



LEXINGTON POLICE DEPARTMENT
PERSONNEL ORDER
Lexington, Kentucky

DATE OF ISSUE

July 25, 2023

EFFECTIVE DATE

August 7, 2023

NUMBER

PO:23-310

TO:

SUSPENSION WITHOUT PAY

AMENDS:

INDEX AS:

OFFICER
JONATHAN COYLE / 53612

RESCINDS:

Effective Monday, August 7th – 20th, 2023, Officer Jonathan Coyle will be placed in a suspended without pay status for two (2) weeks for violation of G.O. 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.4 and 1.13 – Body Worn Camera Procedures and Operation of Vehicles. Officer Coyle is not authorized to enter any Government work site or other employee only area while suspended. Officer Coyle must surrender any Police Department and Urban County Government property, including keys and identification.

Officer Coyle will lose his take home privileges with his division owned vehicle for six (6) months. This suspension was approved by Council on July 13, 2023.

****While in a suspended without pay status, Officer Coyle will also remain in a Work Related Modified Duty Status (PO:23-186)****

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 Johnathan Coyle #53612

has committed the offense of:

Body-Worn Camera Procedures and Operation of Vehicles

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 1.04 and 1.13.

in that on the 17th day(s) of March, 20 2023 he/she allegedly:

On Monday, March 20th, 2023 an informal complaint was received from a citizen in reference to a driving complaint involving Officer Johnathan Coyle. The complainant stated he observed an unmarked white police truck speed up behind him on Interstate 75. The police vehicle activated its emergency lights and the complainant thought he was being pulled over for speeding. As he pulled over, the police vehicle continued south and he observed the police truck use emergency lights multiple times as it got behind other vehicles.

During the investigation it was further discovered Officer Coyle did not activate his body worn camera during this encounter and did not have it in buffering mode for a fifteen (15) day period.

At the conclusion of the investigation it was determined Officer Coyle was in violation of General Order 2015-15C Body-Worn Cameras and General Order 1973-03S Operation and Maintenance of Department Vehicles.

This is Officer Coyle's second sustained formal complaint since his employment began on October 19, 2015.

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:

Two week suspension without pay and six (6) month suspension of home fleet.

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

6/20/23
Date


Chief of Police Signature

06/25/23
Date

ACTION BY URBAN COUNTY COUNCIL

☒ APPROVE ABOVE RECOMMENDATION

7/13/23

☐ DISAPPROVE ABOVE RECOMMENDATION


Signature of Authorized Representative of
Urban County Council

SUSPENSION SERVICE GUIDELINES:

Suspensions will be served as outlined in General Order series 1973-02 Disciplinary Procedures of Sworn Officers.



LEXINGTON POLICE
DEPARTMENT
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE
May 31st, 2023

EFFECTIVE DATE

NUMBER
PIU 23-040

TO:
Chief Lawrence Weathers
Chief of Police

SUBJECT:
Formal PIU2023F-003
Officer Jonathan Coyle
Summary

FROM:
Lieutenant David Biroschik
Bureau of Investigation
Public Integrity Unit

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

On April 3rd, 2023, Lieutenant Jeremy Brislin filed a formal complaint against Officer Jonathan Coyle for the violation of General Order 1973-02K, Disciplinary Procedures of Sworn Officers Appendix B, Operational Rule 1.02 – Misconduct, Operational Rule 1.04 Body Worn Camera Procedures and Operational Rule 1.13 Operation of Vehicles.

Allegations:

On Monday March 20th, 2023 an informal complaint was received from the Public Integrity Unit in reference to a driving complaint against Officer Jonathan Coyle #53612. The complainant, Mr. Gavin Draper advised that on March 17th, 2023 between 1545 – 1600 hours, he observed a white unmarked police truck (KY5047 – Mounted Unit) speed up behind him in the fast lane of I-75 South between the Clays Ferry Exit 99 and the Boonesborough Exit 95. The police truck then used emergency lights as he was behind Mr. Draper.

Assuming he was being pulled over for speeding, Mr. Draper changed lanes and the police truck continued past him at a high rate of speed. Mr. Draper advised he then observed the police truck use emergency lights multiple times as it got behind other vehicles. He then followed the police truck to get a license plate number which he advised was now traveling at approximately 95mph. Mr. Draper advised he followed the police truck until it exited in Madison County. It was determined that Officer Coyle was driving the identified police vehicle.

During the Informal Investigation Officer Coyle gave contradicting statements and memos to Sergeant Creekmore when asked about the details of this incident. Officer Coyle was asked multiple times for clarification due to the conflicting statements and memos he wrote. By giving contradicting statements and having to ask for additional detail in his memorandums, this makes Officer Coyle appear as though he is attempting to be dishonest and brings his integrity and character into question.

