



LEXINGTON POLICE
DEPARTMENT
MEMORANDUM
Lexington, Kentucky

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TO:
Lawrence Weathers
Chief of Police

SUBJECT:
Formal P.I.U.20.F.018
Officer Jervis Middleton 46223
Summary

FROM:
Lieutenant David Biroshik
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 August 5, 2020 Lieutenant Jeremy Tuttle filed a formal complaint against Officer Jervis Middleton for violation of 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, 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”.

Investigation

On or about June 14th 2020 pursuant to a criminal investigation, investigators obtained the cell phone of protest organizer Sarah Williams, after she had been arrested for multiple charges including Inciting a Riot. During their investigation a search warrant was obtained for all records located on the phone and the apps downloaded to it. While reviewing these records concerning conversations between Officer Jervis Middleton and Sarah Williams were located in the Facebook Messenger App and forwarded to the Public Integrity Unit for investigation.

Sarah Williams is a known protestor who organized the Police Accountability Protest in Lexington Kentucky, beginning sometime in May 2020. During these protest the tactics used by Ms. Williams were well known, based upon released Facebook Live Videos by her and her sister April Taylor, by news coverage, and body worn camera video released by the Lexington Police Department. Ms. Williams and her followers launched personal attacks and insults towards individual officers, weaponizing information they obtained, in an effort to embarrass the officers, and impair the efficiency of the agency. These attacks, along with the other protestors’ demands, created an unduly amount of stress on the officers and impacted their ability to maintain a professional demeanor during the protests.

Throughout this time period it appears that Officer Jervis Middleton advised Ms. Williams that certain officers and command staff were “racists” and directed her to call them out during the protest. He also provided her copies of sensitive “law enforcement only” communications, including emails and text messages which outlined staffing, operational, and deployment plans.

Based upon conversations between Ms. Williams and Officer Middleton it is reasonable to believe that he knew what she would do and how she would use it against the officers and the agency once she received it. There are also incidents where Officer Middleton actively encouraged Ms. Williams curse out and use the personal information he provided in a manner to embarrass the officers involved. In many of these incidences I have been able to link up Ms. Williams using information provided by Officer Middleton viewing either Facebook Live videos posted by Ms. Williams, or by Body Worn Camera Footage recorded by the agency’s officers.

Incidents of concern

1. The first incident that can be confirmed with BWC occurred on May 31, 2020 and is twofold in nature. At 0038 in the morning Officer Middleton sent Ms. Williams a screenshot of his phone and the ERU Callout Text for a Civil Disturbance downtown. On the screenshot you can see the word “No” typed into the response stating he would not be able to respond. After the screenshot he immediately tells her “That’s what I got...” The remainder of the text conversation continued as listed below with Officer Middleton denoted as “JM” and Ms. Williams as “SW”
 - **0050** – JM to SW / “Tell them, Middleton said FTP!”
 - **0052** – JM to SW / “Tell them... fuck ERU and Commander Holland”
 - **0143** – SW to JM / “I got a fuck Commander Holland in....they started looking at each other lmao”.

After reviewing this exchange I searched through the BWC Footage of the protest that night (2020-86736) and located Ms. Williams exchange on recorded footage. During this time period officers are lined up in front of headquarters in their civil disturbance gear. The crowd is standing in front of the officers facing them. Some people in the crowd are attempting to talk to officers, but most of them are yelling and cursing at them. Ms. Williams can’t be seen in this video, but she can be heard yelling through a battery amplified megaphone. At 0139 Ms. Williams can be heard saying “alright, someone messaged me and told me to say fuck Commander Holland,”

Officer Middleton was asked in his interview if he had ever provided official communications such as rosters, or emails from the Lexington Police Department to Ms. Williams. Officer Middleton immediately stated he had not sent her any “rosters, or nothing”. When pushed on the subject he stated “ you’d have to show me a roster that I would’ve sent cause I don’t have any roster”. When asked about screen shots of ERU call outs, he acted confused stating “why would I have sent her an email of a callout? I don’t...I don’t think I’ve sent anybody a....”

Once shown the text regarding the call out, he stated he had forgotten sending that and he was just letting her know he had to go to work, just sharing information with her like he does with his wife. It should also be noted that this message was sent out to the Emergency Response Unit which is a specialized unit that often deals with sensitive information. Officer Middleton

gave no concern for this and didn't respond as if he fully understood the seriousness of what he had done.

