



BOYD COUNTY PUBLIC SCHOOLS

1104 Bob McCullough Drive
Ashland, KY 41102

William L. Boblett Jr.
Superintendent

Phone: (606) 928-4141
FAX: (606) 928-4771

Dear Parent/Guardian,

Our most important function in Boyd County Public Schools is to provide the safest learning environment possible for all of our students and school staff members.

Unfortunately, however, Kentucky's P-12 schools have been experiencing a continual rash of terroristic threats from students with the intent to do harm to either other students or school staff members. Plainly stated, these are threats being made to shoot people or detonate bombs with the intent to kill people. Throughout Kentucky, hundreds of threats are made each year, totally disrupting the school day and causing widespread fear throughout the schools community. In many of those cases, school officials and law enforcement officials were forced to close schools to investigate the threats that had been made. In other cases, school attendance plummeted for days after the threat was made. Many school leaders have said that the adverse impact of these acts is incalculable.

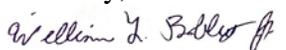
Clearly, such threats to our students and school staff are totally unacceptable and will not be tolerated. Therefore, the intention of this letter is to notify all of our parents and guardians that school district officials (in coordination with responding law enforcement agencies) will **pursue immediate legal charges for terroristic threatening in the second degree (which is a felony), to the absolute fullest extent of the law, against anyone who makes such threats, including students.** Moreover, we will ask the prosecution of these individuals be swift and their punishment, severe.

Because of our rigid and far reaching stance on this crime, I implore you to make it a point to discuss this critical important matter with your child as soon as possible. Make him/her fully aware of its severity. School and law enforcement officials are determined to put a halt to these willful acts of terrorism being made toward our schools. Please do your part to ensure that your child never becomes a party to such an offense by educating him/her on the seriousness of its consequences.

Together we can prevent this unnecessary, dangerous, and disruptive crime from victimizing our schools and make each learning environment safer for our students to develop and grow each day.

If you have any questions or concerns, please contact me or your child's principal at your convenience.

Sincerely,


Superintendent, BCPS

Please carefully review details of KRS 508.078 on the following page.



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Definitions of Terroristic Threatening:

508.078 Terroristic threatening in the second degree.

- (1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally:
- (a) With respect to any scheduled, publicly advertised event open to the public, any place of worship, or any school function, threatens to commit any act likely to result in death or serious physical injury to any person at a scheduled, publicly advertised event open to the public, any person at a place of worship, or any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons at a scheduled, publicly advertised event open to the public, place of worship, or school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
 - (b) Makes false statements by any means, including by electronic communication, for the purpose of:
 - 1. Causing evacuation of a school building, school property, or school-sanctioned activity;
 - 2. Causing cancellation of school classes or school-sanctioned activity; or
 - 3. Creating fear of serious bodily harm among students, parents, or school personnel;
 - (c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or
 - (d) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.
- (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.
- (3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
- (4) Except as provided in subsection (5) of this section, terroristic threatening in the second degree is a Class D felony.
- (5) Terroristic threatening in the second degree is a Class C felony when, in addition to violating subsection (1) of this section, the person intentionally engages in substantial conduct required to prepare for or carry out the threatened act, including but not limited to gathering weapons, ammunition, body armor, vehicles, or materials required to manufacture a weapon of mass destruction.



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532.060 Sentence of imprisonment for felony -- Postincarceration supervision.

- . (1) A sentence of imprisonment for a felony shall be an indeterminate sentence, the maximum of which shall be fixed within the limits provided by subsection (2), and subject to modification by the trial judge pursuant to KRS 532.070.

- . (2) Unless otherwise provided by law, the authorized maximum terms of imprisonment for felonies are:
 - . (a) For a Class A felony, not less than twenty (20) years nor more than fifty (50) years, or life imprisonment;
 - . (b) For a Class B felony, not less than ten (10) years nor more than twenty (20) years;
 - . (c) For a Class C felony, not less than five (5) years nor more than ten (10) years; and
 - . (d) For a Class D felony, not less than one (1) year nor more than five (5) years.

- . (3) For any felony specified in KRS Chapter 510, KRS 530.020, 530.064(1)(a), or 531.310, the sentence shall include an additional five (5) year period of postincarceration supervision which shall be added to the maximum sentence rendered for the offense. During this period of postincarceration supervision, if a defendant violates the provisions of postincarceration supervision, the defendant may be reincarcerated for:
 - . (a) The remaining period of his initial sentence, if any is remaining; and
 - . (b) The entire period of postincarceration supervision, or if the initial sentence has been served, for the remaining period of postincarceration supervision.

- . (4) In addition to the penalties provided in this section, for any person subject to a period of postincarceration supervision pursuant to KRS 532.400 his or her sentence shall include an additional one (1) year period of postincarceration supervision following release from incarceration upon expiration of sentence if the offender is not otherwise subject to another form of postincarceration supervision. During this period of postincarceration supervision, if an offender violates the provisions of supervision, the offender may be reincarcerated for the remaining period of his or her postincarceration supervision.



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- . (5) The actual time of release within the maximum established by subsection (1), or as modified pursuant to KRS 532.070, shall be determined under procedures established elsewhere by law. Effective: June 8, 2011
- History: Amended 2011 Ky. Acts ch. 2, sec. 38, effective June 8, 2011. -- Amended 2006 Ky. Acts ch. 182, sec. 65, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 606, sec. 70, effective July 15, 1998. -- Created 1974 Ky. Acts ch. 406, sec. 278, effective January 1, 1975.



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534.030 Fines for felonies.

- . (1) Except as otherwise provided for an offense defined outside this code, a person who has been convicted of any felony shall, in addition to any other punishment imposed upon him, be sentenced to pay a fine in an amount not less than one thousand dollars (\$1,000) and not greater than ten thousand dollars (\$10,000) or double his gain from commission of the offense, whichever is the greater.
- . (2) In determining the amount and method of paying a fine for commission of a felony,
the court shall consider, among others, the following factors:
 - . (a) The defendant's ability to pay the amount of the fine;
 - . (b) The hardship likely to be imposed on the defendant's dependents by the amount of the fine and the time and method of paying it;
 - . (c) The impact the amount of the fine will have on the defendant's ability to make reparation or restitution to the victim; and
 - . (d) The amount of the defendant's gain, if any, derived from the commission of the offense.
- . (3) When a defendant is convicted of two (2) or more felonies committed through a single act and is sentenced to fines pursuant to subsection (1), the aggregate amount of the fines shall not exceed ten thousand dollars (\$10,000) or double the amount of the defendant's gain from commission of the offenses, whichever is the greater.
- . (4) Fines required by this section shall not be imposed upon any person determined by the court to be indigent pursuant to KRS Chapter 31.
- . (5) This section shall not apply to a corporation. Effective: July 15, 1994 History: Amended 1994 Ky. Acts ch. 403, sec. 1, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 497, sec. 6, effective July 13, 1990. -- Amended 1978 Ky. Acts ch. 101, sec. 7, effective June 17, 1978. -- Created 1974 Ky. Acts ch. 406, sec. 292, effective January 1, 1975.



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