

PSU COMPLAINT

Complainant: Tamika Palmer
Date of Birth: 9/11/76
Address: P.O. Box 161538
Louisville, KY 40256
Email: tpalm0911@yahoo.com
Location: Louisville
Date: January, February & March 2020
Involved: Sergeant Kyle Meany
Description: See below

To the LMPD Professional Standard Unit,

I am initiating a complaint against Sergeant Kyle Meany in relation to his conduct and his squad's actions surrounding the death of my daughter, Breonna Taylor. The basis for my Complaint is described herein.

INTRODUCTION

Several actions of the Place Based Investigation squad, acting under the command of Kyle Meany, were in violation of LMPD policies and procedures. They were reckless, deliberate and in complete disregard for the rights and safety of citizens, the code of ethics and integrity and the rules promulgated by your department to assure that policing is performed in a manner that prioritizes human life.

BACKGROUND

In January of 2020, Kyle Meany was directly responsible for overseeing the Place Based Investigation squad's investigation into 2424 Elliott Avenue.

On February 17, 2020 a search warrant was obtained by Meany's squad. Meany approved the warrant. The warrant authorized GPS tracking, a pen register, text messaging records, call history cell tower locations and detailed subscriber information from Sprint.¹ The warrant was in relation to cell phone number 502-457-4235. As probable cause for the warrant, Meany allowed his detectives to assert that this was Jamarcus Glover's number, despite no corroboration through a confidential informant or even by simply having someone call the number to confirm it was his.

As probable cause for this warrant, Meany's squad asserted that this was used by Jamarcus Glover. They asserted that Jamarcus Glover had made an in-person Complaint to LMPD on February 15 regarding a vehicle which was impounded and searched, and that Glover reported his number to be 502-457-4235. Meany's squad produced no record of this Complaint and, knowing Jamarcus, he would never voluntarily go to a police station.

In fact, the number on the February 17 warrant belonged to my daughter. This was the number to her personal cell phone. Calling the number would have confirmed it. These detectives knew or should have known that this was her number. The detectives knew it was registered to her:

"502-457-4235 is registered to a Breonna Taylor of 3003 Springfield Drive #4 of Louisville, Ky. Affiant has received information that Breanna Taylor may be the suspected girlfriend of Jamarcus Glover. Affiant realizes that it is not uncommon for drug traffickers to use phone numbers under different names to avoid detection from law enforcement."

¹ Sprint Warrant

These detectives do not identify any basis for stating that my daughter was the girlfriend of Jamarcus Glover. The reality is that the two were not even speaking at this time. They were not speaking at all, let alone dating, from a date prior to this until the time she was killed.

Meany also allowed his detectives to make the following knowingly false statement in the February 17 search warrant affidavit:

“Affiant verified through a US Postal inspector that Jamarcus Glover has been receiving packages at 3003 Springfield Drive #4.”

This assertion is this statement was completely false and the same was made aware to Meany’s squad. His squad did not communicate, let alone verify, with a postal inspector that Jamarcus Glover was receiving packages at Breonna’s home. In fact, two of Meany’s detectives were specifically advised that no packages addressed to Jamarcus Glover were being sent to Breonna’s home.

As a result of the warrant, Meany’s squad was able to perform tracking of Breonna’s communications and locations. This was never reflected within the case file, likely due to the fact that Breonna (and her phone) would have been consistently located at her place of employment and her home on Springfield Drive. Communications with Jamarcus Glover were non-existent between obtaining this warrant and Breonna’s death; the two were not in a relationship and the Sprint phone records for Breonna’s phone confirm that there were no communications between the two on the phone.

On February 21, 2020 Meany’s squad obtained another search warrant in relation to what they identified as Jamarcus Glover’s phone.² They went to a new judge, obtaining a warrant to track a different phone number. In the affidavit for this warrant, unlike the one for Breonna’s phone, the detectives stated that they had a confidential informant call the number and confirm it

² February 21 warrant

belonged to Jamarcus Glover. The fact that these detectives sought a new warrant for a new number of Jamarcus Glover merely four days after obtaining a warrant for Breonna's phone (stating that it was Jamarcus's) calls the integrity of the February 17 warrant into question.

LMPD had no basis or probable cause to obtain a warrant to track my daughter's phone. This was an invasion of her privacy, was unlawful and, at a minimum, should have been revoked on February 21 when it became obvious to detectives that Jamarcus had a different phone. Instead, it appears that Meany's squad continued to monitor her unlawfully up until the time she was killed.