2. The second incident of concern occurred on Sunday May 31, 2020. At this time Officer Middleton forwarded a copy of an email sent out to all officers in the agency. The email advised of a potential protest that night and any officer or sergeant that wished to work for overtime could do so. He not only forwarded the information to Ms. Williams, but he advised her tactics that would be employed that evening. The exchange between the two after he sent the copy of the email is listed below:

- **0856** – JM to SW / Moving the needle..
- **0932** – SW to JM / Well lol...thanks for the heads up
- **0933** – JM to SW / Agency just issued an emergency order..so they will be out in riot gear tonight too.

Officer Middleton could give no reasonable answer on why he sent these messages to Ms. Williams. His answers went from no he had not sent anything, to the information he provided is the same type information that is released to the public during the UK celebrations. He deflected the questions multiple times and did not give a solid answer on his intentions.

These two incidents also violate General Order 1973-02KL Disciplinary Procedures of Sworn Officers, Appendix B, Section 1.15 Dissemination of or Interference with Written or Electronic Information, which states, Officers shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended. Officer will only access, use, remove or copy department information and public records or reports from a department facility or electronic device to accomplish a justified law enforcement purpose.

3. The third incident which can be confirmed with BWC Footage occurred Wednesday June 3, 2020. At this time after confirming Ms. Williams was in fact downtown leading the protest Officer Middleton provides her with inflammatory statements to yell at the officers. BWC Footage at the scene confirms she does make the statements which Officer Middleton provided.

- **2207** – JM to SW / Are you down there tonight?
- **2209** – SW to JM / Yes....cussing out Truex
- **2209** – JM to SW / Lol..give him hell!!
- **2220** – JM to SW / I'm trying to find something for you to add, to say to him..
- **2224** – JM to SW / Cut them deep..tell them they're never mad when Mascoe violates black people's rights, or when officers send dick picks on duty..but when Middleton fucked a white girl, yall went crazy!

After reviewing this exchange I searched through the BWC Footage from that night (2020-88781) and located Ms. Williams exchange on BWC Footage. On the footage it clearly shows Ms. Williams at 2228 walk to the front of Headquarters by herself with her megaphone. At this point in time the streets had mostly cleared with less than 10-12 people standing around. She then makes statements and ask questions to the officers still standing on the sidewalk about Officer Mascoe and the other information provided her by

Officer Middleton. She also begins the exchange with the officers with, “I have a message for you all”, clearly inferring she got the questions and comments from someone else.

4. The fourth incident of concern occurred on Friday June 5, 2020. Prior to this date an unknown female white was standing in the crowd and started making allegations that officers were sending pictures of their genitals to women in Lexington. She named three officers, one of them being Officer Ryan Holland. Officer Holland was not present when this occurred, but was told the next day by officers that had observed the allegations broadcasted on a Facebook Live Stream. He strongly denies this ever occurred and has never been accused of this in the past, or since the protest.

During the protest on June 5th at 2128 during a break in the crowd, Officer Middleton began talking to Officer Holland about the allegations. Officer Holland explained from what he understood someone had accused him of sending inappropriate pictures the first night, now there were many others allegations on top of it. He believed the lie had begun with Ms. Williams, as she remembered being in the band with him in High School. It was at this time Officer Middleton cut off his BWC which had been capturing the conversation.

Moving forward to June 6, 2020 at 1300 Officer Middleton shared the conversation with Ms. Williams he had engaged with Officer Holland the night prior.

- **1254** – JM to SW / Morning... I just watched April’s FB Live from Wednesday Night / Thursday Morning (June 5-6)
- **1254** – SW to JM / It was beautiful
- **1300** – JM to SW / My next fuck you goes to Commander Johnson...he’s the one that thinks black men are scary..or at least when he’s addressing a blue eyed blonde white woman...he was the head of the lynching...I digress...I looked it up because Holland was crying about the dick pics part.. Imfao...he kept blaming it on you for saying it..but I see it was the white girl..never was she mentioned in his cry fest...fuckers... Commander Roger Holland is his brother, and he’s a dick. I’m coming down tonight.

Looking at this exchange the obvious concern is that not only is Officer Middleton providing information throughout the protest to Ms. Williams that he comes up with on his own, but he is giving her feedback on what officers are saying and feeling after being targeted individually during the protest and in front of their peers. It should also be noted that during multiple protest after this date Ms. Williams continued to repeat these allegations in front of other officers and on Facebook Live.

The Public Integrity Unit conducted an interview with Officer Ryan Holland on Tuesday September 15, 2020. Officer Holland was very upset about the situation. He believes Officer Middleton gave his name to Ms. Williams or her sister out of distain towards his brother. He went further into detail about his encounter with Ms. Williams on June 5th. That night the protestors were driving around the block 27 times in honor of Breonna Taylor. One of the times Ms. Williams drove by she stopped in traffic and for 2-3 minutes yelled and cursed at him. After driving off _____, who had witnessed the incident removed him from the line and sent him inside to avoid any other confrontations

Later that night Officer Middleton approached him and told him the sisters were not referring to him, when they were talking about the inappropriate photos being sent, their intentions were to point out a different officer. Officer Holland stated he knew at that time Officer Middleton was talking to Ms. Williams and was feeding her information about officers, because if he wasn't how else would he know who they were talking about. Later that night he was approached by Officer Middleton and again told it was a mistake they pointed him out.

Officer Holland advised this situation greatly affected his wife after seeing the Facebook Live video recorded by Ms. Williams's sister April Taylor. They had multiple issues because of it and he wished it had never occurred. He also has a hard time understanding why Officer Middleton would give Ms. Williams his name, because they have had zero issues in the past. He also said he had reached out to Officer Middleton when he had been in trouble before and told him he was praying for him and if he needed anyone to talk to he was available. The only reason he can think of why he would do something is because of his dislike of his brother. He has heard that Officer Middleton blames Commander Holland for him not getting the position of Crisis Negotiations Unit Commander when it was opened in the past.

Officer Holland also advised he would never let someone get hurt that worked here, but he does not like, trust and would refuse to be Officer Middleton's Beat Partner in the future.

5. The fifth incident of concern, also confirmed through BWC Footage and Facebook Live videos taped by Ms. Williams sister occurred during the protest from June 11-12, 2020. On this night some of the protestors that had been following Ms. Williams were arrested at Headquarters for crossing over the barrier and advancing into the parking structure. This occurred while Ms. Williams was attending another protest on Richmond Road near the area of a motorcycle fatality earlier in the week. It is obvious Ms. Williams is very upset when she contacts Officer Middleton, again with text through Facebook Messenger. The conversation is listed below:

- **2309** – SW to JM / They arrested some of our people
- **2310** – JM to SW / For what?
- **2311** – SW to JM / I wasn't there
- **2311** – SW to JM / I was still out Richmond Rd
- **2312** – JM to SW / Are they taking them on to the jail or citing them? If they go to jail, the jail will turn around and let them out..if not, there will be a true riot..
- **2337** – SW to JM / I'm so goddamn mad man
- **2337** – JM to SW / Call me if you need to..
- **2334** – SW to JM / Send me some more shit to talk to them please
- **2341** – JM to SW / Call Commander Albert Johnson a racist..you can say you have some information on him...
- **2342** – JM to SW / Talk about them sending Mascoe away..on military leave...
- **2343** – SW to JM / I mentioned Mascoe
- **2345** – JM to SW / You can talk about how you several officers and sergeants are blatantly racists and don't like interracial relationships... Definitely talk about Brenna!!! That bitch committed a crime!! She gives out a statement about the black sgt...but not about the white officers etc.. you should go in on her...
- **2346** – Oh and clarification... Ryan Holland is an officer.. he's the one who ole girl said sent dick picks... Commander Roger Holland is Ryan's older brother...FYI

During the protest on this date the officers assigned to Headquarters either stayed inside the building, or inside the parking structure out of sight. When the protestors were arrested they had jumped the barriers and walked far enough into the structure that they were apprehended before they could run back to the front. Due to these tactics there is very little BWC Footage available.

