



LOUISVILLE METRO POLICE DEPARTMENT

GREG FISCHER
MAYOR

ERIKA SHIELDS
CHIEF OF POLICE

November 1, 2022

Officer Darell Wagner #7321
Third Division

Professional Standards Cases #20-122

Dear Officer Wagner:

On November 9, 2020, an investigation was initiated pursuant to KRS 67C.326 concerning any violations of the Louisville Metro Police Department's rules, standards, policies, and procedures regarding your contact with Khalil Harrison on July 29, 2020. This investigation was initiated by former Chief Yvette Gentry. The Professional Standards Unit investigation is complete. The following is the result and my final action regarding these matters.

Violations of:

Standard Operating Procedure 3.6.4 Field Interview Procedures
Standard Operating Procedure 9.1.3 De-Escalation

-Sustained
-Sustained

Due to the above "Sustained" findings be advised on November 23, 2022, you will serve a suspension without pay from the Louisville Metro Police Department for a total of 16 hours (2 days) for the above violations. The effective date of this discipline is the date of this correspondence.

You violated Standard Operating Procedure 3.6.4 Field Interview Procedures when you continued to question and speak to Mr. Harrison and Mr. Holmes, who refused to answer questions and reiterated they were ready to leave and did not want to answer questions or talk with you.

You violated Standard Operating Procedure 9.1.3 De-Escalation when you continued to talk over, yell at your suspects and become frustrated at their hesitation and resistance in answering your questions.

The conduct cited above clearly warrants discipline. It is clear you have violated these policies of the Louisville Metro Police Department. I consider the suspension to be both appropriate and necessary to the maintenance of good order and discipline within the Department. Any further violations of this nature will warrant progressive discipline.

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."

Pursuant to Section 10.1(2) of the Louisville Metro Police Merit Board Rules and Regulations, an appeal requesting the Louisville Metro Police Merit Board (the "Board") to review my action in this case must be made in writing to the Board with a copy to me within ten days of the effective date of the disciplinary action set forth in this letter and must include a statement of the grounds for appeal.

Once an appeal for review is properly filed, the Board will schedule a public hearing to review the disciplinary action set forth in this letter pursuant to Section 9.3(4) of the Louisville Metro Police Merit Board Rules and Regulations. A copy of the Louisville Metro Police Merit Board Rules and Regulations may be obtained from the Board. The Rules are also available at:
<http://MyMetro/HumanResources/CivilService/PoliceMeritBoardRulesandRegulations>.

Sincerely,



Erika Shields
Chief of Police

Cc: Lt. Colonel S. Healey
Major M. Scheu
Adrienne Earley
Lisa Jarrett
Legal Division
Professional Standards Unit
LMPD Human Resources
Metro Human Resources

LOUISVILLE METRO CIVIL SERVICE BOARD
LOUISVILLE METRO POLICE MERIT BOARD
LOUISVILLE METRO MERIT BOARD
517 COURT PLACE, SUITE 501
Louisville, Kentucky 40202

Notice of : PERSONNEL ACTION

Name: Officer Darell Wagner #7321

Classification: Officer

Address: [REDACTED] Corydon IN 47112

Department: Third Division

YOU ARE HEREBY: (Mark proper action below)

Suspended 2 days (16 hours) Dismissed Laid-off Demoted

For the following reason(s): (Please provide full details which will enable employee to make an explanation and, in case he/she desires to appeal, will place him/her fairly upon his/her defense. Attach additional pages as necessary.)

Per Attached

This change becomes effective on the 1st day of November, 2022. (In case of dismissal of a regular employee, the effective date must be subsequent to the date this notice is served.)

[Signature]
Appointing Authority

LMPD
Department

This notice served on Officer D. Wagner by mail _____, personally x.
This 1st day of November, 2022.

[Signature]

LT Nicholas Dillen # 7715 [Signature] - 11-1-2022
Signature of Individual Serving Notice

Any Civil Service employee who has been **DEMOTED, DISMISSED, LAID-OFF OR SUSPENDED IN EXCESS OF TEN DAYS, FROM A REGULAR, NON-PROBATIONARY POSITION**, (this includes time served and time withheld) from the classified service may, within ten calendar days from the date such change becomes effective, file written appeal for a hearing by the Louisville Metro Civil Service Board.

Any Police Merit Board employee who has been **DEMOTED, DISMISSED, LAID-OFF OR SUSPENDED FROM A PERMANENT, NON-PROBATIONARY POSITION**, (this includes time served and time withheld) from the classified service may, within ten calendar days from the date such change becomes effective, file written appeal for a hearing by the Louisville Metro Police Merit Board.

Any Merit Board employee who has been **DEMOTED, DISMISSED, LAID-OFF OR SUSPENDED IN EXCESS OF FIFTEEN DAYS, FROM A REGULAR, NON-PROBATIONARY POSITION**, (this includes time served and time withheld) from the classified service may, within seven calendar days from the date such change becomes effective, file written appeal for a hearing by the Louisville Metro Merit Board.