

# **INTERIM JOINT COMMITTEE ON VETERANS, MILITARY AFFAIRS, AND PUBLIC PROTECTION**

## **Minutes of the 3rd Meeting of the 2020 Interim**

**August 26, 2020**

### **Call to Order and Roll Call**

The 3rd meeting of the Interim Joint Committee on Veterans, Military Affairs, and Public Protection was held on Wednesday, August 26, 2020, at 10:00 AM, in Room 171 of the Capitol Annex. Representative Walker Thomas, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Representative Walker Thomas, Co-Chair; Senator C.B. Embry Jr., Co-Chair Designate; Senators Karen Berg, Denise Harper Angel, Jimmy Higdon, Stan Humphries, Dennis Parrett, Wil Schroder, Brandon Smith, Whitney Westerfield, and Mike Wilson; Representatives John Blanton, Myron Dossett, Jim DuPlessis, Chris Fugate, Al Gentry, Mark Hart, Samara Heavrin, Kathy Hinkle, Matthew Koch, Scott Lewis, C. Ed Massey, Patti Minter, Dean Schamore, Buddy Wheatley, and Lisa Willner.

Guests: Sergeant Major Jesse S. Withers; Shawn Butler, Executive Director, Kentucky Association of Chiefs of Police, Pat Crowley, Legislative Affairs, Kentucky Association of Chiefs of Police; Brian C. O'Neill, Legislative Director, Kentucky Professional Firefighters; Drew Chandler, President, Kentucky Emergency Management Association; Brigadier General Hal Lamberton, The Adjutant General, Kentucky Department of Military Affairs

LRC Staff: Jessica Zeh, Elizabeth Hardy, and Kirsten Parker

### **Approval of July 29, 2020 Minutes**

Representative Koch moved to approve the July meeting minutes. Senator Higdon seconded the motion. The minutes were approved.

### **Distinguished Veteran**

Command Sergeant Major Jesse S. Withers has been enlisted the Kentucky Army National Guard (KYANG) for over 30 years. In December 2019, he retired as a lieutenant and EMT from the Paris City Fire Department with 20 years of service. His current responsibilities with the KYANG include but are not limited to, maintaining the wellbeing of the enlisted soldiers of the Kentucky Army National Guard and the Kentucky Air

National Guard as well as communicating questions and needs the soldiers may have with Brigadier General Hal Lamberton.

He stated that his most memorable time in the KYANG was the time he spent in Afghanistan in 2008 and 2009 as the first sergeant of the headquarters company for the 201<sup>st</sup> engineer battalion located in Ashland, Kentucky. During the deployment his battalion worked with Afghan partners and demining contractors to clear Russian mine fields in several areas of Afghanistan.

Chairman Thomas awarded Command Sergeant Major Jesse S. Withers and Brigadier General Hal Lamberton with a Challenge coin.

### **Kentucky Association of Chiefs of Police**

Shawn Butler, Executive Director of Kentucky Association of Chiefs of Police stated that members of the department quickly acclimated to changes that the pandemic brought law enforcement. Many police departments in Kentucky are in need of reliable and accurate testing as officers have had questionable results or false positives, which can be harmful to smaller police departments.

Governor Beshear's administration issued more than \$23 million in federal funds to compensate local communities including police departments for payroll and overtime expenses, personal protective equipment (PPE), sanitizing, and telecommunicating supplies. At the beginning of the pandemic, Director Butler noted that a great deal of the PPE was not satisfactory and hopes that the state can better prepare for future outbreaks. Lastly, Executive Director Butler thanked distilleries and churches for donating hand sanitizer, water, and other items to first responders.

Representative Blanton commented that he knows several police departments that are composed of only 3-4 people and would not be able to function if even one police officer was out sick for 2 weeks so it's important for police departments to have adequate PPE.

In response to Senator Higdon's question, Director Butler stated that each department is different when it comes to how often officers are tested and how long turnover is to receive those test results. He went on to say that it generally seems departments are testing based on the level of exposure to COVID-19.

### **Kentucky National Firefighters**

Brian O'Neill, Legislative Director of Kentucky National Firefighters, stated he felt many fire departments were generally well prepared for the outbreak. All departments were already equipped with gear to help combat the pandemic because many double as Emergency Medical Technicians or Emergency Medical Services. Because of donations made by churches and distilleries, fire houses were disinfected more often. Their parent

organization, the International Association of Firefighters also pushed out training to help better educate firefighters during the pandemic.

