



LEXINGTON POLICE DEPARTMENT
PERSONNEL ORDER
Lexington, Kentucky

DATE OF ISSUE
February 3, 2022

EFFECTIVE DATE
February 4, 2022

NUMBER
PO:22-043

TO:
RESIGNATION

AMENDS:

INDEX AS:
OFFICER
BRENT BEREZNAK

RESCINDS:

This is to advise on the resignation of Officer Brent Berezna, to be effective February 4, 2022.

Lawrence B. Weathers

Lawrence B. Weathers
Chief of Police

LBW/rmh



Lexington-Fayette Urban County
Division of Police

MEMORANDUM

Lexington, Kentucky

DATE OF ISSUE

February 25, 2022

EFFECTIVE DATE

NUMBER
COP:
22-0045

TO:

Kenneth Armstrong, Commissioner
Department of Public Safety

SUBJECT:

Disciplinary Recommendation
PIU2022F-001
Officer Brent Berezna

FROM:

Lawrence B. Weathers
Chief of Police

Prior to me meeting with Officer Brent Berezna in regards to a violation of General Order 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 – Misconduct, he resigned, effective February 4, 2022.

Based on the information provided, I have sustained the complaint and determine his conduct to be improper. Officer Berezna's actions reflected unfavorable upon him as an officer. Public Integrity Unit summary was reviewed.

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

Lawrence B. Weathers
Chief of Police

LBW/rmh

Attachment

**LEXINGTON POLICE DEPARTMENT
FORMAL COMPLAINT FORM**

FORM 111 (5/21)

File #: PIU2022F-001

FOR OFFICIAL USE ONLY

Employee Involved: Officer Brent Bereznak		Employee #: 49740	Hire Date: 08/20/2012
Present Assignment: Bureau of Special Operations, CLEAR			
Complainant: Lt. Darin Salyer		Complainant Address: 150 E. Main, 40507	
Complainant Phone #: (859) 258-3600	Alternate Complainant Phone #: N/A	Complainant Email: N/A	
Date of Incident: N/A	Time of Incident: N/A	Location of Incident: 150 E. Main, 40507	Date and Time Reported: 01/19/2022
		How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Person <input type="checkbox"/> Email	

DESCRIPTION OF ALLEGATIONS:

On November 1st, 2021, a formal complaint was filed against Officer Bereznak alleging that he placed a GPS tracker on a vehicle without the owner's knowledge or consent. The investigation pursuant to the formal complaint resulted in the conclusion that Officer Bereznak did place the tracker on the vehicle without the owner's knowledge of consent. Officer Bereznak's conduct regarding the tracker was determined to not be contrary to the law or Department policies.

On November 10th, 2021 and December 7th, 2021, Officer Bereznak was interviewed by PIU. During both interviews, Officer Bereznak denied having placed the tracker on the vehicle. Due to the evidence reviewed by the Public Integrity Unit during the investigation of the formal complaint, it is believed that Officer Bereznak intentionally made untruthful statements during both formal interviews.

If the above allegations are true, then Officer Bereznak is in violation of General Order 1973-02K, Disciplinary Procedures, Appendix B, Operational Rule 1.02--Misconduct

Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department and to not cast doubt on the officer's integrity, honesty, judgment, or character. Misconduct of an officer shall include that which tends to bring the department into disrepute or reflects discredit upon the officer as an employee of the department, or that which tends to impair the operation and efficiency of the department or officer.

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

Complainant Signature: *D. Salyer* Date: 1-19-22
 Subscribed and sworn before me this date: 1-19-22 (Date) Melanie K. Volaw KYNP 2019 (Notary)
 My Commission Expires: 2-3-2025

Witness:
Name: _____ Address: _____ Phone: _____

Recorded By: Bureau of Investigation, Public Integrity Unit

File #: PIU2022F-001

Employee: Officer Brent Berezna

CHIEF OF POLICE

[Finding: PC=Proper Conduct, IC=Improper Conduct, IE=Insufficient Evidence, PF=Policy Failure, UC=Unfounded Complaint]

Finding **Policy Violation**

<input checked="" type="checkbox"/>	General Order 1973-02K, Disciplinary Procedures, Appendix B, Operational Rule 1.02--Misconduct

Chief of Police Recommendation: Case Be Closed Corrective Training Disciplinary Action (see below)

Materials Reviewed: Reviewed Public Integrity Unit summary

Comments:

Prior to submitting to an interview with the Public Integrity Unit, Officer Berezna resigned and hence, I could not meet with him for a disciplinary recommendation. Based on the information provided I have sustained the complaint and determined his conduct to be improper. Officer Berezna's actions reflected unfavorable upon him as an officer.

