



Lexington-Fayette Urban County
Division of Police
PERSONNEL ORDER
Lexington, Kentucky

DATE OF ISSUE
May 12, 2021

EFFECTIVE DATE
May 6, 2021

NUMBER
PO:21-178

TO: WRITTEN REPRIMAND	AMENDS:
INDEX AS: OFFICER MICHAEL DICK	RESCINDS:

Officer Michael Dick is hereby given a Written Reprimand for violation of General Order 1973-02K, Disciplinary Procedures, Appendix B, Operational Rule, Section 1.40, Preventable Collisions. In addition to this Written Reprimand, it was recommended and approved that Officer Dick loses his Home Fleet Vehicle Privileges for two (2) weeks. This Written Reprimand and loss of home fleet privileges was approved by the Urban County Council on May 6, 2021.

Lawrence B. Weathers
Chief of Police

LBW/rmh

LEXINGTON POLICE DEPARTMENT

AGREEMENT OF CONFORMITY WITH KRS 95.450 / 15.520 AND RELEASE

FORM 113 (8/20)

An allegation has been made that: Officer Michael Dick #57483

has committed the offense of:
Preventable Collisions

which constitutes misconduct under the provisions of KRS 95.450 and/or KRS 15.520

(list other applicable law or rule)

General Order 1973-02K, Disciplinary Procedures, Appendix B, Operational Rule 1.40 - Preventable Collisions

in that on the Various day(s) of Various, 20 20 / 21 he/she allegedly:

Officer Michael Dick has been involved in three (3) at fault collisions within a twelve (12) month period. The collisions occurred on July 16, 2020, December 24, 2020, and February 5, 2021. The collisions resulted in property damage and no members of the police department or the public were injured. Officer Dick completed driver retraining on February 26, 2021.

Although each of the collisions was the result of different factors, Officer Dick acknowledged that he will work on operating his department issued vehicle more conscientiously to prevent additional collisions. Officer Dick took full responsibility for each of the collisions.

This is Officer Dick's first formal complaint since being employed on April 15, 2019.

I have read KRS 95.450, 95.460 and 15.520, and attest that I fully understand all rights guaranteed by these statutes, including the rights to have formal charges preferred and a hearing conducted on those charges.

Further, I, with knowledge of the provisions and my rights under KRS 95.450, 95.460, and 15.520 and in consideration of the recommendation of the Chief of Police of the Lexington Police Department, acknowledge that the appropriate punishment for this conduct is:

Written Reprimand and two (2) week suspension of Home Fleet.

I do hereby voluntarily accept the above disciplinary action, provided that the punishment awarded by the Urban County Council will not exceed the above recommendation of the Chief of Police.

If the Urban County Council rejects the above recommendation, I will be so notified, in which case I may withdraw my acceptance, and will be entitled to all rights, as applicable, under KRS 95.450, 95.460 and 15.520, and this agreement will not be used against me or by me in any hearing in determination of my guilt of punishment.

In further consideration of the acceptance of the above recommendation and penalty by the Urban County Council, I do for myself, my heirs, legal representatives, as assigns hereby expressly release and forever discharge the Lexington-Fayette Urban County Government, its officers, agents, employees, and their successors and assigns from all claims, demands, actions, damages or causes of action and from all liability for damages of whatsoever kind, nature of description that I ever had, now have or may have against the aforementioned entities created by or arising out of the action contained herein.

Michael De 57483
Employee Signature

4/22/21
Date

James B. White 24898
Chief of Police Signature

4/23/21
Date

ACTION BY URBAN COUNTY COUNCIL

APPROVE ABOVE RECOMMENDATION

DISAPPROVE ABOVE RECOMMENDATION

5/6/2021

Atilla
Signature of Authorized Representative of
Urban County Council

SUSPENSION SERVICE GUIDELINES:

Suspensions will be served as outlined in General Order series 1973-02 Disciplinary Procedures of Sworn Officers.



LEXINGTON POLICE
DEPARTMENT
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE
03/19/2021

EFFECTIVE DATE
03/19/2021

NUMBER
PIU 21-21

TO: Lawrence Weathers Chief of Police	SUBJECT: Summary of Formal Complaint on Officer Michael Dick, PIU 2021F-003
FROM: Lieutenant Matt Brotherton Bureau of Investigation - Public Integrity Unit	

Sir,

This memorandum will provide a summary of the investigation into the Formal Complaint filed by Lt. Larry Kinnard on Officer Michael Dick, 57483. According to the Formal Complaint:

Officer Michael Dick has been involved in three (3) at fault collisions within a twelve (12) month period. The collisions occurred on July 6th, 2020, December 24th, 2020, and February 5th, 2021.

