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SCHOOL SAFETY

SENATE BILL 1
BECOMES LAW

PAGE 10

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ON THE COVER:

Children are our greatest assets,
and protecting them at school is
a high priority. Senate Bill 1, the
School Safety and Resiliency Act,
is the first step toward improving
safety at our schools. From training
school resource officers and helping
children impacted by trauma, SB1
raises the bar ensuring the best
for the commonwealth's schools.



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*Law enforcement innovation helping
drive down overdose deaths*

LAW ENFORCEMENT INNOVATION HELPING DRIVE DOWN OVERDOSE DEATHS

Even while the national drug crisis continued to besiege the commonwealth last year, we may have seen the first sign of hope in more than a decade. Law enforcement certainly played an important role.

According to the latest numbers from the Kentucky Office of Drug Control Policy, overdose deaths fell by nearly 15 percent in 2018 – the first decline in five years and the most significant drop since 2000.



Overall, drugs claimed 233 fewer lives. That's twice the size of the average senior class in Kentucky, and it underscores the stakes in our policy decisions. If we want to replicate the results next year, we need to double down on the strategies that appear most effective.

There are many to highlight in the field of policing.

Most are already familiar with the incredible interdiction efforts that police undertake every day to keep drugs off our streets and out of our state. These operations often require a high degree of collaboration. They are difficult and dangerous, and I want to thank all law enforcement officers across Kentucky who risk

their safety to protect our communities from these substances.

Law enforcement is also innovating on the front lines of harm reduction.

In just one example, the Kentucky State Police Angel Initiative has connected 104 people with treatment since its launch in 2018. Several law enforcement agencies around the state run a similar angel program, and I would encourage all others to consider starting one as resources allow. While angel programs can create new costs, they absolutely pay dividends in the end, both in saving lives and in building community relationships.

Kentucky law enforcement has also made tremendous strides in emergency interventions, particularly naloxone. To give you an idea, the Office of Drug Control Policy awarded more than \$324,000 to local communities in 2017 for purchasing naloxone. Much of it ended up in the hands of law enforcement.

Another \$1.8 million in tobacco settlement funds was channeled to local communities for harm-reduction services, including naloxone purchases and training.

In addition, law enforcement has done tremendous work in prescription disposal. Kentucky now has more than 170 drop-off sites at police stations and sheriffs' offices to dispose of unused medication. Efforts like that help prevent abuse in the first place.

It's an honor to serve in a state where so many in law enforcement are eager to advance cutting-edge policy. I also want to praise Van Ingram, director of the Office of Drug Control Policy and a former police chief, who has demonstrated unwavering leadership and knowledge amid this crisis.

Despite the drop in deaths last year, we still lost more than 1,300 people to this terrible scourge. So, it's essential that we continue our fight with a steady hand and an open mind. I'm optimistic that we will continue to do both – and see another decline. 🇺🇸



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

KAREL MIRAGAYA / 123RF.COM

KYPCIS
KENTUCKY POST-CRITICAL INCIDENT SEMINAR

YOU ARE NOT ALONE

What is PCIS?

The Post-Critical Incident Seminar is a three-day seminar modeled after highly successful programs developed by the FBI and South Carolina. These seminars are led by mental-health professionals trained to work with peace officers and driven by a team of law enforcement peers who have experienced their own critical incident and received training in Critical Incident Stress Management.

What is a Critical Incident?

A critical incident is any event that results in an overwhelming sense of vulnerability and/or loss of control. This can result from a single incident or a culmination of events, to include exposure to horrific crime scenes, on-duty injuries, line-of-duty shootings, events that bring prolonged and critical media attention, personal tragedies and the like.

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Post-traumatic stress is a body's normal reaction to an abnormal event. Normalization of the attendee's experience is a critical goal of the PCIS program. In addition, PCIS strives to send officers and their attending spouses back home re-energized, healthier and with a fervor for sharing their new skills.

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PREPARING FOR THE UNTHINKABLE

REVISED SRO CURRICULUM TAKES TRAINING TO THE NEXT LEVEL



Written By
MICHAEL A. MOORE

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SHUTTER2U / 123RF.COM

The unthinkable happened in Kentucky in January 2018. A school shooting in Marshall County claimed two lives, and another 18 people were injured during the early morning attack.

The act spurred an effort that eventually became a piece of emergency legislation known as Senate Bill 1 or the School Safety and Resiliency Act, signed into law by Gov. Matt Bevin in March 2019.

The bill is designed to enhance safety in Kentucky's public schools and requires the hiring of school resource officers (SRO) as funding allows.

The Department of Criminal Justice Training (DOCJT) is responsible for training the SROs, and the training must meet the demand of the times, DOCJT instructor Bill Eckler said.

"Early on, (DOCJT) Commissioner (Alex) Payne and I had a meeting about SRO training," Eckler said. "I shared some ideas with him, and I wanted to take the training up to the next level. I was able to do that with Payne's help and direction."

CURRICULUM

Eckler spent a large portion of his career with the Berea Police Department working in the schools as an SRO. And as such, he is no stranger to the many challenges that await officers when they arrive on campuses across the Commonwealth of Kentucky.

Because SROs have unique schedules, Eckler said that played a part in coming up with the modern curriculum.

"The days of just going into the schools as an old street police officer are over," Eckler said. "Nowadays, it's not like that. The agencies and schools want the best of the best. We're raising the bar. (SROs) have flexible schedules, and it's not a typical shift, as they are responsible for after-hour events, such as band competitions and football games.

"An SRO should be the best at all the hats they wear," he continued. "That's the type of officer a school needs, and that's the type of officer we're producing."

After several months of meetings, Eckler said DOCJT came up with a three-week curriculum that the agency began teaching in June. The curriculum is broken down into three stages – Level I, Level II and Level III.

Eckler called the three weeks of training a career path.

To serve as an SRO in any public school, officers must attend the three weeks of training offered over three years. The training must be taken in order, Eckler said.

