

Porter, Carolyn

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**From:** Hogan, Kathy  
**Sent:** Friday, May 07, 2010 10:09 AM  
**To:** Morrison, Bobbie; Porter, Carolyn; Doemer, Cynthia J  
**Subject:** Emailing: \_0507100531\_001.pdf  
**Attachments:** \_0507100531\_001.pdf

FYI

Dennis Sims wanted this to be included in Officer Brett Hankison's personnel file.

Thanks,

Kathy

The message is ready to be sent with the following file or link attachments:

\_0507100531\_001.pdf

RECEIVED  
2010 MAY - 7 AM 10:13  
LOUISVILLE  
HUMAN RESOURCES

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

# MEMORANDUM

LOUISVILLE METRO POLICE DEPARTMENT

JERRY E. ABRAMSON  
MAYOR

ROBERT C. WHITE  
CHIEF OF POLICE

**TO:** Officer Brett Hankison  
Sixth Division

**FROM:** Colonel Robert C. White  
Chief of Police

**DATE:** May 6, 2010

**RE:** Grievance

I am receipt of your grievance dated April 28, 2010, in regard to the reprimand you received in my April 21, 2010 correspondence. In your correspondence you state, "Please consider this my official grievance regarding the inaccuracies contained in the PSU investigation, Case No. 09-112, conducted by Sgt. Hardison. A written reprimand was received by me on April 22, 2010. Pursuant to the Contract, I have 7 days to file a grievance."

You are in error when you indicate pursuant to Contract you are filing a grievance over discipline. Discipline is not subject to the grievance process and is specifically controlled by Kentucky Revised Statutes and the Louisville Metro Police Merit Board Rules And Regulations. Your only avenue of relief is contained in the Merit Board Rules 9.3(3). Your grievance in regard to findings in a discipline matter is not viable.

The grievance procedure in the Collective Bargaining Contract is setup to grieve the meaning and application of any provision of the agreement. Your discipline is not a controversy concerning the meaning and the application of the Collecting Bargaining Agreement.

You have on the same date of the filing of this grievance, filed a response to your disciplinary matter which shall be made a part of your permanent personnel record. Therefore, all avenues of relief in regard to your reprimand have been exercised.

If you have any questions, please contact the Legal Advisor, Wm. Dennis Sims at 574-7052.

Officer Brett Hankison  
May 6, 2010  
Page 2

RCW/WDS/kah

Cc: Lt. Colonel P. Turner  
Major K. Greenwood  
Wm. Dennis Sims

**April 28, 2010**

**Chief Robert White  
Command Staff  
LMPD  
633 West Jefferson Street  
Louisville, KY 40202**

**Re: Grievance of violation of KRS 15.520,  
sustained violations that evidence proves should  
be unfounded**

Please consider this my official grievance regarding the inaccuracies contained in the PSU investigation, Case No. 09-112, conducted by Sgt. Hardison. A written reprimand was received by me on April 22, 2010. Pursuant to the Contract, I have 7 days to file this grievance.

First, the "Sustained" finding from an incident occurring on April 10, 2005 for an alleged violation of SOP 5.1.2 Obedience to Rules and Regulations for charging with CCDW for a shotgun in his trunk is unjust. Upon arresting him on that date, I found shotgun shells in his vehicle on the front floorboard along with drug paraphernalia and suspected cocaine and asked if he had a weapon in the vehicle and he responded in the affirmative. The gun was in the trunk. Further, I never received *any* training from the Department regarding arrests for CCDW.

Pursuant to KRS 15.520, I am entitled to a 48 hour written notification on any subject that I am to be questioned about. In this case, I was *not* given any 48 hour notice that I would be questioned about a 2005 arrest as this was not contained in the complaint. Therefore, I should not have been questioned regarding an incident which, at the time, was over 4 years old and of which I received no 48 hour notification.

Second, regarding the arrest of \_\_\_\_\_ on August 5, 2009, the allegations against me should be unfounded. I was "sustained" on the allegations of SOP 5.1.2 "Obedience to Rules and Regulations" because I didn't contact my supervisor, and photos weren't taken. This is absolutely **not** accurate because I did contact my supervisor, Sgt. O'Toole, by telephone, which could have easily been confirmed by phone records. Additionally, photographs were taken by Det. Szydlowski and we also got the mug photograph from the jail all of which reflected that there were, in fact, no injuries real or reported.

Finally, regarding the August 5, 2009 incident, SOP 8.24.7 Extracting Evidence from a Suspect's Mouth, I allegedly failed to contact EMS to get him medical attention. I saw \_\_\_\_\_ swallow what I believed was packaged crack cocaine but did not believe he was in physical danger because, in my extensive experience with drug dealers, the crack, if ingested in a package, will pass through their systems without negatively affecting their

health because the packaging doesn't break down in the digestive system. Additionally, I told him I was calling for EMS and he very clearly informed me and all detectives present that he would refuse medical treatment, and, did in fact, refuse medical treatment when I again informed him that I was calling EMS. Also, it should be noted that hospitals and their staff refuse to extract evidence from a suspect's digestive system if the suspect refuses treatment.

