



LEXINGTON POLICE DEPARTMENT
PERSONNEL ORDER
 Lexington, Kentucky

DATE OF ISSUE

September 9, 2022

EFFECTIVE DATE

October 3, 2022

NUMBER

PO:22-337

TO:
 SUSPENSION WITHOUT PAY

AMENDS:

INDEX AS:
 OFFICER
 KYLE BLANKENSHIP

RESCINDS:

Effective, Monday, October 3rd – Saturday, December 31st, 2022, Officer Kyle Blankenship will be suspended without pay for three (3) months, for violation of General Order 1973-02K, Disciplinary Procedures of Sworn Officers, Section 1.17 and Section 1.02 – Processing Property and Evidence & Misconduct.

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

The Urban County Council approved this suspension on September 8, 2022.

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 Kyle Blankenship #58544

has committed the offense of:
Processing Property and Evidence & Misconduct

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 Section 1.17 and Section 1.02

in that on the 5th day(s) of May, 20 2022 he/she allegedly:

On May 5, 2022 Officer Kyle Blankenship shopped his assigned vehicle at Fleet Services for routine maintenance. Several items of drug paraphernalia, narcotics, and personal items of other subjects were located inside a box in the trunk of the vehicle. The items were obtained from investigations that did not result in criminal charges, but he failed to book the property as required by General Order 1991-13M Property and Evidence Procedures which states:

"Every item of property and evidence coming into an employee's custody as a result of their official duties will be placed under the control of Property and Evidence Unit before the employee goes off duty".

A review of Officer Blankenship's activity since January 1, 2022 revealed additional policy violations related to Property and Evidence Procedures, Search Records and Body Worn Camera procedures. The combination of these incidents are a violation of the disciplinary policy - 1.02 Misconduct which states:

"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.

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:

Three (3) month suspension without pay

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 or 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.

 58544


Employee Signature

8-16-2022
Date



Chief of Police Signature

8-16-2022
Date

<p style="text-align: center;">ACTION BY URBAN COUNTY COUNCIL</p> <p><input checked="" type="checkbox"/> APPROVE ABOVE RECOMMENDATION</p> <p><input type="checkbox"/> DISAPPROVE ABOVE RECOMMENDATION</p> <p style="text-align: center;"> 9/8/2022 _____ Signature of Authorized Representative of Urban County Council</p>

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

August 8, 2022

EFFECTIVE DATE

NUMBER

COP:
22-0148

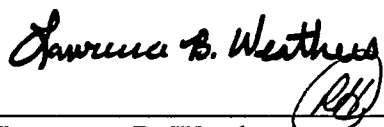
<p>TO: Kenneth Armstrong, Commissioner Department of Public Safety</p>	<p>SUBJECT: Disciplinary Recommendation PIU2022F-008/010 Officer Kyle Blankenship</p>
<p>FROM: Lawrence B. Weathers Chief of Police</p>	

I met with Officer Kyle Blankenship on August 5, 2022, and have determined this as "Improper Conduct" for violation of:

- General Order 1973-02K - Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.17 – Processing Property and Evidence
- General Order 1973-02K – Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 – Misconduct

I have recommended a three (3) month suspension without pay. I have included the summary of this formal complaint for your information. Reviewed PIU synopsis regarding the complaint.

Officer Blankenship accepted this discipline on August 5, 2022.



Lawrence B. Weathers
Chief of Police

LBW/rmh

Attachment



LEXINGTON POLICE
DEPARTMENT
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE
July 13, 2022

EFFECTIVE DATE

NUMBER
PIU-075

TO: Lawrence Weathers Chief of Police	SUBJECT: Summary of Formal Complaints on Officer Kyle Blankenship, PIU2022F-008 and PIU 2022F-010
FROM: Lieutenant Matt Brotherton Bureau of Investigation - Public Integrity Unit	

Sir,

This memorandum will provide a summary of the investigation into the Formal Complaints filed by Lt. Jeremiah Davis on Officer Kyle Blankenship.

On 05/20/2022, Lt. Davis signed a formal complaint that alleged the following:

On Thursday, May 5, 2022 Officer Kyle Blankenship, 58544, shopped his assigned cruiser at Fleet Services. Discovered in his cruiser were several items of drug paraphernalia and narcotics, including marijuana and various pills and personal property of other subjects located inside of a box in the trunk of his assigned cruiser. Officer Blankenship advised that the items located were taken from various investigations that did not result in criminal charges for the items located, but that he did fail to book the property as required by General Order 1991 -13M Property and Evidence Procedures:

IV.D.4. "Every item of property and evidence coming into an employee's custody as a result of their official duties will be placed under the control of Property and Evidence Unit before the employee goes off duty."