There are no records indicating that, at any time prior to when Breonna was killed by police officers, Meany's squad advised the Court issuing the warrant that they had erred in identifying 502-457-4235 in the February 17 affidavit as Jamarcus Glover's phone number. There are no records indicating that Meany's squad had the warrant rescinded, or otherwise stopped tracking Breonna's phone, prior to her death.

In tracking the phone, it should have been obvious that Breonna was located at work full-time and that she was neither present with Jamarcus nor speaking with him. Breonna's location should have also confirmed that she and Jamarcus were not together at all from the time of the February warrant until the time she was killed. However, Meany permitted his squad to advise a judge and fellow LMPD members in March 2020 that Breonna was suspected to be Jamarcus Glover's girlfriend, that she was suspected to be holding drugs and money for Jamarcus Glover and that Jamarcus Glover was believed to sleep at Breonna's at night. Meany and his squad did not advise the judge and fellow LMPD members that Breonna's phone had been tracked and confirmed that she was not communicating with Glover, that Glover was not staying with her and that there was nothing to suggest that Glover was storing money or drugs with her.

Leading up to March 12, PBI detectives, under the direction of Meany, drafted at least six no-knock search warrants, which they initially intended to execute simultaneously, as part of their investigation into Jamarcus Glover.³ Three of the six warrants were for neighboring properties on Elliott Ave. These properties were identified as a suspected trap house and two vacant adjacent properties where narcotics, firearms and/or money could be stored. The fourth warrant was for another suspected trap house, which was a property around the corner on Muhammad Ali. Blvd. The fifth warrant was for a residence on Cathe Dykstra Way, which is approximately 5 miles from Elliott Ave.⁴ This residence belonged to Kiera Bradley, who Meany and his squad knew is the mother of Jamarcus Glover's daughter. Meany's squad had actually identified Bradley as an additional target of the investigation in early February, citing her as a "drug trafficker" who was being investigated for both trafficking and money laundering.⁵ Within the draft of the warrant for Bradley's residence, the detectives stated:

*"3414 Cathe Dykstra is the **main residence for Jamarcus Glover** and (he) does not claim this as his residence in order to avoid detection from law enforcement. Affiant believes that Mr. Glover might keep narcotics and/or proceeds from narcotics for safe keeping at this location."*⁶

The sixth warrant was for Breonna's home on Springfield Dr., which was ten miles away in the southern end of Louisville. Meany and his squad, despite knowing that Glover stayed at Cathe Dykstra, proceeded to advise other CID members and SWAT members that Glover "laid his head" at Breonna's home. This was blatantly untrue. Furthermore, Meany and his squad ultimately did not proceed with obtaining a warrant for Cathe Dykstra, despite detectives actually confirming

³ Email to SWAT with search warrant drafts

⁴ Draft warrant for Cathe Dykstra

⁵ Grand jury subpoena for Bradley's bank records

⁶ Notably, the same detectives swearing to the truth of the information in this draft warrant also advised that they believed Jamarcus resided at Breonna's home and kept narcotics and cash at Breonna's home.

that Glover stayed there as his primary residence leading up to March 12, 2020. This was never conveyed to many of the CID members on March 12, who were never advised that Bradley, rather than Breonna, was identified by Meany's squad as a drug trafficker, money launderer and central to Jamarcus Glover's operation.

It certainly appears as if Meany's squad was able to get Bradley to cooperate with the investigation into Glover, and in turn remove her as a target of search warrants. It appears that Meany's squad ignored evidence from Breonna's cell phone showing no relationship to the investigation, and instead relied upon self-serving statements of Bradley to implicate Breonna without any legitimate basis for the same,

When SWAT members reviewed Meany's squad's plans and draft search warrants, they rejected them. SWAT members recognized that simultaneous search warrants are unsafe and that the risks associated with the numerous warrants outweighed any benefits. SWAT members left the meeting with an understanding that the individual warrants would be executed on a series of different nights, beginning with the Elliott Ave. addresses.