The training curriculum includes:

- Foundations of school-based law enforcement
- Threat assessment and response
- Youth drug use and abuse
- Social media and cybersecurity
- SROs as teachers and mentors
- Youth mental health awareness training
- Trauma-informed action
- Understanding students with special needs
- De-escalation strategies

"Our classes are specific to the SRO," Eckler stressed. "The classes we teach are everything an SRO could come into contact with or have to deal with, whether it's a student, staff member and parents/grandparents. It includes (training) on how to communicate with principals and teachers and how to work with school superintendents and boards of education."

While there is SRO training offered in other states, Eckler said Kentucky's is unique in its focus.

"To our knowledge, there is no one in the United States that has a program like this," he offered. "It's something we're proud of."

Developing the relationship between SROs, students and school staff is key, and preparing officers to



DOCJT instructor **BILL ECKLER** helped create a new school resource officer curriculum which prepares officers to meet the challenges of being an SRO. Eckler said an SRO must develop relationships with students, school staff and parents in order to be successful.



The first SRO Level I class completed training in June. There are three levels to SRO training, which are spread out over a three-year period. Once an SRO completes all three levels, they will have received 120 hours of training specific to SRO duties.

take on those non-traditional duties is paramount in the different levels of the curriculum,” Eckler said.

“A juvenile may come to an SRO and ask what they can expect when they go to court because they want to know how the system works,” he said. “A driver’s education teacher may have the SRO come in and talk with the students. SROs may go into a science class and talk about fingerprinting. They can teach so many things.”

As time goes by, the training will be updated to include information on up and coming trends and other issues.

PREPARING FOR THE UNTHINKABLE

Technology has played a crucial role in schoolyard incidents, which can result in bullying and ultimately, violence.

“One of the things that is different in today’s world is we have social media, and that information now gets out much faster,” Eckler said. “Students now have phones in schools, and they record video. They get into social media arguments, and if it happens over the weekend, come Monday, the SRO will have to deal with a fight. And many times, parents can get involved, so it turns into harassing communication. There’s just a lot of things . . . it’s like a honeycomb.”

Eckler also opined that weapons are readily available to many school-aged children.

“Parents who purchase these (long guns and other weapons), and for whatever reason, they don’t lock them up, or if they do lock them up, the kids know the combination or where the keys are,” he said. “That shouldn’t happen.”

Ultimately, while the training involves preventative measure, it also focuses on the real-world application of law enforcement skills should the unthinkable happen.

“On the other side, it prepares an officer to be ready if the worst thing we could ever imagine happens. If it does, they’ll know exactly what to do and step into that role,” Eckler said. “We’re putting a little more emphasis on the firing range and defensive tactics. We’re covering all the bases from the beginning to the end.”

When an SRO is engaged in an incident that might require restraining a student, they have to approach it with different tactics, Eckler said.

“There are different methods for kids versus adults,” he said. “With juveniles, they teach pressure points. They teach pressure points so when they have to handcuff, and handcuffing will be the last resort, but if they do, SROs will use the training they received on how to deal with juveniles.”

MENTAL HEALTH

Assessing one’s mental health is now a necessary tool

to have in the SRO tool belt, Eckler said, so a block of training focuses on that issue.

“This can be anything from mental health, to special needs, we are really focusing on that,” he said. “I’ve got a feeling that we will continue to focus on that going forward.”

To that end, DOCJT has reached out to the University of Louisville’s College of Education and Human Development.

“Meghan Martin will be coming to DOCJT, and she did a wonderful job in the first class in June,” he said.

Martin is an Academic and Behavioral Response to Intervention (ABRI) liaison at UofL, and her insight is valuable, according to Eckler.

“ABRI is structured to provide state-wide access to support with the emphasis on creating an infrastructure toward sustainability and capacity building within schools and educational cooperatives,” according to the program’s website. “The goal is both to increase capacity in Kentucky and to evaluate academic and social outcomes for students across the state.”

Another major player is Trauma-Informed Action (see Handle With Care story on page 16).

“We are working together with the schools to try and help the child,” Eckler said. “This is something where we’re crossing over into a different type of training, but it’s something (officers) need.”



Ultimately, school safety is the name of the game, and the updated curriculum reflects the reality of SROs, Eckler said.

“Dealing with an active shooter is something nobody wants to talk about,” he said. “We do have to talk about it, and we have to train because there is a reality,” he said. “We’re going to do all we can to make schools safer.”

NOT REMEDIAL TRAINING

One of the brushbacks Eckler has received is the connotation that the new SRO training covers subject matter current SROs have taken at one time or another.

“It’s sad, but we indeed have some SROs who are a little aggravated because they’re thinking of it in terms of going back and starting all over,” he said. “This isn’t starting all over. This is adding to the training that they’ve already had. We’re just taking it up a notch to the next level.”

“(Commissioner Payne) took this information to Frankfort, they came back with Senate Bill 1, and said SROs would have to go through Level I, Level II and Level III,” Eckler continued. “They put DOCJT in charge of the training, the officers will go there to receive their training, and they will receive one training per year.”

Those going through the different levels of SRO training will also satisfy the 40 hours of KLEC-approved

training, so, over three years, SROs will receive 120 hours of training and come out as a certified SRO.

Eckler said much of the hesitation comes with the phrases Level I, Level II and Level III.

“We just called it Level I, Level II and Level III for the lack of another thing to call it,” he said. “It got tagged with that, and we didn’t think anything about it.”

Using the analogy of Academy of Police Supervision as an example, Eckler said officers are already SROs before coming to class. However, the training they receive will make them that much better.

“It’s kind of like our sergeant’s academy,” Eckler explained. “They were sergeants when they came in, but they are a more qualified sergeant when they come out. The same is true with SROs. They were SROs when they came in, but more qualified when they finish because of the training.”

The classes must be taken in order, and officers can only take one SRO class per year because of the demand.

