rico to seek and be granted academy reciprocity approval.

“In essence, we have reciprocity with every state – if their training is equivalent to ours at the time they were trained,” Ball said. J

Welcome Changes

DOCJT restructures its Training Operations Division / Tamerra Chittum, Administrative Specialist

DOCJT has restructured its Training Operations Division, breaking its two branches into five.

Basic Training and Professional Development branches, are now Basic Training, Advanced Individual Training (formerly Professional Development), Skills, Telecommunications and Leadership Institute.

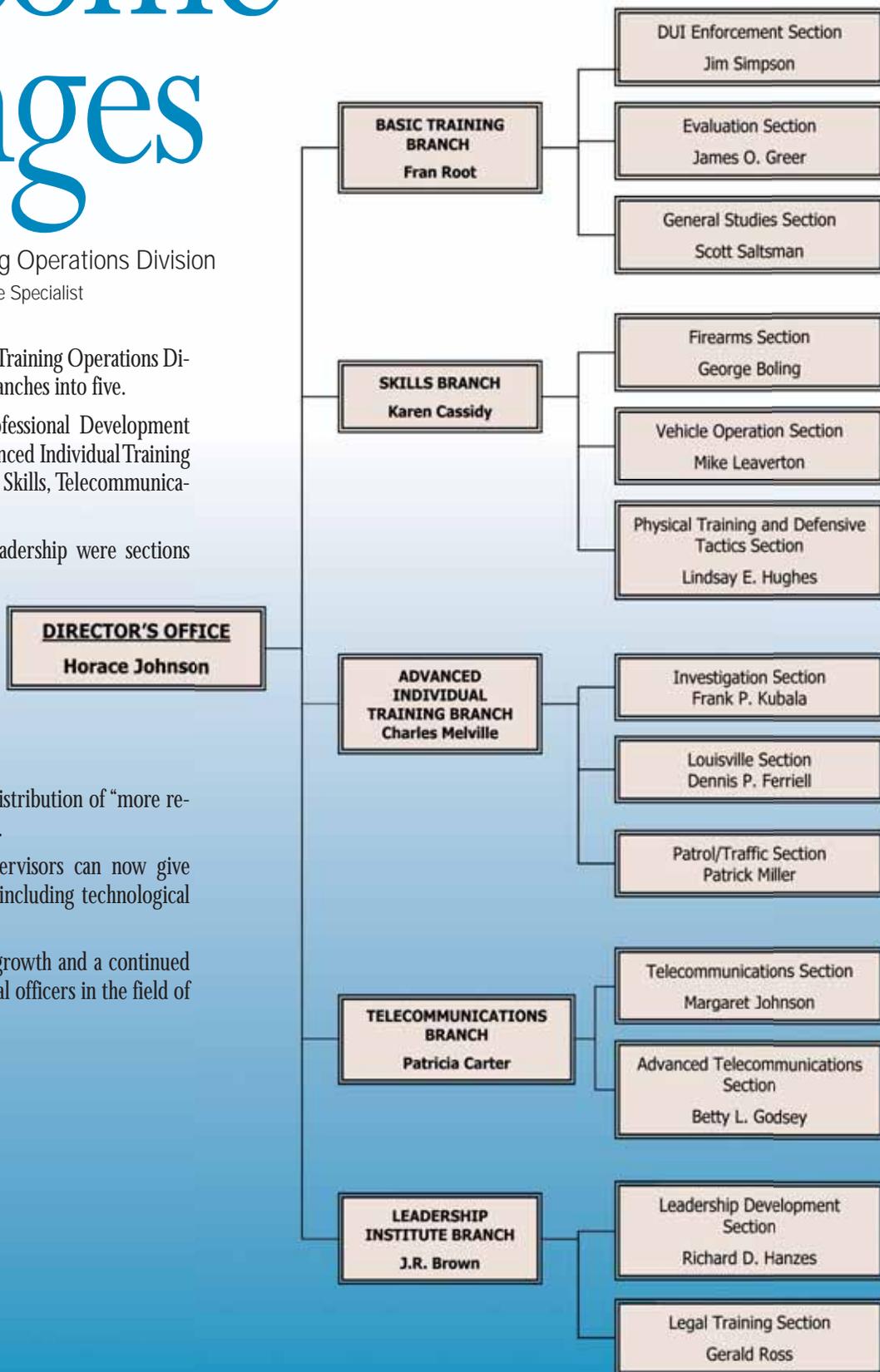
Skills, Telecommunications and Leadership were sections under the Basic Training and Professional Development branches prior to the change.

“We didn’t change for the sake of change, but changed to improve,” Training Operations Division Director Horace Johnson said.