If the above is true, Officer Michael Dick is in violation of General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.40 - Preventable Collisions, which states:

"Officers shall operate department vehicles at all times in such a manner so as to avoid being involved in preventable collisions."

Interview with Officer Michael Dick

On 03/15/2021, at approximately 12:57, Lt. Biroshik and I interviewed Officer Dick in the PIU office. During the course of the interview, we discussed the three collisions that led to the formal charge being placed.

*07/16/2020 Officer Dick jumped out of his patrol car to respond to a reported overdose. When he returned to his issued car (2006 Crown Victoria), he saw that he had left it in gear and it rolled forward into a wall, causing minor damage to his vehicle, none to the wall. Officer Dick believed that he had put the car in park, but acknowledges that he was mistaken.

*12/24/2020 Officer Dick, while responding to a call, was driving with his emergency equipment activated. As he turned from Bates Creek onto Appian Way, he lost control of the vehicle and left the roadway, striking and damaging a fence. Officer Dick stated that it was "obviously" his fault and that he was driving too fast for the rainy roadway conditions.

*02/05/2021 Officer Dick, while backing out of a parking spot at 298 W. Loudon, did not see another vehicle and struck its bumper. Minor damage was caused to both vehicles. Officer Dick stated that it was completely his fault.

Conclusion

Officer Dick was determined to be at-fault in three separate vehicle collisions within 12 months. He was issued _____ for each of the incidents and completed driver retraining on February 26th.

In none of the collisions were there any injuries to any officers or members of the community; only property damage occurred during the collisions.

Although each of the collisions was the result of different factors, Officer Dick acknowledged that he will work on operating his department-issued vehicles more conscientiously to prevent additional collisions. Officer Dick took full-responsibility for each of the collisions.



Lieutenant Matt Brotherton
Bureau of Investigation
Public Integrity Unit

cc: file – PIU 2021F-003



Lexington-Fayette Urban County
Division of Police

MEMORANDUM

Lexington, Kentucky

DATE OF ISSUE

April 8, 2021

EFFECTIVE DATE

NUMBER
COP:
21-0054

TO:

Kenneth Armstrong, Commissioner
Department of Public Safety

SUBJECT:

Disciplinary Recommendation
P.I.U.2021.F.003
Officer Michael Dick

FROM:

Lawrence B. Weathers
Chief of Police

I met with Officer Michael Dick on April 5, 2021, and have determined this as “Improper Conduct” for violation of:

- General Order 1973-02K – Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.40, Preventable Collisions

I have recommended a **Written Reprimand, and a two (2) week suspension of Home Fleet privilege** for the violation.

I have included the summary of this formal complaint for your information.

Officer Dick accepted this discipline on April 8, 2021.

Lawrence B. Weathers

Lawrence B. Weathers
Chief of Police

LBW/rmh

Attachment

cc: Assistant Chief Maynard
Public Integrity Unit



Lexington Police Department
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE
March 9, 2021

EFFECTIVE DATE

NUMBER
PIU: 21-013

TO: Assistant Chief Brian Maynard Bureau of Patrol	SUBJECT: FORMAL COMPLAINT
FROM: Lieutenant Matthew Brotherton Bureau of Investigation Public Integrity Unit	

COMPLAINANT: Lieutenant Larry Kinnard

ACCUSED OFC.: Officer Michael Dick

ALLEGATION Violation of General Order 1973-02K, Disciplinary Procedure, Appendix B,
Operational Rule 1.40 - Preventable Collisions

ALLEGED CIRCUMSTANCES: Officer Michael Dick has been involved in three (3) at fault collisions within a twelve (12) month period. The collisions occurred on July 6th, 2020, December 24th, 2020, and February 5th, 2021.

ACTION REQUESTED:

- The Bureau Commander and Officer Dick should sign the Acknowledgment Sheet and process this complaint.
- The Commanding Officer should provide the attached copy of the Form 111 and the Officer's Rights Packet to Officer Dick.
- Officer Dick should contact the Public Integrity Unit to arrange for a time to provide a formal statement.