On March 12, CID detectives proceeded with obtaining the no-knock search warrants for Elliott Ave., W. Muhammad Ali Blvd. and Springfield (Breonna's home). Like the warrant for Breonna's cell phone, the affidavit presented to obtain the search warrant for Breonna's home was knowingly falsified. Like the cell phone warrant, it alleged as the basis for probable cause that a US Postal Inspector verified Jamarcus Glover was receiving packages at the address.⁷ Following Breonna's death, the postal inspector steadfastly denied the sworn assertion in the search warrant affidavit. Furthermore, Shively Police detectives have since confirmed that at least two of the officers who participated in raiding Breonna's home, John Mattingly and Mike Nobles, were

⁷ Search Warrant

specifically advised in January and February that no packages addressed to the target were going to Breonna's home.⁸

It is unclear why detectives did not proceed with obtaining a search warrant for Cathe Dykstra, yet continued to obtain one for Breonna's. Jamarcus was living on Cathe Dykstra and was physically present at Cathe Dykstra on March 12. Meanwhile, Breonna had not seen or spoken with Jamarcus within the month leading up to her death.

Meany, at all times, was responsible for his squad's actions. Meany knew that a no-knock warrant mandated execution by SWAT. Despite this, he permitted his squad to obtain a no-knock warrant for Breonna's home without ever advising SWAT. On March 12, SWAT was never advised that a no-knock search warrant had been requested and obtained for Breonna's home.⁹

On the evening of March 12, LMPD officers allege that they were briefed on the search warrants. Their accounts of the briefing, however, suggest that it either did not happen or that it was abrupt and deficient. Depending upon which account should be believed, the warrant for Breonna's home could have been briefed by Josh Jaynes, Wes Barton, Kelly Goodlett or John Mattingly.¹⁰ Nobody indicates that Kyle Meany played any role in the briefing. None of the interviewed officers were presented with either a search warrant operations plan to review and sign.¹¹ None of the officers were presented with a risk assessment matrix. Both are required prior to proceeding to execute a search warrant.¹²

In order to keep SWAT out of the mix, detectives converted the no-knock warrant to a knock and announce warrant; this reduced the score on the matrix from a 30 to a 15. A 30 would

⁸ Excerpts of interviews from Mike Kuzma and Tony Salyers

⁹ Interviews of SWAT members Massey, Casse and Burns

¹⁰ Interviews of SWAT members, Shawn Hoover, Luke Phan and Josh Jaynes

¹¹ LMPD policies require that officers review and sign a search warrant operations plan prior to executing the warrant

¹² Excerpts from LMPD Standard Operating Procedures and the Narcotics written policies

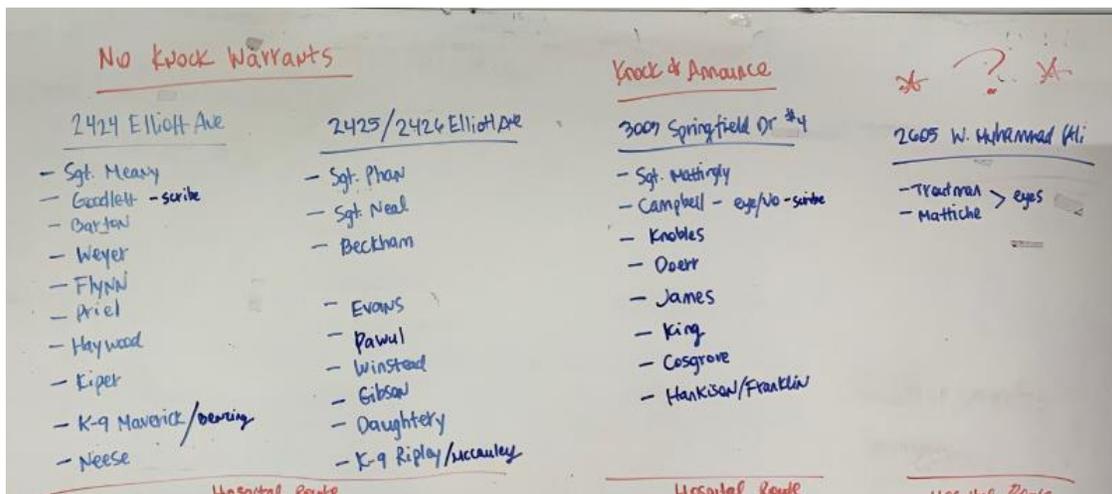
have mandated SWAT execution of the warrant. The matrix, which was never distributed, also fails to score points for Jamarcus Glover's and Adrian Walker's backgrounds, despite each of the two being identified on the search warrant for Springfield. Had the matrix been timely completed and properly scored, it would have mandated SWAT's presence and execution. Meany permitted this to be circumvented. Eventually, a matrix was produced which specifically identified the presence of multiple occupants at Breonna's, as well as an occupant with a CCDW. Meany allowed this matrix to be created after the fact, which serves no purpose other than to cover tracks. This was critical information that the LMPD members neglected to obtain, despite requirements to review the matrix prior to executing the warrant.

