



LEXINGTON POLICE DEPARTMENT  
**PERSONNEL ORDER**  
 Lexington, Kentucky

DATE OF ISSUE  
 October 21, 2021

EFFECTIVE DATE  
 October 25, 2021

NUMBER  
 PO:21-401

TO:  
 SUSPENSION WITHOUT PAY

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INDEX AS:  
 OFFICER  
 DANIEL HEMPEL

AMENDS:

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RESCINDS:

Effective, Monday, October 25<sup>th</sup> – Thursday, October 28<sup>th</sup>, 2021, Officer Daniel Hempel will be suspended without pay for one (1) week, for violation of General Order 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 – Violating Any Rules of the Department, (GO 2011-08F – Emergency and Pursuit Driving).

Officer Hempel is to surrender all police credentials and division-owned equipment. Officer Hempel’s suspension from duty eliminates his right to carry concealed deadly weapons, make arrests, and any other law enforcement duties.

Upon return to duty, Officer Hempel will be scheduled for one (1) month Home Fleet suspension, beginning November 1<sup>st</sup>.

The Urban County Council approved this suspension on October 14, 2021.

*Lawrence B. Weathers*

\_\_\_\_\_  
 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 Daniel Hempel #56211

has committed the offense of:

Violating Any Rules of the Department - Emergency and Pursuit Driving

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 of Sworn Officers, Appendix B, Operational Rule 1.35

Violating Any Rules of the Department, G.O. 2011-08F Emergency and Pursuit Driving.

in that on the 27th day(s) of May, 20 21 he/she allegedly:

On May 27, 2021 Officer Daniel Hempel attempted a traffic stop of a known violent offender wanted for multiple shootings in Lexington. The suspect fled and Officer Hempel initiated a vehicle pursuit. During this pursuit Officer Hempel failed to notify dispatch of the pursuit in a timely manner or report pertinent information regarding the pursuit. During the pursuit Officer Hempel had his emergency lights activated, but didn't have a siren running continuously. Officer Hempel failed to proceed with due regard by not properly clearing intersections and operating his vehicle at excessive speeds in a residential neighborhood.

Officer Hempel violated the above policy which states "The vehicle's lights and siren shall remain activated and in continuous operation for the duration of the officer's participation in the pursuit.". The policy also states "Officers shall operate department vehicles with due regard for the safety of all persons using the street or highway, and officers shall comply with the provisions of KRS 189.940".

This is Officer Hempel's first sustained formal complaint since being employed on October 23, 2017. He understands his actions violated policy and has accepted full responsibility.

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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:

**One (1) week Suspension Without Pay and one (1) month suspension of Home Fleet**

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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.

  
\_\_\_\_\_  
Employee Signature

09/23/2021  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chief of Police Signature


09/24/2021  
\_\_\_\_\_  
Date

**ACTION BY URBAN COUNTY COUNCIL**

10/14/2021

APPROVE ABOVE RECOMMENDATION

DISAPPROVE ABOVE RECOMMENDATION

  
\_\_\_\_\_  
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-Fayette Urban County  
Division of Police  
**MEMORANDUM**  
Lexington, Kentucky

DATE OF ISSUE  
July 30, 2021

EFFECTIVE DATE

NUMBER  
COP:  
21-0119

TO: Kenneth Armstrong, Commissioner  
Department of Public Safety

SUBJECT: Disciplinary Recommendation  
P.I.U.2021.F.013  
Officer Daniel Hempel


FROM: Lawrence B. Weathers  
Chief of Police

I met with Officer Daniel Hempel on July 30, 2021, and have determined this as "Improper Conduct" for violation of:

- General Order 1973-02K - Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 – Violating Any Rules of the Department and General Order 2011-08F – Emergency and Pursuit Driving.

I have recommended **one (1) week of Suspension Without Pay, and one (1) month suspension of Home Fleet privilege** for the violation. I have included the summary of this formal complaint for your information. Body worn camera was reviewed.

Officer Hempel accepted this discipline on July 30, 2021.