In a video that was obtained you do see Ms. Williams yell the information she was provided except one piece, provided to her by Officer Middleton through her megaphone. You do not see her talking about Officer Mascoe, but she does admit to Officer Middleton that she does use that information also. The group of approximately 15 people including Ms. Williams and April Taylor begin yelling towards officers in Headquarters standing on Main Street and the sidewalk in front. You can hear Ms. Williams making statements about officers being against interracial relationships and other racist actions, but it is difficult to hear over various other conversations going on around the video recorder.

After approximately 5-10 minutes they move around to the back of Headquarters. Here you can plainly hear Ms. Williams call Commander Johnson a racist and that they have information about him, as instructed to do so by Officer Middleton. It is at this time that _____ and three other officers approach Ms. Williams and ask if she will move from in front of the barricades so a car can exit the structure, Ms. Williams refuses. For the next 5 minutes _____ attempts to talk to the protestors, with little luck, but his BWC is running and when it is synced up with the Facebook Live Video, it confirms the legitimacy of each.

Ms. Williams then continues her protest with _____ present and begins talking about Brenna Angel committing a crime by commenting about “some shit” still under investigation, again, as told to do so by Officer Middleton. Ms. Williams also can be heard making statements about Brenna prior to going to the rear of Headquarters. Throughout the pages of information gathered from Facebook Messenger, Officer Middleton continuously encourages Ms. Williams to personally attack Brenna Angel for making statements about him. His overall complaint is that she does not make statements when it comes to white officers, but did when he was charged the first time. This became a common topic that Ms. Williams continuously made statements about.

During Officer Middleton’s interview he stated multiple times that Ms. Williams would never use the information he provided her during a protest. He said during conversations prior to and during this time period there was an understanding he was just venting to her, not providing information to use against officers. I believe the scene that was just described explicitly shows that Officer Middleton was in fact assisting Ms. Williams during the protest. He not only provided things for her to say, but he also advised her when she was incorrect with her statements, mixing up Officer Ryan Holland and Commander Roger Holland.

6. The sixth incident of concern occurred on June 1, 2020. Officer Middleton reached out to Ms. Williams to inquire if she was in the downtown area. During his conversation with her he advises he is going to monitor the police radio, due to officers being called in. The exchange between the two is listed below:

- **2120** – JM to SW / Are you downtown?
- **2121** – SW to JM / No, my sister is. Do I need to head that way?

- **2122** – JM to SW / They are calling some of our folks in...I gave them a big fat NO again..I'm about to monitor our radio traffic

During the interview with Officer Middleton he was asked specifically if he had ever turned his radio on while he was off-duty to monitor police activity. His response was an immediate “absolutely not”. It was at this time he was shown a printed out document from the Technical Services Unit that is able to show exactly when an officer turns on and off his portable radio, what channels they switch to, and how long they are on each channel. This query was ran for Officer Middleton’s radio and forwarded to me on Friday August 21, 2020.

On this report it shows that Officer Middleton was not truthful with his answer during the interview, as he had turned his portable radio on at 2122 on June 1, 2020, just as he had told Ms. Williams he was getting ready to do. When questioned on this he started to act confused and couldn’t understand why he would have turned it on. Over the next few minutes Officer Middleton’s response went, from confused, defensive and somewhat lashing out, stating he did not know what our “end game” was. He questioned if listening to the radio, while off-duty was against policy and that he did it often just to be nosey. I did advise him that I had his radio records and in fact they showed he never turned his radio on. They show he only had it on during his normal work hours, or while working off-duty, or while he was off-duty “monitoring” the protest.

A second incident involving Officer Middleton monitoring the police radio while off-duty occurred the night before, on May 29, 2020. On this night Ms. Williams led a group of protestors throughout the streets of Lexington during the evening hours. This “march” can be observed on multiple officers BWC videos including [redacted]. This was the beginning of the organized protest, so the strategies had not been completely worked out in regards to how the officers would respond to these events. On this date Lt. Truex and [redacted] organized and supervised various officers walking with the crowd and others blocking intersections as the crowd approached.

Prior to the beginning of the march at 1904 [redacted] approached Ms. Williams in the courthouse plaza located at Main Street and North Limestone. He introduced himself and briefly talked to her offering his services throughout the night if they were needed. During the conversation it was obvious by Ms. Williams actions she was recording the conversation on her cell phone.