Meany knew that, prior to the execution of a residential search warrant, several things needed to be done. By all accounts, Meany did not perform the pre-service briefing of CID members on March 12. One of the only records reflecting actions of Meany on March 12 is a phone call recording between he and a Metrosafe member at approximately 11 pm. Meany's speech is slurred, the background is loud and he sounds intoxicated.

To this date, nobody has identified who the Lead Detective was assigned to Springfield. Meany was required to assign one. He did not do so. Hoover was the ranking officer, but he has confirmed he was not the lead. Mattingly states that he was just one of the bodies needed and was unfamiliar with the investigation. Campbell was a part of PBI, and would presumably have been the choice for Lead Detective, but he was the Verification Officer and thus could not assume the role of briefing or lead. It appears that there was not actually a Lead Detective amongst the seven officers who have been identified as on scene. This falls on Meany.

The only documents produced by LMPD in relation to search warrant instructions were two conflicting pictures of a whiteboard.¹³ In the first version of the whiteboard, eight names are assigned to the Springfield search warrant: John Mattingly, Mike Campbell, Myles Cosgrove, Tony James, Mike Knobles (later corrected to “Nobles” on the second version), Josh Doerr, Mike King and Brett Hankison. The second version changes the spelling of “Knobles” to “Nobles” and adds Shawn Hoover’s name.¹⁴ It also adds the name Vidourek to a different location.

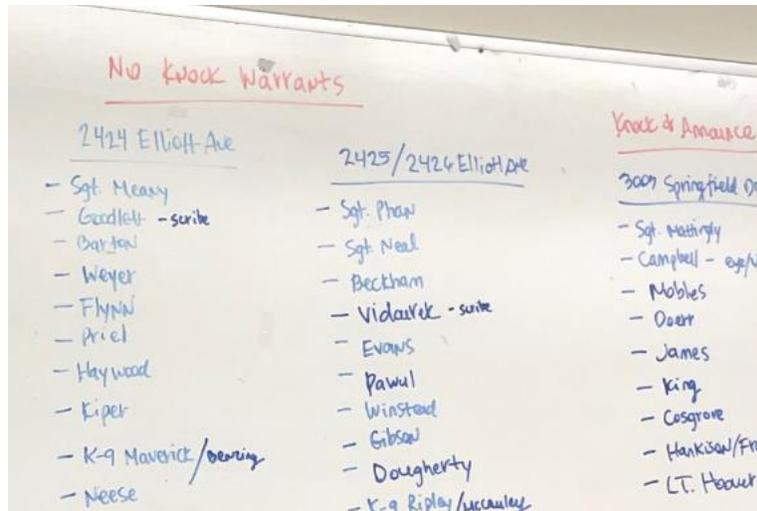
The whiteboard also appears to have been tampered. The version of the white board released by Tom Wine in May 2020 is below:



Another photo of the whiteboard was taken and produced. This version adds Lt. Hoover, corrects the spelling of Nobles, corrects the spelling of Dougherty, and adds the name Vidourek.

¹³ Whiteboard photos

¹⁴ The metadata from the whiteboard pictures confirm that they were not taken until a period of four minutes apart on March 20, seven days after Breonna was killed



This file was also created on March 20, merely four minutes after the previous photo.

This writing on the board belongs to Meany's detective, Kelly Goodlett. Meany's squad should not have been tampering with it seven days after LMPD officers killed my daughter. Without a photo of this whiteboard from the time of the alleged briefing, it is difficult to conceive that this was the actual board as it was listed prior to the raid.

Meany permitted these boards to be distributed, despite the fact that at least four of the Detectives assigned to locations indicate that they were not able to assist, not present at a briefing and actually working on a completely separate task force task at the time: Pawul, Winstead, Evans and Beckham. A fifth listed LMPD member (King) has never been interviewed, but is listed for Springfield yet has never been identified as present for the execution of any of the warrants. A sixth assigned detective (Doerr) was allegedly never on scene at Breonna's, yet Meany also authorized him to be listed as assigned to Springfield on the whiteboard.

The officers' accounts of the events leading up to the warrant execution are conflicting at best, and Meany is unable to reconcile the fact that the warrants being conducted under his watch and his investigation appear to have lacked any structure.