*Lawrence B. Weathers* 

Lawrence B. Weathers  
Chief of Police

LBW/rmh

Attachment



LEXINGTON POLICE  
DEPARTMENT  
**MEMORANDUM**  
Lexington, Kentucky

DATE OF ISSUE  
July 21, 2021

EFFECTIVE DATE

NUMBER  
PIU 21-078

TO:  
Lawrence Weathers  
Chief of Police

SUBJECT:  
Formal P.I.U.21.F.013  
Officer Daniel Hempel  
Summary

FROM:  
Lieutenant David Biroshik  
Bureau of Investigation  
Public Integrity Unit

This memorandum will provide a synopsis of the investigation; however, other supporting documents may be viewed in conjunction with this memorandum.

On June 23, 2021 Lieutenant Samantha Moore filed a formal complaint against Officer Daniel Hempel 56211 for violation of General Order 1973-02K, Disciplinary Procedures of Sworn Officers Appendix B, Operational Rule 1.35 – Violating Any Rules of the Department, G.O. 2011-08F Emergency and Pursuit Driving.

**Allegations:**

On May 27, 2021 at approximately 2258 hours, Officer Daniel Hempel #56211 (West Sector) initiated a traffic stop on a \_\_\_\_\_ known to be driven by Mr. Michael Lemond at Alexandria Drive and Versailles Rd. Mr. Lemond was a suspect noted on the Patrol Briefing wanted in connection to several shootings, known to Officer Hempel to have fled a number of times prior from officers and had multiple active warrants.

During the initial attempt to stop, Mr. Lemond failed to yield to the traffic stop and fled in his vehicle down Alexandria Drive. He made a right onto Cambridge Drive and then shortly after passing Village Drive lost control and struck several parked vehicles at 2001 Cambridge Drive where he was taken into custody. Upon reviewing Officer Hempel’s BWC it is observed that when Officer Hempel initiates his emergency lights, the suspect vehicle begins to accelerate away at a high rate of speed down Alexandria drive which is a business and residential street.

Officer Hempel initially continues to follow the vehicle with his emergency equipment activated (lights and sirens). Approximately 13-14 seconds later, Officer Hempel turns his sirens off but keeps his lights on and while continuing to pursue the vehicle he advises dispatch that the vehicle has fled down Alexandria. Officer Hempel eventually turns his siren back on as he approaches Cambridge Drive prior to the suspect vehicle leaving the roadway and colliding with vehicles in front of 2001 Cambridge Drive.

During the review of this incident several policy violations were noted from GO 2011-08F Emergency and Pursuit Training to include:

- Officer Hempel failed to notify dispatch immediately of the vehicle fleeing from his traffic stop. Rather he waited 13-14 seconds, while still pursuing the vehicle, to advise dispatch that the vehicle was fleeing.
- Officer Hempel failed to advise the reason for the pursuit, the location, direction and speed of the pursuit, the description of the vehicle and the identity / number of occupants.
- Officer Hempel turned off his siren while advising dispatch that the vehicle had fled and then turns it back on while continuing to pursue the vehicle which could be interpreted as an attempt to hide the fact that he was in pursuit of the vehicle or thwart any attempts by a supervisor to terminate the pursuit.
- Officer Hempel ran three stop signs where he failed to slow or stop during the pursuit, one of which was when he did not have his siren activated,
- Officer Hempel's speed reached 68 MPH in a 25 MPH residential zone while only his lights were on and the sirens were off.
- Officer Hempel had information on who the suspected driver was, had information that the suspect had fled prior traffic stops, and had set up on the vehicle prior waiting for it to become mobile.

### **Investigation**

After receiving the complaint I reviewed the BWC Footage involved in the case. From that footage the following observations can be made:

On May 27, 2021 at approximately 2339 hours Officer Hempel and Officer Klein located a vehicle occupied by who they believe to be a wanted suspect identified as Michael A. Lemond. Mr. Lemond had been identified on the Patrol Briefing as a suspect in multiple shootings throughout Lexington and currently had warrants out for his arrest for Wanton Endangerment 1<sup>st</sup> and Assault 4<sup>th</sup> – Domestic Violence. Based upon the information they had and the current charges Officer Hempel advised Dispatch they were conducting a traffic stop on Alexandria Drive and Versailles Road.