During the above incident Officer Coyle failed to activate his Body Worn Camera when activating his emergency lights as mandated by policy. Upon further review it does not appear

that Officer Coyle had his BWC in Buffering Mode as required to do so as stated in G.O. 2015-15C.

If the listed allegations are true then Officer Coyle is in violation of the below:

General Order 1973-02K, Disciplinary Procedure, 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, judgment, 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.

General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.04 - Body-Worn Camera Procedures, which states - Officers issued body-worn cameras shall wear and use them, as outlined in department policies.

General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.13 - Operation of Vehicles, which states - Officers should operate department vehicles in a careful and prudent manner and shall obey all laws of the state, CAO Policies, and all departmental policies pertaining to such operation. Officers shall set a proper example for other persons by their operation of a department vehicle.

Gavin Draper Interview

On April 27th, 2023 I contacted Mr. Gavin Draper by telephone to gather information regarding his complaint he had called in on Friday March 17th, 2023. Mr. Draper advised that he lives in but travels to daily for work.

On March 17th, 2023 around 1645 he was traveling home on I75 Southbound. He stated that he was traveling at approximately 85mph when a unmarked white truck pulled in behind him and activated their emergency lights, his first thoughts were that he was getting pulled over for going too fast, so he put his turn signal on and merged to the right preparing to pull onto the shoulder. Once he began to pull over the emergency lights on the truck were turned off and the truck sped past him. Mr. Draper advised he watched the truck do this to several other vehicles, also forcing them to pull out of the way. Mr. Draper then sped up and paced behind the truck, getting the license plate number and documenting speeds between 90-100mph. This driving behavior continued through Madison County until both vehicles exited at the Winchester / Boonesboro Road exit.

Mr. Draper advised he is very familiar with the area and is certain this incident occurred out of county. He stated the initial contact occurred once both vehicles had passed the Clays Ferry Bridge and they were approaching the first exit in Madison County.

Sergeant Byron Creekmore Interview

On April 13th, 2023 Sergeant Byron Creekmore was interviewed by Lieutenant Jeff Jackson and myself in the Public Integrity Unit office. Sergeant Creekmore advised he became aware

of the complaint on Officer Coyle when it was forwarded to him through his chain of command on Monday March 20th, 2023. At the time he only knew it was a complaint for inappropriate driving behaviors that occurred on Friday March 17th, 2023.

Prior to calling Mr. Draper, Sergeant Creekmore asked Officer Coyle if he could recall any incidents that someone would be calling to complain on. Officer Coyle stated the only thing he could think of was on Friday while driving home he activated his emergency lights to "move" a truck out of the fast lane that he believed was driving too slow. Once he had activated his lights the truck moved to the center lane and traffic continued on.

After talking to Officer Coyle, Sergeant Creekmore contacted Mr. Draper, who described the incident as documented in this summary. Sergeant Creekmore once again spoke to Officer Coyle, told him what Mr. Gavin had said. Officer Coyle then stated he remembered another incident where a vehicle was traveling too fast, he activated his emergency lights for approximately 1 second, once the vehicle slowed down to an appropriate speed and they both continued on. Sergeant Creekmore had Officer Coyle write a memo documenting the incident, which he did so describing the incident involving the vehicle traveling too fast.

Sergeant Creekmore completed a Blueteam Report documenting the incident where he attached his memo documenting what Officer Coyle's first response had been, and he also attached Officer Coyle's memo he had provided. Once the Blueteam was forwarded up for review, the discrepancy in Officer Coyle's initial statement and his memo were noted and he was asked to provide a second memo with more detail. The second memo was very similar to the first, documenting an incident where he activate his emergency lights to slow down a vehicle which was traveling too fast.

Due to some continued questions a third memo was requested from Officer Coyle. He documented in this memo multiple incidents that he had been involved in on the interstate where he had activated his emergency lights at vehicles for different reasons and could not remember which incident specifically occurred on Friday March 17, 2023. It was at this time that supervisor's within the Bureau of Special Operations decided to place Formal Charges against Officer Coyle.

Investigation

During the investigation and interviews it was determined that Officer Coyle had not activated his Body Worn Camera for the incident described by Mr. Draper, nor had he activated it for any other incident he stated he experienced on the interstate. It was decided at this time to have a report ran to see if there were any other incidents that he had been documented, or if his camera was activated during this time.

A printed out report was provided by Ms. Susan Schafer documenting all BWC activity for Officer Coyle through the month of March. During this time it was discovered that Officer Coyle had not been following the Body Worn Camera Policy by having his BWC buffering as he traveled to and from work and his home. The report also showed that he had not turned it on at all during the period of March 9th through March 24th. During this period Officer Coyle had not been on vacation and worked the Sweet 16 at Rupp Arena for the High School Boys and Girls basketball tournaments.