As an Officer with LPD, Officer Blankenship is expected to book any property or evidence coming into his custody as a result of his official duties. He failed to so on at least five occasions.

If the above allegations are true, Officer Kyle Blankenship has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.17 Processing Property and Evidence:

"Property and evidence which is discovered, gathered, or received in connection with department responsibilities will be processed in accordance with established department procedures. Officers shall not purchase, convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold, or have any claim to found, impounded, abandoned, or recovered property - or any property held or released as evidence in connection with an investigation or other police action, except in accordance with established department procedures."

On 06/06/2022, after having filed the above formal, Lt. Davis filed an additional formal containing the following additional allegations:

Pursuant to the discovery of items of evidence located in Ofc. Blankenship's cruiser and subsequent Formal Charge placed on 05/20/2022, BOP conducted a review of Ofc. Blankenship's activity since January 1st, 2022. The review located the following concerns and additional potential policy violations:

1) Additional incidents of violations associated with General Order 1991 -13M Property and Evidence Procedures which states every item of property and evidence coming into an employee's custody as a result of their official duties will be placed under the control of Property and Evidence before the employee goes off duty.

2) Violations of Executive Order 2020-03 Documenting Searches and Handcuffing which states that a Search Record form will be completed by the officer who conducted the field search during their shift that the search was completed.

3) Violations of General Order 2015-15C Body Worn Camera which states that employees shall place their BWC in event mode prior to their arrival on a call for service or at the initiation of any other official contact. If an employee fails to record the entirety of their involvement in official contact, the employee shall verbally notify their supervisor prior to the end of their assignment and include the circumstances on the appropriate documents and Blueteam report, if applicable.

If the above allegations are true, Officer Blankenship has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 Misconduct since as an Officer with LPD, he is expected to conduct himself at all times in a 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.

Due to these two formal complaints stemming from the same original incident, they will be summarized together in this memorandum.

Investigation

As stated in the first formal complaint, Fleet Services personnel detected a strong odor of suspected marijuana coming from a Lexington Police patrol car that was dropped off for service by Ofc. Kyle Blankenship. Lieutenants David Richardson, Brian Peterson, and Dan Burnett all responded to Fleet Services and inspected the trunk of the vehicle.

In the vehicle's trunk, the Lieutenants located multiple items of suspected narcotics and narcotics paraphernalia. The Lieutenants recovered the items, capturing their actions on BWC. This information formed the basis for the first formal complaint. The recovered items were booked into evidence by Lt. Burnett. Pursuant to the Formal Complaints, I reviewed the BWC footage.

Following the discovery of the items in Ofc. Blankenship's assigned patrol vehicle, Sgt. Wiggins conducted a review of Ofc. Blankenship's activity from 01/01/2022 to 05/04/2022. Additionally, Ofc. Blankenship was directed to write a memo concerning the items.

During the review of Ofc. Blankenship's activity, Sgt. Wiggins located the origin of the majority of items discovered in the trunk. The review determined that the items were encountered during police contacts with the community and that Ofc. Blankenship took them and clearly never booked them into evidence:

- Suspected marijuana (7.7 grams in packaging); —Traffic stop where driver was arrested for a warrant and the narcotics were located
- Suspected marijuana (12.8 grams in packaging); —Traffic stop where driver was given a warning notice; suspected marijuana handed over by driver
- 2 gabapentin (800mg) oval pills and 1 hydrocodone/acetaminophen (10mg) pill; —Dispatched to a person down; seized the items during a search of a vehicle. No charges.
- A plastic baggie containing suspected heroin (.1 grams in packaging); undetermined origin
- Three folded-up pieces of paper containing suspected heroin (total weight 1.7 grams in packaging); undetermined origin.
- Multiple glass pipes, syringes, and scales; recovered during multiple encounters

Sgt. Wiggins located multiple instances where Ofc. Blankenship conducted a search but did not complete a search record as directed by policy:

- February 23, 2022 -Searches were conducted of a garage, residence, and vehicle. Sgt. Wiggins addressed the search with Ofc. Blankenship and discussed the appearance that the consent given would not have withstood a challenge due to the officers on scene pressuring the homeowner.
- February 28, 2022 - Consent search of a vehicle where 4 needles were recovered.
- March 9, 2022 - During a plain smell search during a traffic stop, Ofc. Blankenship discovers a small pan containing suspected marijuana and dumps it onto the ground.

Two spent shell casings, two operator's licenses, and a set of keys were also located in the patrol car's trunk. The spent shell casings were from March 30, 2022 () where Ofc. Blankenship was dispatched to find casings but did not book them in. Ofc. Blankenship made no effort to return the operator's license or the keys to their owners.

Additionally, Sgt. Wiggins located multiple instances where Ofc. Blankenship activated his BWC late and stopped recording prematurely, in violation of policy, and did not complete a failure-to-activate Blue Team report.

- January 11, 2022 ()-Ofc. Blankenship turns off his BWC at FCDC during the search of the arrestee.
- January 13, 2022 ()-The BWC of the interaction starts during a search of a vehicle; it is unknown why the vehicle was stopped or searched.
- January 26, 2022 ()-BWC starts after a suspect is arrested and Ofc. Blankenship is transporting him to FCDC.

During the review of Ofc. Blankenship's activity, Sgt. Wiggins observed an incident from April 17, 2022() where, during a DUI arrest, Ofc. Blankenship located two pill bottles inside the arrestee's vehicle glove box. Sgt. Wiggins determined that the pill bottles were not booked into evidence. When informed of this issue, Ofc. Blankenship (with Lt. Davis' permission) went to his assigned vehicle and searched the trunk. He discovered that the two pill bottles had fallen into his riot bag and been lost. Ofc. Blankenship then booked the bottles into evidence.

Pursuant to the discovery of the suspected narcotics in Ofc. Blankenship's assigned vehicle, he was sent for drug-testing; the results were negative.

Interviews with Officer Kyle Blankenship

Officer Blankenship was interviewed in the PIU office on two occasions, 06/10/2022 and 06/27/2022. The first interview was conducted and then the second interview was conducted after Ofc. Blankenship was given the opportunity to review the follow-up memo completed by Sgt. Wiggins.

During the interviews, Ofc. Blankenship acknowledged that he did not book in the listed items and placed them in his trunk. He also acknowledged that he did not activate his BWC according to policy. Ofc. Blankenship also did not dispute that he disposed of suspected marijuana by dumping it in the street.

Ofc. Blankenship did take responsibility for his actions and what he admitted were clear policy violations; he did offer up a justification for his behavior by stating that he was a high-activity officer who focused on going from call to call, attempting to be as productive as possible. He agreed that he did not book in amounts of narcotics that he believed personally were not of a sufficient amount to merit his placing of charges.

Ofc. Blankenship recognized that his work was "sloppy" and that it reflected poorly on his work-performance.

Conclusion

In regards to the specific allegations in the first formal:

General Order 1991 -13M Property and Evidence Procedures:

IV.D.4. "Every item of property and evidence coming into an employee's custody as a result of their official duties will be placed under the control of Property and Evidence Unit before the employee goes off duty."

Officer Blankenship does not dispute that the items of evidence in his trunk were placed there by him and seized during law-enforcement encounters. He also does not dispute that:

As an Officer with LPD, Officer Blankenship is expected to book any property or evidence coming into his custody as a result of his official duties. He failed to do so on at least five occasions.

On individual, separate law-enforcement encounters, Ofc. Blankenship took custody of the contraband.

Officer Blankenship did not dispute any of the allegations in either of the submitted formal complaints. Though he sought to defend himself by arguing that he was too busy to stop and book in the seized contraband, he recognized that he did have multiple opportunities during down time to book in the items as directed by policy. Officer Blankenship stated that in the future, he would keep evidence bags and proper packaging items in the cab of his vehicle, to help facilitate appropriate evidence collection practices. Officer Blankenship stated that his actions violated evidence policies.

The narcotics located in the vehicle were not evidence in any pending criminal cases. Officer Blankenship was making the determination not to place criminal charges relating to the narcotics that he found and did not dispose of or book in as evidence.

In regards to the specific allegations in the second formal:

General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 Misconduct since as an Officer with LPD, he is expected to conduct himself at all times in a 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.

The components of the Misconduct allegation are that he did not book in evidence properly, that he failed to complete search records appropriately, and that he violated BWC policies on multiple occasions. Officer Blankenship did not dispute any of the allegations levied against him.

Officer Blankenship acknowledged that he was not performing according to the named policies and expectations and that it reflected poorly on him and the agency.