A drawback firefighters have experienced is if one member tests positive, the whole crew then has to quarantine because of close quarters in the firehouse and firetruck. This puts a hindrance especially on smaller departments that have limited crews to fill in for those quarantined. Test availability and test turnover depends on location of the departments across the state. Mr. O'Neill stated there are concerns about supplies being low come fall.

Representative Wheatley commented he was grateful for the symbiotic relationship between the Fire Commission, the fire chiefs, the professional firefighters, and the volunteer firefighters during the pandemic.

In response to Senator Berg's question, Brian O'Neill stated that quarantine procedures related to exposure have changed throughout the pandemic and that is also depends on the municipality.

### **Kentucky Emergency Management Association**

Drew Chandler, President of the Kentucky Emergency Management Association (KEMA), noted that his comments were generalized and that each community's capabilities may differ. KEMA develops plans, trainings and exercises, and response to incidents to help protect communities on a local level. During the pandemic, emergency management still responded to flooding and severe weather, search and rescue missions, car accidents, and civil unrest.

Preparedness for emergencies is endless, as communities can never be prepared enough for dangerous situations. Local departments were as prepared as they could have been with the resources that were accessible. In regards to PPE, the gear was insufficient. Some communities had extra stock, while others did not.

Emergency responders depend on an adequate emergency declaration process. The state has received over \$1 billion in federal recovery programs since 2010. He also stated that there are 6 prefiled bills for the 2021 regular session to change emergency declarations, to limit power and require justifications. The prefiled bills intend to add checks and balances to a chief elected official's executive order.

Mr. Chandler noted several areas for improvement. A large number of local management programs depend on funding from the Federal Emergency Management Agency (FEMA) grant. While jurisdiction relies only on this grant, there will be little change in the readiness of communities during emergencies. He also anticipates turnover in emergency personnel which will cause communities to suffer. The Certified Kentucky Emergency Manager program will help standardize personnel. Sustaining critical resources

also needs improvement. Much of the equipment used by emergency management needs to be updated. A committed preparedness funding mechanism is needed to help readiness for future emergencies.

### **Kentucky Department of Military Affairs**

Brigadier General Hal Lamberton, stated that the Kentucky National Guard was deployed to Louisville, Kentucky on May 30, 2020 in response to civil unrest. They were able to respond with about 100 soldiers in six hours, and had close to 500 soldiers and airman on site within 48 hours. The National Guard Reaction Force (NGRF) brings an organized, disciplined, and well equipped force who are trained for that kind of response. He indicated that he cannot go into detail of the shooting incident that happened the first week of June in Louisville because there are several ongoing investigations.

Next, Brigadier General Lamberton said that the National Guard worked closely with Emergency Management, who are subordinate to the Adjutant General's office, during the pandemic. An Emergency Operation Center, Joint Operations Center, and a State Health Operation Center were set up in March in response to COVID-19. Combating the pandemic is a collaborative effort referred to as an Emergency Support Function. A few of the concerns the National Guard had during the pandemic included whether there was enough PPE, enough hospital beds for infected, and enough medical transportation in rural areas. He stated that there is enough PPE stored for 120 days, but there is a concern that if the number of COVID-19 cases rise again, that supply will run out. At one point, there were 900 guardsman who were involved in different aspects of the ongoing pandemic.

Representative Blanton commented that he has worked with the National Guard while being a trooper and noted they were always professional and dedicated to the people of Kentucky. He continued by saying it is unfortunate what happened in Louisville, but is confident there will be a thorough investigation.

The National Guard was involved with the June 2020 election, which had not been asked of them to do before. Kentucky was one of three states that have used the National Guard during an election. They operated in 44 of the 120 counties during this time. This was mainly due to health concerns, as elderly people often times work voting centers on Election Day.

Lastly, Brigadier General Lamberton commented that the National Guard has a Cyber Protection Teams (CPT). There are more formally trained for CPT than any other government body in the state. Several months ago a memorandum of understanding was signed between the National Guard, the Commonwealth Office of Technology (COT), and the Kentucky Office of Homeland Security. If there are problems that COT cannot address,

such as downtrace governments being susceptible to things like ransomware with no protection, CPT can assist with these problems.

In response to Representative Wheatley, Brigadier General Lamberton stated that a NGRF is required in all 54 states and territories by the National Guard Bureau. Each NGRF may differ because of demands from that particular state or territory.

Senator Higdon commented that he was proud that the Kentucky National Guard is equipped with the best air guards in the country with modern C130s and Blackhawk helicopters. He also stated that he would love to see the committee tour Boone Center.

Representative Hinkle commented that she was thankful for their service to their state and country. She also noted that it was also Women's Equality Day.

The meeting adjourned at 11:45 AM.