



LEXINGTON POLICE DEPARTMENT
PERSONNEL ORDER
 Lexington, Kentucky

DATE OF ISSUE
 June 23, 2022

EFFECTIVE DATE
 July 15, 2022

NUMBER
 PO:22-221

TO:
 RETIREMENT

AMENDS:

INDEX AS:
 OFFICER
 RAY WILSON

RESCINDS:

This is to advise on the retirement of Officer Ray Wilson on Years of Service, to be effective,
 July 15, 2022.

Lawrence B. Weathers

 Lawrence B. Weathers
 Chief of Police

LBW/rmh



Lexington-Fayette Urban County
Division of Police

MEMORANDUM

Lexington, Kentucky

DATE OF ISSUE

June 14, 2022

EFFECTIVE DATE

NUMBER
COP:
22-0120

TO:

Commander Chad Bacon
Public Integrity Unit


SUBJECT:

Formal Complaint
PIU2022F-005
Officer Ray Wilson

FROM:

Lawrence B. Weathers
Chief of Police

I am recommending that Officer Ray Wilson be scheduled to go before the Disciplinary Review Board in regards to his Formal Complaint (PIU2022F-005).

Lawrence B. Weathers 

Lawrence B. Weathers
Chief of Police

LBW/rmh

Attachment

cc: Public Integrity Unit



LEXINGTON POLICE
DEPARTMENT
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE
May 13, 2022

EFFECTIVE DATE

NUMBER
PIU 22-048

TO: Lawrence Weathers Chief of Police	SUBJECT: Summary of Formal Complaint on Officer Ray Wilson, PIU2022F-005
FROM: Lieutenant Matt Brotherton Bureau of Investigation - Public Integrity Unit	

Sir,

This memorandum will provide a summary of the investigation into the Formal Complaint filed on March 21st, 2022 by Lt. Dan Truex on Officer Ray Wilson. According to the Formal Complaint:

On December 20, 2021, Sergeant N. Whitcomb observed Officer Ray Wilson out of sector and beat without authorization. GPS data for Officer R. Wilson's cruiser did not support Officer R. Wilson's explanation for his location. A subsequent review of Officer Wilson's GPS data showed multiple instances where Officer Wilson did not respond to dispatched calls in a timely manner. Officer Wilson appears to regularly leave Central Sector during his shift and misidentifies his location to dispatch.

Officer Wilson has been documenting a variety of deficiencies. *in the past 12 months,*

If the above allegations are true, then Officer Wilson has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.11 Unsatisfactory Performance for failing to maintain sufficient competency to properly perform his duties and assume the responsibility of his position as a Police Officer by failing to conform to work standards established for his rank.

Additionally, if the above allegations are true, then Officer Ray Wilson has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 Misconduct for failing to conduct himself 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 his integrity, honesty, judgement, or character when he lied to Sgt. Whitcomb on his whereabouts on December 20, 2021.

Investigation

Pursuant to the formal complaint, I reviewed materials submitted by Lt. Truex regarding Ofc. Wilson's dispatch times and locations on multiple dates. Lt. Truex reviewed 12/13/2021 through 12/16/2021, 12/20/2021 through 12/22/2021, and 1/4/2022 through 1/7/2022.

On multiple occasions, based on call logs, dispatch data, and GPS data, it appeared that Ofc. Wilson did not respond to dispatched calls in a timely manner, did not make himself available for dispatch in a timely manner after calls were resolved, and left his assigned sector on multiple occasions while on-duty.