The reorganization allows for the distribution of “more responsibility and accountability,” he said.

Branch managers and section supervisors can now give more attention to section specialties, including technological advances in their areas, Johnson said.

The change also allows for future growth and a continued focus on the task of training exceptional officers in the field of law enforcement, he said. J



THE EYES HAVE IT

Biometric technologies — automated methods of recognizing a person from anatomical, physiological, or behavioral characteristics — are becoming increasingly useful, available and affordable. Selecting the best technology for a particular situation, such as running a correctional facility, requires careful consideration of its purpose, accuracy, reliability, cost and ease of implementation.



When the Jefferson County Sheriff's Office in Golden, Colorado, considered automating its tracking of jail inmates, practicality was a primary concern. As Special Duty Officer James Prichett explained, "In 2005, our jail had a capacity for 1,300 inmates and housed an average of 1,153. On a typical day, staff booked from 50 to 80 persons and handled the final release of approximately 50 inmates. Additionally, approximately 200 inmates were released daily from the facility with passes to work, seek employment and pursue educational opportunities."

Prichett said the sheriff's office gave serious consideration to fingerprint readers and hand-geometry scanners. Though somewhat cheaper, management found the cost of an iris scanning technology to be reasonable. Deciding factors were the unchanging pattern of a person's iris and the need for only basic training of staff to operate the equipment. For fingerprint submissions to the Colorado Bureau of Investigation and the FBI, the jail has been using fingerprint readers for 10 years, Prichett said. Currently, ink prints are taken only of the right index finger of each inmate on the back of the initial booking card, which serves a backup verification purpose in case the iris scanning system goes down.

Since its installation at the jail in September 2001, the iris recognition system has reduced the staff time spent on identification and verification when inmates move in and out of the jail. A process that took several minutes now takes a few seconds, Prichett said, a factor that may well be of interest to other correctional facilities weighing the pros and cons of choosing a biometric system to improve the management of their inmate populations.

The iris is the colored part of the eye, but eye color is not part of the biometric, said Chris Miles, senior program manager at the Office of Justice Program's National Institute of Justice. The iris controls the amount of light that enters the eye through the pupil by means of its dilator and sphincter muscles. The tissue that forms the iris makes a complex pattern that appears to remain the same throughout one's life. No two irises are the same — not even in an individual's left and right eyes.

Iris recognition technology captures an image of the iris pattern with a camera, analyzes the digitized image mathematically and compares the unique template to those in a database. The scanner does not touch the individual, and a high-quality camera can capture the image from up to a yard away.

Independent evaluations and deployment experience have proved iris recognition technology to be highly accurate and to produce few mismatches. Another advantage is that the iris is a well-protected internal organ, whereas fingerprint ridges can become worn or obscured, and fingerprint details of elderly and certain other individuals can be difficult to read. The major drawback is that no national criminal database of iris templates currently exists. For fingerprints, the FBI's Automated Fingerprint Identification System has been available for decades. Additionally, fingerprints, unlike irises, can be left behind at a crime scene.

The Jefferson County Sheriff's Office purchased its iris recognition system from a California company that supplies iris recognition technology to correctional institutions and to the U.S. Department of Defense for prisoner identification and processing in Afghanistan and Iraq. Prichett said that the software for the system was tailored for the procedures and operations specific to each location within the facility.

"Training in how to operate the equipment and software was provided by the company as part of the package we purchased," he said. "We also receive periodic training when the software changes or when we receive upgrades to the system."

Iris scanning begins by having the subject look into a mirror mounted on a stationary or handheld device. With audio voice, the system gives the subject simple directions (e.g., come closer, step back) to achieve proper positioning of the iris, which usually takes just a few seconds. Behind the mirror, a high-resolution digital camera captures the iris image, and the system tells the operator that successful capture has occurred. The device then makes an encoded template and compares it with all iris templates stored in the database.

"Once the system captures the iris image, matches are made in less than 4 seconds," Prichett said. "Given a template match, indicating that the subject has been enrolled in the system, the operator may display on the device screen basic information about the inmate such as height, weight, date of birth, former address and work-release facts. Once the system and our mainframe are integrated, perhaps within a year, information such as police record, gang affiliation, active warrants, photograph and fingerprints will also be instantly available on the screen. If the subject is not already enrolled, the device prompts the operator to enter enrollment information."

The Jefferson County facility has five stations for processing in- >>



>> mates: booking, transportation, work-release outbound, work-release inbound and final release.