Despite LMPD requirements that operations plans are presented and signed by all executing the warrants, no operations plan was created. No assignments were given. No presentation was made at all to several of the detectives. This is confirmed through officer statements and location records. Shawn Hoover and Tony James state that the briefing was done by Wes Barton. Luke Phan states that the briefing was done by John Mattingly. Josh Jaynes says that Kelly Hanna Goodlett did the briefing.

Brett Hankison and John Mattingly do not appear to have been at a briefing with the full squad, as their phone records each reflect conversations with Tony James.

Detective Cosgrove indicated that the warrant plans were briefed at the division around 10 pm. Cosgrove's cell phone location data confirmed that he was located in Breonna's general area, which is approximately a twenty-minute drive from the division, prior to 11:30 pm.¹⁵ Thus, he could not have been at the division after 11:10 pm. At 11:50 pm, Officer Cosgrove's cell phone location data indicates that he had departed from Breonna's neighborhood and was traveling in the Dixie Highway area. No explanation for this was provided as to why Meany was permitting members to depart from their staging areas. Location data places Cosgrove back by Breonna's at 12:37 am. No body camera footage was presented for Cosgrove, despite his plain clothes uniform containing two separate mounts for the cameras and his history of wearing body cameras during search warrant executions. Meany's failure to require Springfield detectives to wear and activate their body cameras is a failure to properly oversee those acting under his comment.

Shawn Hoover claims that the briefing occurred at 11 pm. and that it was done by detective Wes Barton. Hoover claims that Breonna was suspected to be alone and that she was allegedly holding Jamarcus Glover's money. Meany's squad made this assertion without any legitimate

¹⁵ Cosgrove cell phone listing and report of Dan Jackman

grounds for the same. Additionally, their failure to perform even basic due diligence led to the omission of Juniyah living at the home, where she had resided for over a year.

Tony James gave his initial interview to LMPD less than six hours after Breonna was killed. He does not provide a time for the search warrant briefing, but indicates that it was quick. James states that he was assigned with Hoover, Mattingly, Nobles, Cosgrove and Campbell; he does not identify Hankison as part of the initial assignment.¹⁶ James understood from the briefing that Breonna and her boyfriend were at her house. This is inconsistent from the information provided to Hoover, which again rests on the shoulders of Meany and his squad's failure to properly brief CID members. James proceeded to take a ballistic shield with him to Breonna's, indicating that Meany's squad indicated that dynamic entry would in fact be made. Prior to the raid, during the raid and following the raid, James was wearing a shoulder-mounted body camera. He claims that it was not recording. Meany again failed his duty to properly monitor and oversee those acting under his command.

Mike Nobles' work schedule indicates that his overtime detail on March 12 began at 7:30 pm, but Nobles also states that he didn't arrive at the division until around 11 pm for the briefing. He states that the intelligence given at the briefing was that a woman and her young child were at Breonna's home. This is inconsistent with what other CID members derived from the briefing, again suggesting that Meany's squad either failed to brief some CID members at all or otherwise did so in a deficient manner. Nobles understood from the briefing that Jamarcus Glover was "possibly sourcing dope or money in that place, because he sent some packages there." However, per the testimony of Shively police detectives, Nobles was specifically advised in February that there were no packages addressed to Jamarcus Glover going to Breonna's home. Meany, his

¹⁶ Excerpts from Tony James' interview

squad, Nobles and Mattingly all knew that the assertion that Jamarcus Glover was “possibly sourcing dope or money in that place, because he sent some packages there” was based upon bad intelligence that had been confirmed false, yet all of them failed to convey this to the other members of CID.

Hankison states that the briefing went into detail about the other warrants taking place that night, but that little information was given about Springfield. Hankison also states that the assignment board for the search warrant at Springfield identified the warrant as a no-knock entry, which obviously conflicts with the photos of the board produced. This again suggests that Meany permitted Hankison to participate in a warrant execution for which either he did not attend the briefing or for which he was unprepared and with bad information. Hankison states he was briefed that a female was located at Breonna’s and that she had little or no criminal record and no history of firearms, but that Meany’s squad did not provide information regarding Juniyah or Kenny Walker.

