

## Kentucky Horse Park - Authority to Police

*As of June 2025*

### **Background:**

Equestrian event organizers using the facilities and grounds of the Kentucky Horse Park ("KHP" or "Park") are granted their license(s) by a governing body. The United States Equestrian Federation (USEF) serves as the primary National Governing Body (NGB) for equestrian sport and is responsible for selecting the teams who compete at international competitions, including the Olympic Games. This designation is provided by the United States Olympic Committee (USOC) as authorized by the Ted Stevens Olympic and Amateur Sports act of 1978.

Shows licensed by USEF represent roughly 75% of the income generated from equine events held at the Park. Shows not licensed by USEF must receive license approval from an alternative authority within their sport. License holders must adhere to the rules and regulations outlined by USEF or their licensing authority. These rules range from acceptable equipment, minimum eligibility requirements to compete, horse welfare, and codes of conduct, to name a few.

In 2017, the U.S. Congress passed the "Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017." This Act established the U.S. Center for SafeSport ("Center"). The Center has jurisdiction over the U.S. Olympic Committee, NGBs, and Paralympic sports organizations with respect to safeguarding amateur athletes from abuse. The Center has exclusive jurisdiction for investigating and resolving allegations involving one or more of the following:

- Sexual misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of sexual misconduct.
- Criminal charges or dispositions involving child abuse or sexual misconduct.
- Misconduct related to reporting, where the underlying allegation involves child abuse or sexual misconduct.
- Misconduct related to aiding and abetting, abuse of process, or retaliation, when it relates to the Center's process.
- Other inappropriate conduct.

Additionally, the Center has discretionary jurisdiction to investigate and resolve allegations in one or more of the following:

- Non-sexual child abuse.
- Emotional and physical misconduct, including stalking, bullying behaviors, hazing, and harassment.
- Criminal charges or dispositions not involving child abuse or sexual misconduct.
- Minor athlete abuse prevention policy or other similar proactive policy violations.
- Misconduct related to aiding and abetting, abuse of process, or retaliation, when it relates to the processes of the U.S. Olympic & Paralympic Committee, a NGB, a Local Affiliate Organization, or any other organization under the Center's jurisdiction.

The Center has a prescribed process for reporting, investigating, and resolving alleged misconduct. These processes are outlined in the "Safesport Code for the U.S. Olympic and Paralympic Movement."

Possible sanctions include written warning, probation, suspension or other eligibility restrictions, ineligibility, permanent ineligibility, and other discretionary sanctions. The Center is required to maintain a publicly available and searchable database of Adult Participants whose eligibility has in some way been restricted by the Center, the USOPC, or NGB.

Additional information regarding the Center's policies, definitions, sanctions, etc. can be found online at <https://uscenterforsafesport.org>.

**Issue:**

Opened in 1978, the Park welcomes over 1.7 million guests per year. Guests can enjoy the Park as a tourism visitor, Campground user, equine competitor, event attendee, or for daily business. While each of these avenues can be independent of each other, there is often cross-over. For example, someone competing at the Park may also choose to stay in the Campground during their event. Or someone accompanying a competitor may tour the Park attractions during their downtime.

As a facility owned by the citizens of the Commonwealth of Kentucky, the Park does not restrict access to the grounds unless there is a clear legal authority or threat to public safety. 200 KAR 3:020 clearly notes that, "While all state facilities and grounds are owned by the people of the Commonwealth at large, it is sometimes detrimental to the effective carrying out of the people's business for persons, or groups of persons, to disregard reasonable conditions established for use of state facilities and state grounds." While the Park shall have other conditions governing the use of its facility than those outlined in this KAR (see exception 200 KAR 3:020 Section 3(1)(w)), the foundational position that the Park is owned

by the citizens of the Commonwealth and intended for public use is consistent.

There are occasions when multiple events are held at the Park under different governing bodies which have different policies or procedures related to SafeSport. Specifically, an individual could be ineligible based on the ruling of the Center and not be permitted at USEF sanctioned events but participate in an event held simultaneously at the Park which is licensed by a separate authority.

As noted previously, the Park is a multi-use property where a variety of functions or events happen simultaneously. Never is the property exclusively used for one purpose. It is possible that someone sanctioned by SafeSport could be a user of the Park in a capacity other than competition. For example, a sanctioned individual could be staying in the campground, which is not an exclusively leased space for competitions. It would be possible that a victim could be camping next to the individual who committed the act and was sanctioned by the Center.

**Authority:**

Per KRS 148.290, the KHP Commission has the authority to grant the President of the Park the ability to “commission employees of the Park as patrol officers.” The provisions afforded the Park via this statute do not however address situations related to SafeSport, thereby jeopardizing the safety of competitors. Incidents related to SafeSport (or similar) are also not addressed in the previously referenced 200 KAR 3:020. The Park is not unique among state agencies when considering how the presence of certain individuals at the facility could impact the honesty, integrity, and safety of its operation. Failure by the Park and/or Commonwealth to protect the integrity and safety of our guests and competitions could result in a significant loss of reputation, standing within the sport, public trust, and revenues.

There is existing KRS which serves as a model for addressing the Park’s concern. KRS 230.215 – Racing and Gaming Corporation’s Power to Exclude Undesirables – addresses this issue at the Commonwealth’s race tracks and charitable gaming facilities. Specifically KRS 230.215(2)(c) states, “In addition to the general powers and duties vested in the corporation by this chapter, it is the intent hereby to vest in the corporation the power to eject or exclude from association grounds or any part thereof any person, licensed or unlicensed, whose conduct or reputation is such that his or her presence on association grounds may, in the opinion of the corporation, reflect on the honesty and integrity of horse racing or interfere with either the orderly conduct of horse racing

or the orderly conduct of sports wagering.” (Note that KRS 230.215(2)(e) provides these same powers at charitable gaming facilities.)

**Request:**

Using the authority granted the Racing and Gaming Corporation as an example, establishing via KRS similar powers for the Park would help preserve the safety and integrity of our events and guests. Sample language to be added to KRS 148.290 could read as follows:

“In addition to the general powers and duties vested in the Commission by this chapter, it is the intent hereby to vest in the Commission, via the President of the Kentucky Horse Park, the power to eject or exclude from the grounds or any part thereof any person, licensed or unlicensed, whose conduct or reputation is such that his or her presence on the grounds may, in the opinion of the Commission, reflect on the honesty and integrity of the Park and its activities.”