Signature: *Jawana B. Weather* Date: 2/24/2022

DISCIPLINARY REVIEW BOARD

Finding **Policy Violation**

Disciplinary Review Board Recommendation: Case Be Closed Corrective Training Disciplinary Action (see below)

Comments:

Signature: _____ Date: _____

CHIEF OF POLICE FINAL RECOMMENDATION

Case Be Closed Corrective Training Disciplinary Action (see below)

Comments:

Signature: _____ Date: _____



LEXINGTON POLICE
DEPARTMENT
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE
February 10th, 2022

EFFECTIVE DATE

NUMBER
PIU 22-017

TO: Lawrence Weathers Chief of Police	SUBJECT: Summary of Formal Complaint on Officer Brent Bereznak, PIU 2022F-001
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 on January 19th, 2022 by Lt. Darin Salyer on Officer Brent Bereznak. According to the Formal Complaint:

On November 1st, 2021, a formal complaint was filed against Officer Bereznak alleging that he placed a GPS tracker on a vehicle without the owner's knowledge or consent. The investigation pursuant to the formal complaint resulted in the conclusion that Officer Bereznak did place the tracker on the vehicle without the owner's knowledge of consent. Officer Bereznak's conduct regarding the tracker was determined to not be contrary to the law or Department policies.

On November 10th, 2021 and December 7th, 2021, Officer Bereznak was interviewed by PIU. During both interviews, Officer Bereznak denied having placed the tracker on the vehicle. Due to the evidence reviewed by the Public Integrity Unit during the investigation of the formal complaint, it is believed that Officer Bereznak intentionally made untruthful statements during both formal interviews.

If the above allegations are true, then Officer Bereznak is in violation of General Order 1973-02K, Disciplinary Procedures, Appendix B, Operational Rule 1.02--Misconduct

Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department and to not cast doubt on the officer's integrity, honesty, judgment, or character. Misconduct of an officer shall include that which tends to bring the department into disrepute or reflects discredit upon the officer as an employee of the department, or that which tends to impair the operation and efficiency of the department or officer.

Investigation

On November 1st, 2021, Ms. Kathy Seaton, Officer Bereznak's ex-girlfriend, filed a formal complaint alleging that Officer Bereznak, during the course of their relationship, placed a GPS tracker on her car without her knowledge. The formal complaint was investigated and the findings were presented to Chief Lawrence Weathers. The investigation concluded that Officer Bereznak did place the tracker without Ms. Seaton's knowledge or consent; Chief Weathers determined that Officer Bereznak's actions of placing the tracker did not constitute Misconduct, as there was no violation of law or of department policy, and that it did not pertain to his official duties or employment.

During the course of the investigation, Officer Berezna was interviewed multiple times; during each of the interviews, Officer Berezna denied placing the tracker on Ms. Seaton's car.

Ms. Seaton, subsequent to filing the Formal Complaint, supplied an audio recording of an interaction between her and Officer Berezna. In the January 23rd, 2021 recording, Ms. Seaton accuses Officer Berezna of placing the tracker on her car without her knowledge. Ms. Seaton and Officer Berezna continued to date until the end of August 2021.

Interviews with Officer Brent Berezna

On November 10th and December 7th, Officer Berezna was interviewed in the PIU office regarding Ms. Seaton's allegations. During the interviews with Officer Berezna, he gave the following explanation for the existence of the tracker and how it eventually came to be on Ms. Seaton's vehicle:

Officer Berezna owns a Camaro—it is an older car; he had been talking to his brother about ways to keep the vehicle secure. Eventually he decided to buy a GPS tracker.

***Ofc. Berezna supplied an Amazon.com order receipt showing that the tracker was ordered on 10-18-2020 and was shipped on 10-19-2020.

Prior to the tracker arriving, Ofc. Berezna and Ms. Seaton had been arguing in the relationship about trust and his concerns that she was being untruthful. She suggested using the built-in phone tracking features (Find My iPhone)—Ofc. Berezna declined.

When the tracker arrived, Ms. Seaton saw it; she asked to use the tracker and he declined. Eventually, after she repeatedly asks to put the tracker on her vehicle instead of his Camaro, Berezna relented: "fine, I don't care, use it." He stated that they set up the on-line account with the tracker together.

After she confronted him about the tracker, he kept it from her, hiding it around the house. Later, he moved it into another vehicle of his, a Corvette, to keep her from finding it.

Ms. Seaton's submitted recording

According to Ms. Seaton, the tracker was found on her vehicle on January 21, 2021; she took the vehicle to an auto-service shop after suspecting that her vehicle was being tracked. A tracker was found on the vehicle by the service shop.

Ms. Seaton advised that she confronted Ofc. Berezna on the evening of January 23rd at approximately 2130; it was at this time that she recorded their conversation with her cell phone.

Throughout the recording, Ms. Seaton repeatedly confronts him about the tracker, asking why he placed it on her vehicle. Ofc. Berezna initially responds that it was because of "trust issues". Later in the conversation he accuses a former boyfriend of placing it on the vehicle. Ms. Seaton talks about how Ofc. Berezna's finger prints are likely on the tracker; Ofc. Berezna challenges her on how it was fingerprinted. Later in the conversation, Ofc. Berezna responds to her questioning him why he placed the tracker; he responds that it was because she cheated on him.