Mattingly didn’t have much information about the briefing, other than recalling that Jamarcus Glover had packages sent to Breonna. But like Meany, Nobles and the PBI squad, records confirm that Mattingly was previously advised that packages addressed to Jamarcus Glover were not confirmed as being sent to Breonna’s home. Despite this, Meany permitted Mattingly and the PBI squad to perpetuate the false narrative that a postal inspector specifically confirmed packages addressed to Glover were being sent to Breonna and that, as a result, Breonna must somehow be holding his money and his dope.

Mike Campbell was on the PBI squad and reported directly to Meany. Campbell was supposedly assigned to be the verification officer for Springfield, which entailed surveilling Breonna’s home for the hours leading up to the warrant. Campbell specifically states in his

interview that he believed Breonna Taylor and Jamarcus Glover were at her home together. If this is truly the case, then Meany failed completely in coordinating the investigation and operation. Jamarcus was confirmed to be leaving Kiera Bradley's on March 12. CID members specifically observed Jamarcus arrive at Elliott well prior to the time that Breonna's home was raided. If Campbell was never made aware of this information, then it was due to Meany's failure to coordinate the operation. If part of the reason Breonna's home was raided was due to the belief of Campbell, a member of Meany's squad, that Jamarcus was in the home, then this was a complete lack of competence of supervisory oversight.

Luke Phan was another CID sergeant. Phan stated that the briefings for each warrant location were separate and that "Mattingly and his crew kind of dealt with their own operation there of sort." Phan states the officers believed Springfield was "where the money was." This statement suggests again that Meany failed to assure that the crew going to Breonna's home was briefed, given accurate intelligence and afforded information necessary to execute a search warrant safely.

When Meany called dispatchers around 11 pm on March 12, and requested for an ambulance to be staged for the Springfield warrant, he indicated that the Springfield warrant was set to be hit at midnight. LMPD dispatch records reflect that the ambulance unit was dispatched towards Springfield before 11:15 pm. These records also reflect that this same EMS unit was cleared from the staging scene just before 11:40 pm. Ultimately, it took a lengthy time after Breonna was killed for an ambulance to arrive on scene. Meany's cancellation of the EMS staging was a clear breach of safety protocols. It appears consistent with reports that LMPD located Jamarcus Glover around this time, departing the Cathe Dykstra residence and heading towards the primary target location on Elliott Ave. However, this observation did not justify EMS to be cleared

unless the execution of the warrant itself was being cancelled. It was also around this time that Meany and his squad confirmed that Beckham, Evans, Pawul and Winstead would be unavailable to execute the warrants. The failure of Meany to call off Springfield, in light of the reduced member availability, placed the safety of the operation at an even greater risk. His decision to continue to sidestep SWAT was also a failure to place safety and the value of life as the top priority.

At 11:29 pm, Hankison's phone records reflect a call with Tony James.¹⁷ Obviously, the two were not staging together at this time. Meany's failure to have the team together and staging 30 minutes prior to the planned execution of the warrant is unacceptable. At the same time, location data indicates that Hankison was travelling in the west end of Louisville in the direction of the warrants scheduled for Elliott Ave. and W. Muhammad Ali Blvd.

If this warrant was scheduled for midnight, there are significant problems under Meany's watch. Two of the officers (Hankison and Mattingly) do not arrive until 11:50 pm. James is not with them. Cosgrove has left and gone towards Dixie Highway. Two individuals on the whiteboard (Doerr and King) are never accounted for by anyone. Hoover is not on the whiteboard. Mike Campbell is allegedly surveilling my daughter's home, but for some reason believes Jamarcus Glover is there. This was an absolute mess.

Following the call with James, Hankison's records confirm that he changes direction and proceeds towards the area of Breonna's. Location records confirm that Officer Hankison did not arrive for staging until shortly after 11:50 pm. This is less than 10 minutes in advance of the time scheduled for the warrant execution as indicated by Meany. Hankison's arrival time was also after the EMS unit had been cleared from the scene. Hankison and others were not wearing their assigned body cameras, demonstrating that Meany permitted them to depart from the briefing

¹⁷ Hankison call log

without advising them to wear the cameras. Meany was also responsible for assuring that the members had their proper equipment, yet Mattingly, Nobles and Hoover each reported carrying no extra magazines in the morning of March 13. Meany also permitted the members to depart without wearing wristbands, which are in place for protection of the members.

