



## LEXINGTON POLICE DEPARTMENT

150 East Main Street • Lexington, KY 40507 • (859) 258-3600

September 18, 2023

Mr. Myron Guthrie

RE: Formal Complaint PIU2023F-009 – Officer Christopher Vaira

Dear Mr. Guthrie,

The Public Integrity Unit completed the investigation of your Formal Complaint against Officer Christopher Vaira for violation of General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 – Misconduct.

After reviewing the investigative summary and the YouTube 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 PIU203F-009 regarding Officer Christopher Vaira is closed.

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

Sincerely,

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Lieutenant Jeff Jackson  
Bureau of Investigation  
Public Integrity Unit  
(859) 258-3625



Lexington-Fayette Urban County  
Division of Police

**MEMORANDUM**

Lexington, Kentucky

DATE OF ISSUE

September 12, 2023

EFFECTIVE DATE

NUMBER  
COP:  
23-0260

TO:

Kenneth Armstrong, Commissioner  
Department of Public Safety

FROM:

Lawrence B. Weathers  
Chief of Police

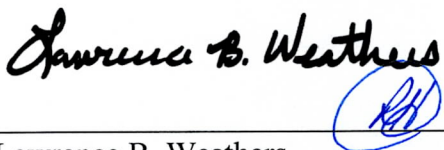
SUBJECT:

Disciplinary Recommendation  
PIU2023F-009  
Officer Christopher Vaira

Officer Christopher Vaira is away on military leave. I was able to do a Zoom meeting with him in regards to his formal complaint on September 11, 2023. I am recommending this case be administratively closed as "Unfounded" for violation of General Order 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 – Misconduct.

I find that there does not appear to be sufficient evidence produced to sustain this complaint. YouTube video of phone call 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  
**MEMORANDUM**  
Lexington, Kentucky

DATE OF ISSUE  
August 25, 2023

EFFECTIVE DATE

NUMBER  
PIU: 23-074

TO:  
Lawrence Weathers  
Chief of Police

FROM:  
Lieutenant Jeff Jackson  
Bureau of Investigation  
Public Integrity Unit

SUBJECT:  
Formal PIU2023F-009  
Officer Christopher Vaira 54547  
Summary

Sir,

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

On August 4, 2023, Myron Guthrie filed a formal complaint against Officer Christopher Vaira at police headquarters that alleged the following:

"Officer Vaira made call (around Oct 4, 2018\*) and threatened to arrest me if I were to show up at my residence. No crime committed and was based on what he was "told". This incident resulted in several complaints filed against \_\_\_\_\_ and \_\_\_\_\_ that have not been investigated, such as theft, fraud, and threats to do me bodily harm. \_\_\_\_\_ was a \_\_\_\_\_ at \_\_\_\_\_ who \_\_\_\_\_ me to \_\_\_\_\_ by way of \_\_\_\_\_. This matter was a result of my not wanting a personal relationship with \_\_\_\_\_, who filed false reports and a DVO against me. There are complaints, body cam footage, & court records that are a result of Officer Vaira's call and threat."

(\*Year 2018 added to original complaint for clarification)

If the above allegation is true, Officer Vaira has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 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, judgement, 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**

The body worn camera footage that documented the conversation between Officer C. Vaira and Mr. Guthrie is no longer maintained in the Evidence.com server storage. The two year retention schedule set by departmental policy for videos marked for informal complaints had passed. The Kentucky

Department for Library and Archives provides the guidelines that the department follows for retention scheduling. A copy was preserved from the earlier informal complaint that Mr. Guthrie filed on April 5, 2022 against Officers Vaira, Hardin and Raleigh. This preserved body worn camera footage was posted on YouTube by Mr. Guthrie as well. I reviewed the body worn camera footage of the phone call that took place when Officer Vaira called Mr. Guthrie and observed the following:

After identifying himself to Mr. Guthrie, Officer Vaira advised that [redacted] does not want Mr. Guthrie to return to the property, nor does [redacted] want him to contact [redacted]. Officer Vaira acknowledged that he is aware Mr. Guthrie has property at the residence and advised him that he would need to have a sheriff's deputy accompany him to retrieve any property that is his. Officer Vaira then re-identifies himself at Mr. Guthrie's request.