Immediately after activating his emergency equipment the suspect, later confirmed to be Michael Lemond, rapidly accelerated and refused to stop for Officer Hempel. They continued on Alexandria Drive crossing through the intersection of Devonport Drive, where both Mr. Lemond and Officer Hempel failed to stop or clear the intersection. Officer Hempel at this time turns the emergency siren off and contacts Dispatch to advise them the suspect is refusing to yield. During the time his siren was not activated Officer Hempel continues the pursuit following Mr. Lemond at speeds up to 68mph in a 25mph zone. They then turn onto Cambridge Drive from Alexandria Drive, where once again Officer Hempel does not clear the intersection according to policy.

Once Officer Hempel turns onto Cambridge Drive he finishes giving Dispatch the information regarding charges, the direction they were heading and he reactivates the emergency siren back

on in his cruiser. He then travels through the intersection of Village Drive without any attempt to slow down. There does appear to be a vehicle sitting at the intersection of Village Drive coming from the other direction as Officer Hempel drove through. Shortly after going through the intersection, Officer Hempel advises that it appears the suspect has wrecked out and he would be getting out with him. It is confirmed as Officer Hempel arrived, that Mr. Lemond had lost control and crashed into a motorcycle and other items sitting in the front yard of 2001 Cambridge. Officer Hempel is able to place Mr. Lemond under arrest at this time and locate a firearm that was on his person. The charges that Mr. Lemond has placed on him that night were:

- Warrant for Assault 4<sup>th</sup> – Domestic Violence
- Warrant for Wanton Endangerment 1<sup>st</sup>
- Fleeing and Evading 1<sup>st</sup>
- Reckless Driving

### **Officer Daniel Hempel's Interview**

Officer Hempel was interviewed in the Public Integrity Office on June 30, 2021 by myself and Lieutenant Matt Brotherton. During this interview Officer Hempel advised he and Officer Klein had observed Mr. Lemond driving through the area of Devonport Drive earlier in the evening. During the course of the initial investigation they located the vehicle parked in an apartment complex, so they set up to watch the car and see if anyone would approach it. It was during this time that they saw the vehicle start backing up from its parking spot, they began following him, which then led into the pursuit.

Officer Hempel advised he did know who Mr. Lemond was based upon the Patrol Briefing he observed earlier in the week. He knew that Mr. Lemond was wanted for active warrants and the Intel Unit wanted to talk to him regarding multiple shootings that had occurred around town. He also knew that Mr. Lemond had refused to stop for other officers when they attempted to perform traffic stops on him.

Officer Hempel has been employed by the Division for approximately 3 ½ years and this was his first involvement in a vehicle pursuit. He advised that he was torn on what to do when Mr. Lemond fled from him. He knew he was a suspect for multiple violent crimes and he knew there were active warrants for his arrest. He also knew and understood policy regarding pursuits, when the suspect is known. The reason for turning off his siren during the pursuit according to him was based on indecision on what to do. He turned it off with the intent of terminating the pursuit, but did not fully commit to it and continued on. When he decided that he was going to continue pursuit and allow a supervisor to terminate it, if they deemed appropriate, he turned it back on. He admits it looks like he was trying to hide the fact he was in a pursuit, but strongly denies this was his intentions.

During the interview Officer Hempel did admit to failing to clear the intersections as required by policy along with the other violations observed.

## Conclusion

After investigating this incident it is obvious that Officer Hempel did in fact violate G.O. 2011-08F Emergency and Pursuit Driving policy. He operated his cruiser in a manner that violated policy and I would recommend the Formal Charge be substantiated.





Lexington Police Department  
**MEMORANDUM**  
 Lexington, Kentucky

DATE OF ISSUE

June 22, 2021

EFFECTIVE DATE

NUMBER

PIU: 21-062

TO:

Assistant Chief Brian Maynard  
 Bureau of Patrol

SUBJECT:

FORMAL COMPLAINT

FROM:

Lieutenant David Biroshik  
 Bureau of Investigation  
 Public Integrity Unit

**COMPLAINANT:** Lieutenant Samantha Moore

**ACCUSED OFC.:** Officer Daniel Hempel

**ALLEGATION:** Violating G.O. 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 Violating Any Rules of the Department, G.O. 2011-08F Emergency and Pursuit Driving.

