



NAACP

LEXINGTON-FAYETTE

BRANCH 3097

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Mr. WHIT WHITAKER, PRESIDENT

RE: The Lexington Police Department Accountability: Welfare Checks and Child Protection

The Lexington-Fayette County Branch of the National Association for the Advancement of Colored People (NAACP) questions whether the officers of the Lexington Police Department (LPD) followed state laws and two of their policies (that could have prevented the death of two children at the hands of their mother on Monday, May 2, 2022, at Parkway Manor Apartments in Lexington. Media reports show that LPD was called by the mother while she was experiencing a mental health crises and the children's father requested a "welfare check" of the children that resulted in LPD visiting the home twice the day before the tragedy. The Lexington community deserves a public statement from the Lexington Police Department concerning whether their officers followed state laws and policies (e.g. KRS 620.040, KRS 202A.041, Lexington Police Department Policy G.O. 1988-02F Juvenile Procedures and Lexington Police Department Policy G.O. 2005-01A Interacting with Persons Affected by Mental Illness or in Crisis.) The Lexington NAACP is also calling on Mayor Linda Gorton and the Lexington-Fayette Urban County Council to conduct an investigation to determine whether the Lexington Police Department violated state laws and their policies regarding their interactions with our most vulnerable citizens, children and people experiencing mental illness.

State laws and Lexington Police Department policies state that when dealing with juveniles in "**noncriminal situations,**" officers **may take a child into protective custody** and may hold that child in protective custody **without the consent of the parent** or other person exercising custodial control or supervision if there **exist reasonable grounds for the officer to believe that the child is in danger of imminent death or serious physical injury** or if the **person exercising custodial control or supervision are unable or unwilling to protect the child.**" The policies state that officers should consider requesting assistance from officers with specialized training in dealing with mental illness or crisis situations. Furthermore, the policies state that if an officer has "reasonable grounds to believe that an individual is mentally ill and presents a danger or threat of danger to self, family, or others if not restrained, then the officer shall: **take the individual into custody and transport the individual without unnecessary delay to a psychiatric facility** for the purpose of an evaluation to be conducted by a qualified mental health professional.

Based on our review of media reports, Kentucky laws, and LPD policies, the following questions remain about the interactions between the LPD officers prior to the death of two innocent children in Lexington are:

- 1) Did LPD officers witness a mother having a mental health crisis that should have resulted in her being transported to a psychiatric facility?
- 2) Did LPD officers witness a mother who was unable to protect two children?
- 3) Did LPD officers that responded to the 911 calls prior to the death of the children request help from a more trained officer in mental health?
- 4) Did LPD officers reach out to the known governmental agencies and community resources that could have removed the children from the home prior to their death?

The mission of the National Association for the Advancement of Colored People is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination.