

# PROTECTING COMMUNITIES FROM UNTRAINED CONSTABLES

**More than 500 untrained constables** carry guns and badges in Kentucky. They're not required to meet Peace Officer Professional Standards (POPS) but can perform traffic stops, issue fines, and even make arrests.

## **HOUSE BILL 239**

*Does not eliminate the constable position, but it removes peace officer powers of untrained constables newly elected after 2022.*

- **Grandfathers the peace officer powers of current constables and deputies for as long as they serve.**
- **Allows constables to apply to any Kentucky Law Enforcement Council-certified basic training course.**
- **Requires the Kentucky Department of Criminal Justice Training (DOCJT) to accept at least one qualified constable per class. DOCJT averages 30 officers per class with 9 to 10 classes a year.**
- **Allows certified constables to utilize emergency lights for as long as they maintain their certification.**
- **Would not take effect until January 1, 2023.**



## KENTUCKY CONSTABLES MAKING HEADLINES

**Oct 2021:** Constable Sentenced to Almost 12 Years in Case of Planting Drug Evidence

**Oct 2021:** Fayette County Deputy Constable Arrested on Sex Abuse Charges

**May 2021:** Kenton County Constable Indicted on Unlawful Imprisonment, Endangerment Charges

**Jan 2021:** Fayette County Constable, Two Deputies Charged After Using Police Lights on Vehicles

**Jan 2021:** Pulaski Constables Sued for Civil Rights Violations

**July 2020:** Former Constable Ordered to Pay Damages in Wrongful Death Lawsuit

**June 2020:** KY Constable Faces Calls to Resign over Facebook Posts Seen as Racist, Sexist, Crude

**March 2020:** KY Constable Charged with Shooting an FBI Agent Arresting Him in Corruption Case

**April 2019:** Harrison County Constable Charged with Rape and Producing Child Pornography

**Jan 2019:** Constable Arrested for Allegedly Stealing EMS Drugs

A REPORT BY THE KENTUCKY LAW ENFORCEMENT COUNCIL STATES CONSTABLES **"SHOULD BE EITHER ABOLISHED OR LIMITED IN LAW ENFORCEMENT FUNCTIONS."**<sup>1</sup>

**Sept 2018:** Constable Charged with Selling Drugs in Kentucky Sentenced to Decade in Prison

**July 2018:** Constable Charged with Violating EPO

**March 2018:** Family Describes Run-in with Pajama-Wearing Constable

**Dec 2017:** Kentucky Constable Charged with Helping Inmate Escape

**March 2017:** Constable Guilty of Reckless Homicide

**Jan 2017:** In Clark County, Constable Pleads Guilty to Drug Trafficking

**June 2016:** Woman Shot by Jefferson County Constable Settles Lawsuit

**May 2016:** Former Franklin County Constable Faces Kidnapping, Promoting Prostitution Charges

**April 2016:** Constable from Rockcastle County Arrested

# POLICE LINE - DO NOT CROSS

## Kentucky needs to move out of the 19th century.

The position of constable was established in Kentucky in 1850 with duties that included: **(a)** to stop, prevent, or bring under control any dog found chasing or molesting wild elk or deer at any time; **(b)** to sell property to satisfy a lien created by a taker-up of boats, rafts, platforms, or timber; **(c)** to serve a warrant to levy and seize upon the baggage and other personal property of a guest for unpaid services to the keeper of a hotel, inn, boarding house, or house of private entertainment; **(d)** to enforce a lien for the care of livestock; **(e)** to take up vagrants, kill mad dogs, kill and bury a distempered horse, ass, or mule, kill and bury cattle, and to alter a stud, jackass, or bull.

House Bill 239 does **not** remove the office of constable; it only removes peace officer powers for newly elected constables who have not received training. **Peace officer powers for constables are granted in statute, not in the Kentucky Constitution.**

## House Bill 239 is supported by...



## CURRENT LAW IN KENTUCKY

CONSTABLES CAN ENFORCE TRAFFIC AND CRIMINAL CODES **WITH BROAD ARREST POWERS**

VS

## CHANGES UNDER HOUSE BILL 239

CONSTABLES CAN ENFORCE TRAFFIC AND CRIMINAL CODES **ONLY WHEN THE CONSTABLE IS POPS-CERTIFIED**

- ✓ CONSTABLES ARE ELECTED IN EACH MAGISTERIAL DISTRICT
- ✓ CONSTABLES CAN DIRECT TRAFFIC
- ✓ CONSTABLES CAN SERVE SUMMONSES
- ✓ CONSTABLES CAN COLLECT FEES FOR SERVICES PROVIDED
- ✓ CONSTABLES CAN SERVE SUBPOENAS ISSUED BY THE PAROLE BOARD
- ✓ CONSTABLES CAN AID IN THE DESTROYING OF DISEASED ANIMALS & IMPOUND UNLICENSED DOGS

**NO OTHER CHANGE  
UNDER HB 239**