



Lexington-Fayette Urban County  
Division of Police  
**MEMORANDUM**  
Lexington, Kentucky

DATE OF ISSUE  
March 22, 2024

EFFECTIVE DATE

NUMBER  
COP:  
24-0071

TO:  
Kenneth Armstrong, Commissioner  
Department of Public Safety


SUBJECT:  
Disciplinary Recommendation  
PIU2024F-002  
Officer Charles Davis

FROM:  
Lawrence B. Weathers  
Chief of Police

I met with Officer Charles Davis on Thursday, March 21, 2024 in regards to a formal complaint. I am recommending this case be administratively closed as "Unfounded" for violation of General Order 1973-02L, Disciplinary Procedures of Sworn Officers, Appendix B, Section 1.07, Conduct Toward the Public and Conduct Toward Department Employees.

I find that there does not appear to be sufficient evidence produced to sustain this complaint. This complaint is determined to be Unfounded.

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

*Lawrence B. Weathers*  


Lawrence B. Weathers  
Chief of Police

LBW/rmh

Attachment

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

FORM 111 (5/21)

File #: PIU 2024F-002

Employee Involved: Davis, Charles			Employee #: 46599	Hire Date: 12/10/2007
Present Assignment: Patrol / East Sector / 1st Shift				
Complainant: Montrial Johnson			Complainant Address:	
Complainant Phone #:	Alternate Complainant Phone #:	Complainant Email: N/A		
Date of Incident: 10/1/2023	Time of Incident: 1510	Location of Incident: 2910 Tates Creek Road	Date and Time Reported: 1/24/24 @ 1249	How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Person <input type="checkbox"/> Email

**DESCRIPTION OF ALLEGATIONS:**

The complainant, Montrial Johnson, came to police headquarters on Wednesday, 1/24/2024, and submitted the below complaint:

"Police Harrassment  
Racial Profiling  
This was a continuance of unlawful stops  
Misuse of Power  
Lexington KY's noise ordinance is between 7am-11pm and this was @ 3:10 in the afternoon  
'I'm a citizen not a animal' "

If the above allegation is true, then Officer Davis has violated General Order 1973-02L Disciplinary Procedures of Sworn Officers, Appendix B, Section 1.07, Conduct Toward the Public and Conduct Toward Department Employees

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: 1-25-24  
 Subscribed and sworn before me this date: 1-25-24 (Date) [Signature] (Notary) KYNP2810

My Commission Expires: FEB 14, 2024

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

File #: PIU 2024F-002

Employee: Davis, Charles

**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 1973-02L Disciplinary Procedures of Sworn Officers, Appendix B, Section 1.07, Conduct Toward the Public and Conduct Toward

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

Materials Reviewed: Reviewed PIU Summary and Officer's Body Camera footage related to the complaint.

Comments:  
This complaint is closed as unfounded

Signature: *Arwana B. Weather* Date: March 21, 2024

**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: \_\_\_\_\_

File #: PIU 2024F-002

Employee: Davis, Charles

**ALLEGATIONS CONTINUED:**

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FOR OFFICIAL USE ONLY



## LEXINGTON POLICE DEPARTMENT

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

March 25, 2024

Mr. Montrail Johnson

RE: Formal Complaint PIU2024F-002 – Officer Charles S. Davis

Dear Mr. Johnson,

The Public Integrity Unit completed the investigation of your Formal Complaint against Officer Charles S. Davis for violation of General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.07 – Conduct Toward the Public and Conduct Toward Department Employees.

After reviewing the investigative summary and 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 PIU2024F-002 regarding Officer Charles S. Davis is closed.

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

Sincerely,

---

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



LEXINGTON POLICE  
DEPARTMENT  
**MEMORANDUM**  
Lexington, Kentucky

DATE OF ISSUE  
February 20, 2024

EFFECTIVE DATE

NUMBER  
PIU 24-017

TO:  
Lawrence Weathers  
Chief of Police

SUBJECT:  
Formal PIU2024F-002  
Officer Charles Davis 46599  
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 January 24<sup>th</sup>, 2024 Montrial Johnson filed a formal complaint against Officer Charles S. Davis that alleged the following:

“Police Harrassment  
Racial Profiling

This was a continuance of unlawful stops  
Misuse of Power

Lexington KY's noise ordinance is between 7am-11pm and this was @ 3:10 in the afternoon  
'I'm a citizen not a animal' ”

If the above allegation is true, then Officer Davis has violated General Order 1973-02L Disciplinary Procedures of Sworn Officers, Appendix B, Section 1.07, Conduct Toward the Public and Conduct Toward Department Employees, which states:

