



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

DATE OF ISSUE
August 28, 2023

EFFECTIVE DATE
August 17, 2023

NUMBER
PO:23-367

TO:
WRITTEN REPRIMAND

AMENDS:

INDEX AS:
**OFFICER
DANIEL HEMPEL / 56211**

RESCINDS:

Officer Daniel Hempel is hereby given a Written Reprimand for violation of General Order 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 – Violating Any Rules of the Department.

This Written Reprimand was approved by the Urban County Council on August 17, 2023.

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

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

in that on the May day(s) of 18, 20 23 he/she allegedly:

On March 2, 2022, Officer Daniel Hempel submitted a Tattoo and Body Alteration request for a tattoo on his forearm. Prior to receiving approval from the Chief's Office approving such tattoo, Officer Hempel had the tattoo completed. On March 17, 2022, Chief Weathers denied the request and said notice was provided to Officer Hempel. On May 18, 2023, Officer Hempel's supervisor became aware of the unapproved tattoo.

Officer Hempel has since received approval for and completed a cover up tattoo to be in compliance with department policy.

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


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

07/18/23
Date


Chief of Police Signature

07/19/23
Date

ACTION BY URBAN COUNTY COUNCIL

☒ APPROVE ABOVE RECOMMENDATION

☐ DISAPPROVE ABOVE RECOMMENDATION


Signature of Authorized Representative of
Urban County Council

8/17/2023

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

June 29, 2023

EFFECTIVE DATE

NUMBER
COP:
23-0197

TO:

Kenneth Armstrong, Commissioner
Department of Public Safety

FROM:

Lawrence B. Weathers
Chief of Police

SUBJECT:

Disciplinary Recommendation
PIU2023F-004
Officer Daniel Hempel

I met with Officer Daniel Hempel on June 28, 2023, 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

I have recommended a Written Reprimand for this violation. I have included the summary of this formal complaint for your information.

Officer Hempel accepted this discipline on June 28, 2023.

Lawrence B. Weathers
Chief of Police

LBW/rmh

Attachment



LEXINGTON POLICE
DEPARTMENT
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE
June 13th, 2023

EFFECTIVE DATE

NUMBER
PIU: 23-046

TO:
Lawrence Weathers
Chief of Police

SUBJECT:
Formal PIU2023F-004
Officer Daniel Hempel 56211
Summary

FROM:
Lieutenant Jeff Jackson
Bureau of Investigation
Public Integrity Unit

Sir,

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

On June 9th, 2023 Lieutenant Meredith Taylor filed a formal complaint against Officer Daniel Hempel that alleged the following:

On March 2, 2022, Officer Daniel Hempel submitted a LPD Tattoo and Body Authorization request for a tattoo on his forearm. Prior to receiving authorization from the Chief's Office approving such tattoo, Officer Hempel had the tattoo completed. The request was denied on March 17, 2022 by Chief Weathers and said notice was provided to Officer Hempel. Officer Hempel failed to take any further action to notify his chain of command of his actions of already receiving the tattoo or make an attempt to adjust his non-approved tattoo in any manner.

If the above allegation is true, Officer Daniel Hempel is in violation of General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 - Violating Any Rules of the Department.

Investigation

On May 2, 2022, Officer Daniel Hempel submitted a LPD Tattoo and Body Authorization request for a tattoo on his forearm depicting a skull in a coffin with a tree growing from the skull. This would be located on his right forearm, between the wrist and the elbow, on the inside of the forearm. It would measure approximately 7 inches by 4 inches. Officer Hempel described the requested tattoos meaning as "Peace is what we make of it, all life stems from what happens in our minds".

Prior to receiving authorization from the Chief's Office approving the described tattoo, Officer Hempel had the tattoo completed. The request was denied on March 17, 2022 by Chief Weathers and said notice was provided to Officer Hempel. Officer Hempel failed to take any further action to notify his chain of command of his actions of already receiving the tattoo or make an attempt to adjust his non-approved tattoo in any manner.

On or about May 18, 2023, Commander Brotherton inquired with Officer Hempel about a rumor that Officer Hempel received a tattoo that was not authorized and in violation of GO 1973-05DD Personal Appearance of Sworn Officers. Officer Hempel advised that he did have a tattoo that was denied. Officer Hempel has since received approval for and completed a cover up tattoo to be in compliance with department policy. This tattoo depicts a Star Wars "Dark Trooper" helmet with a tree growing out of the top.

Interview with Officer Daniel Hempel

On Tuesday 6/13/2023 at around 1245 Officer Hempel came to the PIU office where an interview was conducted by Lieutenant Jackson and Commander Bacon.

Officer Hempel was asked to relate his recollection of the events that led to the investigation. He advised that on March 2nd of 2022 he submitted a tattoo request for a sketch made by a friend with whom he served in the military. Officer Hempel had left on active military duty after the submission was made. Based on conversations with co-workers, he assumed that the request would be approved within 2-3 days, and upon researching the guidelines did not believe it would be denied as it did not violate those guidelines, to his understanding. As the scheduled appointment with a tattoo artist came, and the request had not been approved or denied, he re-scheduled the appointment for the following week.

When the second appointment arrived the next week, he went ahead and had the tattoo work done, as cancelling the appointment would cost money, and he still assumed the tattoo would be approved. The time period from the submission of the request, to the date the tattoo work was done, was approximately 2 weeks by his estimation. On March 17th of 2022 he received notification that the request had been denied. He began to research tattoo removal options, including laser removal, and found that the sessions involved could affect the dermatological issues that he was experiencing at that point.

