

**APPROVED**  
**Kentucky Association of Chiefs of Police**  
**EXECUTIVE BOARD / GENERAL MEMBERSHIP MEETING**  
**Elizabethtown, Kentucky**  
**February 2nd, 2017**  
**10:30 a.m.**

**MINUTES**

1. Call to order, President Barnhill
2. Roll Call by Director Pendegraff, quorum present to conduct business. In attendance from the Executive Board were: Chief Brandon Barnhill, Chief Tracy Schiller, Chief Tony Lucas, Chief Art Ealum, Chief Guy Howie, Ex. Dir. Jim Pendergraft, Chief Rob Ratliff, Chief Deputy Joe Cline, Chief Wayne Turner, Chief Doug Nelson, Chief Victor Shifflett, Chief Frank Cates, Chief David Gregory, Chief Kelly Spratt, Director Josh Crain, Chief Andy Midkiff, SAIC Richard Ferretti, Chief Wayne Hall, Chief Howard Langston, Commissioner Mark Filburn, Commissioner Rick Sanders, Chief Mike Ward, and Chief Shawn Butler. Absent were: Chief Doug Hamilton, Chief Mike Daly, Chief Todd Kelley, Chief Mike Thomas, Chief Bill Crider, and Chief Allen Love.
3. Introduction of Guests;
  - Dr. Noelle Hunter, KOHS
  - Pat Crowley, Strategic Advisers
4. Pat Crowley and Chief Turner presented a report on the Legislative Session:

**BILLS SUPPORTING**

**Senate**

**SB 26 - Sen. John Schickel, R-Union**

*An Act related to operator's license testing*

Amend KRS 186.480 to require the Department of Kentucky State Police to make a driver's manual available in printed or electronic format that contains the information needed for an operator's license examination; require that the manual have a section regarding an applicant's conduct during interactions with law enforcement officers; require that the operator's license examination include the applicant's knowledge regarding conduct during interactions with law enforcement officers.

**SB 31 (Senate version of KLEFPF) - Sen. Danny Carroll, R-Paducah; Sen. Max Wise, R-Campbellsville**

*An Act relating to the law enforcement and firefighter's foundation programs and making an appropriation therefor.*

Amend various sections of KRS Chapter 15 and KRS 95A.250, relating to the Kentucky Law Enforcement Foundation Program Fund and the Firefighters Foundation Program fund, to increase the annual supplement payment to local governments for qualifying law enforcement officers and firefighters from \$3,000 to \$4,000 beginning July 1, 2018; provide a reimbursement to local governments to reimburse for required contributions to the employee pension system resulting from the supplement increase; provide partial compensation for local government administrative expenses; amend KRS 95A.262 to increase the annual allocation to volunteer fire departments from the Commission on Fire Protection Personnel Standards and Education from \$8,250 to \$11,000 beginning July 1, 2018; APPROPRIATION

**SB 32 - Sen. Danny Carroll, D-Paducah, Sen. Ralph Alvarado, R-Winchester, Sen. Max Wise, R-Campbellsville**

*An Act relating to the tracking of drug convictions*

Amend KRS 218A.202 to require the Administrative Office of the Courts to forward drug conviction data to the Cabinet for Health and Family Services for inclusion in the KASPER electronic monitoring system.

**SB 42 - Sen. John Schickel, R-Union**

*An Act relating to crimes and punishment*

Amend KRS 431.005 to permit a peace officer to make an arrest for a violation of KRS 508.030, assault in the 4th degree, when the violation occurs in a hospital and the officer has probable cause; amend KRS 431.015 to conform.

Sen. Schickel changed the bill after concerns raised by KACP; Wayne Turner has testified in support

**House**

**HB 14 - Rep. Kevin Bratcher, R-Louisville**, Rep. Robert Benvenuti III, R-Lexington, Rep. John Blanton, R-Salyersville, Rep. Regina Bunch, R-Williamsburg, Rep. John "Bam" Carney, R-Campbellsville, Rep. Jim DuPlessis, R-Elizabethtown, Rep. Joe Fischer, R-Fort Thomas, Rep. Chris Fugate, R-Chavies, Rep. David Hale, R-Wellington, Rep. Dennis Horlander, D-Louisville, Rep. Kenny Imes, R-Murray, Rep. Kim King, R-Harrodsburg, Rep. Stan Lee, R-Lexington, Rep. Suzanne Miles, R-Owensboro, Rep. C. Wesley Morgan, R-Richmond, Rep. Melinda Gibbons Prunty, R-Belton, Rep. Brandon Reed, R-Hodgenville, Rep. Bart Rowland, R-Tompkinsville, Rep. Walker Thomas, R-Hopkinsville, Rep. James Tipton, R-Taylorsville, Rep. Russell Webber, R-Shepherdsville.

*An Act relating to hate crimes*

Amend KRS 532.031, relating to an offense committed as a result of a hate crime to include offenses committed against an individual because of the individual's actual or perceived employment as a city, county, state or federal peace officer, member of an organized fire department, emergency medical services personnel; provide that "emergency medical services personnel" is defined as in KRS 311A.010; enumerate that members of an organized fire department or emergency medical services personnel includes volunteer members if the violation occurs while the volunteer is performing duties with an organized fire department or emergency medical services personnel.

**HB 23 - Rep. Kim King, R-Harrodsburg**

*An Act relating to pawnbrokers*

Requires pawnbrokers to record daily transaction information and also provide the information on an online service accessible by law enforcement agencies.

**HB 46 - Rep. Joe Fischer, R-Fort Thomas**, Rep. Regina Bunch, R-Williamsburg, Rep. Kim King, R-Harrodsburg, Rep. C Wesley Morgan, R-Richmond

*An Act relating to controlled substances*

Amend KRS 218A.1412 to make trafficking in any amount of fentanyl or carfentanil subject to elevated penalties.

**HB 52 - Rep. Russ Meyer, D-Nicholasville**, Rep. Dennis Keene, D-Wilder

*An Act relating to controlled substances*

Amend 218A.010 to provide definitions for "fentanyl" and "fentanyl derivative"; amend KRS 218A.020 to allow the Office of Drug Control Policy to request that the Cabinet for Health and Family Services schedule fentanyl analogues not approved for human use by the United States FDA; amend KRS 218A.050 to include fentanyl analogues not approved for human use by the FDA as a Schedule I controlled substance; amend KRS 218A.142 to create the offense of aggravated fentanyl trafficking; amend KRS 218A.1412 to increase the penalties for trafficking in fentanyl.

**HB60 (House version of KLEFPF)** - Rep. Mike Meredith, R-Brownsville, Rep. John Blanton, R-Salyersville, Rep. Ton Burch, D-Louisville, Rep. Chris Fugate, R-Chavies, Rep. David Hale, R-Wellington, Rep. C. Wesley Morgan, R-Richmond, Rep. Phillip Pratt, R-Georgetown, Rep. Brandon Reed, R-Hodgenville; Rep. Sal Santoro, R-Florence; Rep. James Tipton, R-Taylorsville.

*An Act relating to supplements paid to police officers, professional firefighters and qualified volunteer fire departments, declaring an emergency and making an appropriation therefor.* Amend KRS 15.460 to increase annual supplement to qualified police officers out of the Kentucky Law Enforcement Foundation Program fund from \$3,000 to \$4,000 ...

**HB 80 - Rep. Gerald Watkins, D-Paducah**, Rep. C. Wesley Morgan, R-Richmond.

*An Act relating to criminal attempted murder*

Amend KRS 439.3401 to make criminal attempt to commit murder of a peace officer or a firefighter an offense for which at least 85 percent of the sentence must be served before probation or parole.

**HB 93 - Rep. Diane St. Onge, R-Lakeside Park**

*An Act relating to service animals*

Amend KRS 525.200 to remove the requirements that a service animal be unable to return to work from the elements of the offense of first degree assault on a service animal, and add levels of injury and criminal intent to the elements.

**HB 135 - Rep. C Wesley Morgan, R-Richmond**

*An Act relating to animal torture*

Amend KRS 525.135 to redefine "torture" to include deliberate neglect or physical abuse that results in, the death of or serious physical injury to a dog or cat; provide for forfeiture of ownership of the dog or cat upon conviction or plea; prohibit future ownership of a dog or cat for five years for a first offense and life for a second or subsequent offense; require forfeited dogs and cats be offered to animal rescue organizations or given to county animal shelters.

**HR 12 - Rep. Dennis Keene, D-Wilder**

Encourage local governments to designate areas for the safe conduct of in-person internet-related transactions.

Motion to accept the Committees recommendation to support, Chief Butler, 2<sup>nd</sup> Chief Ward. Passed unanimously.

## **BILLS OPPOSING**

### **Senate**

**SB 22 - Rep. Reggie Thomas, D-Lexington**

*An Act relating to general principles of justification*

Opposed by Senate majority leadership

**SB 72 - Sen. Gerald Neal, D-Louisville;** Sen. Denise Harper Angel, D-Louisville

*An Act relating to expungement*

Opposed by Senate majority leadership.

**SB 76 - Sen. Perry Clark, D-Louisville**

*An act relating to the regulation of cannabis and making an appropriation therefor.*

### House

#### **HB 86 - Rep. Darryl Owens, D-Louisville**

*An act relating to expungement Summary: Amend KRS 431.073 to make additional offenses eligible for expungement; reduce filing fee for felony expungement from \$500 to \$200; amend KRS 431.076 to allow expungement of charges dismissed without prejudice; amend KRS 431.078 to require certain records to be expunged if the law specifies a period for enhancement and that period has expired; amend KRS 431.079 to limit requirement of certification to convictions which have not been pardoned.*

**HB 101 - Rep. Darryl Owens, D-Louisville;** Rep. Jim Wayne, D-Louisville; Rep. Tom Burch, D-Louisville; Rep. Joni Jenkins, D-Louisville; Rep. Reggie Meeks, D-Louisville; Rep. Attica Scott, D-Louisville.

*An Act relating to the regulation of firearms and ammunition by local governments.*

Opposing effort to give consolidated local governments "the power to regulate firearms by ordinance in order to reduce gun violence ... (including) the manufacture, sale, purchase, taxation, transfer, ownership, possession, carrying, storage and transportation of firearms, firearms components, ammunition and ammunition components". Appears only to apply to Jefferson County/Louisville. Unlikely to win support in GOP-controlled House.

Motion to accept the Committees recommendation to oppose, Chief Butler, 2<sup>nd</sup> Chief Cates. Passed unanimously.

### **BILLS NEUTRAL/STUDYING**

### Senate

**SB 7 - Sen. Albert Robinson,** R-London, Sen. Ralph Alvarado, R-Winchester, Sen. C. B. Embry Jr., R-Morgantown, Sen. Rick Girdler, R-Somerset, Sen. Paul Hornback, R-Shelbyville, Sen. D Parrett, D-Elizabethtown, Sen. John Schickel, R-Union; Sen. Dan Seum, R-Louisville, Sen. Damon Thayer, R-Georgetown, Sen. Mike Wilson, R-Bowling Green.

*An Act relating to firearms*

Amend KRS 527.020 to allow persons not otherwise prohibited by other laws to carry concealed weapons without a license, excluding certain prohibited locations; specify that businesses and health facilities may prohibit concealed weapons by posting notice, with exceptions for some vehicles; amend KRS 237.115 to conform; repeal KRS 403.754.

Basically, this bill allows anyone eligible to own a firearm to carry concealed in Kentucky without obtaining a license. Sen. Thayer has asked KACP for input, mainly on how other states have drafted and enacted legislation. But the bill does appear to have enough support to pass and has received two readings in the Senate during the General Assembly's first week. Research into how other states have handled the legislation is continuing.

#### **SB 16 - Sen. Jimmy Higdon, R-Lebanon**

*An Act relating to expungement*

Amend KRS 431.073 to allow discretionary expungement of Class D felonies, other than sex crimes, offenses against a victim who is a minor, or offense which would qualify a person as a violent offender; specify a 10-year waiting period.

Possibly the only piece of expungement legislation Senate leadership will hearing this session

### House

**HB 120 - Rep. Diane St. Onge, R-Lakeside Park,** Rep. Brian Linder, R-Dry Ridge, Rep. Regina Bunch, R-Williamsburg, Rep. John "Bam" Carney, R-Campbellsville, Rep. Tim Couch, R-Hyden, Rep. Joe Fischer, R-Fort Thomas, Rep. David Hale, R-Wellington, Rep. Mark Hart, R-Falmouth, Rep. Kenny Imes, R-Murray, Rep. Kim King, R-Harrodsburg, Rep. Stan Lee, R-Lexington, Rep. Mike Meredith, R-Brownsville, Rep. Suzanne Miles, R-Owensboro, Rep. C. Wesley Morgan, R-Richmond, Rep. Brandon Reed, Hodgenville, Rep. Bart Rowland, R-Tompkinsville, Rep. Sal Santoro, R-Florence, Rep. Addia Wuchner, R-Burlington.

*An Act relating to preserving the right of Kentuckians to own and use firearms.*

Create a new section of KRS Chapter 237 to state legislative findings and make declarations that all federal laws and regulations commandeering state or local law enforcement to enforce federal restrictions on firearms are valid and of no effect in Kentucky and that the General Assembly has the duty to enact all measures to prevent their enforcement; that the General Assembly has the duty to protect and defend the state and federal constitutions; and that proposed presidential actions relating to the acquisition, possession, and use of firearms and accessories are violative of presidential powers and citizens' rights under the federal constitution.