*\* Conduct Toward the Public:*

*Officers shall interact with the public in a civil and professional manner that conveys a service orientation that fosters public respect and cooperation.*

*\* Officers shall treat individuals with courtesy, respect and dignity.*

*\* Officers shall not use language that might belittle or ridicule individuals and shall be tactful in the performance of their duties, shall control their tempers, exercising the utmost patience and discretion.*

*\* Officers shall perform their duties equitably in both the enforcement of laws and the delivery of law enforcement services within the community and shall strive to maintain public trust by conducting all law enforcement business in an unbiased, fair, and impartial manner.*

## Investigation

Officer Davis' body worn camera footage was reviewed as the initial step in this investigation.

The BWC footage of October 1<sup>st</sup> 2023 begins at 1511 as Officer Davis performs a traffic stop on Mr. Johnson on Tates Creek Road, stopping in the Speedway parking lot at 2910 Tates Creek. As Officer Davis exits his vehicle and the audio on the recording engages, Mr. Johnson is immediately heard yelling loudly, stating "Get your bitch ass out here" at Officer Davis. As Officer Davis attempts to explain the reason for the stop and ask for Mr. Johnson's license, Mr. Johnson repeatedly yells profanities at Officer Davis, including "200 years of you white people" and referring to Officer Davis as a "honkey" and telling Officer Davis "bitch get in the car". Officer Davis responds by asking Mr. Johnson to relax and advising him that the profanity is not necessary.

As Officer Davis returns to his marked police vehicle, Mr. Johnson remains outside his own vehicle continuing to yell loudly. Officer Davis admonishes Mr. Johnson, advising him about disorderly conduct, but Mr. Johnson continues to yell loudly. Officer Davis asks if Kenesaw is still Mr. Johnson's current address, to which he responds "bitch do your job".

At 09:04 Officer Davis exits his vehicle and hands the citation to Mr. Johnson and advises him of the court date, to which Mr. Johnson responds with "suck my dick" repeatedly as he walks away. Officer Davis has no further contact with Mr. Johnson.

## Interview with Officer Charles Davis

I conducted an interview with Officer Davis on 2/8/2024 in the PIU offices. Lt. Meredith Taylor was also present.

Officer Davis advised that he had stopped at the Speedway to fuel his vehicle following a call for service. As he exited the building the vehicle parked by his, later found to be Mr. Johnson's, was loudly playing music. Officer Davis advised Mr. Johnson that a noise ordinance was in effect, leading to Mr. Johnson's refusal to turn the music down, instead becoming irate towards Officer Davis. Officer Davis stated that nothing in that interaction on his part contained any racist language or could have been construed as such. Following that interaction, Officer Davis activated his body worn camera and pulled his vehicle behind Mr. Johnson's to conduct a traffic stop investigation. He added when asked that he did not conduct that traffic stop any differently than he normally would conduct any other stop. Officer Davis did not know Mr. Johnson prior to their interaction. Officer Davis described Mr. Johnson's behavior as aggressive, particularly his language during this contact.

Officer Davis was asked if he had probable cause to take Mr. Johnson into custody for disorderly conduct during this encounter. Officer Davis believed that he did, but chose to use his discretion and cite Mr. Johnson only for the noise violation. Officer Davis also believed that Mr. Johnson wanted an escalation, and was using language and vocal volume to try and achieve that end.

## Conclusion

The citizen complaint against Officer Davis was filed in response to a traffic stop conducted on Tates Creek Road on October 1<sup>st</sup> 2023. The accusations of police harassment, racial profiling, unlawful stops, misuse of police power, and misuse of the city noise ordinance are the specific complaints. The allegation that Officer Davis violated General Order 1973-02L Disciplinary Procedures of Sworn Officers, Appendix B, Section 1.07, Conduct Toward the Public and Conduct Toward Department Employees, requires scrutiny of each part of that section.

### *Conduct Toward the Public:*

Officer Davis was cordial in the face of immediate confrontational language upon contact with Mr. Johnson.

*Officers shall interact with the public in a civil and professional manner that conveys a service orientation that fosters public respect and cooperation.*

Officer Davis displayed civility and professionalism in the face of Mr. Johnson's continuing confrontational language. Officer Davis spoke to Mr. Davis with respect even when warning him about disorderly conduct.

*Officers shall treat individuals with courtesy, respect and dignity.*

Despite Mr. Johnson's continuing inappropriate language, Officer Davis continued to display a manner that treated Mr. Johnson with courtesy and dignity.