Metrosafe records and dispatch communications confirm that they were never notified in advance of any search warrant scheduled for Springfield. The failure of Meany to do this is inexcusable. The EMS response time also confirms that they were no longer right down the road. Mike Campbell was allegedly the Verification Officer and thus had eyes on my daughter's home. But given his statement that he believed Jamarcus Glover was at her home, despite others stating that it was confirmed that Jamarcus was spotted at Elliott, it is questionable as to whether Meany was having him truly doing surveillance or even monitoring communications.

On the early morning of March 13, Kyle Meany called Myles Cosgrove and spoke with him for nearly 15 minutes. Meany knew at this point that there was an active investigation and knew that he was not permitted to intervene. His communications with Cosgrove, merely hours after a shooting, were improper.

CONCLUSION

The actions and inactions of Kyle Meany are unacceptable, intolerable and contributing factors to Breonna's death and the deficient investigation thereafter. LMPD should sustain several violations of policy and impose severe consequences.

I acknowledge that whoever makes a false statement under oath, which he/she does not believe to be true, in regards to any material matter, shall be guilty of Perjury in the Second Degree.

I acknowledge that a law enforcement officer has the right to bring suit against any person, group of persons or organizations or corporations, for making a false statement under oath against such officer.

I swear that this affidavit is true and correct to the best of my knowledge, information and belief and therefore affix my signature on the space provided below.

Respectfully Submitted,

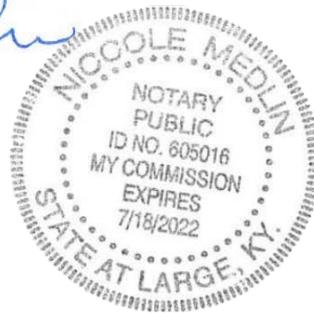
Tamika Palmer

Tamika Palmer

Date: March 8, 2021

Witness Signature: *Ronita K. Baker*

Notary: *Nicole Medlin*



VIOLATIONS (NON-EXHAUSTIVE)

NARCOTICS/CID SOP'S

Operational Plan

In order to provide the safest environment possible for enforcement action(s), all sworn personnel, prior to engaging in enforcement action, i.e., **search warrants**, buy/busts, reverses, controlled buys, money flashes, controlled deliveries, UC buys, etc., **will complete a written operational plan. This plan will be submitted through the chain of command and approved by the Squad Supervisor prior to the action being taken.**

Failure to Assign Lead Detective for Springfield

Prior to serving the search warrant, the lead detective may request assistance from the Technical Operations Team with videotaping the location, unless exigent circumstances exist. The lead detective is also responsible for the following:

1. Notification of the Supervisor;
2. Completion of the search warrant/risk assessment matrix;
3. Completion of the search warrant checklist;
4. Completion of the an Operation Plan;
5. Securing approval of the Operation Plan;
6. Entering pertinent information about the search warrant location in the HIDTA Deconfliction Software; and
7. Being present at the pre-service briefing

Obtaining a Search Warrant

Requirements for a search warrant to be issued are:

The warrant must be based on an **affidavit of facts** establishing probable cause that items subject to seizure may be found in a designated or described place, vehicle or persons and those items must be particularly described.

Supervisor Responsibilities

The immediate supervisor of the Squad preparing the search warrant will oversee the planning and development phases of all search warrants. More specifically, the immediate supervisor will be involved in the search warrant process from its inception and/or notification of a detective's intent to serve one. This oversight and review will include a review of the search warrant affidavit to check for:

- Completeness of the investigative measures that lead to the need for a search warrant.
- Adherence to organizational policies and procedures in gathering evidence for the search warrant.
- Steps undertaken to verify target addresses as accurate.
- Verification of informant identities and status.
- Completion of the Search Warrant matrix
- Completion of the Search Warrant checklist.

The supervisor will also verify and approve:

- The completion of an Operations Plan.
- That all personnel participating in the execution of the Search Warrant have been briefed.
- That all personnel participating in the enforcement action have signed and dated the operations plan.
- That all personnel have their required equipment, i.e., Ballistic Vests, weapon, extra magazines, handcuffs, OC spray, ASP's, and reflective arm bands.
- Prior to serving a warrant, the supervisor in charge will conduct a pre-service_meeting for personnel assigned to execute the search warrant. During this meeting, personnel will be assigned to search and entry teams.
- The supervisor is also responsible for reviewing the search warrant checklist and matrix with the lead detective prior to the pre-service meeting. All personnel involved in the execution of the warrant should be present at the pre-service meeting.