Below are several examples from Lt. Truex's review of Ofc. Wilson's on-duty activity (the complete spreadsheet with GPS and call data was submitted to PIU and is available for review):

- 12/13/2021 At 13:25, Ofc. Wilson was dispatched to _____ to assist FCPS Division of Law Enforcement with a subject with multiple felony warrants. Ofc. Wilson was stationary at 477 W. New Circle (approximately the location of Sir Pizza, where he had been since 13:02) when dispatched, and did not begin moving toward the incident for approximately 9 minutes.
- Ofc. Wilson was dispatched to _____ for a disorder; he advised he was 10-97 at 14:47 when his GPS location placed him at 245 Newtown Pike. He arrived at the disorder call at 14:57, approximately 10 minutes later.
- 12/14/2021 At 08:18 Ofc. Wilson advised dispatch he would be at HQ. According to GPS data, he left the sector and went to the area of his home address, which is in west sector. Ofc. Wilson returned to central sector at 09:07, at which point he cleared the call.
- 12/20/2021 GPS data show Ofc. Wilson out of central sector from 11:37 to 12:45. During this time he is in east sector, in the area of Richmond Road and Mt. Tabor, at various businesses, running personal errands. According to Ofc. Wilson, he was shopping for presents for his wife at Ross's and the Castle.
- 01/05/2022 Sgt. Whitcomb observed Ofc. Wilson behind headquarters sitting in his car; Sgt. Whitcomb observed Ofc. Wilson leave district court approximately 40 minutes prior. Ofc. Wilson appeared to be holding the call so as to not be dispatched.
- 01/06/2022 Ofc. Wilson, after being dispatched to a car stuck on railroad tracks at 2nd and Lee Streets, did not begin moving from the area of _____, toward the dispatched location until 24 minutes after dispatch.

The submitted spreadsheet shows a consistent pattern of Ofc. Wilson not responding to calls in a timely manner and repeatedly leaving sector during his on-duty hours.

Lt. Truex

After reviewing his submitted materials, I met with Lt. Truex and discussed his concerns and his research. When Lt. Truex was made aware of the concerns surrounding Ofc. Wilson, he reviewed Ofc. Wilson's on-duty activity. After reviewing the data, Lt. Truex submitted the following assessment on Ofc. Wilson's behavior:

1. ***His conduct is a safety issue:*** *Ofc. Wilson frequently waiting to respond to calls potentially puts other officer's at risk. Ofc. Wilson almost always waits to respond to calls. As previously stated, I only documented calls where he waited 10 or more minutes with a few exceptions.*
2. ***His conduct reflects poorly on our department:*** *Further related to number one is the ripple effect this causes. It increases our response time, reflecting poorly on the department. Additionally, with how frequently he leaves not only his beat, but the sector, his response times are increased. Finally, with how frequently Ofc. Wilson*

holds calls, our response time is again increased. In the past our response time has been reported through various media outlets.

3. ***His conduct is deceitful:*** *As previously mentioned it appears he lied to Sgt. Whitcomb. In addition to this he regularly leaves the sector and on at least one occasion, he advised dispatched that he was at Headquarters for the duration. This also puts his own safety at risk should he encounter something but not be at the location he advised.*
4. ***His conduct is consistent (part one).*** *Of the 10 days-worth of data I examined, only two of those days had nothing I deemed worth documenting. Every day held something that, at least on the surface, appears inappropriate.*
5. ***His conduct is consistent (part two).*** *During his approximately 20 years of employment Ofc. Wilson has received five separate unpaid suspensions totaling 360 hours. The last of these was in 2016. Ofc. Ray has also
in the last year. Ofc. Ray has also received multiple "unsatisfactory"
performance appraisals, to include 2021.*

Lt. Truex believes that Ofc. Wilson's actions are an officer-safety issue, a community-safety issue, and a betrayal of community trust.

Sgt. Myatt

On April 29th, Lt. Biroshik and I met with Sgt. Andy Myatt. Sgt. Myatt is Ofc. Wilson's direct supervisor. Sgt. Myatt has reviewed the concerns summarized in the formal charge and believes that Ofc. Wilson is no longer performing up to acceptable standards. Sgt. Myatt believes that Ofc. Wilson is potentially suffering from PTSD and as a result, is reluctant to respond to calls in a timely manner due to a fear of having to be the first officer on the scene.