*Officers shall not use language that might belittle or ridicule individuals and shall be tactful in the performance of their duties, shall control their tempers, exercising the utmost patience and discretion.*

Officer Davis used no language that conveyed ridicule towards Mr. Johnson, nor did he belittle Mr. Johnson in any way. Despite Mr. Johnson's profane language, Officer Davis at no time lost his temper, instead exercising a high level of patience. Officer Davis used exemplary discretion in not charging Mr. Johnson for disorderly conduct in a public place.

*Officers shall perform their duties equitably in both the enforcement of laws and the delivery of law enforcement services within the community and shall strive to maintain public trust by conducting all law enforcement business in an unbiased, fair, and impartial manner.*

Officer Davis showed no bias or partiality in his enforcement of the noise ordinance violation, treating Mr. Johnson as equal to any other citizen contact. Officer Davis remained completely impartial throughout the contact. The traffic stop occurred within Officer Davis' assigned sector of patrol during his regular shift. There was no evidence that the traffic stop was racially motivated or that Mr. Johnson was targeted during this investigation.



Mr. Johnson refers to the city noise ordinance in his complaint, and the fact that it is in effect from 7 a.m. to 11 p.m. Presumably he is referring to the Lexington city ordinance Section 14-70 to 14-80, which states:

(2) Operating or permitting the operation of any tools or equipment used in construction, drilling or demolition work between the hours of 11:00 p.m. and 7:00 a.m., prevailing local time, such that the sound therefrom creates a noise disturbance across a dwelling unit boundary, except for emergency work of public service utilities or by special variance as provided for in section 14-74. This paragraph shall not apply to the use of domestic power tools subject to subsection (3) of this section.

There is an additional section applicable in this instance, which states:

(11) Consistent with the other provisions of sections 14-70 through 14-80 of the Code, and in addition thereto, no person shall use or operate any radio, stereo, tape player, record player, compact disc player or any similar device for the producing, reproducing or amplification of sound in or on any vehicle located within or on the public streets or rights-of-way or within or on any other public property, including, but not limited to parks, or public parking lots operated by the urban county government or the Lexington and Fayette County Parking Authority/LexPark, in such a manner as to create a noise disturbance that is audible to a person of normal hearing sensitivity more than ten (10) feet from such vehicle. Words and phrases need not be discernible for said sound to be "audible", and said sound shall include bass reverberation.

Mr. Johnson indicates in his statements that he has interpreted this city ordinance as applicable to vehicles and music, and applying from 7 in the morning to 11 in the evening. In fact that section applies to construction noise, and is prohibited from 7 in the evening to 11 in the morning absent permitted exception. Therefore his allegation that the noise ordinance was improperly applied is factually incorrect.

The allegations that Officer Davis conducted racial profiling, and misused police powers or the city noise ordinance to create a traffic stop, have been proven demonstrably false. Also proven false are the allegations of an unlawful stop or police harassment. During his interactions with Mr. Johnson on the traffic stop, Officer Davis demonstrated the highest courtesy and professionalism. This is based on both the body worn camera footage as well as the interview with Officer Davis.

Officer Davis has not violated General Order 1973-02L Disciplinary Procedures of Sworn Officers, Appendix B, Section 1.07, Conduct Toward the Public and Conduct Toward Department Employees. I recommend this complaint be unfounded.

Lieutenant Jeff Jackson  
Bureau of Investigation  
Public Integrity Unit

cc: file – PIU 2024F-002



Lexington Police Department  
**MEMORANDUM**  
 Lexington, Kentucky

DATE OF ISSUE  
 January 25, 2024

EFFECTIVE DATE

NUMBER  
 PIU: 24-011

TO:  
 Assistant Chief Brian Maynard  
 Bureau of Patrol

SUBJECT:  
 FORMAL COMPLAINT

FROM:  
 Lieutenant Jeffery Jackson  
 Bureau of Investigation  
 Public Integrity Unit

**COMPLAINANT:** Mr. Montrail Johnson

**ACCUSED OFC.:** Officer Charles Davis

**ALLEGATION:** Violating General Order 1973-02L Disciplinary Procedures of Sworn Officers, Appendix B, Section 1.07, Conduct Toward the Public and Conduct Toward Department Employees.