Remaining Level I SRO training dates for 2019:

- Oct. 14-18
- Oct. 25-Nov. 1
- Nov. 18-22

There will be 10 Level I classes taught in 2020, along with seven Level II classes at dates to be determined. 🇺🇸

A portion of the new SRO curriculum focuses on defensive tactics, DOCJT instructor Bill Eckler said. Officers are taught they must deal with juveniles differently than adults. To that end, they are shown different pressure points and handcuffing techniques.

A COMPREHENSIVE APPROACH

NEW LEGISLATION HOPES TO HARDEN SCHOOLS, INCREASE SAFETY

Columbine, Sandy Hook and Marjory Stoneman Douglas, and in Kentucky, Heath and Marshall. Those school names have become synonymous with fear, tragedy and the senseless deaths of innocents at the hands of active shooters on school grounds where they believed they were safe.

Since April 20, 1999, when 13 people were shot and killed during the Columbine High School massacre, the rate of school shootings seems to have been on the rise. Or, at bare minimum, more incidents are making the news. Now it seems, more than ever, parents are afraid to send children to institutions whose sole purpose is to educate and protect them, while teachers are fearful not only for themselves but also for the young ones looking to them for safety and learning.

Following the Jan. 23, 2018, Marshall County High School shooting, legislators, educators and law enforcement leaders began fiercely working on the School Safety and Resiliency Act (Senate Bill 1 or SB1), which was introduced into the Senate on Jan. 9, 2019, and, through diligence by those involved, signed into law on March 3.

WHAT'S IN THE BILL?

"Much of the legislation includes things that were already in place but weren't very visible," according to Department of Criminal Justice Training (DOCJT) Assistant General Counsel Deaidra Douglas. "(This) bill pulled everything together and brought all the components that had evolved over several decades into one very clear limelight."

The act established the Office of the State School Security Marshal at DOCJT, as well as developed and implemented a school safety coordinator-training program. It also required the creation of a 66-point school-security risk assessment tool and increased school security requirements. Active-shooter training was mandated for staff and directed all schools to adopt a trauma-informed approach to education, among other mental health components. Additionally, the Kentucky Department of Homeland Security was tasked with developing an anonymous threat-reporting tool that became available in July and implemented by the Kentucky Center for School Safety (KCSS).

A one-hour training on responding to active-shooter situations is now required for all school staff

whose duties require contact with students. The training has been provided via video produced by the DOCJT Communication staff.

"What you're talking about here is securing the future of the commonwealth," said DOCJT Commissioner Alex Payne, who was highly instrumental in SB1. "That's what our children are. That's the most important thing in our lives—our kids. If we can't take care of them, what good are we? This (bill) is a comprehensive step in that direction."

Moreover, the act mandated the hiring of school resource officers, changed the definition and rules surrounding the position (see Legal story on page 13) and introduced revitalized, specialized SRO training (see Training story on page 6). Payne added that mandating each school have an SRO was common sense.

"You look at banks. You look at any large corporation or airport. Anywhere you are serious about security, you are going to have uniformed officers," said Payne. "They are armed and in place. That has always served as a deterrent. Even out in the day-to-day world, you don't have establishments getting robbed where uniformed policeman show up frequently.

"If, God forbid, something happens (at a school) some violent-type crime or active shooter, who are they going to call?" Payne asked. "It's going to be uniformed police officers who are going to be coming there. So why not have one there ahead of time?"

More than just an armed guard, new SRO training will prepare officers to blend in and be productive to the school environment, establish relationships with students and faculty, be a liaison between the institution and local law enforcement and be a good role model for kids who will see them every day, Payne further explained.

COMPLIANCE

Taking the helm as the new State School Security Marshal is Madison County resident Ben Wilcox. A former law enforcement officer, SRO and DOCJT instructor, Wilcox also adds father of two and husband of a school counselor to his long list of qualifications for the job (see Wilcox story on page 14).

Choosing Wilcox for the job came easy, according to Payne, who cited not only the man's personality, background, education and passion, but also his morals as making him an obvious choice for the position.

The office Wilcox leads will be comprised of two supervisors and 12 compliance officers. Divided among regions, they will travel the state and review each Kentucky public school annually to ensure compliance with the law based on the risk assessment tool, in collaboration with KCSS and the Kentucky Department of Education. The tool will assist in identifying vulnerabilities in the school's safety measures and mechanisms for improvement.

Presentations on the assessment have been given across the state, and the 66-point assessment tool has been provided to schools. This will allow them to assess their facilities and procedures before the first visit from a compliance officer.

However, officials say the visit shouldn't be one to fear.

"Your compliance officers are going to be local," explained Wilcox to educators during a summer Kentucky School Board Association meeting. "They will know the schools they are assessing. You're not going to have a blank face coming to see your schools from Richmond every year. You're going to have a connection to those compliance officers. If you have questions, you can call them up, and they can come to you."

"We aren't here to wield a hammer," Commissioner Payne added. "We are here to work with people, but we will have to make a fair and impartial assessment."

WHAT'S REQUIRED?

Schools will be given a grace period at the start. During the compliance officer's first visit in 2020, they will get to know the school and review the assessment with staff. However, the initial information gathered will not be counted in a report to allow necessary changes to be made. The next time compliance officers visit during the 2020/2021 school year, it will be unannounced, an official assessment will occur and a report filed.

Written directly from the School Safety and Resiliency Act, the school-risk assessment tool requires several specific measures to maximize safety in educational facilities.

Measures include hardening of the schools by requiring electronic-locking front doors, surveillance,



Department of Criminal Justice Training Commissioner **ALEX PAYNE** says the School Safety and Resiliency Act is an important first step toward protecting Kentucky schools.

If schools are struggling to reach compliance level, based on the school-security risk assessment tool, the Kentucky Center for School Safety will step in and provide training and resources, according to executive director **JON AKERS**.