Therefore, I believe that the sustained findings are not proven by the evidence and are excessive and do not reflect, accurately what happened on that date and violate my rights under KRS 15.520 and KRS 344.045. Contractual Articles 12, 23, 3 apply to this grievance.

Sincerely,



Det. Brett Hankison  
5600 Shepherdsville Road  
Louisville, KY 40228

# MEMORANDUM

LOUISVILLE METRO POLICE DEPARTMENT

JERRY E. ABRAMSON  
MAYOR

ROBERT C. WHITE  
CHIEF OF POLICE

RECEIVED  
2010 MAY - 7 AM 10: 13  
LOUISVILLE  
HUMAN RESOURCES

**TO:** Officer Brett Hankison  
Sixth Division

**FROM:** Colonel Robert C. White  
Chief of Police *RCW 5/6/10*

**DATE:** May 6, 2010

**RE:** Reprimand of April 21, 2010

I am receipt of your response to your reprimand received in my correspondence of April 21, 2010. Pursuant to Merit Board Rule 9.3(3), your response will be placed in your permanent personnel record.

RCW/WDS/kah

**MEMORANDUM**

**TO: CHIEF ROBERT WHITE**

**FROM: OFFICER BRETT HANKISON** BKH

**RE: RESPONSE TO REPRIMAND DATED 4-22-10**

Please consider this my official response to the inaccuracies contained in the letter of reprimand received by me on the above date. Pursuant to the letter, I have 10 days to respond.

First, the "Sustained" finding from an incident occurring on April 10, 2005 for an alleged violation of SOP 5.1.2 Obedience to Rules and Regulations for charging with CCDW for a shotgun in his trunk is unjust. Upon arresting him on that date, I found shotgun shells in his vehicle on the front floorboard along with drug paraphernalia and suspected cocaine and asked if he had a weapon in the vehicle and he responded in the affirmative. The gun was in the trunk. Further, I never received *any* training from the Department regarding arrests for CCDW.

Pursuant to KRS 15.520, I am entitled to a 48 hour written notification on any subject that I am to be questioned about. In this case, I was not given any 48 hour notice that I would be questioned about a 2005 arrest as this was not contained in the complaint. Therefore, I should not have been questioned regarding an incident which, at the time, was over 4 years old and of which I received no 48 hour notification.

Second, regarding the arrest of \_\_\_\_\_ on August 5, 2009, the allegations against me should be unfounded. I was "sustained" on the allegations of SOP 5.1.2 "Obedience to Rules and Regulations" because I didn't contact my supervisor, and photos weren't taken. This is absolutely **not** accurate because I did contact my supervisor, Sgt. O'Toole, by telephone, which could have easily been confirmed by phone records. Additionally, photographs were taken by Det. Szydlowski and we also got the mug photograph from the jail all of which reflected that there were, in fact, no injuries real or reported.

Finally, regarding the August 5, 2009 incident, SOP 8.24.7 Extracting Evidence from a Suspect's Mouth, I allegedly failed to contact EMS to get him medical attention. I saw \_\_\_\_\_ swallow what I believed was packaged crack cocaine but did not believe he was in physical danger because, in my extensive experience with drug dealers, the crack, if ingested in a package, will pass through their systems without negatively affecting their health because the packaging doesn't break down in the digestive system. Additionally, I told him I was calling for EMS and he very clearly informed me and all detectives present that he would refuse medical treatment, and, did in fact, refuse medical treatment when I again informed him that I was calling EMS. Also, it should be noted that hospitals and their staff refuse to extract evidence from a suspect's digestive system if the suspect refuses treatment.

Therefore, I believe that the sustained findings are not proven by the evidence and are excessive and do not reflect, accurately, my professional behavior during this arrest. I am requesting that the findings be adjusted to the evidence.



# MEMORANDUM

LOUISVILLE METRO POLICE DEPARTMENT

JERRY E. ABRAMSON  
MAYOR

ROBERT C. WHITE  
CHIEF OF POLICE

**TO:** Detective Brett Hankison  
6<sup>th</sup> Division

**FROM:** Colonel Robert C. White *RCW*  
Chief of Police

**DATE:** June 18, 2010

**RE:** Letter of Commendation

Recently, I received a letter commending you for the outstanding job you performed in the apprehension of three burglary suspects while maintaining control over the safety of two felony prisoners you already had in custody. Your demonstration of skill and experience is duly noted and greatly appreciated. Your excellent display of tactical skills in making the burglary arrest is to be commended. I commend you on a job well done and for removing several criminals from our streets.