**HB 142 - Rep. Adam Koenig, R-Erlanger;** Rep. C. Wesley Morgan, R-Richmond

*An Act relating to surcharges on insurance policies*

Rep. Koenig says the bill is the legislature's attempt at "stabilizing" the KLEFPF fund by taking the authority of setting the insurance policy surcharge that funds KLEFPF from the Department of Insurance and giving it to the legislature.

No vote taken on Neutral Position

5. Approval of minutes of General Membership Meeting December 6th, 2016 – Motion to approve by Chief Guy Howie, 2<sup>nd</sup> Chief Doug Nelson, Motion Passed.
6. Presidents Report;
  - President Barnhill presented the Strategic Plan for 2016-2019, Motion to approve Chief Turner, 2<sup>nd</sup> Chief Hall, Motion Passed
7. Treasurers Report, Chief Ratliff,
  - Chief Ratliff presented information on the Audit Contract. Motion to accept the contract Chief Gregory, 2<sup>nd</sup> Chief Birdwhistle. Motion Passed.
  - Chief Ratliff presented a motion for a raise for Greg Dennison, Highway Safety. Motion to approve Chief Ward, 2<sup>nd</sup> Chief Birdwhistle. Motion Passed.
8. Regional Reports:
  - North, Chief Turner requested a \$500.00 donation for the Northern KY Police Chiefs Association Annual Awards Banquet, 2<sup>nd</sup> Chief Howie. Motion Approved.
  - North East, Chief Ratliff reported that Highway Safety representative gave a presentation at their last meeting.
  - South East, Chief Nelson, next meeting in May. Chief Nelson announced his retirement.
  - South Central, Chief Shifflet, Discussed issues with "Live P.D." due to DUI Video.
  - West, Chief Cates, next meeting 3/23/17.
  - East Central, Chief Gregory, Next Meeting in Frankfort on 2/3/17.
  - North West, Chief Spratt, next meeting 3/6/17.
  - East, No Report
9. Section Reports:
  - State Agencies, Director Crain, No Report
  - Railroad Police, Chief Midkiff, No Report
  - Federal Agencies, SAIC Ferretti, update on Violence Mitigation Efforts in Louisville.
  - University Police, Chief Hall, Last meeting was held on 12/9/16 in Barren River.
10. Section Reports:
  - Membership, Chief Lucas, Membership Drive is in full swing, cards will be mailed soon.
  - Legislative Report, Chief Turner, Report given at the beginning of the meeting.

- Publications & Technology, Chief Ward, If anyone needs their information updated please send him an email with the new information.
  - Professional Standards, Chief Crider/Chief Butler  
Leitchfield Police Department, Third 5 Year Certificate of Accreditation  
Motion to Approve Chief Cates, 2<sup>nd</sup> Chief Ward, Approved
  - Training and Education, Allen Love/Commissioner Filburn, Reported on Sexual Assault Law, and update on DOCJT.
  - Finance and Audit, Chief Ealum/Rob Ratliff, Net Profit for 2016 \$50,879.65, Overview of 2017 Budget.
  - 2017 Conference Report, Chief Barnhill, Conference will be held in Paducah on 7/23 to 7/27/17. Fund Raising is doing well and hope everyone can find someone in their area that would like to donate/participate. Agenda will be posted soon.
  - Special Olympics, Commissioner Sanders, No Report.
  - LEL Update, Discussed the Click IT or Ticket Campaign, Upcoming Grants, and Below 100 Training.
  - KLEC Report, Chief Cline, next meeting 2/8/17 at General Butler State Park.
  - KLC Report, Chief Turner, City night in Frankfort will be 2/8/17.
  - GECHS Report, No Report
11. Executive Director Report, James Pendergraff
    - Newsletter
    - Standard Testing
    - IACP Conference
    - Scholarships – Information packets mailed and posted on website
    - Residential Programs
    - Life Memberships, Chief Robert Dean (WKU) and Lt. Mike Clark (Indian Hill), Motion Chief Turner, 2<sup>nd</sup> Chief Ealum, Motion Passed.
  12. SACOP Report, Chief Hall, Next meeting 4/11/17 in Phoenix
  13. Old Business: None
  14. New Business: None
  15. Good of the Order: None
  16. Adjournment