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DANIEL JEDZURA / 123RF.COM

locked classroom doors during instructional time, classroom-window coverings, a threat-assessment team per school, emergency-operation plans for various scenarios including fire, severe weather, earthquakes or building lockdowns; and evacuation routes. The assessment will include questions regarding the school's relationship with local first responders and their familiarity with the building's layout or the school's emergency procedures.

"One thing that's going to be great about (the assessment) is that we can spotlight the good things going on in schools and share that with others," Wilcox said. "So if a certain county is looking for a way to do something new and another county is already doing that, then we have set up connection points. They can use each other as resources in what's working across the state."

The State Security Marshal's Office will combine assessments into an annual report and present the findings to the KCSS board, newly restructured to include viewpoints from law enforcement, educators and mental health professionals.

If a school is having difficulty, KCSS will step in and provide training and resources to help bring them up to compliance level, according to the Center's Executive Director Jon Akers.

"Schools have been extremely receptive," said Akers. "We have generated a whole lot of conversation ... That's what we want to do. We want this to be on their front burner and for them to be asking questions and seeking advice."

Working together, Akers and Wilcox have been providing answers to parents, educators and law enforcement about the legislation and the process it mandates.

MAKING IT WORK

Beginning July 21, 2021, school districts will be required to employ one school counselor for every 250 students, as well as a school resource officer per facility. Both positions are to be filled as funds and personnel become available.

“

WE WANT TO BE AS HOLISTICALLY PREPARED AS POSSIBLE FOR ANYTHING AND EVERYTHING THAT COULD HAPPEN FROM 8 A.M. TO 3 P.M. IN A SCHOOL DAY.

— JON AKERS, EXECUTIVE DIRECTOR
KENTUCKY CENTER FOR SCHOOL SAFETY



"Requiring guidance counselors is a huge step," noted Payne. "That's going to be key in reestablishing relationships between the student body and faculty so important information can flow freely... to protect your school."

Citing the mental health component, Akers added that SB1 isn't just about school shooters but rather a complete approach to school safety.

"We are looking at the hardware and the heartware ... We are looking at what makes these kids tick," explained Akers. "We are asking counselors to spend more time with kids, talking to school districts about reducing the student/counselor ratio, asking SROs to get ramped up in mental health issues and adverse childhood experience ... We want to be as holistically prepared as possible for anything and everything that could happen from 8 a.m. to 3 p.m. in a school day."

To aid schools in funding the initiative, SB1 gives schools the ability to establish 501c3s and accept philanthropic donations earmarked toward physical security needs, SRO and mental health professional salaries, etc. Schools will have the ability to determine if a donation fits the school's needs.

IT MATTERS

While there is no denying there are a lot of moving parts and requirements that make up SB1, Payne cites it as a significant first step in attempting to prevent another Marshall or another Heath High School shooting.

"It's a horrible thing to see kids dead in a school. And if we can't address that as a commonwealth, if we can't address that as a community or as individuals, then there's no help for us," said Payne. "It's significant in that, hopefully, here in Kentucky, we have

said enough is enough. We still need to do some other things and try some different things. I hope and pray we never have to experience something like this again. You can also say nothing is ever 100-percent for sure. Is it a whole lot better than what we have been doing? Absolutely. (The School Safety and Resiliency Act) is a living breathing thing. We will continue to improve it. But this is a comprehensive starting point." 🌩️

OLESHA BILKEI / 123RF.COM

LET'S GET LEGAL

Breaking Down What SB1 Says About SROs

By Critley King-Smith

Since it was signed into law on March 11, 2019, the School Safety and Resiliency Act (SB1) has spurred questions from school systems and police agencies regarding their part to play in Kentucky's new initiative in keeping kids safe.

One specific topic emerging is school resource officers, as the bill reads that "local boards of education, school district superintendents, and local and state law enforcement agencies shall cooperate to assign one or more certified (SROs) to each school within a school district as funds and qualified personnel become available." This leaves many asking, who can be an SRO? What is the definition of the job? And who will pay them?

FIRST THINGS FIRST

SB1, as well as Kentucky Revised Statute 158.441, defines an SRO as "a sworn law enforcement officer who has specialized training to work with youth at a school site." Officers hired as SROs must fall into either one of two categories: either they are police officers employed by a law enforcement agency or a special law enforcement officer (SLEO), who must be commissioned by the secretary of the Justice and Public Safety Cabinet or their designee, under KRS 61.902, and then employed by the school district directly.

As commissioned officers, SLEO's peace officer powers are a direct grant of authority to them and them alone. However, they are officers of limited jurisdiction whose powers are tied to the public property they protect and do not exist outside those parameters, explained Deidra Douglas, Department of Criminal Justice Training Assistant General Counsel. Conversely, peace officer powers for law enforcement agency-hired officers derive from their employing department, just as is the case for any other officer within the same agency.

Based on the bill, law enforcement agencies are under no unilateral obligation to provide an SRO; rather, the agencies, school district superintendents, and local and state law enforcement agencies are required to "cooperate to assign one (1) or more certified school resource officers to each school within a school district as funds and qualified personnel become available."

Regardless of their method of hire, according to law, all SROs must be Peace Officer Professional Standards (POPS) certified and obtain 40 hours mandatory, specialized training each year, said Douglas.

DOCJT recently expanded and enhanced SRO training and now offers three course levels. New topics include working with special-needs students, mental health

awareness and trauma-informed action (See Handle With Care story on page 16.)

THE TIES THAT BIND

When a law enforcement officer is hired to be an SRO, a contract or memorandum of understanding (MOU) must be in place between their employing agency and the school district.

"The contract should define your operational limits, boundaries and terms of service, the way any contract would," said Douglas. "Specifically, SB1 requires that the MOU 'specifically states the purpose of the school resource officer program and clearly defines the roles and expectations of each party involved in the program. The memorandum shall provide that the school resource officer shall not be responsible for school discipline matters that are the responsibility of school administrators or school employees.'"