The team work that was displayed allows us to make our community a safer place to live. The job you do is appreciated not only by the department, but, by businesses and the citizens of our community. Thank you for the positive image you have reflected for yourself and the department. Keep up the good work.

RCW/sb

cc: Lt. Colonel Philip Turner  
Major Kevin Greenwood  
Personnel File



LOUISVILLE METRO POLICE DEPARTMENT  
OFFICE OF THE CHIEF

LOUISVILLE, KENTUCKY

JERRY E. ABRAMSON  
MAYOR

2010 MAY -3 AM 11:41  
RECEIVED  
LOUISVILLE POLICE  
HUMAN RESOURCES  
ROBERT J. WHITNEY  
CHIEF

April 21, 2010

Officer Brett Hankison #6150  
Sixth Division

Professional Standards Case #09-112

Dear Officer Hankison:

On August 12, 2009, an investigation was initiated pursuant to KRS 15.520 concerning any violations of the Louisville Metro Police Department's rules, standards, policies and procedures in regard your contact with . The investigation was thorough. The following is the result and my final action in regard to my subsequent investigation.

Violation of:

**Date of Incident: April 10, 2005**

Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-Not Sustained  
Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-Sustained

**Date of Incident: June 18, 2009**

Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-Unfounded  
Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-Unfounded

**Date of Incident: August 5, 2009**

Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-Not Sustained  
Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-Sustained  
Standard Operating Procedure 8.24.7 Extracting Evidence From A Suspect's Mouth-Sustained  
Standard Operating Procedure 9.1.4 Use Of Physical Force -Unfounded

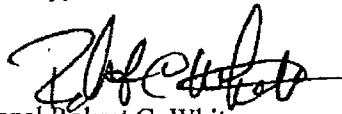
Due to the above "Sustained" findings, this letter will serve as a letter of reprimand. The effective date of this discipline is the date of this correspondence. You violated Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations when you improperly charged with Carrying a Concealed Deadly Weapon for having a shotgun in the trunk of his vehicle on April 10, 2005. You violated Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations again when you did not notify to your immediate supervisor about the specific Assault 3 and Resisting Arrest charges on , so the appropriate photos could have been taken on August 5, 2009. You violated Standard Operating Procedure 8.24.7 Extracting Evidence From a Suspect's Mouth when you failed to call EMS or seek medical attention for after believing he had swallowed cocaine on August 5, 2009.

Officer Brett Hankison  
April 21, 2010  
Page 2

This conduct cited above warrants discipline. It is clear you have violated policies of the Louisville Metro Police Department. I consider the reprimand to be both appropriate and necessary to the maintenance of good order and discipline within the Department.

Pursuant to Louisville Metro Police Merit Board Rules and Regulations 9.3(3), "Any police officer removed, suspended, laid off, reduced in grade or reprimanded by the Chief shall be allowed a period of ten (10) days from the date of notice from the Chief to file a written response to the disciplinary action which shall be made a part of the officer's permanent personnel record in the Police Department. No trial or examination of witnesses shall be required in any such case except at the discretion of the Chief."

Sincerely,



Colonel Robert C. White  
Chief of Police

RCW/WDS/kah

Cc: Lt. Colonel V. Robison  
Lt. Colonel P. Turner  
Major K. Greenwood  
Major D. Ray  
Wm. Dennis Sims  
Professional Standards Unit  
Human Resources  
Metro HR  
William Warner

Served by: Maj. Kevin Greenwood Date: 04-22-10 @ 1525

Served on: BK HR Date: 04-22-10 @ 1527



LOUISVILLE METRO POLICE DEPARTMENT  
OFFICE OF THE CHIEF

LOUISVILLE, KENTUCKY

JERRY E. ABRAMSON  
MAYOR

ROBERT C. WHITE  
CHIEF OF POLICE

April 21, 2010

Professional Standards Case #09-112

Dear :

The complaints you filed against Officer Brett Hankison on August 12, 2009, were thoroughly investigated by the Louisville Metro Police Department Professional Standards Unit. The following is my final action in regard to my subsequent investigation.

Violation of:

**Date of Incident: April 10, 2005**

Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-**Not Sustained**  
Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-**Sustained**

**Date of Incident: June 18, 2009**

Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-**Unfounded**  
Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-**Unfounded**

**Date of Incident: August 5, 2009**

Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-**Not Sustained**  
Standard Operating Procedure 5.1.2 Obedience To Rules And Regulations-**Sustained**  
Standard Operating Procedure 8.24.7 Extracting Evidence From A Suspect's Mouth-**Sustained**  
Standard Operating Procedure 9.1.4 Use Of Physical Force **-Unfounded**

Due to the above "Sustained" findings, a letter of reprimand will be placed in Officer Brett Hankinson's personnel file.