[redacted] next BWC activation is at 2050 and runs for 1 hour and 54 minutes. During this time [redacted] can be observed walking behind the crowd as they walk through the streets. He supervises individual officers and stays with the crowd the entire time. During this time period Officer Middleton contacts Ms. Williams through the Facebook Messenger App and provides the below information.

- **1932** – JM to SW / “In your video that’s [redacted] ..he’s a second shift Sgt... He works with [redacted] and under Truex
- **1950** – SW to JM / “He entire energy was on fuck”
- **1950** – JM to SW / “He is a pompous smartass fuck..so if you get the chance to let him have it, give him some extra for me!!!!”

Based on Officer Middleton's comments it is obvious that he had watched the video Ms. Williams posted on line after [redacted] had spoken to her. Also during this time period the radio records show that Officer Middleton's portable radio was on beginning at 2107 and turned off at 2133. During this period the radio was on, the channel was changed multiple times through the primary channels, car to car and the event channels restricted that night for the event. There are no messages where Officer Middleton states he was monitoring the event, but by looking at the activity on the radio log it appears that he in fact was.

Moving forward in the investigation there were other concerns noted from observed conversations between Officer Middleton and Ms. Williams. These other concerns often were unable to be supported by BWC Footage or other means, but it also should be noted Officer Middleton admitted to sending all of the messages during his interview, he just alleged we were reading them out of context.

7. The next incident of concern occurred on Friday June 5, 2020 around 1619. Officer Middleton messaged Ms. Williams "If you will share with your sister... Truex and Sgt. Bryan Jared will be in front of headquarters tonight.. give both of them hell.. to get under Jared's skin, tell him [redacted] said hi. (He broke up his marriage, and now Jared doesn't like black folk)! I know, I'm rotten... Ms. Williams did not respond back to Officer Middleton at this time, but did later in the night about a different topic, leading one to believe she saw the original message sent by Officer Middleton.

Sergeant Bryan Jared was interviewed in the Public Integrity Unit, where this incident was discussed. Prior to coming in to the office Sergeant Jared had already heard rumors of what Officer Middleton had said. He also had discussed this with his ex-wife, [redacted] who had heard Ms. Williams yelling similar comments at her. Sergeant Jared was able to put all the information together and figure out what had been disclosed.

Sergeant Jared went further into what [redacted] told him, which was that she was interviewing Ms. Williams at the retirement announcement at the FOP. She told him Ms. Williams made multiple statements that would mirror exactly what the text were that Officer Middleton provided.

While discussing this Sergeant Jared opened up and talked about how he was upset personal information had been shared about him. The night Officer Middleton shared this information with Ms. Williams officers were stationed inside Headquarters, so she did not have the opportunity to yell at him.

Sergeant Jared stated he doesn't understand why Officer Middleton is upset with him and why he would spread information like this about him. He stated they have worked together for a while, including Officer Middleton working directly for him, never during this time did they have any issues or harsh words towards each other. He advised he has several close relationships with individuals in the news media, stemming from prior marriage with [redacted], but he has never shared any information about Officer Middleton with them. He also was upset that he would insinuate that he was a racist, based on the information he spread. This he said would strain the relationship they once had and he wouldn't be able to trust him in the future.

Behavioral Concerns

Throughout the Facebook document, there were many comments made by Officer Middleton that were alarming in nature and cause concern. These comments appear to shine a light on his feelings towards the Lexington Police Department and the officers that work here. Multiple times he would either add to his message or send it on its own FTP. This is a common and well known designation for the saying "Fuck the Police". This on its own could possibly be looked over, but the below three incidents, along with his obvious distain towards the police force you to take another look.

- The first incident begins on April 25, 2020 at 2023hrs. Officer Middleton is messaging back and forth with Ms. Williams, but who they are talking about is not completely clear. This is first part of the obtained information, and the previous day was not captured in the search warrant. It also was obtained through the search warrant directly off of the phone, so the times of the statements were not available.
 - SW to JM / "Didn't think so" – "Across the street from my parents"
 - JM to SW / "Since that girl is very bad news..may just have to let the other pigs get her.
 - SW to JM / It's in motion"
 - SW to JM / And honestly, I had the same thought today
 - SW to JM / Didn't want you in any compromising situation given her history
 - SW to JM / My heart is racing
 - SW to JM / Nervous af
 - JM to SW / Keep me posted.. What part of town? I may turn on my radio and try to listen.
 - SW to JM / Off West 6

The conversation between Officer Middleton and Ms. Williams then transitions on May 9, 2020 at 1444hrs regarding an apparent welfare check on an acquaintance of Ms. Williams in the Hamburg area.