After Sgt. Whitcomb called Ofc. Wilson during the December 20th incident where Ofc. Wilson was in east sector picking up gifts for his wife, Sgt. Myatt called Ofc. Wilson and inquired about Ofc. Wilson's location during the December 20th incident. Ofc. Wilson told him that he was in fact out of sector buying a present for his wife. Sgt. Myatt did not inquire about the conversation between Sgt. Whitcomb and Ofc. Wilson.

Sgt. Myatt said that he believes that Ofc. Wilson was not forthcoming about his actual location with Sgt. Whitcomb because he did not want the criticism from Sgt. Whitcomb.

Sgt. Myatt believes that Ofc. Wilson is not performing to the minimum standards.

Sgt. Whitcomb

On May 3rd, Sgt. Whitcomb was interviewed in PIU concerning the formal complaint against Ofc. Wilson. Sgt. Whitcomb said that he saw Ofc. Wilson's location on the Unit Status monitor and made the decision to address it. According to Sgt. Whitcomb, when he called Ofc. Wilson to inquire about his location, Ofc. Wilson told Sgt. Whitcomb that he was getting lunch at Richmond Road and New Circle. Sgt. Whitcomb then confronted Ofc. Wilson about the locations shown on the GPS, and Ofc. Wilson said that he was picking up something for his wife and the conversation turned antagonistic.

Sgt. Whitcomb said that he has seen a pattern of behavior from Ofc. Wilson not responding to calls in a timely manner, both from when they were beat partners, to now as a supervisor, hearing complaints from other officers. Sgt. Whitcomb described Ofc. Wilson's behavior as a continued course of conduct.

Interview with Officer Ray Wilson

On April 7th, 2022, Lt. Biroshchik and I spoke with Ofc. Wilson in the PIU office (Scott Crosbie was present as Ofc. Wilson's FOP representative). During the conversation, we asked Ofc. Wilson about the allegations against him.

Concerning the allegations of dishonesty, Ofc. Wilson was emphatic that he did not lie to Sgt. Whitcomb. Ofc. Wilson said that when he was called by Sgt. Whitcomb, Whitcomb was accusatory in his tone concerning Wilson's location. Wilson said that he told Whitcomb he was at Ross's buying a present for his wife. He says that Sgt. Whitcomb named a location that Ofc. Wilson wasn't familiar with—and denied he was where Sgt. Whitcomb said he was. According to Ofc. Wilson, Sgt. Whitcomb named the shopping center where Ross's is located, Lakeview plaza. Ofc. Wilson did not recognize that name as where Ross's is located.

Ofc. Wilson said that the conversation grew contentious and that he then chose not to get lunch after running his personal errands and went to his next dispatched call. He maintains that he never intended to mislead Sgt. Whitcomb but that he was offended by Sgt. Whitcomb's manner of talking to him and responded in an agitated manner.

When we discussed the allegations about responding to calls and leaving the sector, Ofc. Wilson was unable to remember any specific instances where he didn't respond in a timely manner. However, he did not dispute any of the information provided through GPS data. Ofc. Wilson also did not dispute that he has held calls in order to take care of personal errands. He also did not dispute that he has gone home while on duty and left his beat and sector during normal work hours.

Ofc. Wilson acknowledged that he is expected to remain in his beat and sector and it is inappropriate for him to leave sector without notifying a supervisor.

Conclusion

The allegations concerning Ofc. Wilson leaving his beat and sector during his assigned shift, if substantiated, violate the below Department policies:

GO 1973-03S Operation And Maintenance Of Department Vehicles

V. USE OF DEPARTMENT VEHICLES

B. Use of Issued Take Home Vehicles by Officers

2. Officers assigned to the Bureau of Patrol are expected to remain in their assigned sectors until the actual end of their shifts.

