September 10, 2021

Mr. George Cummins Sr.

RE: Formal Complaint PIU2021F-018 - Officer Logan Anderson

Dear Mr. Cummins,


After reviewing the investigative summary and the body worn camera video, Chief Lawrence Weathers determined the disposition of the complaint as “Unfounded”. Chief Weathers has recommended that no further action be taken with regard to this complaint.

Formal Complaint PIU2021F-018 regarding Officer Logan Anderson is closed.

Please feel free to contact the Public Integrity Unit if you have any questions regarding this determination.

Sincerely,

Lieutenant David Biroschik
Bureau of Investigation
Public Integrity Unit
(859) 258-3625
TO: Kenneth Armstrong, Commissioner
Department of Public Safety

FROM: Lawrence B. Weathers
Chief of Police

SUBJECT: Disciplinary Recommendation
PIU2021F-018
Officer Logan Anderson


I find that there does not appear to be sufficient evidence produced to sustain this complaint. Body Worn Camera and Public Integrity Unit synopsis was reviewed.

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

Lawrence B. Weathers
Chief of Police

LBW/rmh

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

On August 9, 2021 Mr. George Cummins Sr. filed a formal complaint against Officer Logan Anderson 56196 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 2000-02D Unbiased Policing, which states: “Biased policing is prohibited both in enforcement of the law and the delivery of police services”.

Mr. Cummins states on July 30th at approximately 23:00hrs Officer Holbrook conducted a traffic stop on his vehicle, while he was driving with an expired registration plate. During the stop he alleges Officer Holbrook improperly shined his flashlight throughout his vehicle looking for “drugs”. Mr. Cummings received a Warning for the stop, based upon the fact he had already been cited for the violation. He also believes there was no cause for the stop and feels it was racial profiling on Officer Holbrook’s part.

**Investigation**

Upon receiving the Formal Complaint from Mr. Cummings I viewed the BWC Footage for Officer Anderson. The footage shows that Officer Anderson was not with Officer Holbrook when he decided to perform the traffic stop in question. Officer Anderson had just cleared Headquarters, after booking in evidence when he observed Officer Holbrook on the stop and out of the cruiser talking to Mr. Cummings. Not knowing any of the circumstances behind the stop, he pulled over to assist and make sure Officer Holbrook was ok.

During the stop while Officer Holbrook was in his cruiser confirming all of Mr. Cummings information, Officer Anderson stood outside of Mr. Cummings vehicle on the driver’s side. During this time he never attempted to look into the vehicle or speak to Mr. Cummings except to give him his name and employee number when requested to do so by Mr. Cummings. Officer Anderson did tell Mr. Cummings during this exchange, that he had just left Headquarters after booking in evidence and he had no idea why he had been pulled over.

During the interview of Mr. Cummings he advised that he did not observe Officer Anderson violate any policy, or do anything inappropriate. His only statement regarding him was that he
felt Officer Anderson should have talked to Officer Holbrook when he arrived to ascertain if the stop was legitimate or not, before he decided to back him on the call.

**Conclusion**

The Formal Complaint that Mr. Cummings signed indicates he feels that racial profiling was the only reason he was pulled over. He felt that Officer Holbrook was looking for drugs and the entire stop was inappropriate because of that. He understands that Officer Anderson was not present when Officer Holbrook decided to make the stop and therefore had no say regarding the appropriateness of the decision to make the stop. Officer Anderson was simply leaving Headquarters when he observed a fellow officer performing a traffic stop and he decided to assist and make sure he was ok. This action does not violate any policy and is not in line with the Formal Complaint signed by Mr. Cummings. Mr. Cummings has requested that the reason for the stop be investigated and not the actions during, therefore I would recommend the Formal Complained filed on Officer Anderson be unfounded.
Assistant Chief Brian Maynard
Bureau of Patrol

TO:

FROM:

Lieutenant Matthew Brotherton
Bureau of Investigation
Public Integrity Unit

SUBJECT:

FORMAL COMPLAINT

COMPLAINANT: Mr. George Cummings Sr.