At several points in the recording, Ofc. Bereznak says that he is interested in discussing the allegations, but not while they are in the area of potential recording devices.

Officer Bereznak Interview

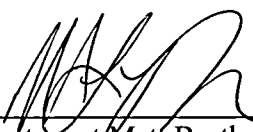
Pursuant to this specific formal complaint, Officer Bereznak was scheduled to be interviewed on Monday, February 7th, 2022 at 13:30. However, Officer Bereznak resigned from the Lexington Police Department on February 4th, 2022 before the interview could be conducted.

Conclusion

Following the resolution of the complaint filed on Officer Bereznak by Ms. Seaton, a review of his statements during his PIU interviews led to the subsequent Formal Charge of Misconduct.

Officer Bereznak stated during the interviews that he did not place the tracker on Ms. Seaton's car without her knowledge. His explanation of how the tracker came to be placed on her vehicle is inconsistent with his responses to Ms. Seaton's questioning of him on her submitted recording.

Throughout the conversation recorded by Ms. Seaton, Officer Bereznak makes comments that acknowledge that he placed the tracker on her car without her knowledge. At other times, he pushes back, denying any involvement in the tracker. At no point, are his responses to her consistent with the explanation he presented during the PIU interviews. The inconsistencies between his statements in PIU and his responses to her during their argument support the accusation that he was untruthful during his PIU interviews.



Lieutenant Matt Brotherton
Bureau of Investigation
Public Integrity Unit

cc: file – PIU 2021F-023



Lexington Police Department
MEMORANDUM
 Lexington, Kentucky

DATE OF ISSUE
 January 19, 2022

EFFECTIVE DATE
 January 19, 2022

NUMBER
 PIU: 22-007

TO: Assistant Chief Shawn Coleman
 Bureau of Special Operations

SUBJECT: FORMAL COMPLAINT

FROM: Lieutenant Matthew Brotherton
 Bureau of Investigation
 Public Integrity Unit

COMPLAINANT: Lieutenant Darin Salyer

ACCUSED OFC.: Officer Brent Berezna

ALLEGATION: Violation of General Order 1973-02K, Disciplinary Procedures, Appendix B, Operational Rule 1.02--Misconduct

ALLEGED CIRCUMSTANCES: On November 1st, 2021, a formal complaint was filed against Officer Berezna alleging that he placed a GPS tracker on a vehicle without the owner's knowledge or consent. The investigation pursuant to the formal complaint resulted in the conclusion that Officer Berezna did place the tracker on the vehicle without the owner's knowledge of consent. Officer Berezna's conduct regarding the tracker was determined to not be contrary to the law or Department policies.

On November 10th, 2021 and December 7th, 2021, Officer Berezna was interviewed by PIU. During both interviews, Officer Berezna denied having placed the tracker on the vehicle. Due to the evidence reviewed by the Public Integrity Unit during the investigation of the formal complaint, it is believed that Officer Berezna intentionally made untruthful statements during both formal interviews.

ACTION REQUESTED:

- The Bureau Commander and Officer Berezna 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 Berezna.
- Officer Berezna should contact the Public Integrity Unit to arrange for a time to provide a formal statement.

DATE TIME
1-19-22 1325

Bureau Commander J. Newman 4222

Supervisor D. Selig 41917

Officer [Signature]

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 LT. D. Broderick 33732
1/19/22 1505

Lieutenant Matthew Brotherton
Bureau of Investigation
Public Integrity Unit

mrj

enclosures

cc: Chief Lawrence Weathers
file - PIU2022F-001

**LEXINGTON POLICE DEPARTMENT
FORMAL COMPLAINT FORM**

FORM 111 (5/21)

File #: PIU2022F-001

FOR OFFICIAL USE ONLY

Employee Involved: Officer Brent Berezna			Employee #: 49740	Hire Date: 08/20/2012
Present Assignment: Bureau of Special Operations, CLEAR				
Complainant: Lt. Darin Salyer		Complainant Address: 150 E. Main, 40507		
Complainant Phone #: (859) 258-3600	Alternate Complainant Phone #: N/A	Complainant Email: N/A		
Date of Incident: N/A	Time of Incident: N/A	Location of Incident: 150 E. Main, 40507	Date and Time Reported: 01/19/2022	How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Person <input type="checkbox"/> Email

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

Complainant Signature: *D. Salyer* Date: 1-19-22
 Subscribed and sworn before me this date: 1-19-22 *Melanie R. Volaw* KY NP 20919
(Date) (Notary)
 My Commission Expires: 2.3.2025

Witness:

Name: _____ Address: _____ Phone: _____

Recorded By: Bureau of Investigation, Public Integrity Unit