But who pays? A standard structure allowing the schools to reimburse law enforcement agencies is often seen.

"A law enforcement agency may not be able to afford to dedicate one officer just to a school without extra funding coming in, but a school may have a grant or other funding source that allows them to support an SRO," said Douglas. "They can reimburse a local police department as long as a MOU is in place, and they are compliant with all of their grant restrictions."

Additionally, both agency-hired law enforcement officers and SLEOs are eligible for the Kentucky Law Enforcement Foundation Program Fund (KLEFPF) (an annual \$4,000 annual salary supplement). However, all SB1 required MOU's and other KLEFPF audit materials must be submitted to the KLEFPF compliance office whether the hiring agency is a school district or a law enforcement agency.

"It's easy to get stuck in the weeds with any new legislation and not see the big picture," said Douglas. "The big picture here is that we all want to protect our kids and provide a safe and welcoming environment for our students."

Douglas then explained that the legislation's goal is to not only have officers who have been trained in protecting kids when a shooter walks in the door, but also in dealing with them on an everyday basis, in being a mentor and in being a good role model. 🌩️



"It's easy to get stuck in the weeds with new legislation and not see the big picture," said **DEIDRA DOUGLAS**, Department of Criminal Justice Training Assistant General Counsel. "The big picture here is that we all want to protect our kids." (Photo by Jim Robertson)



A DEFINING ROLE

MEET KENTUCKY'S FIRST SCHOOL SECURITY MARSHAL

When an employee first begins a new job, they are often told they have big shoes to fill by coworkers fondly remembering those who came before. However, that hasn't been the case for new State School Security Marshal Ben Wilcox (pictured at left). Instead, he has been tasked not with filling shoes but with creating the mold for those who follow.

The State School Security Marshal Office was established with the passage of the School Security and Resiliency Act. According to Wilcox, the office is responsible for developing a school-security risk assessment tool and working directly with compliance officers who will assess the safety of Kentucky public schools.

And while that seems like an undertaking, Wilcox isn't coming into the role without skin in the game. At the start of his law enforcement career, Wilcox spent six years serving as a school resource officer for Montgomery County Sheriff's Office. Taking the job in 1999, Wilcox embraced the role in an era of rampant fear following the tragic massacre at Columbine High School.

"(Being an SRO at that time) was a monumental task in many ways," said Wilcox. "We didn't have any roadmaps to follow of what police officers were supposed to do in schools... Everyone knew it was essential to have police officers in (there), but we didn't know how it was going to play out."

As an SRO, Wilcox worked with five different schools, including three elementary schools, one high school and a middle school. Each had staff supportive of the officer's presence.

"It turned out to be a great relationship between law enforcement and the schools, because we were utilized in so many ways. We learned from them, and they learned from us," he said. "Law enforcement and education are all on the same track, protecting and educating youth ... We all are heading in the right direction. We all have the same goals, but we speak different languages."

Now, having a foot in both worlds, Wilcox feels he can understand both perspectives fluently.

After developing his love of teaching while serving in schools, Wilcox joined the Kentucky Department of Criminal Justice Training as a driving instructor in 2004. He later spent time in the Firearms and Coordination sections and as the supervisor of Instructional Design before being offered his newest title.

In addition to his professional background, Wilcox's wife Angie's profession as an educator and school counselor has given him unique insight into the needs of schoolchildren. Wilcox is also the father of two young daughters, Alexandria and Addison, ages 12 and 9.

"Having children in the school system, I'm looking at (safety) from a law enforcement perspective, but also as a dad," said Wilcox. "I don't want to let any parent down. Anyone in this position, I would want them to feel the same way I do when I send my kids, and my wife, to school. Folks in the state of Kentucky have the same love for their family that I do for mine. My job is immense to make sure we don't break that trust." 🇺🇸

Written By
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JIM ROBERTSON

KID GLOVES



PROGRAM EMPHASIZES NEEDS OF CHILDREN DURING TRAUMATIC EVENTS

A new program designed to help school-aged children exposed to trauma is being introduced to Kentucky's law enforcement and school districts this fall. The program is known as Handle With Care (HWC).

HWC is a West Virginia Center for Children's Justice (WVCCJ) program that has law enforcement and school systems teaming up.

According to the WVCCJ website, the model is simple.

"If a law enforcement officer encounters a child during a call, that child's name and three words, Handle With Care, are forwarded to the school/child-care agency before the school bell rings the next day," the website reads. "The school implements individual, class and whole school trauma-sensitive curricula so that traumatized children are 'Handled With Care.' If a child needs more intervention, on-site trauma-focused mental healthcare is available at the school."

The Kentucky State Police is in the process of developing a HWC partnership with school systems in Madison County, said KSP Lt. Col. Jeremy Slinker.

"I attended a presentation on Handle With Care in Atlanta a few years ago," Slinker said. "I strongly believe the program would be an additional way to improve our communities while caring for our most vulnerable and important members – our youth."

HISTORY

West Virginia launched the nation's first HWC program in 2013, because officials saw the need that the opioid crisis, poverty, neonatal abstinence syndrome and transience was having on students.

Since its inception, several states have adopted the program, with Kentucky becoming the latest.

Andrea Darr, director of the West Virginia Center for Children's Justice, the agency that oversees the program, said many others share her state's problems, including Kentucky.

"We have many of the same problems," Darr said. "These are the reasons we had to do something to help the children of our state. Toxic environments, poverty, racism ... all of this has a tremendous effect on these children."

When police are called to a home, children, specifically those who are school-aged, end up suffering, often

in silence. If it goes unnoticed, it could lead to behavioral issues for teachers and school administrators. Additionally, it could become a law enforcement matter as some students could begin making poor life choices that cause potential legal problems.