ACCUSED OFC.: Officer Logan Anderson


ALLEGED CIRCUMSTANCES: On July 30th, 2021 at approximately 23:00, Officer Holbrook conducted a traffic stop on a vehicle being driven by Mr. George Cummins Sr. Officer Holbrook stopped the vehicle on Main Street at Limestone. The vehicle had an expired registration plate. Officer Holbrook issued a warning notice to Mr. Cummins Sr. for the expired registration plate. Officer Anderson arrived on the traffic stop and stayed with Mr. Cummins while Officer Holbrook was completing the paperwork.

Mr. Cummins believes that Officer Holbrook and Officer Anderson conducted the stop due solely to Mr. Cummins’ race. According to Mr. Cummins, Officer Holbrook improperly used his flashlight to illuminate the interior of Mr. Cummins’ vehicle for the purposes of attempting to locate narcotics.

ACTION REQUESTED:

- The Bureau Commander and Officer Anderson 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 Anderson.
- Officer Anderson should contact the Public Integrity Unit to arrange for a time to provide a formal statement.
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 8/12/21 13:13

Lieutenant Matthew Brotherton
Bureau of Investigation
Public Integrity Unit

mrv

enclosures

cc: Chief Lawrence Weathers
file – PIU2021F-018
Lexington Police Department
Formal Complaint
Form 111

Member(s) Involved
Anderson, Logan

Employee No.
56196

D.O.B.
10/23/2017

Present Assignment
BOP, West, Second Shift

Complainant
Cummins, George Sr.

Address-Apt. No. - Zip Code

Telephone No.

Employed By

Business Address - Zip Code

Telephone No.

Date of Incident
7/30/2021

Time of Incident
23:00

Location of Incident
Main / Limestone

Date and Time Reported
8/2/2021

How Reported:
☐ Letter ☐ Phone
☐ Person ☑ Email

Brief Description of Allegations:
On July 30th, 2021 at approximately 23:00, Officer Holbrook conducted a traffic stop on a vehicle being driven by Mr. George Cummins Sr. Officer Holbrook stopped the vehicle on Main Street at Limestone. The vehicle had an expired registration plate. Officer Holbrook issued a warning notice to Mr. Cummins Sr. for the expired registration plate. Officer Anderson arrived on the traffic stop and stayed with Mr. Cummins while Officer Holbrook was completing the paperwork.

Mr. Cummins believes that Officer Holbrook and Officer Anderson conducted the stop due solely to racial profiling. According to Mr. Cummins, Officer Holbrook improperly used his flashlight to illuminate the interior of Mr. Cummins' vehicle for the purposes of attempting to locate narcotics.

If the above allegation is true, Officer Anderson has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35, Violating Any Rules of the Department: G. O. 2000-02D Unbiased Policing, which states: Biased policing is prohibited both in enforcement of the law and the delivery of police services.

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

(Complainant)

Date:
8-9-21

Subscribed and sworn before me this date:
8-9-21

(Notary)

My Commission Expires:
2-3-2025

Witnesses:

Name

Address

Phone Number

Recorded By: Melanie Votaw, Bureau of Investigation, Public Integrity Unit (Rev. 10/19)
<table>
<thead>
<tr>
<th>Policy Violation</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-5-1973 00:54</td>
<td>Unfounded</td>
</tr>
</tbody>
</table>

**Chief of Police Recommendation**

- [ ] Recommend Case Be Closed
- [ ] Corrective Training Recommended
- [ ] Below Disciplinary Action Recommended

**Comments:**

*Items Reviewed: PIU Symposium, OEC Holbrook BWC*

**Signature:**

Date: 09/09/2021

**Disciplinary Review Board**

<table>
<thead>
<tr>
<th>Policy Violation</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proper Conduct</td>
<td></td>
</tr>
<tr>
<td>Improper Conduct</td>
<td></td>
</tr>
<tr>
<td>Insufficient Evidence</td>
<td></td>
</tr>
<tr>
<td>Policy Failure</td>
<td></td>
</tr>
<tr>
<td>Unfounded</td>
<td></td>
</tr>
</tbody>
</table>

**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:**

- **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.