- The booking station processes new arrivals, including iris scanning, ink and AFIS fingerprinting and photographing. The inmate is made to wear a bracelet on which is printed the inmate's name, picture, date of birth, height, weight and identification number. A barcode encapsulating this information also is printed on the bracelet. Each time an inmate is to be identified, a correctional officer compares the information on the bracelet with the results of an iris scan.
- The transportation station confirms the identification of inmates who leave the jail temporarily for court proceedings in other jurisdictions.
- The work-release outbound station is equipped with a stationary iris scanner. When an inmate leaves the jail, the system checks the validity of the inmate's pass and records the exit time. The inmate is required to telephone the station on arrival, and the officer on duty records the call in the system.
- The work-release inbound station is also equipped with a stationary iris scanner. Just before leaving the worksite, the inmate must telephone the station, and the officer on duty records the call in the system. When the inmate returns, the system records the arrival time.
- At the final-release station, the system verifies the identity of the inmate before the inmate leaves the jail. Prichett pointed out that "prior to the installation of iris scanning at the jail, officers reviewed the inmate photograph, manually compared new ink fingerprints with the stored fingerprints, and questioned the inmate, all of which made final release slower and more laborious."

No inmate has been wrongly released since reliance on iris biometrics began at the jail, and no mismatches have occurred, Prichett said. Under the former system, though, he recalls several cases of wrongful release. The new system demonstrates its utility in other ways too. For instance, he says that once or twice a month, iris scanning shows that a person arrested and brought to the jail has been arrested previously under another name.

Of the 300 staff who work at the jail, 130 operate the iris scanners from time to time.

"Initially, staff were resistant to the new system, but everyone liked it after a month or so. We have trust in the system," Prichett said, although some inmates have been apprehensive.

For example, concern has been expressed about the scanners causing damage, such as burning the eye, but a simple explanation that the process is like having one's picture taken typically overcomes any reluctance. Lack of cooperation is not a problem among inmates enrolled in the system; all know that no cooperation means no release of any kind. Every day, however, some of the new arrivals are uncooperative, a problem often attributable to the influence of recent alcohol or drug use. Prichett said an hour or so of cooling off is all it takes to

get the cooperation needed for enrollment.

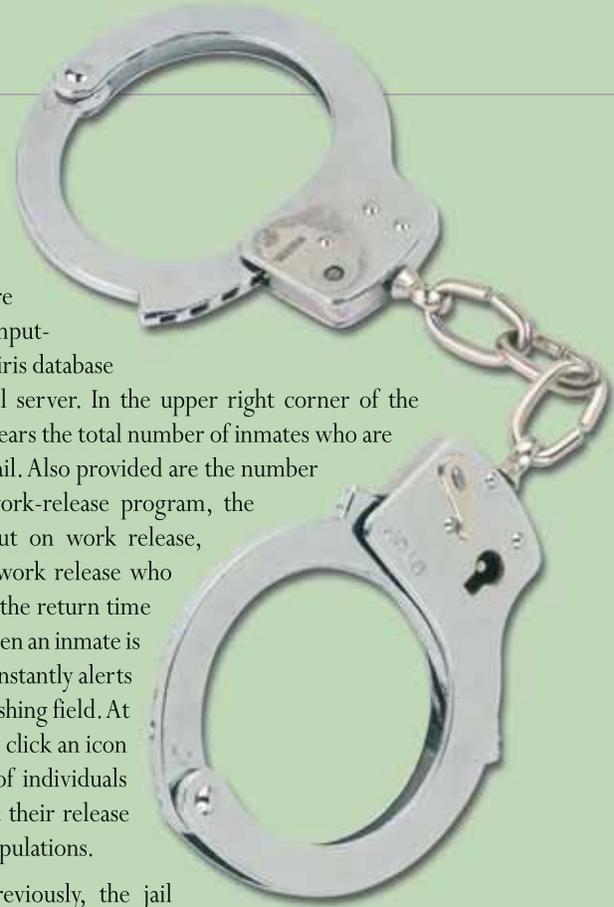
Other features are available through computers connected to the iris database stored on the central server. In the upper right corner of the computer screen appears the total number of inmates who are in the charge of the jail. Also provided are the number of inmates in the work-release program, the number currently out on work release, and the number on work release who are late according to the return time set by the system. When an inmate is overdue, the system instantly alerts officers with a red flashing field. At any time, officers can click an icon and receive the list of individuals and the details about their release commitments and stipulations.

As mentioned previously, the jail uses both stationary and handheld devices.

The handheld device is highly portable, powerful and versatile. A single unit is a self contained iris enrollment and recognition system that can store up to 200,000 iris images and operates in combination with network applications for identity recognition and tracking. Potential uses include verifying visitors' identities, making sure no inmate gets more than one lunch, and managing the dispensing of medications. Currently, the jail uses a handheld device, which is tethered to the system by a cable, only at the booking station. Jail administrators plan to obtain another handheld device to scan visitors.