Pursuant to KRS 67C.321 (2), you may appeal my determination to the Louisville Metro Police Merit Board. Questions regarding this process should be directed to Marsha Moorman at the Human Relations Commission. Ms. Moorman may be contacted at 574-4357.

Sincerely,

Colonel Robert C. White  
Chief of Police

[www.louisvilleky.gov](http://www.louisvilleky.gov)

April 21, 2010

Page 2

RCW/WDS/kah

Cc: Lt. Colonel V. Robison  
Lt. Colonel P. Turner  
Major D. Ray  
Major K. Greenwood  
Wm. Dennis Sims  
Professional Standards Unit  
Marsha Moorman



DEPARTMENT OF FINANCE & ADMINISTRATION  
LOUISVILLE, KENTUCKY

JERRY E. ABRAMSON  
MAYOR

KEVIN MOORE,  
INTERIM CHIEF FINANCIAL OFFICER

March 24, 2009

Brett Hankison

Re: Personal Use Auto Liability Protection  
Date of Accident: 3/21/09  
Claim Number: 305090508

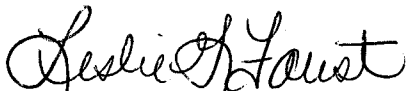
Dear Officer Hankison:

We have received information reporting the above-referenced auto accident, and been advised by LMPD that you were off duty and not performing any police activity at the time of the accident. We have begun an investigation to determine the extent of Louisville/Jefferson County Metro Government's liability in this claim.

You advised that you were operating this vehicle **off-duty for personal use**; therefore we are notifying you of the coverage provided by the Metro Government to you regarding this claim. As per the attached Vehicle Personal Use Liability Agreement, which you signed, the Metro Government will **provide legal defense and liability protection free of charge for up to \$100,000 to you** for this accident for any damages for bodily injury or property damage allegedly caused by you. In order to be eligible for this protection, you must cooperate fully with the Metro Government and its investigation, settlement, or defense of any suit that may be brought against you. This letter is simply to remind you of the coverage afforded by the Metro Government to you.

We are notifying you so you may notify your attorney, or personal insurance carrier, of this potential claim. If you should have any questions, please contact Leslie Faust at 574-2724.

Sincerely,

  
Leslie Faust, CPCU, CIC  
Risk Management Supervisor

Attachment

c: Chief Robert White, LMPD  
Lt. Col. Vince Robison, LMPD  
Carl Burgin, LMPD  
Ronald H. Stewart Claims Service

WWW.LOUISVILLEKY.GOV

611 WEST JEFFERSON STREET LOUISVILLE, KENTUCKY 40202

Hankison, Brett # 6150

**LOUISVILLE-JEFFERSON COUNTY METRO GOVERNMENT VEHICLE  
PERSONAL USE LIABILITY AGREEMENT**

I understand that if I am assigned a Louisville-Jefferson County Metro Government Vehicle (either owned or leased) authorized for **Personal Use** that I agree that in consideration for being provided this vehicle, that the Metro will provide Liability protection to me free of charge for up to \$100,000 per Accident for any damages for Bodily Injury or Property Damage caused by my negligent operation of the assigned Metro vehicle while on **Personal Use**, unless and until my employment with the Metro is terminated or Metro employees are otherwise notified.

In addition to this \$100,000 Liability Limit, I understand that the Metro agrees to settle or defend, as it deems appropriate, any claim or suit asking for these damages.

As a condition precedent to receiving this \$100,000 Limit of Protection while operating a Metro vehicle for **Personal Use** I agree that I will:

1. Not allow any person other than another authorized Metro employee to operate the Metro vehicle assigned to me.
2. Promptly notify the Metro's Risk Management Division of how, when, and where any accident happens, and will give the names and addresses of any injured persons and of any witnesses.
3. Cooperate with the Metro in its investigation, settlement, or defense of any suit and will promptly send copies of any notices or legal papers received in connection with the accident to the Metro's Risk Management Division.
4. Make every effort to contact the local Police Department from the scene of any accident in which I am involved and request that a Uniform Police Traffic Accident Report be completed.

I understand that I ~~will~~<sup>may</sup> be responsible for any claim which exceeds \$100,000 and that I may purchase supplemental insurance coverage from my own Personal Insurance Agent to protect myself from liability while operating any Metro vehicle authorized for **Personal Use**, in excess of \$100,000, and that purchase of such coverage shall be at my own expense.

I have read the foregoing and I understand and agree that violation of any of the above mentioned conditions may cause the Metro to deny the protection afforded by this Agreement, and that this Agreement becomes effective the date that I sign this Agreement.

B.K. Hankison #6150  
EMPLOYEE SIGNATURE

10/09/03  
DATE

Robert C. White  
DEPARTMENT DIRECTOR

10/24/03  
DATE