SOP BOP 1991-02H Patrol Operational Order

III. PROCEDURES

C. The Duty of All Patrol Officers

3. The Bureau of Patrol operates on the philosophy of geographic responsibility. Line elements of the Bureau of Patrol are assigned to sectors, beats and sub-beats. By doing so, geographic responsibility is affixed to the sergeants and patrol officers so assigned. When not dispatched otherwise, officers' number one priority will be their geographical assignment.

Officer Wilson was unable to recollect any specific call or instances other than when he left sector to purchase his wife a present and was contacted by Sgt. Whitcomb. However, he did not dispute that he was in fact out of sector on that date during his shift. Additionally, Ofc. Wilson acknowledged that it is not uncommon for him to leave his beat and sector during his shift. He also acknowledged that it is not uncommon for him to not clear a call in order to eat. Ofc. Wilson stated that he knew that this is all in violation of policy.

Additionally, the GPS and call data documentation show that Officer Wilson often waits a significant period of time before responding to dispatched calls. Sgt. Myatt, Sgt. Whitcomb, and Lt. Truex have all reviewed Ofc. Wilson's consistent pattern of not responding to calls in a timely manner or being available in his beat and agree that it is not consistent with their expectations.

Ofc. Wilson has in the last 12 months:

- April 9th, 2021 Officer Wilson's improper use of his firearm during a physical altercation with two suspects
- May 24th, 2021 Failing to complete Breath Test Operation Certification
- July 29th, 2021 At-Fault Collision
- October 25th, 2021 Failing to assist a community member requesting a report and failed to Activate his BWC for a police contact
- October 26th, 2021 Failure to activate BWC according to policy

Ofc. Wilson has a documented history of not performing to acceptable standards. Prior to these allegations, he was formally charged for five separate incidents:

- February 4th, 2010 - Misconduct (40 Hour Suspension)
 - Officer Wilson was not forthcoming about his location while assigned as the Patrol Wagon driver.
- January 11th, 2012 – Misconduct (80 Hour Suspension)
 - Officer Wilson, after issuing a citation to a motorist, exchanged inappropriate texts with the motorist and voided the citation.
- May 13th, 2013 - Inappropriate Action (40 Hour Suspension)
 - Officer Wilson failed to complete required documentation on a call for service.
- Sept. 9th, 2013 - Inappropriate Action; Unsatisfactory Performance (120 Hour Suspension)
 - Inappropriate Action: Officer Wilson failed to complete required documentation on a call for service (40 Hour Suspension)
 - Unsatisfactory Performance: Officer Wilson had shown a pattern of not performing to expected levels (80 Hour Suspension)
- June 29th, 2016 - Unsatisfactory Performance (80 Hour Suspension)

- Over the course of a month (May 19th, 2016 to June 17th, 2016), Officer Ray S. Wilson exhibited a pattern of unsatisfactory performance in which some of his actions placed fellow officers at unnecessary risk.

Regarding the allegation of dishonesty, Sgt. Whitcomb states that Ofc. Wilson intentionally attempted to mislead Sgt. Whitcomb about his location. Sgt. Myatt believes that Ofc. Wilson was not forthcoming about his actual location because Ofc. Wilson did not want to have conflict with Sgt. Whitcomb. Ofc. Wilson, however maintains that he misunderstood Sgt. Whitcomb's allegation, became frustrated with Sgt. Whitcomb's accusatory nature, and responded in a frustrating manner. Ofc. Wilson is emphatic that at no point did he intend to be dishonest with Sgt. Whitcomb and that it was a misunderstanding.



Lieutenant Matt Brotherton
Bureau of Investigation
Public Integrity Unit

cc: file – PIU 2021F-023



Lexington Police Department
MEMORANDUM
 Lexington, Kentucky

DATE OF ISSUE
 March 21, 2022

EFFECTIVE DATE

NUMBER
 PIU: 22-031

TO: Assistant Chief Brian Maynard
 Bureau of Patrol

SUBJECT: FORMAL COMPLAINT

FROM: Lieutenant Matthew Brotherton
 Bureau of Investigation
 Public Integrity Unit

COMPLAINANT: Lieutenant Daniel Truex

ACCUSED OFC.: Officer Ray Wilson

ALLEGATION: Violating General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.11 - Unsatisfactory Performance and General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 – Misconduct.