- SW to JM / Good afternoon. Hope you and the family are well. Had to join a friend on a welfare check earlier today and had to call LPD....the family member ended up responding and the officer was cordial....we were in Hamburg so I joined my friend for support in case anything went left because the person we were checking on is a black male.

Officer Middleton responded a short time later at 1640, with a response which appears to be inflammatory in nature, showing his mindset towards the officers he works with, and validates Ms. William's opinion it is ok to be violent with officers.

- JM to SW / "Was your friend okay? Glad the officer was decent.. I'm triggered with these motherfuckers though.. I wanna fight them all..yall good? How's holding up?"
- SW to JM / "Yes, he ended up answering, after we called the police lol..... definitely understand being triggered.... If you gonna fight... hit me up so I can help lol... jk but so serious."

- The second incident Occurred on May 30, 2020 beginning at 1147. Again this is directly from the phone, so exact times between texts are not available. Based upon other conversations though it can be determined the entire conversation occurred between 1147 and 1340.
 - SW to JM / “My old ass is tired this morning lmao”
 - SW to JM / “The young ppl are fired up”
 - SW to JM / “We may have hundreds more on Sunday”
 - JM to SW / “Lmao.. I fet for you out there.. I said she’s gotta be worn out.. I would have been.. but you taught them how to do it!!! I’m not gonna lie.. I got emotional when I rode by and watching it through the night! I circled yall while yall were originally in front of the court house... I tried to find out who was (police emoji) in plain clothes but couldn’t see them.. I saw two cocksuckers up by district court, but couldn’t fully make out who they were... Truez was in his suv on the street... I should have went ahead and stood out there... I probably will Sunday.. I’m hoping it is jam packed! Oh and _____, he’s a bitch too.. feel free to mention how quick they will trough officers that look like me all over the media without due process, but keep the white ones on the low even after due process convicts the (_____)... I digress, I continue to be proud of what you do!!!
 - JM to SW – **1340** – “I’m coming down there on foot tomorrow, FTP.”

The immediate concern with this exchange is the apparent fact Officer Middleton was looking for plain clothes officers and what he would have done with the information if he had obtained it. This was the beginning of the protest and at this time the crowd could be categorized as more hostile and volatile with the police than they were towards the end of the organized protest. If he was able to determine who the plain clothes officers were and he provided their location to Ms. Williams, it is a fair assumption to believe those officers could have been harassed or injured.

During the interview Lieutenant Brotherton brought this incident up and asked what his comments meant. Officer Middleton deflected the question multiple times and at first took the position of he didn’t know who would have been up there that evening. He then stated “I think that’s just gibberish. I really don’t know who’d been in plain clothes that night”. When asked further he stated he didn’t see any plain clothes officers and “I wouldn’t have given her any plain clothes. It’s just silly conversation”.

The responses provided by Officer Middleton regarding this incident appeared to be evasive, not truthful and clearly he was not answering the questions asked. His final response that he was just being silly and it was nothing but gibberish strains ones common sense when looking at it as a whole. The fact that he brought up the topic of plain clothes officers, along with all of the other anti-police rhetoric he has messaged, leads one to believe he would have provided the information to Ms. Williams if he was able to do so.

- The third incident that falls into this “Behavioral Concerns” category occurred on June 5, 2020. Officer Middleton had sent a post from Facebook to Ms. Williams that documented an incident where a traffic officer was complained on by a citizen, due to a conversation that occurred in a doctor’s office. Officer Middleton identified the officer to Ms. Williams incorrectly as _____. While texting Ms. Williams he

again talks about going off and ending up all over the paper again. The incident is detailed below:

- **0748** – JM to SW / is the officer in the above bullshit... he is one of our lawyers in the pd.. Also, apparently the commissioner, Ken Armstrong, is pulling the strings over the LPD.. he used to be Asst. Chief before he retired... he wants Maynard to be chief, so he is also sabotaging Weathers.
- **0804** – JM to SW / I hope you give Maynard the business.. I know I'm blowing you up.. I'm sorry.. but shit, these mothafuckas are gonna make me go off, then I will be all over the paper again.. FTP
- **1233** – JM to SW / I guess I'm working tonight... I hope yall give us the fucking business.. Hold nothing back!!!! I will be fist up!!!