Lieutenant Matt Brotherton
Bureau of Investigation
Public Integrity Unit

cc: file – PIU2022F-008



Lexington Police Department
MEMORANDUM
 Lexington, Kentucky

DATE OF ISSUE
 May 20, 2022

EFFECTIVE DATE

NUMBER
 PIU: 22-055

TO: Assistant Chief Brian Maynard
 Bureau of Patrol

SUBJECT: FORMAL COMPLAINT

FROM: Lieutenant Matthew Brotherton
 Bureau of Investigation
 Public Integrity Unit

COMPLAINANT: Lieutenant Jeremiah Davis

ACCUSED OFC.: Officer Kyle Blankenship

ALLEGATION: Violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.17 Processing Property and Evidence:

ALLEGED CIRCUMSTANCES: On Thursday, May 5, 2022 Officer Kyle Blankenship, 58544, shopped his assigned cruiser at Fleet Services. Discovered in his cruiser were several items of drug paraphernalia and narcotics, including marijuana and various pills and personal property of other subjects located inside of a box in the trunk of his assigned cruiser. Officer Blankenship advised that the items located were taken from various investigations that did not result in criminal charges for the items located, but that he did fail to book the property as required by General Order 1991 -13M Property and Evidence Procedures:

IV.D.4. "Every item of property and evidence coming into an employee's custody as a result of their official duties will be placed under the control of Property and Evidence Unit before the employee goes off duty."

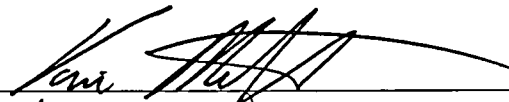

As an Officer with LPD, Officer Blankenship is expected to book any property or evidence coming into his custody as a result of his official duties. He failed to so on at least five occasions.

ACTION REQUESTED:

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


DATE

TIME

Bureau Commander  5/23/22 1315
Supervisor Joseph Adam Davis 5/20/22 1705
Officer  5-20-22 1705

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 MLB Brotherton 05/23/22 1415



Lieutenant Matthew Brotherton
Bureau of Investigation
Public Integrity Unit

mrV

enclosures

cc: Chief Lawrence Weathers
file – PIU2022F-008

**LEXINGTON POLICE DEPARTMENT
FORMAL COMPLAINT FORM
FOR OFFICIAL USE ONLY**

FORM 111 (5/21)

File #: PIU 2022F-008

Employee Involved: Blankenship, Kyle			Employee #: 58544	Hire Date: 01/20/2020
Present Assignment: BOP				
Complainant: Lt. Jeremiah Davis			Complainant Address: 150 E. Main	
Complainant Phone #:	Alternate Complainant Phone #:		Complainant Email:	
Date of Incident: 05/05/2022	Time of Incident: Various	Location of Incident: Various	Date and Time Reported: 05/11/2022	How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input type="checkbox"/> Person <input checked="" type="checkbox"/> Email

DESCRIPTION OF ALLEGATIONS:

On Thursday, May 5, 2022 Officer Kyle Blankenship, 58544, shopped his assigned cruiser at Fleet Services. Discovered in his cruiser were several items of drug paraphernalia and narcotics, including marijuana and various pills and personal property of other subjects located inside of a box in the trunk of his assigned cruiser. Officer Blankenship advised that the items located were taken from various investigations that did not result in criminal charges for the items located, but that he did fail to book the property as required by General Order 1991 -13M Property and Evidence Procedures:

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If the above allegations are true, Officer Kyle Blankenship has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.17 Processing Property and Evidence:

"Property and evidence which is discovered, gathered, or received in connection with department responsibilities will be processed in accordance with established department procedures. Officers shall not purchase, convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold, or have any claim to found, impounded, abandoned, or recovered property - or any property held or released as evidence in connection with an investigation or other police action, except in accordance with established department procedures."

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

Complainant Signature: Jeremiah Davis Date: 5/20/22

Subscribed and sworn before me this date: 5/20/22 (Date) Claire R. McBride (Notary) KYNP49965

My Commission Expires: 4/29/26

Witness:
Name: _____ Address: _____ Phone: _____

File #: PIU 2022F-008

Employee: Blankenship, Kyle

CHIEF OF POLICE

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

Finding **Policy Violation**

IC	General Order 1973-02K - Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.17 - Processing Property and Evidence

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

Materials Reviewed:

Reviewed PIU Summary

Comments:

Recommend three (3) month suspension without pay (PIU 2022F-008 & PIU 2022F-010 Combined)

Signature: *Shirley B. Weather*

Date: August 8, 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: _____