"Research tells us that trauma is going to hurt their ability to learn and build relationships," Darr said. "If an incident such as domestic violence takes place at home, the odds are the next day, the child comes to school, and they don't have their homework, they're acting out, or maybe they are hungry, but they're not learning. A high percentage of the time, if the teacher isn't properly trained. They are in the child's face asking, 'What is wrong with you?' So it stacks more trauma on top of the existing trauma."

HOW IT WORKS

Handle With Care has three components:

- Notification
- Trauma-informed school training for teachers and school staff and
- On-site school therapy provided by local mental health providers.

In terms of the notification, a law enforcement agency's jobs is to notify the school system when officers encounter a potentially traumatic incident when children are present.

Law enforcement agencies and school systems should communicate and work together to determine the best method of notification. Once that is established, all the law enforcement agency has to do is collect names, ages and school the student attends, and pass that information on to the school system liaison.

No additional information, such as incident details, is given, Darr stressed.

The key to HWC's success is a symbiotic relationship between law enforcement and schools.

"The program is about helping that kid succeed, and assisting teachers in helping that kid to succeed," Darr explained. "But we cannot do it without law enforcement."

Once the school systems receive the notification, the process is clear, said Jon Duffy, director of counseling and testing at Kanawha County (W.Va.) Schools.

"Before the next school day, school principals receive a notification advising that the students involved should be 'handled with care,'" he said. "An email is sent to the principal and counselors. We provide phone numbers and email addresses to every one of our principals and counselors at all of our 64 schools. We get a copy at the central office and our superintendent emails the principal as a follow up to see how it was acted upon."

From there, teachers know to keep a subtle eye on the student, Duffy added.

"(The teacher) will take note, and if (the student) is falling asleep or looks really tired, they might ask if the student is OK," he continued. "We need to figure out if they need breakfast or if they may need a nap because they didn't get enough sleep. It's a discreet finger on the pulse."

The key from the school system standpoint is for the teacher to be a silent observer, of sorts, Darr added.

"It doesn't mean you approach the child," she emphasized. "A lot of kids have been doing this so long that you'll never see anything different from them. (The teacher is) there to be proactive instead of reactive. It is much easier to prevent a meltdown than to clean it all up."

KENTUCKY'S PLAN

While HWC isn't mandatory, State School Security Marshal Ben Wilcox urges law enforcement agencies and school systems to get on board.

"We're just trying to get as much information out to the schools on how the program works," Wilcox said. "It is a simplistic approach to solve a complex problem. The information we are utilizing comes directly from the West Virginia model."

Additionally, Slinker said everything boils down to helping out and understanding the needs of the children.

"I think it's important and something that law enforcement needs to implement into training," he offered. "(Law enforcement) should recognize that our presence on some incidents can be traumatic for a child, and utilize our training and the Handle With Care program to minimize it."

The HWC program is a win-win for everyone, Wilcox said.

"The program will benefit everyone that is involved with the safety, security, protection and education of our children," Wilcox explained. "If the people who are tasked with taking care of our most valuable resources are given up-to-date information that will assist them in protecting a child, then everyone is benefited in the long run." 🇺🇸



To learn more about Handle With Care, scan this QR code with your smart device or visit handlewithcarewv.org



(OPPOSITE) **ANDREA DARR**, director of the West Virginia Center for Children's Justice, started the Handle With Care program in response to the opioid crisis, poverty, neonatal abstinence syndrome and transience issues involving children in her state. HWC has spread to several states, including Kentucky.

(LEFT) **JON DUFFY**, director of counseling and testing at Kanawha County (W.Va.) Schools said the school system works seamlessly with law enforcement in implementing the program at the local level.



BOONE COUNTY SHERIFF'S OFFICE

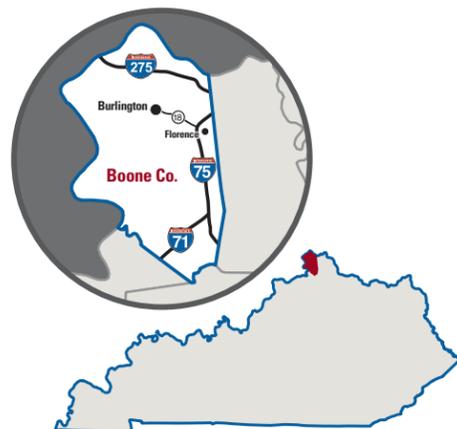
WELL-ROUNDED CUSTOMER SERVICE

The Boone County Sheriff's Office (BCSO) is one of the largest in the state, employing more than 160 full-time deputies and another 15 civilian employees. Covering 256-square miles of northern Kentucky, the county is growing, in population and commerce, at a rapid rate.

Sheriff Mike Helmig has led the department since he was first elected in May 1997. However, he has been working for Boone County as a sheriff's deputy since January 1982, he said. Just a few years shy of four decades later, Helmig is proud of the service his department offers to its customers.

"This is a full-service sheriff's office," Helmig added. "We have all the normal duties of collecting taxes, serving papers, transporting prisoners and court security. But we also have about 160 deputies in the patrol division, criminal investigation division, electronic crimes, training division, bike patrol, horse patrol, SWAT and hostage negotiations."

(ABOVE) Boone County Sheriff Mike Helmig leads a team of approximately 175 civilian and sworn employees in the northern Kentucky community. Boone County encompasses several incorporated and unincorporated cities, like Florence (the largest city in the county) and Burlington (the county seat where the sheriff's office is located).



Written By
KELLY FOREMAN

Photography By
JIM ROBERTSON

The list of divisions and specialties goes on, and also includes the office's largest division – school resource officers.

In 1998, a part-time BCSO deputy wrote a cops in schools grant, Helmig said. After the Columbine High School shooting in 1999, the grant was approved, and by the following year, BCSO had a deputy in every middle and high school.

"After the (2018) shooting at Marjory Stoneman Douglas High School in Florida is when we went to having officers in all the elementary schools," explained BCSO Major Mike Hall, who leads the Administrative Division responsible for SROs. "The sheriff saw the vision, and the parents were screaming for it."