**ALLEGED CIRCUMSTANCES:** The complainant, Montrail Johnson, came to police headquarters on Wednesday, 1/24/2024, and submitted the below complaint:

“Police Harrassment  
 Racial Profiling  
 This was a continuance of unlawful stops  
 Misuse of Power  
 Lexington KY's noise ordinance is between 7am-11pm and this was @ 3:10 in the afternoon  
 'I'm a citizen not a animal' ”

**ACTION REQUESTED:**

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

DATE

TIME

Bureau Commander David Bussell 1/31/24 1000

Supervisor LT. Joe R. Anderson

Officer CAH

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 J Newman

J.J. Jackson 4/19/12  
Lieutenant Jeffery Jackson  
Bureau of Investigation  
Public Integrity Unit

mrv

enclosures

cc: Chief Lawrence Weathers  
file – PIU2024F-002

**LEXINGTON POLICE DEPARTMENT  
FORMAL COMPLAINT FORM**

FORM 111 (5/21)

File #: PIU 2024F-002

FOR OFFICIAL USE ONLY

Employee Involved: Davis, Charles			Employee #: 46599	Hire Date: 12/10/2007
Present Assignment: Patrol / East Sector / 1st Shift				
Complainant: Montrial Johnson			Complainant Address:	
Complainant Phone #:	Alternate Complainant Phone #:	Complainant Email: N/A		
Date of Incident: 10/1/2023	Time of Incident: 1510	Location of Incident: 2910 Tates Creek Road	Date and Time Reported: 1/24/24 @ 1249	How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Person <input type="checkbox"/> Email

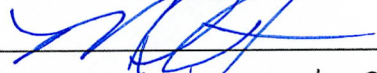
**DESCRIPTION OF ALLEGATIONS:**

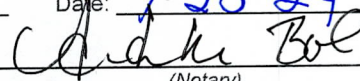
The complainant, Montrial Johnson, came to police headquarters on Wednesday, 1/24/2024, and submitted the below complaint:

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Racial Profiling  
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Misuse of Power  
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'I'm a citizen not a animal' ”

If the above allegation is true, then Officer Davis has violated General Order 1973-02L Disciplinary Procedures of Sworn Officers, Appendix B, Section 1.07, Conduct Toward the Public and Conduct Toward Department Employees

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: 1-25-24

Subscribed and sworn before me this date: 1-25-24 (Date)  (Notary) KYNP2810

My Commission Expires: FEB 14, 2024

**Witness:**  
Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

File #: 2024F-002

Employee: Davis, Charles

**CHIEF OF POLICE**

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

Finding Policy Violation


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

Materials Reviewed:

[Empty box for Materials Reviewed]

Comments:

[Empty box for Comments]

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**DISCIPLINARY REVIEW BOARD**

Finding Policy Violation


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

Comments:

[Empty box for Comments]

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CHIEF OF POLICE FINAL DETERMINATION**

Case Be Closed  Corrective Training  Recommend Disciplinary Action (see below)

Comments:

[Empty box for Comments]

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

File #: 2024F-002

Employee: Davis, Charles

**ALLEGATIONS CONTINUED:**

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# LEXINGTON POLICE DEPARTMENT CITIZEN COMMENT FORM

\*If you wish to be contacted for follow up and/or notified of the findings regarding the information you provided, please provide your contact information below. If you simply want to make us aware of specific conduct and behavior while remaining anonymous and without further notification, you can leave the personal information section blank.

Today's Date/Time: 1-24-24 / 12:49 pm

Reporting Party Information (optional\*):

Name\*: Montrial Johnson

Address\*: \_\_\_\_\_

Phone\*: \_\_\_\_\_

E-mail\*: \_\_\_\_\_

Involved Employee(s) Information (if known):

Name(s): \_\_\_\_\_ Employee (badge)#: 46599 Vehicle#: \_\_\_\_\_

Date and approximate time of incident: 10-1-23 @ 1510

Case Number (if known): 23-190243

Location of incident: Tates Creek Road - Speedway

Summary of Incident:

Police Harassment  
Racial Profiling  
This was a continuance of unlawful stops  
misuse of power  
Lexington KY's noise ordinance is between 7am - 11pm  
and this was @ 3:10 in the afternoon.  
"I'm a citizen not a animal"

(Continue on page 2 if necessary)

If you would like to discuss your matter with someone, contact the Public Integrity Unit (PIU): Mon-Fri: 8am – 4pm, in person, by phone, or email to schedule an appointment:



150 E. Main St  
Lexington, KY 40507  
859-258-3625  
[comment@lexingtonpolice.ky.gov](mailto:comment@lexingtonpolice.ky.gov)

*(Continued summary from page 1)*