**ALLEGED CIRCUMSTANCES:** On May 27, 2021 at approximately 2258 hours, Officer Daniel Hempel #56211 initiated a traffic stop on a vehicle known to be driven by Mr. Michael Lemond at Alexandria Drive and Versailles Rd. Mr. Lemond was a suspect noted on the Patrol Briefing wanted in connection to several shootings, known to Officer Hempel to have fled a number of times prior from officers and had multiple active warrants. During the initial attempt to stop, Mr. Lemond failed to yield to the traffic stop and fled in his vehicle down Alexandria Drive, making a right onto Cambridge Drive and then shortly after passing Village Drive lost control and struck several parked vehicles at 2001 Cambridge Drive where he was taken into custody. Upon reviewing Officer Hempel's BWC it is observed that when Officer Hempel initiates his emergency equipment activated (lights and sirens). Approximately 13-14 seconds later, Officer Hempel turns his sirens off but keeps his lights on and while continuing to pursue the vehicle he advises dispatch that the vehicle has fled down Alexandria. Officer Hempel eventually turns his sirens back on as he approaches Cambridge Drive prior to the suspect vehicle leaving the roadway and colliding with vehicles in front of 2001 Cambridge Drive.

During the incident Officer Hempel failed to notify dispatch immediately of the vehicle fleeing from his traffic stop, rather he waited 13-14 seconds, while still pursuing the vehicle to advise dispatch that the vehicle was refusing to yield.

Officer Hempel failed to advise the reason for the pursuit, the location, direction, speed of the pursuit, description of the vehicle and suspect information. Officer Hempel also turned off his siren while advising dispatch that the vehicle had fled and then turns it back on while continuing to pursue the vehicle which could be interpreted as an attempt to hide the fact he was involved in a pursuit. Officer Hempel ran 3 stop signs where he failed to slow or stop during the pursuit, one of which he did when his siren was not activated. He also appears to have reached speeds of 68 mph in a 25 mph zone while only having his lights activated.

**ACTION REQUESTED:**

- The Bureau Commander and Officer Hempel 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 Hempel.
- Officer Hempel 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>CMDR. KEVIN METCALF</u>	<u>6/23/21</u>	<u>17:20</u>
Supervisor <u>LT. Samantha Moore</u>	<u>6/23/21</u>	<u>16:31</u>
Officer <u>OFC DANIEL HEMPEL</u>	<u>6/23/21</u>	<u>16:36</u>

Accused officer would like the Public Integrity Unit to notify the FOP President or their designee that a formal complaint is filed against them. (Circle One) YES or NO

Returned to the Public Integrity Unit MLBROTHERSON 06/23/21 1450

LT. David Birochik  
Lieutenant David Birochik  
Bureau of Investigation  
Public Integrity Unit

mrv

enclosures

cc: Chief Lawrence Weathers  
file - PIU2021F-013

**Lexington Police Department  
Formal Complaint  
Form 111**

File #: PIU2021F-013

Member(s) Involved Officer Daniel Hempel		Employee No. 56211	D.O.B.	D.O.E 10/23/2017	Present Assignment Patrol / West / Second Shift
Complainant Lt. Samantha Moore		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 5/27/2020	Time of Incident 2258	Location of Incident Alexandria / Versailles		Date and Time Reported Tuesday June 22, 2021	How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Person <input type="checkbox"/> Email