When asked why he did not inform his chain of command as to the circumstances of his unapproved tattoo, Officer Hempel stated he was concerned about the possibility of being terminated. He stated that he concealed the tattoo when on duty, as well as when working off duty or at departmental facilities. He facilitated this by wearing long sleeved uniforms.

When asked what he has done to rectify the situation and prevent future issues, Officer Hempel decided against removal as it would take multiple sessions and a longer period of time before he would be in compliance with policy. He decided to cover up the tattoo with an approved design, which is work that has been completed. When asked what he would do differently if given the opportunity, he stated he would have placed the tattoo on a location on his body unable to be seen while in uniform, as the design is important to him. When asked if given the same circumstances, and he had gotten the tattoo in a visible location before receiving the denied request, he stated he would have advised his supervisor of the error immediately and taken steps to rectify it.

Conclusion

Officer Hempel does not dispute that he was in violation of General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 - Violating Any Rules of the Department, specifically General Order 1973-05DD - Personal Appearance of Sworn Officers. He takes full responsibility for getting an unapproved tattoo before he received notification of departmental approval or disapproval. He also takes full responsibility for not bringing the situation to his supervisor's attention until asked about the situation nearly a year later.

Officer Hempel received approval for a different tattoo that would cover the unapproved one, and has already had the work done. This was done in order to bring himself into compliance with departmental standards and policy. Since bringing himself into compliance, he has returned to regular duties as a patrol officer.

(e-mailed)

Lieutenant Jeff Jackson
Bureau of Investigation
Public Integrity Unit

cc: file - PIU2023F-004



Lexington Police Department
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE

June 9, 2023

EFFECTIVE DATE

NUMBER

PIU: 23-043

TO:

Assistant Chief Brian Maynard
Bureau of Patrol

SUBJECT:

FORMAL COMPLAINT

FROM:

Lieutenant Jeffery Jackson
Bureau of Investigation
Public Integrity Unit

COMPLAINANT: Lieutenant Meredith Taylor

ACCUSED OFC.: Officer Daniel Hempel

ALLEGATION: Violating General Order 1973-02K Disciplinary Procedures of Sworn Officers,
Appendix B, Operational Rule 1.35 - Violating Any Rules of the Department.

ALLEGED CIRCUMSTANCES: On March 2, 2022, Officer Daniel Hempel submitted a LPD Tattoo and Body Authorization request for a tattoo on his forearm. Prior to receiving authorization from the Chief's Office approving such tattoo, Officer Hempel had the tattoo completed. The request was denied on March 17, 2022 by Chief Weathers and said notice was provided to Officer Hempel. Officer Hempel failed to take any further action to notify his chain of command of his actions of already receiving the tattoo or make an attempt to adjust his non-approved tattoo in any manner.

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>MLB BROTHERN</u> | <u>06/12/23</u> | <u>1600</u> |
| Supervisor <u>Meredith Taylor</u> | <u>6-9-23</u> | <u>1625</u> |
| Officer <u>mr mr</u> | <u>06/11/23</u> | <u>1625</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 jeff jackson 6-13-2023

jeff jackson
Lieutenant Jeffery Jackson
Bureau of Investigation
Public Integrity Unit

mr v

enclosures

cc: Chief Lawrence Weathers
file - PIU2023F-004

LEXINGTON POLICE DEPARTMENT
FORMAL COMPLAINT FORM
FOR OFFICIAL USE ONLY

FORM 111 (5/21)

File #: PIU 2023F-004

| | | | | |
|---|---------------------------------------|--|---------------------------------------|--|
| Employee Involved: Officer Daniel Hempel | | | Employee #: 56211 | Hire Date: 10/23/2017 |
| Present Assignment: Bureau of Patrol / West Sector | | | | |
| Complainant: Lieutenant Meredith Taylor | | Complainant Address: 150 E. Main Street Lexington, KY 40507 | | |
| Complainant Phone #: (859) 258-3600 | Alternate Complainant Phone #: N/A | Complainant Email: mtaylor@lexingtonpolice.ky.gov | | |
| Date of Incident: 05/18/2023 | Time of Incident: Unknown | Location of Incident: N/A | Date and Time Reported: 06/07/2023 | How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input type="checkbox"/> Person <input checked="" type="checkbox"/> Email |

DESCRIPTION OF ALLEGATIONS:

On March 2, 2022, Officer Daniel Hempel submitted a LPD Tattoo and Body Authorization request for a tattoo on his forearm. Prior to receiving authorization from the Chief's Office approving such tattoo, Officer Hempel had the tattoo completed. The request was denied on March 17, 2022 by Chief Weathers and said notice was provided to Officer Hempel. Officer Hempel failed to take any further action to notify his chain of command of his actions of already receiving the tattoo or make an attempt to adjust his non-approved tattoo in any manner.

If the above allegation is true, Officer Daniel Hempel is in violation of General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 - Violating Any Rules of the Department.

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

Complainant Signature: Meredith Taylor Date: 06-09-2023

Subscribed and sworn before me this date: June 9, 2023 Melanie R. Votaw
(Date) (Notary)

My Commission Expires: 2-3-2025 NP KY 20219

Witness:

Name: _____ Address: _____ Phone: _____

Recorded By: Bureau of Investigation, Public Integrity Unit

File #: PIU2023F-004Employee: Officer Daniel Hempel**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 1.35 - Violating Any Rules of the Depmt. |
| | |
| | |
| | |
| | |

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

Materials Reviewed:

Reviewed PIU Summary

Comments:

Recommend: Written ReprimandSignature: *Lawrence B. Weathers*Date: June 28, 2023**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: _____

FOR OFFICIAL USE ONLY