Officer Jonathan Coyle Interview

Officer Jonathan Coyle was interviewed in the Public Integrity Unit on Tuesday May 30th, 2023, with his attorney Kate Bennet present. The interview was conducted by Lt. Jeff Jackson and myself.

During the interview Officer Coyle advised he routinely activates his emergency lights while driving to and from work. His reasons for activating them range for cars traveling too fast and too slow. He is unable to give an accurate number of times he has done this, but estimates it is between 1-2 times per week. It is because of the number of these actions he is unable to recall the incident Mr. Draper called in about.

When originally asked about the complaint from Sergeant Creekmore he did not specifically remember an incident, but figured it had to be one of the times he activated his lights for someone driving too slow, since in his mind no one would complain for him turning his lights on for driving too fast, when they did not receive a ticket. Once Sergeant Creekmore advised him what the complaint entailed, he remembered an incident where a truck passed him at an excessive speed, after swerving in and out of traffic. He did admit to activating his lights causing the truck to merge to center lane, slowed down and continued on, which he now believes is the incident that occurred on Friday March 17th.

When questioned about the use of his BWC Officer Coyle advised that it is his intention to have it buffering each time he drives to and from work. There are days he forgets to turn it on, but as a whole it is his intent to follow the policy as outlined. He did state when he is inside the arena training his horse he does not have it on, but if he leaves the gates on a horse or in a vehicle he has it on and buffering. When questioned about the 15 day period it appears his camera was never turned on, he had no explanation. He insisted that it is never his intention to leave it turned off and believed he attempt to turn it on those days.

Conclusion

After concluding this investigation it does appear that Officer Coyle has violated General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.13 - Operation of vehicles. He has admitted to routinely activating his emergency lights while operating on the roadway to move vehicles out of the way that he felt were driving too slow or warning others that he felt were going too fast. He has admitted to doing this so many times he is unable to remember specific incidents due to them running together.

It also appears that Officer Coyle has violated General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.04 - Body-Worn Camera Procedures. Officer Coyle has failed to activate his BWC during any of the encounters on the roadway. He also failed to turn on his BWC and have it buffering for a 15 day period from March 9th, 2023 through March 24th, 2023. During this time he worked the entire week, along with overtime assignments regarding to the High School Sweet 16 Tournaments. Officer Coyle had no explanation for the absence of videos, nor could he explain why his camera was never turned on during this period.

In regards to the third charge of General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.02 – Misconduct. At this time there is Insufficient Evidence to support the charge. Officer Coyle stated throughout his interview that he was confused on which event he was being complained on. Due to the number of times he has activated his emergency lights towards other vehicles he was unable to give an accurate statement. He advised he never meant to be dishonest and answered all of the questions to the best of his ability. During the time frame his camera was never turned on, he insist he had done so. There is no evidence to support there was anything wrong with the camera, nor is there any that he is being dishonest with his statements. Officer Coyle is also insistent that he never has activated his emergency equipment while traveling out of county. While talking to Mr. Draper he stated he is positive that their encounter occurred several miles into Madison County, although there is no reason to doubt Mr. Draper, there is no way to confirm the accuracy of either person.



Lexington Police Department
MEMORANDUM
Lexington, Kentucky

DATE OF ISSUE
April 3, 2023

EFFECTIVE DATE

NUMBER
PIU: 23-027

TO:
Assistant Chief Shawn Coleman
Bureau of Special Operations

SUBJECT:

FORMAL COMPLAINT

FROM:
Lieutenant David Biroshchik
Bureau of Investigation
Public Integrity Unit

COMPLAINANT: Lieutenant Jeremy Brislin

ACCUSED OFC.: Officer Jonathan Coyle

ALLEGATION: Violating General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.02 - Misconduct, General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.04 - Body-Worn Camera Procedures, and General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.13 - Operation of Vehicles.

ALLEGED CIRCUMSTANCES: On Monday March 20th, 2023 an informal complaint was received from the Public Integrity Unit in reference to a driving complaint against Officer Jonathan Coyle 53612. The complainant, Mr. Gavin Draper advised that on March 17th, 2023 between 1545 – 1600 hours, he observed a white unmarked police truck (KY5047 – Mounted Unit) speed up behind him in the fast lane of I-75 South between the Clays Ferry Exit 99 and the Boonesborough Exit 95. The police truck then used emergency lights as he was behind Mr. Draper. Assuming he was being pulled over for speeding, Mr. Draper changed lanes and the police truck continued past him at a high rate of speed. Mr. Draper advised he then observed the police truck use emergency lights multiple times, as it got behind other vehicles. He then followed the police truck to get a license plate number which he advised was now traveling at approximately 95mph. Mr. Draper advised he followed the police truck until it exited in Madison County. It was determined that Officer Coyle was driving the identified police vehicle.