"Our experience at the jail is that iris scanning is fast, efficient and accurate," Prichett said.

The above article is based on a paper titled "Using Technology To Authenticate Individuals: A Case Study," published in the Winter/Spring 2006 edition of the West Virginia High Technology Consortium Foundation's Journal of Innovation. To view that article, visit www.wvhtf.org/about/overview/publications/JOI_2006_v1_web.pdf. Additional information about publications and resources relating to biometric technologies are available through the National Institute of Justice Web site at www.ojp.usdoj.gov/nij/topics/biometrics/pubs.htm. J



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What's New?

Aventura Police Use Web for Unsolved Murder

MIAMI HERALD (02/04/07) P. B5; TEPROFF, CARLI

The Aventura Police Department decided to use MySpace.com and YouTube.com to hopefully receive leads in the 2001 slaying of an elderly man. Police posted footage of a person they are seeking in connection with the case at both Web sites. Police are hoping that the postings will lead to the identification of the man, who can be seen on surveillance cameras interacting with the murder victim, who died in his apartment from injuries sustained during a vicious beating. South Florida Police have also employed the Internet to discourage violence at a middle school in Hollywood and identify suspects in two cases. http://www.miami.com/mld/miamiherald/news/breaking_news/16618057.htm

System Quickly Pinpoints Gunshots

READING EAGLE (PA) (02/01/07); HENSHAW, STEVEN

Reading, Pennsylvania, is exploring the possible purchase of the ShotSpotter sensor system, which roughly 15 U.S. cities use to determine from where gunshots are fired. The acoustic sensors have enabled police in some cities to locate from where gunshots are fired in 15 seconds or less. The system is connected to dispatchers that can



send police to locations before any emergency calls are placed by local residents. The short response time provides police officers with more opportunity to arrive at crime scenes where suspects are still present and enhances the chance that ambulance crews can save shooting victims. Berks County Commissioner Thomas W. Gajewski became interested in acquiring the system for the city after watching a news story about ShotSpotter. However, he noted that local police departments will have the final say in determining whether they want to install the technology. Reading Mayor Tom McMahon said the first priority is obtaining federal funding for installing a network of security cameras in the city, but added that ShotSpotter could also be implemented if the necessary funding is acquired. <http://www.reading-eagle.com>.

Bush Seeks Money for Border Agents, Surveillance Gear

BLOOMBERG (02/05/07); ROLAND, NEIL

President Bush's \$2.9 trillion budget for the fiscal year 2008 seeks a 1 percent increase for the amount of funding allocated to the Department of Homeland Security, from \$33.8 billion in fiscal 2007 to \$34.3 billion in 2008. Bush is requesting that the DHS' Customs and Border Protection unit receive a 36 percent increase in funding, to \$8.8 billion, with much of the additional funding paying for about 3,000 more border patrol agents and an increase in the use of surveillance technology on the U.S. southern border. "We'll need to put more effort to get the people who are the toughest nuts to crack," said DHS Chief Michael Chertoff, alluding to U.S. efforts to crack down on illegal immigration. Chertoff said that Bush wants \$1 billion allocated toward a project that would deploy cameras, sensors and lights along the Arizona border with Mexico. The surveillance technology would be added to an additional 150 miles of border. Bush's budget would slash the Federal Emergency Management Agency's budget from \$6 billion this year to \$5.2 billion in 2008, a 14 percent drop, while increasing airport security budgets by 7 percent and the Coast Guard's budget by 3 percent. Also, Bush would increase domestic nuclear detection funding by 17 percent. <http://www.bloomberg.com/apps/news?pid=20601087&sid=aAHrERjzBd84&refer=home>

Where Gum Can Become Evidence

SYRACUSE POST-STANDARD (NY) (01/31/07) P. B1; BAKER, ROBERT A.

The Syracuse, New York-based Wallie Howard Jr. Center for Forensic Sciences, which has been around for eight years, announced on January 31 that the center's DNA study on the saliva of a piece of gum had helped identify a victim's attacker. Last August, a man who had been beaten, tied up and robbed in his Syracuse apartment told police that his attacker had spit his gum out while there. The attacker was already in police custody for two separate felonies. The center performs other studies besides DNA analysis. The 28 scientists and technicians working at the center use ovens and special lighting to obtain usable fingerprints off weapons. Guns are reconstructed and bullets discharged into water tanks so special markings on the bullets can be contrasted with bullets located at a crime scene. Suspected drugs are also tested, and debris from questionable fires is analyzed for chemicals that could reveal a cause. Proof from more than 20 law enforcement agencies is sent to the center, where it is studied and used to make cases. <http://www.post-standard.com>



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