Meany violated policy, and critical safety requirements, when he failed to do any of the following:

- Verify completeness of the investigative measures that lead to the need for a search warrant.¹⁸
- Adhere to organizational policies and procedures in gathering evidence for the search warrant.¹⁹
- Complete the Search Warrant matrix²⁰
- Complete the Search Warrant checklist.²¹
- Reviewing the search warrant checklist and matrix with the lead detective prior to the pre-service meeting.
- Conduct a pre-service meeting for personnel assigned to execute the search warrant.²²
- Review and sign off on an Operations Plan.²³
- Confirm that all personnel participating in the execution of the Search Warrant have been briefed.²⁴
- Verify that all personnel participating in the enforcement action have signed and dated the operations plan.²⁵

¹⁸ The information in the warrant was stale and wrong

¹⁹ Policies and procedures do not permit knowingly false statements to be made in a sworn search warrant affidavit

²⁰ No matrix was presented to any of CID on March 12 or 13

²¹ This was not done

²² Meany did not conduct pre-service meetings, did not assign a lead detective for Springfield and did not assign a search and entry team.

²³ A whiteboard was apparently presented. The whiteboard assigned several LMPD members who were not present to locations. The whiteboard does not assign roles, does not describe locations and by no means is an adequate Operations Plan that is contemplated by policy requirements. There is no record demonstrating that Meany approved an Ops plan for Springfield.

²⁴ There was no confirmation of this.

²⁵ There was no signed and dated Ops plan.

- Confirm that all personnel have their required equipment, i.e., Ballistic Vests, weapon, **extra magazines**, handcuffs, OC spray, ASP's, and **reflective arm bands**.²⁶

Meany violated policy when he permitted Brett Hankison and others to be included within the execution of the search warrants, despite their failure to attend a briefing.²⁷

Meany failed to assure that the following items were discussed as part of the briefing for Springfield:

- Person in charge
- Location
- Layout of the premises
- Suspect information
- Weapons
- Possibility of children present
- Required equipment (i.e. raid jackets, displayed badges, other identifications, etc.)
- Surveillance conducted prior to entry.²⁸

Execution of the Search Warrant

A supervisor shall be present during the execution of all search warrants. Additionally, all members of the Squad investigating/serving the warrant should be present during the execution of the warrant. The only acceptable exceptions where members of a Squad would not be present for the execution of a warrant are:

1. When searching a parcel.
2. When a search warrant is executed to install a vehicle tracker.
3. When a financial warrant is executed.
4. If exigent circumstances exist.

²⁶ Several LMPD members at Springfield lacked extra magazines and arm bands, so clearly this was not done.

²⁷ Hankison's cell phone location records appear to confirm that he did not timely arrive for the briefings, departed for Doss High School (his GPS entry) at 11:30 pm and arrived at Doss High School at approximately 11:50 pm.

²⁸ Meany did not discuss many of these matters. At Springfield, it is unclear who was even the person in charge. Bad information existed on the layout of the premises, the occupants and any surveillance conducted prior to entry.

The Unit Commander will be notified by the supervisor in charge in the case of all of the aforementioned exceptions. The **Unit Commander's approval** is required to invoke the aforementioned circumstances.

Additionally, if exigent circumstances exist that require invoking these exceptional circumstances, the supervisor in charge will **provide written documentation, through the chain of command, to the Division Commander explaining the circumstances that caused the invocation of the exceptional action(s). This documentation will be completed before the supervisor's tour of duty.**

When executing the search warrant, the **lead detective will be in the passenger seat of the lead vehicle in order to lead the search warrant team from the vehicle to the target location. The Department's radio room will be made aware that a search warrant is being executed.**

LMPD SOP's

Truthfulness

Members are required to be honest and truthful in all matters related to their scope of employment and operations of the department. Untruthfulness is prohibited and may warrant termination. This includes:

- Making a false, misleading, or untrue oral or written statement, report, record, and/or communication
- Failing to accurately report all facts pertaining to an investigation;

Search Warrants

An affidavit supporting the application for a search warrant is required. The accuracy of the affidavit is vital to the validity of the search warrant; therefore, officers should verify that the information is as complete, accurate, and specific as possible.

Affidavit Preparation

An affidavit supporting the application for a search warrant is required. The accuracy of the affidavit is vital to the validity of the search warrant; therefore, **officers should verify that the information is as complete, accurate,** and specific as possible.

Ethical Behavior and Accountability

We shall perform our duties with an unwavering commitment to integrity, professionalism, and dependability. We will be accountable for our decisions and actions to those we serve.