**Brief Description of Allegations:**

On May 27, 2021 at approximately 2258 hours, Officer Daniel Hempel #56211 initiated a traffic stop on a known to be driven by Mr. Michael Lemond at Alexandria Drive and Versailles Rd. Mr. Lemond was a suspect noted on the Patrol Briefing wanted in connection to several shootings, known to Officer Hempel to have fled a number of times prior from officers and had multiple active warrants. During the initial attempt to stop, Mr. Lemond failed to yield to the traffic stop and fled in his vehicle down Alexandria Drive, making a right onto Cambridge Drive and then shortly after passing Village Drive lost control and struck several parked vehicles at 2001 Cambridge Drive where he was taken into custody. Upon reviewing Officer Hempel's BWC it is observed that when Officer Hempel initiates his emergency equipment activated (lights and sirens). Approximately 13-14 seconds later, Officer Hempel turns his sirens off but keeps his lights on and while continuing to pursue the vehicle he advises dispatch that the vehicle has fled down Alexandria. Officer Hempel eventually turns his sirens back on as he approaches Cambridge Drive prior to the suspect vehicle leaving the roadway and colliding with vehicles in front of 2001 Cambridge Drive.

During the incident Officer Hempel failed to notify dispatch immediately of the vehicle fleeing from his traffic stop, rather he waited 13-14 seconds, while still pursuing the vehicle to advise dispatch that the vehicle was refusing to yield.

**Continued on Pg. 1 Extended**

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

Samantha Moore Date: 6/23/21  
(Complainant)

Subscribed and sworn before me this date: 6/23/21 (Date) Shannon Peter Bauer (Notary) KYNP7428

My Commission Expires: May 14, 2024

Witnesses:  
Name \_\_\_\_\_ Address \_\_\_\_\_ Phone Number \_\_\_\_\_

**Lexington Police Department  
Formal Complaint  
Form 111**

File #: PIU2021F-013

Member(s) Involved Officer Daniel Hempel		Employee No. 56211	D.O.B.	D.O.E 10/23/2017	Present Assignment Patrol / West / Second Shift
Complainant Lt. Samantha Moore		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 5/27/2020	Time of Incident 2258	Location of Incident Alexandria / Versailles	Date and Time Reported Tuesday June 22, 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 Hempel failed to advise the reason for the pursuit, the location, direction, speed of the pursuit, description of the vehicle and suspect information. Officer Hempel also turned off his siren while advising dispatch that the vehicle had fled and then turns it back on while continuing to pursue the vehicle which could be interpreted as an attempt to hide the fact he was involved in a pursuit. Officer Hempel ran 3 stop signs where he failed to slow or stop during the pursuit, one of which he did when his siren was not activated. He also appears to have reached speeds of 68 mph in a 25 mph zone while only having his lights activated.

**If the above allegations are true Officer Hempel is in violation of G.O. 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 Violating Any Rules of the Department, G.O. 2011-08F Emergency and Pursuit Driving.**



File Number: PIU2021F-013  
Involved Member: Officer Daniel Hempel

**Allegations Continued**

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

\_\_\_\_\_ Date:  
(Complainant)

Subscribed and sworn before me this date: \_\_\_\_\_ (Notary)

My Commission Expires:

**Witnesses:**  
Name \_\_\_\_\_ Address \_\_\_\_\_ Phone Number \_\_\_\_\_

**Recorded By:** Melanie Votaw, Bureau of Investigation, Public Integrity Unit

Chief of Police (or "Designee"):

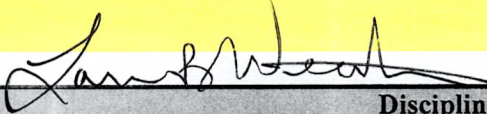
Policy Violation	Finding
60 1573-02K Disciplinary Proceedings CR 1:35 Violating any rules of the Dept 60 2011-08F Emergency and Pursuit Driving	<input type="checkbox"/> Proper Conduct
	<input checked="" type="checkbox"/> Improper Conduct
	<input type="checkbox"/> Insufficient Evidence
	<input type="checkbox"/> Policy Failure
	<input type="checkbox"/> Unfounded

Chief of Police Recommendation

Recommend Case Be Closed     Corrective Training Recommended     Below Disciplinary Action Recommended

Comments:

BNC Pursuit Viewed    1 Week Suspension w/ pay and  
~~Summary~~ Summary Reviewed    Suspension of Home Fleet for  
1 Month upon return from  
Suspension w/ pay

Signature: 

Date: 07/29/21

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.