These three incidents raised concern that Officer Middleton carries such deep resentment towards the agency and the employees that work here, he would be unable to be trusted to do the right thing when needed. Also, those comments that are aggressive in nature makes one pause when trusting him when he could be alone with officers that he may have issues with.

In this summary, I have attempted to identify and summarize the most concerning issues I located throughout this investigation. There are several other incidents that I also find concerning, but feel those can be summarized. These instances can be categorized as an overall negative tone towards the Lexington Police Department, the Command staff, and employees that work here by consistently using profanity and negative comments about them. The information he provided to Ms. Williams appear to not only support her cause, but encouraged her to continue the protest and use the information to directly affect the officers working.

Officer Middleton's Interview

Officer Middleton was interviewed on Tuesday September 1, 2020 at approximately 1330. Due to Covid concerns and allowing for proper social distancing, the interview took place on the third floor in the small classroom.

During the interview Officer Middleton did admit to all of the texted conversations with Ms. Williams. He stated he and Ms. Williams had a long time friendship and he has mentored her son on multiple occasions. He advised that he has talked to Ms. Williams for some time now and continues to do so today. He describes these conversations located in the Facebook document with Ms. Williams as nothing more than him venting. When questioned further on what he meant by "venting" he had difficulty in explaining it, or just couldn't at all. As an example he was asked why he continuously stated "Fuck the police" throughout his messages. His response was again, he was venting and because we were looking at it through a different "lens" we couldn't understand the context of the conversation.

Officer Middleton was also asked if he thought his actions, of providing information to Ms. Williams, made the officers jobs more difficult the nights of the protest. He strongly disagreed with this idea, saying in part it was their job to stand there and be yelled at, face to face, through a bullhorn. He believed the training the officers received prepared them for that type of incident and it would not negatively impact anyone.

Officer Middleton also “argued” throughout the interview that his actions and intent did not matter if Ms. Williams did not have the opportunity to use the information he provided against the officers. He continuously went back to the fact that he was only venting and these were private conversations between him and Ms. Williams. He also stated that he and Ms. Williams had an understanding that she was not to use any information he provided, which earlier video clips prove otherwise. He advised that previous private conversations between the two also had to be heard to understand what we were reading in the Facebook documents.

Over all, during Officer Middleton’s interview, his answers can be described as evasive, not forthcoming with realistic responses, deflective in nature, and unbelievable in content. His explanations of why he provided personal information and saying Ms. Williams knew not to use it, when it can be shown she did, strains one’s ability to believe them. Officer Middleton’s main argument was he was only venting and with us not being able to look through the same lens as he does, we could not understand the context of the conversations.

Commander Albert Johnson’s Interview

Commander Albert Johnson was interviewed in the Public Integrity Unit by Commander Brad Ingram on September 15, 2020. During this interview Commander Johnson was asked if he was made aware of the allegation involving Officer Middleton and the possibility he was providing information to Ms. Williams regarding sworn personnel of the Lexington Police Department. Commander Johnson was aware of the allegations and also aware that Officer Middleton had provided information to Ms. Williams regarding him personally. He also advised he was told by another officer that his name had been yelled out during one of the protest, but due to being on vacation he did not hear it.

Commander Johnson advised that in the past he and Officer Middleton had a professional and cordial relationship. He often talked to him when he was the Personal Crimes lieutenant and he was briefing him on individual cases and information that could be provided to the media. He attended In-service at the same time as Officer Middleton and did not experience any issues during it. Commander Jonson did discuss the fact he was the investigator into the criminal case against Officer Middleton last year, but he did not see any change in the way Officer Middleton reacted with him.