Mr. Guthrie stated he is on the lease, and goes on to state that [redacted] is blocking him from doing business. Officer Vaira then advised Mr. Guthrie that the business part of their relationship is civil in nature and not an issue that police could address.

Officer Vaira advised Mr. Guthrie that he needs to show a copy of his lease. Mr. Guthrie advised Officer Vaira that [redacted] is manipulating police, and that [redacted] contacted him on FaceBook the night prior. He also advised Officer Vaira that [redacted] harassed him as well as sexually harassed him. Mr. Guthrie further advised that the evening prior he left on good terms with the police who had been dispatched that evening.

Mr. Guthrie was advised by Officer Vaira that if he showed up to the residence technically it could be considered trespass unless he could prove he was on the lease. Officer Vaira stated that he was just letting Mr. Guthrie know from a "criminal", then corrected himself to say "trespass side of it", and reiterated that he should contact the sheriff.

Mr. Guthrie asks Officer Vaira to contact [redacted] and advise [redacted] that he will file a criminal complaint against [redacted]. He then reiterated that he does indeed live there, and that he is legally on the lease. Officer Vaira agreed to contact [redacted] for Mr. Guthrie, but stated again that the lease would be a civil matter. Mr. Guthrie then stated that manipulating an officer of the law could be a felony.

Around 7:15 Mr. Guthrie asks to follow up with a commander before shift change. He then informed Officer Vaira that he represents the Lexington NAACP and expects a supervisor to contact him before shift change. The phone call ends shortly after this.

### **Claims of Uninvestigated Cases**

As he mentioned it in his formal complaint, the available cases that could be located were reviewed to determine the accuracy of the allegation that the department was not investigating Mr. Guthrie's complaints. The departmental records management system was used to research this query.

**CR# 2017-** [redacted] – Harassment – Marked CLEARED BY EXCEPTION, due to no complaint filed / county attorney's office declined prosecution. This case was prior to the incident that led to the formal complaint and is unrelated.

**CR# 2017-** [redacted] – Harassment – Marked CLEARED BY EXCEPTION due to no complaint filed / county attorney declining prosecution.

**CR# 2018-** – Rape – Investigated and marked as PENDED by investigators.

**CR# 2018-** – Theft of Identity / Unlawful Access to Computer – Marked PENDED due to being a cybercrime with the department being unable to fully investigate it, as we do not have a cybercrime unit. This was explained to Mr. Guthrie by Sergeant Williams per documentation.

**CR# 2018-** – Theft – Marked as UNFOUNDED due to lack of jurisdictional authority over Judge Stein's court ruling. Sergeant Williams advised Mr. Guthrie to seek out a private attorney on this matter.

**CR# 2019-** – Terroristic Threatening – In reference to . After the department mailed a contact letter to Mr. Guthrie on 5/8/19, on 5/13/19 Detective Raker contacted Mr. Guthrie who advised he did not wish to pursue charges at that time. As of 7/23/19 no criminal complaint had been filed by Mr. Guthrie. Marked CLEARED BY EXCEPTION.

**CR# 2023-** – Terroristic Threatening – PENDED due to Mr. Guthrie declining to pursue charges.

### **Interview with Officer Christopher Vaira**

I met with Officer Vaira in the PIU office on 8-24-23. Commander Chad Bacon was also present for the interview.

Officer Vaira confirmed that he was aware of the allegation, and had reviewed the body worn camera footage of his phone call interaction with Mr. Guthrie.