	<u>DATE</u>	<u>TIME</u>
Bureau Commander <u>Chen Wang</u>	<u>3-15-21</u>	<u>0850</u>
Unit Commander <u>J. Lawhman</u>	<u>03-12-21</u>	<u>1606</u>
Officer <u>M. D. [unclear]</u>	<u>03-12-21</u>	<u>1605</u>
Returned to the Public Integrity Unit <u>[unclear]</u>	<u>3-15-21</u>	<u>2850</u>

[Signature]
 Lieutenant Matthew Brotherton
 Bureau of Investigation
 Public Integrity Unit

mrvt

enclosures

cc: Chief Lawrence Weathers
 file - PIU2021F-003

**Lexington Police Department
Formal Complaint
Form 111**

File #: PIU2021F-003

Member(s) Involved Officer Michael Dick		Employee No. 57483	D.O.B.	D.O.E 4/15/2019	Present Assignment BOP, Central, 2nd
Complainant Lt. Larry Kinnard		Address-Apt. No. - Zip Code 150 E. Main Street 40507			Telephone No. 859-258-3600
Employed By Lexington Police Department		Business Address - Zip Code 150 E. Main Street 40507			Telephone No. 859-258-3600
Date of Incident Various Dates	Time of Incident N/A	Location of Incident Various Locations	Date and Time Reported 2/8/2021	How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Person <input type="checkbox"/> Email	

Brief Description of Allegations:

Officer Michael Dick has been involved in three (3) at fault collisions within a twelve (12) month period. The collisions occurred on July 6th, 2020, December 24th, 2020, and February 5th, 2021.

If the above is true, Officer Michael Dick is in violation of General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.40 - Preventable Collisions, which states:

"Officers shall operate department vehicles at all times in such a manner so as to avoid being involved in preventable collisions."

I swear/affirm that the facts set out above are true to the best of my knowledge and belief.

Lt Larry Kinnard Date: 03-09-2021
(Complainant)

Subscribed and sworn before me this date: 3-9-21 Melanie R. Votaw #KYNP 20919
(Date) (Notary)

My Commission Expires: 2-3-2025

Witnesses:

Name _____ Address _____ Phone Number _____

Chief of Police (or "Designee"):

Policy Violation	Finding
BO 1973-07K OR 1.40 PREVENTABLE COLLISIONS	<input type="checkbox"/> Proper Conduct
	<input checked="" type="checkbox"/> Improper Conduct
	<input type="checkbox"/> Insufficient Evidence
	<input type="checkbox"/> Policy Failure
	<input type="checkbox"/> Unfounded

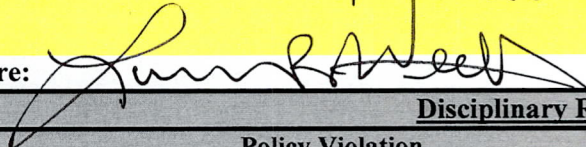
Chief of Police Recommendation

Recommend Case Be Closed Corrective Training Recommended Below Disciplinary Action Recommended

Comments:

RECOMMEND WRITTEN REPRIMAND AND 2 WEEK SUSPENSION OF HOME FLEET PRIVILEGES
 REVIEWED SUMMARY AND COMPLAINT

Signature:



Date: 04/05/2021

Disciplinary Review Board

Policy Violation	Finding
	<input type="checkbox"/> Proper Conduct
	<input type="checkbox"/> Improper Conduct
	<input type="checkbox"/> Insufficient Evidence
	<input type="checkbox"/> Policy Failure
	<input type="checkbox"/> Unfounded

Disciplinary Review Board Recommendation

Recommend Case Be Closed Corrective Training Recommended Below Disciplinary Action Recommended

Comments:

Signature:

Date:

Chief of Police 2nd Recommendation

Recommend Case Be Closed Corrective Training Recommended Below Disciplinary Action Recommended

Comments:

Signature:

Date:

Proper Conduct: Allegation is true; the action of the agency or the officer was consistent with agency policy.

Improper Conduct: The allegation is true; the action of the agency or the officer was inconsistent with agency policy.

Insufficient Evidence: There is insufficient proof to confirm or to refute the allegation.

Policy Failure: The action of the agency or the officer was consistent with agency policy, but the policy did not take into account the circumstances present in this instance.

Unfounded Complaint: Either the allegation is demonstrably false or there is no credible evidence to support it.