Commander Johnson advised at this point assigning Officer Middleton to specific job duties would be difficult with other groups of officers knowing that he was giving information, or telling an individual who was in the crowd essentially inciting a riot and promoting agitation. Commander Johnson advised he could no longer trust Officer Middleton to do his job professionally, ethically and confidentially as expected. He also, in good faith, could not place him in any environment where things were hostile or conditions were dangerous for our officers, nor could he trust him off-duty as he has access to sensitive information, along with radio traffic that he could provide to outside protestors.

Officer Brandon Muravchick’s Interview

Officer Brandon Muravchick was interviewed in the Public Integrity Unit on September 11, 2020. During this interview we discussed his involvement in the protest and his investigation on the injury accident that occurred on Richmond Road. This collision occurred when a motorcyclist traveling inbound was killed when a car pulled out in front of him.

We also discussed an incident that was located in the Facebook document that showed Officer Middleton sending information about him to Ms. Williams. This occurred on June 13, 2020 at approximately 2048hrs. Officer Middleton sent the following text stating: "Johnson aint there... Ryan Holland is there, but hiding.. his brother, Commander is probably hiding too... Brandon Muravachick is out front, he's the one who did the FST tests on the Sterling dude..he's the little short dude.. he needs some love.."

Officer Muravchick explained that he was the Collision Reconstructionist who placed charges on the suspect in the injury accident, identified as Matthew Starling. After the collision and arrest of Mr. Starling he began seeing his name all over social media and the news. He became concerned that standing out in front of headquarters he would be identified and personally attacked.

Moving forward to the Thursday or Friday following the arrest of Mr. Starling Officer Muravchick was again standing in front of headquarters when he heard his name yelled out from the crowd. This immediately concerned him as he had been "blading" his body in a manner that was keeping his name tag away from the crowd. He didn't see anyone that he knew, or see who yelled it, but out of concern for his safety he went to, he believes, Lt. Tuttle and asked to be moved inside.

The specifics of the text between Officer Middleton and Ms. Williams were not discussed with Officer Muravchick, but he was asked if he were to find out an officer was giving protestors personal information, or information that would make it easier to point him out in a crowd, how he would feel. Officer Muravchick stated if he found out something like this were to happen it would be devastating, because he would lose the entire relationship or brotherhood he had with that officer. He also stated he wouldn't be comfortable asking them for information or be able to function around them.

Assistant Chief Brian Maynard

On Thursday September 24, 2020 I met with Assistant Chief Brian Maynard in the Public Integrity Unit and conducted an interview regarding Officer Middleton. During this interview Assistant Chief Maynard stated he was aware that Officer Middleton had mentioned him to Ms. Williams. He felt the actions of Officer Middleton were serious integrity issues that jeopardized the safety of the operations of the officers working.

Chief Maynard also advised that due to Officer Middleton's actions he felt it would be extremely difficult to staff him as an officer anywhere within the Department to where he would have contact with other officers. He felt that he had seriously damaged his reputation, integrity and honesty and other officers working here would not want to be around him.

Conclusion

After reviewing all of the information provided by the search warrants on Ms. Williams and Ms. Taylor's cell phones, the facts do show that Officer Middleton did in fact violate the Lexington Police Policy G.O. 1973-02K Disciplinary Procedures Appendix B, Operational Rule 1.07, Misconduct.

Officer Middleton made disparaging and hostile remarks about officers and Command staff personnel in addition to providing sensitive and personal information about Lexington Police employees to Ms. Williams, which enabled her to use the information in a manner that affected the efficiency of the employees as well as the department. Some of the information provided was personal in nature and could cause embarrassment, if exposed, to other employees or members of the public.

Officer Middleton also provided official Lexington Police Department law enforcement sensitive information via screen shots of text messages and emails that gave away information on tactics the agency was, or were, planning to use, when controlling the nightly protest. He monitored official radio traffic through his portable radio during the protest on nights he was not working. He also made comments to Ms. Williams about driving around the protest on his day off attempting to find the plain clothes officers that were working the event.

During Officer Middleton's interview he showed no remorse for anything he had done, or any statements he had made. This total lack of understanding of what he was doing and how it affected the officers and the agency makes one believe there is a possibility it could happen again in the future. He attempted to deflect the questions asked and gave evasive answers, excusing the statements as him just "venting". Officer Middleton's statements and sharing of sensitive operational information most certainly brought the department into disrepute and impaired the operation and efficiency of not only the department, but its officers as well.