ALLEGED CIRCUMSTANCES: On December 20, 2021, Sergeant N. Whitcomb observed Officer Ray Wilson out of sector and beat without authorization. GPS data for Officer R. Wilson's cruiser did not support Officer R. Wilson's explanation for his location. A subsequent review of Officer Wilson's GPS data showed multiple instances where Officer Wilson did not respond to dispatched calls in a timely manner. Officer Wilson appears to regularly leave Central Sector during his shift and misidentifies his location to dispatch.

Officer Wilson has been documenting a variety of deficiencies.

in the past 12 months,

COPY DIRECTLY FROM FORM 111

ACTION REQUESTED:

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

DATE

TIME

Bureau Commander San Mudo 22 MAR 22 1048

Supervisor DHL 3/22/2022 0725

Officer Ray Wilson 3/22/2022 0732

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 CBK 3/28/2022 1000



Lieutenant Matthew Brotherton
Bureau of Investigation
Public Integrity Unit

mrv

enclosures

cc: Chief Lawrence Weathers
file - PIU2022F-005

**LEXINGTON POLICE DEPARTMENT
FORMAL COMPLAINT FORM**

FORM 111 (5/21)

File #: 2022F-005

FOR OFFICIAL USE ONLY

Employee Involved: Wilson, Ray S.		Employee #: 41240	Hire Date: 09/09/2002
Present Assignment: Bureau of Patrol, Central Sector, First Shift			
Complainant: Lt. Dan Truex		Complainant Address: 150 E. Main	
Complainant Phone #: (859) 258-3600	Alternate Complainant Phone #: N/A	Complainant Email: N/A	
Date of Incident: Various	Time of Incident: Various	Location of Incident: Various	Date and Time Reported: 03/08/2022 @ 1608
			How Reported: <input type="checkbox"/> Letter <input type="checkbox"/> Phone <input checked="" type="checkbox"/> Person <input type="checkbox"/> Email

DESCRIPTION OF ALLEGATIONS:

On December 20, 2021, Sergeant N. Whitcomb observed Officer Ray Wilson out of sector and beat without authorization. GPS data for Officer R. Wilson's cruiser did not support Officer R. Wilson's explanation for his location. A subsequent review of Officer Wilson's GPS data showed multiple instances where Officer Wilson did not respond to dispatched calls in a timely manner. Officer Wilson appears to regularly leave Central Sector during his shift and misidentifies his location to dispatch.

Officer Wilson has been _____ in the past 12 months, documenting a variety of deficiencies.

If the above allegations are true, then Officer Wilson has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.11 Unsatisfactory Performance for failing to maintain sufficient competency to properly perform his duties and assume the responsibility of his position as a Police Officer by failing to conform to work standards established for his rank.

Additionally, if the above allegations are true, then Officer Ray Wilson has violated General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 Misconduct for failing to conduct himself 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 his integrity, honesty, judgement, or character when he lied to Sgt. Whitcomb on his whereabouts on December 20, 2021.

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: 3/21/2022

Subscribed and sworn before me this date: 3/21/2022 _____
(Date) (Notary)

My Commission Expires: 2.3.2025

Witness:
Name: _____ Address: _____ Phone: _____

Recorded By: Bureau of Investigation, Public Integrity Unit

File #: 2022F-005

Employee: Wilson, Ray S.

CHIEF OF POLICE

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

Finding **Policy Violation**

<input checked="" type="checkbox"/>	General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.11 Unsatisfactory Performance
<input checked="" type="checkbox"/>	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 the PIU summary of the Formal Complaint

Comments:

Referred this Formal Complaint to the Disciplinary Review Board.

Signature: *Shirley B. Weather*

Date: June 14, 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: _____