Officer Vaira recalled that he contacted Mr. Guthrie after speaking to the resident on . When asked, Officer Vaira advised that he never made any mention of arrest to Mr. Guthrie. When asked if anything he said could be misconstrued as a threat towards Mr. Guthrie, Officer Vaira stated that the only thing he could think of would be when he advised Mr. Guthrie that showing up to the property without being able to prove he was on the lease could be interpreted as criminal trespass. Officer Vaira also confirmed when asked that he has had no contact or interaction Mr. Guthrie since that recorded phone call.

### **Conclusion**

The allegation that Officer Vaira threatened Mr. Guthrie with arrest has been proven demonstrably false based on the video evidence captured on Officer Vaira's body worn camera. Specifically, Officer Vaira cautioned Mr. Guthrie that it could be viewed as trespass if he showed up at without being able to prove that he was on the lease. There was never any threat of arrest mentioned, only the advice that Mr. Guthrie return to the residence with law enforcement.

The Lexington Police Department investigated all cases filed by Mr. Guthrie to the fullest extent it was able, and documented the current status and outcome of each. Any case that was not taken beyond investigation is either the result of lack of evidence, lack of cooperation on Mr. Guthrie's

part, or an outside entity such as the County Attorney's office declining to pursue the matter further.

Officer Vaira did not violate General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 Misconduct, during his contact with Myron Guthrie, nor did he violate any other department policy.

Documents provided by Mr. Guthrie in reference to court matters, such as any ruling by Judge Stein, falls outside the Lexington Police Department's authority and cannot be pursued further given jurisdictional and legal constraints. Civil matters cannot be investigated by the Lexington Police Department, and all complaints that involve civil matters were explained as such to Mr. Guthrie in documented communication.

As the allegation is demonstrably false, I recommend that this complaint be unfounded.

(e-mailed)

Lieutenant Jeff Jackson  
Bureau of Investigation  
Public Integrity Unit

cc: file - PIU2023F-009



Lexington Police Department  
**MEMORANDUM**  
Lexington, Kentucky

DATE OF ISSUE

August 14, 2023

EFFECTIVE DATE

NUMBER

PIU: 23-071

TO:

Assistant Chief Brian Mayard  
Bureau of Patrol

SUBJECT:

FORMAL COMPLAINT

FROM:

Lieutenant Jeffery Jackson  
Bureau of Investigation  
Public Integrity Unit

**COMPLAINANT:** Mr. Myron Guthrie

**ACCUSED OFC.:** Officer Christopher Vaira

**ALLEGATION:** Violating General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 Misconduct.

**ALLEGED CIRCUMSTANCES:** The complainant, Mr. Myron Guthrie, came to police headquarters on Friday, 8/4/2023, and wrote the below complaint:

"Officer Vaira made call (around Oct 4th) and threatened to arrest me if I were to show up at my residence. No crime committed and was based on what he was "told". This incident resulted in several complaints filed against \_\_\_\_\_ and \_\_\_\_\_ that have not been investigated, such as theft, fraud, and threats to do me bodily harm. \_\_\_\_\_ was a \_\_\_\_\_ at \_\_\_\_\_ who \_\_\_\_\_ me to \_\_\_\_\_ by way of \_\_\_\_\_. This matter was a result of my not wanting a personal relationship with \_\_\_\_\_, who filed false reports and a DVO against me. There are complaints, body cam footage, & court records that are a result of Officer Vaira's call and threat. "

**ACTION REQUESTED:**

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

DATE

TIME

Bureau Commander

ML BROTHERS

08/24/23 1000

Supervisor

LT. Samantha Mone

44952 8/24/23 0954

Officer

C. VAIRA

54547-27

8-24-2023 . 0955

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. Jeff Jackson

8/24/23

Jeff Jackson  
Lieutenant Jeffery Jackson  
Bureau of Investigation  
Public Integrity Unit

mrv

enclosures

cc: Chief Lawrence Weathers  
file - PIU2023F-009



**LEXINGTON POLICE DEPARTMENT  
FORMAL COMPLAINT FORM**

FORM 111 (5/21)

File #: PIU 2023F-009

FOR OFFICIAL USE ONLY

Employee Involved: Vaira, Christopher			Employee #: 54547	Hire Date: 05/02/2016
Present Assignment: Patrol / West Sector / 1st Shift				
Complainant: Myron Guthrie			Complainant Address:	
Complainant Phone #:	Alternate Complainant Phone #:	Complainant Email:		
Date of Incident: 1/12/2018	Time of Incident: 1651	Location of Incident:	Date and Time Reported: 8/4/2023	How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Person <input type="checkbox"/> Email

**DESCRIPTION OF ALLEGATIONS:**

The complainant, Mr. Myron Guthrie, came to police headquarters on Friday, 8/4/2023, and wrote the below complaint:

"Officer Vaira made call (around Oct 4th) and threatened to arrest me if I were to show up at my residence. No crime committed and was based on what he was "told". This incident resulted in several complaints filed against \_\_\_\_\_ and \_\_\_\_\_ that have not been investigated, such as theft, fraud, and threats to do me bodily harm. \_\_\_\_\_ was a \_\_\_\_\_ at \_\_\_\_\_ who \_\_\_\_\_ me to \_\_\_\_\_ by way of \_\_\_\_\_. This matter was a result of my not wanting a personal relationship with \_\_\_\_\_, who filed false reports and a DVO against me. There are complaints, body cam footage, & court records that are a result of Officer Vaira's call and threat. "

If the above allegation is true, Officer Vaira has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 Misconduct.

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

Complainant Signature: \_\_\_\_\_

Date: 8-14-23

Subscribed and sworn before me this date: 8-14-23

(Date)

Melanie R. Votaw KYN 2019  
(Notary)

My Commission Expires: 2-3-2025

**Witness:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Recorded By: Bureau of Investigation, Public Integrity Unit

File #: PIU 2023F-009Employee: Vaira, Christopher**CHIEF OF POLICE**[Finding: PC=Proper Conduct, IC=Improper Conduct, IE=Insufficient Evidence, PF=Policy Failure, UC=Unfounded Complaint]  
Finding Policy Violation

UC	General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 Misconduct.

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

Materials Reviewed:

Reviewed You Tube Video of Phone Call

Comments:

Unfounded Complaint.

Signature: *Shirley B. Weather*Date: 9/11/2023**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: 09/11/2023

FOR OFFICIAL USE ONLY

LEXINGTON POLICE DEPARTMENT  
FORMAL COMPLAINT FORM  
FOR OFFICIAL USE ONLY

FORM 111 (5/21)

File #: \_\_\_\_\_

Employee Involved: <i>Vaina</i>		Employee #:	Hire Date:
Present Assignment:			
Complainant: <i>Myron C. Guthrie</i>		Complainant Address:	
Complainant Phone #:	Alternate Complainant Phone #:	Complainant Email:	
Date of Incident:	Time of Incident:	Location of Incident:	Date and Time Reported:
			How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input type="checkbox"/> Person <input type="checkbox"/> Email

DESCRIPTION OF ALLEGATIONS:

*officer Vaina made call (around Oct 4th) and Threatened to arrest me if I were to show up at My residence. No crime committed and was based on what he was "told." This incident resulted in Several Complaints filed against and such as Theft, fraud and Threats to do me Godly harm. , was a at who me to by way of This matter was a result of my not wanting a personal relationship with who filled false reports and a Dvo against me.*

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

Complainant Signature: *[Signature]* Date: \_\_\_\_\_

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

My Commission Expires: \_\_\_\_\_

Witness:

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

File #: \_\_\_\_\_ Employee: \_\_\_\_\_

**ALLEGATIONS CONTINUED:**

There are Complaints, body cam footage & Court records that are a result of the call from officer Vair's call and threat.