Hall credits a team partnership between the sheriff's office and the local school district for the smooth operation of assigning officers into 27 schools.

"Everybody puts the kids first, and when that happens, it all works," he said.

The culture of officers serving as SROs also is changing in Boone County, much as it is elsewhere in the commonwealth. In some communities, the SRO was often a retired officer or someone who wasn't very active on patrol, so they found a comfy gig in the school. Those days are quickly fleeting as more demands are placed on officers charged with protecting children from those who would wish them harm.

Helmig said when Boone County's program first began, it too employed older, retired cops.

"People are vying for these positions now," Hall added. "They are submitting applications, and they are selected. We have turned down some that we thought maybe their personality wouldn't fit very comfortably. It has evolved to where the high school and middle schools all have young officers now. But we caution on that; we don't take them too young right off the street. They have to be seasoned and have the right temperament for this."

BCSO Public Information Officer Tom Scheben praised the work the officers are doing, saying they make his job more manageable.

"I can tell you as the PIO, when there are issues at a school, I have all the answers in front of me. It's because of Major Hall's leadership and what he expects out of them," Scheben said. "He will call and give me a heads up and say, 'So, we're having this issue at this school, it's BS, but we know it's BS because we fully investigated it, and here it is.' ... If I have to do something through the media or get phone calls from the public, it's handled. And you know, that's refreshing."

"The tentacles of the SRO program have solved many, many cases in the community," Helmig added. "Burglaries, drug cases, thefts and all that, just because of an SRO's contact with the students. We'll have a



(TOP) Sheriff **MIKE HELMIG** joined the Boone County Sheriff's Office as a deputy in January 1982. He first took office as sheriff in May 1997. Helmig says he likes to lead the organization from the bottom up.



(MIDDLE) The old Boone County courthouse, built in 1889, has been renovated in recent years and stands on the corner of Washington and Jefferson streets in Burlington.



(BELOW) Boone County Sheriff's Sgt. **NATE BECKER** patrols the community. BCSO is responsible for about 16 communities, including three incorporated cities and several unincorporated and census-designated communities.



(TOP) BCSO Lt. **PHILIP RIDGELL** sits in the Criminal Investigations Division's children's room, designed for more comfortable interactions with the sheriff's office's youngest clients. Equipped with comfortable furniture and space to draw, the room is an asset for children experiencing trauma.



(RIGHT) **TOM SCHEBEN** serves as public information officer for the Boone County Sheriff's Office. Scheben has served BCSO for 19 years - 15 of those as PIO. Scheben also works diligently to communicate with citizens through the agency's social media platforms.

video or still photos of some young people committing crime – we just had it a couple weeks ago – immediately put it out to SROs, and we got the identity and their background.”

Lt. Philip Ridgell, who works with Scheben to communicate with the public through BCSO's social media platforms, said he has seen a lot of positive feedback from the community through their engagement involving SROs. An experience early in his career reinforced Ridgell's opinion about the value of SROs.

Once while visiting a school, Ridgell ran into a young man who was well known to law enforcement for “not the right reasons.”

“We dealt with him continually,” Ridgell explained. “Fights, domestics, you name it, he was involved in it.”

Ridgell was in the school, and the SRO assigned to the school was not in his office at that time. The student stopped by the office looking for the SRO.

“He said, ‘Hey, is the SRO available?’” Ridgell recalled. “I said, ‘No, he’s out, but he’ll probably be back by the time your next period comes up.’ He said, ‘OK, I just got some stuff going on, and I just really need to talk to him.’ It dawned on me at that point and has stuck with me for a long time about how vital these SROs are.”

Ridgell is one of two lieutenants responsible for the office's second-largest division – Criminal Investigations. About 25 detectives are assigned to the team, which is divided into multiple specialty areas.

Personal crimes, property crimes, financial crimes, electronic crimes and arson are all assigned to detectives whose attention is focused on those individual types of cases. The agency employs a crime scene unit charged with processing all the agency's crime scenes. Detectives are assigned to multiple task forces, including the FBI, DEA, IRS and more.

The opportunity for detectives to become specialized in a particular type of investigations greatly benefits the department and its customers.

“In this day and age and the age of technology, our personal crimes detectives stay very busy,” he said. “That is why it's so important for us to specialize in that field. Those types of cases take a certain demeanor, whereas they also take a certain type of work ethic, both of which are vitally important. When we look at personal crimes, it is two faceted. They are horrendous crimes always, but our job isn't to be so much advocates for the victim. We will always stand behind the victim. But it's also to find the truth, that's the most important thing. So having specialization empowers our people to do right by not only the victim but also any alleged suspects. There is so much weight that is carried with one of those types of charges; you want to make sure you have it right.”

Sheriff Helmig said the unending drug epidemic also demands much of the department's resources. Recently, Boone County deputies and detectives have dealt mostly with heroin and crystal meth, but BCSO is seeing a cocaine comeback. THC-laced vape pens also are becoming a problem, particularly in schools.

“Just about everything we deal with has to do with addiction – alcohol, illegal drugs, gambling or pornography – just about everything has some type of blowback to some kind of addiction,” he said.

An innovative way PIO Scheben indicated the office is working toward combatting drugs and related crime is through deputies assigned to a crime suppression unit (CSU). Scheben described the deputies as a “small band of Robin Hood types” who work in the patrol division following whatever crime trend arises daily.

“If we have an area that is experiencing car break-ins, they go out and handle it,” he said. “They are

heavy into [combatting] local drugs. The experience a regular patrol officer gets through his stint in the CSU is amazing. How many patrol officers would you say haven't written a search warrant? But almost everybody in CSU can write a search warrant in their sleep. They understand the probable cause and the language that needs to go in there and everything else for that judge to look at it and grant it, and how timely you have to be in getting back and serving it. The returns – I love that program. They are turning results consistently.”