During the Informal Investigation Officer Coyle gave contradicting statements and memos to Sergeant Creekmore when asked about the details of this incident. Officer Coyle was asked multiple times for clarification due to the conflicting statements and memos he wrote. By giving contradicting statements and having to ask for additional detail in his memorandums, this makes Officer Coyle look as though he is attempting to be dishonest and brings his integrity and character into question.

During the above incident Officer Coyle failed to activate his Body Worn Camera when activating his emergency lights as mandated by policy. Upon further review it does not appear that Officer Coyle had his BWC in Buffering Mode as required to do so as stated in G.O. 2015-15C.

ACTION REQUESTED:

- The Bureau Commander and Officer Coyle 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 Name
- Officer Coyle 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>Alfred J. Palmer</u>	<u>4/3/23</u>	<u>12:37</u>
Supervisor <u>Edward J. [Signature]</u>	<u>4-3-23</u>	<u>1237</u>
Officer <u>[Signature]</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 D. Biroschik

LT. D. Biroschik
Lieutenant David Biroschik
Bureau of Investigation
Public Integrity Unit

mr v

enclosures

cc: Chief Lawrence Weathers
file – PIU2023F-003

**LEXINGTON POLICE DEPARTMENT
FORMAL COMPLAINT FORM**

FORM 111 (5/21)

File #: PIU 2023F-003

FOR OFFICIAL USE ONLY

Employee Involved: Officer Jonathan Coyle		Employee #: 53612	Hire Date: 10/19/2015
Present Assignment: Bureau of Special Operations / Mounted Unit			
Complainant: Lt. Jeremy Brislin 39432		Complainant Address: 150 E. Main Street, Lexington KY 40507	
Complainant Phone #: (859) 258-3600	Alternate Complainant Phone #:	Complainant Email: jbrislin@lexingtonpolice.ky.gov	
Date of Incident: 03/17/2023	Time of Incident: 1545	Location of Incident: I-75 South between Clays Ferry / Exit 95	Date and Time Reported: 03/20/2023 / 0800
		How Reported: <input type="checkbox"/> Letter <input checked="" type="checkbox"/> Phone <input type="checkbox"/> Person <input type="checkbox"/> Email	

DESCRIPTION OF ALLEGATIONS:


On Monday March 20th, 2023 an informal complaint was received from the Public Integrity Unit in reference to a driving complaint against Officer Jonathan Coyle 53612. The complainant, Mr. Gavin Draper advised that on March 17th, 2023 between 1545 – 1600 hours, he observed a white unmarked police truck (KY5047 – Mounted Unit) speed up behind him in the fast lane of I-75 South between the Clays Ferry Exit 99 and the Boonesborough Exit 95. The police truck then used emergency lights as he was behind Mr. Draper. Assuming he was being pulled over for speeding, Mr. Draper changed lanes and the police truck continued past him at a high rate of speed. Mr. Draper advised he then observed the police truck use emergency lights multiple times as it got behind other vehicles. He then followed the police truck to get a license plate number which he advised was now traveling at approximately 95mph. Mr. Draper advised he followed the police truck until it exited in Madison County. It was determined that Officer Coyle was driving the identified police vehicle.

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Continued on P3

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: 04-03-23

Subscribed and sworn before me this date: 4-3-23

(Date)

Melanie R. Votaw
(Notary)

My Commission Expires: 2-3-2025

Witness:

Name: _____ Address: _____ Phone: _____

Recorded By: Bureau of Investigation, Public Integrity Unit

ALLEGATIONS CONTINUED:

If the listed allegations are true then Officer Coyle is in violation of the below:

General Order 1973-02K, Disciplinary Procedure, 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, judgment, 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.

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General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.13 - Operation of Vehicles, which states - Officers should operate department vehicles in a careful and prudent manner and shall obey all laws of the state, CAO Policies, and all departmental policies pertaining to such operation. Officers shall set a proper example for other persons by their operation of a department vehicle.

File #: PIU 2023F-003Employee: Officer Jonathan Coyle**CHIEF OF POLICE**

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

Finding

Policy Violation

IE	General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.02 - Misconduct
IC	General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.04 - Body Camera Procedures
IC	General Order 1973-02K, Disciplinary Procedure, Appendix B, Operational Rule 1.13 - Operation of Vehicles

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

Materials Reviewed:

Reviewed PIU synopsis

Comments:

Recommended Discipline: 2 weeks suspension without pay and 6 months suspension of home fleet.

Signature: *Lawrence B. Weather*Date: 6/16/2023**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: _____

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