Whether it's the CSU, the training division, SROs or tax administration, Helmig said what sets Boone County apart is the team environment. Even as the agency and community continue to grow rapidly, Helmig seeks buy-in from all staff members, which is visible in their framed signatures on the wall of his office.

“I try not to drive this from the top down,” Helmig said. “We try to drive it from the bottom up.”

Helmig accomplishes this through providing training and education and helping all staff members “build their brick road” toward their career path. Additionally, the sheriff offers his deputies freedom in establishing their schedules. For example, Helmig dictates the number of deputies needed per shift, he said. From there, based on seniority, the deputies have

the freedom to pick which shift they want to work. Because of that, instead of paying a shift differential, BCSO pays a weekend differential to deputies who don't get to take weekends off.

The response to this team and family-first environment has been very positive.

“I'm just a head coach of a team,” Helmig said. “I'm in the people development business. When one knows where they want to go, I enjoy helping them get there.”



(LEFT) Boone County Sheriff's Major **MIKE HALL** leads the Administrative Division for the office. He is responsible for the school resource officer program, which is BCSO's largest division, with deputies assigned to 27 schools.

(BELOW) Boone County Sheriff's Sgt. **NATE BECKER** talks with a citizen outside the old courthouse. BCSO takes great pride in its service to its citizens, Sheriff Mike Helmig said.





2018-19 SUPREME COURT UPDATES

THE KENTUCKY DEPARTMENT OF CRIMINAL JUSTICE TRAINING PROVIDES THE FOLLOWING CASE SUMMARIES FOR INFORMATION PURPOSES ONLY. AS ALWAYS, PLEASE CONSULT YOUR AGENCY'S LEGAL COUNSEL FOR THE APPLICABILITY OF THESE CASES TO SPECIFIC SITUATIONS. PLEASE NOTE, THE LATEST CASES IN THIS SUMMARY HAVE NOT YET BEEN ASSIGNED OFFICIAL CITATIONS.

DUI

Mitchell v. Wisconsin, (2019) Decided June 27, 2019

ISSUE: Does a statute authorizing a blood draw from an unconscious motorist provide an exception to the Fourth Amendment warrant requirement?

HOLDING: Although the Court elected not to decide the case on the state (Wisconsin) implied consent statute specifically, it agreed that in virtually all circumstances, blood drawn on an unconscious DUI suspect will be justified under exigent circumstances.

EMPLOYMENT

Mount Lemmon Fire District v. Guido (2018) Decided Nov. 6, 2018

ISSUE: Does the Age Discrimination in Employer Act (ADEA) apply to government entities with fewer than 20 employees?

HOLDING: The Court ruled that the ADEA applies to all government employers, no matter the size.

FEDERAL LAW - FIREARMS

Rehaif v. U.S., U.S. (2019) Decided June 21, 2019

ISSUE: Must a subject know that it is illegal for them to possess a firearm as a criminal alien and that they are, in fact, a criminal alien?

HOLDING: The Court agreed that scienter (knowledge) is required for criminal prosecution under the

statute in question, concerning potentially criminal aliens temporarily possessing a firearm.

ACCA

U.S. v. Stitt / U.S. v. Sims (2018), Decided Dec. 10, 2018

ISSUE: Is burglary a violent crime under the Armed Career Criminal Act (ACCA)?

HOLDING: The Court agreed that under the law of most states (including Kentucky), generic "burglary" will qualify to enhance a penalty under the ACCA, as it would be considered a violent crime. ACCA cases occur when predicate (earlier) offenses under state law might be used to enhance a penalty for a current conviction under federal law.

Stokeling v. U.S., (2019) Decided Jan. 15, 2019

ISSUE: Is a robbery under the common law elements a predicate offense for the ACCA?

HOLDING: The Court agreed that under the law of most states (including Kentucky), generic "robbery" will qualify to enhance a penalty under the ACCA, as it would be considered a violent crime.

ASSET FORFEITURE

Timbs v. Indiana, (2019) Decided Feb. 20, 2019

ISSUE: Is the Eighth Amendment's Excessive Fines Clause applicable to states under the 14th Amendment's Due Process Clause?

HOLDING: The Court ruled that seizing a vehicle that is valued at far more than the highest possible fine in a criminal conviction is a violation of the Eighth Amendment's prohibition on excessive fines.

42 U.S.C. §1983 - FORCE

City of Escondido (CA) v. Emmons, (2018) Decided Jan. 7, 2019

ISSUE: Is an officer immune from suit if it is debatable whether the force used was excessive under clearly established law?

HOLDING: The Court agreed the specificity regarding the facts is critical in assessing a Fourth Amendment use of force claim. The Court ruled the trial court was far too general in deciding the officer did not qualify for immunity and remanded the case back for further, more specific, analysis of the particular facts in the case.

42 U.S.C. §1983 - ARREST

Nieves v. Bartlett, (2019) Decided May 28, 2019

ISSUE: Does probable cause defeat a First Amendment retaliatory-arrest claim under 42 U.S.C. §1983?

HOLDING: The Court ruled that a probable cause determination will almost always defeat a claim of a retaliatory arrest under the First Amendment. There are, however, minor exceptions to that rule which were not a factor in this case.

42 U.S.C. §1983 - MALICIOUS PROSECUTION

McDonough v. Smith, U.S. (2019) Decided June 20, 2019

ISSUE: When does the statute of limitations for a malicious prosecution claim under 42 U.S.C. §1983 accrue?

HOLDING: The statute of limitations for a case based on malicious prosecution begins to accrue when the underlying criminal case reaches a termination favorable to the defendant. At that point, in Kentucky, the defendant has one year to file the action.

DUAL SOVEREIGNTY

Gamble v. U.S., 2019 Decided June 17, 2019

ISSUE: May an individual be prosecuted for the same essential offense under both state and federal law?

HOLDING: The Court agreed that it is not a violation of the Double Jeopardy clause to prosecute an individual under both state and federal law.

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