



Attorneys say LMPD chief should be added to Brady list following court testimony



Last week, the chief said under oath she was not wearing her body camera when she was on the scene.

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LOUISVILLE, Ky. (WAVE) - As the civil suit against the Louisville Metro Police Department related to a deadly chase in 2021 continues, attorneys for the victim are still focused on LMPD Chief Jacquelyn Gwinn-Villaroel's testimony.

Last week, the chief said under oath she was not wearing her body camera when she was on the scene. Attorneys for the victim showed evidence contradicting her testimony. Legal experts believe the chief's actions implicate her to be added to the Brady list.

"This could be a career-changing episode involving her testimony on the witness stand," Thomas Clay, Law enforcement Litigation attorney, said.

An LMPD officer defined the Brady list as "individuals who have been deemed to be untruthful on the stand." The list gets its name after the case *Brady v. Maryland*, which requires prosecutors to disclose material, exculpatory information in the government's possession to the defense.

Each law enforcement agency is required to maintain a Brady List. An open records request shows at least 30 LMPD officers on the Brady list. Some officers were charged criminally for assault, driving under the influence, official misconduct, untruthfulness to commanding officers, and perjury.

If any Brady list officer testifies in the court, their untruthfulness is shared with the defense. In regard to the LMPD chief testimony last week, her actions were brought up again when a different LMPD officer took the stand.

"If a police chief commits perjury, and says she doesn't have her body camera on and she in fact does, if she ever testifies in a potential criminal trial, do you understand the prosecution will now have to turn over to the defense that untruthful testimony?" Attorneys of the victim asked.

"I believe that's correct," responded the LMPD officer.

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credibility of the police officer as a witness may be exculpatory evidence and should be given to the defense during discovery.

The question many are asking is, will LMPD's own chief be added to the Brady List?

"It would look bad, and it would send a message throughout the entire department that the person who sits at the top has been found to be untruthful," Clay said. "What are the consequences?"

Attorneys say the person who determines who is added to the Brady list is the Commander of Special Investigations.

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An officer can be added if they are found to be untruthful under oath in a court proceeding or not under oath in an administrative proceeding.

"The Brady List is intended for intentional misrepresentations" and reiterated the chief's statement from Last Tuesday where she admitted she misspoke," LMPD said.

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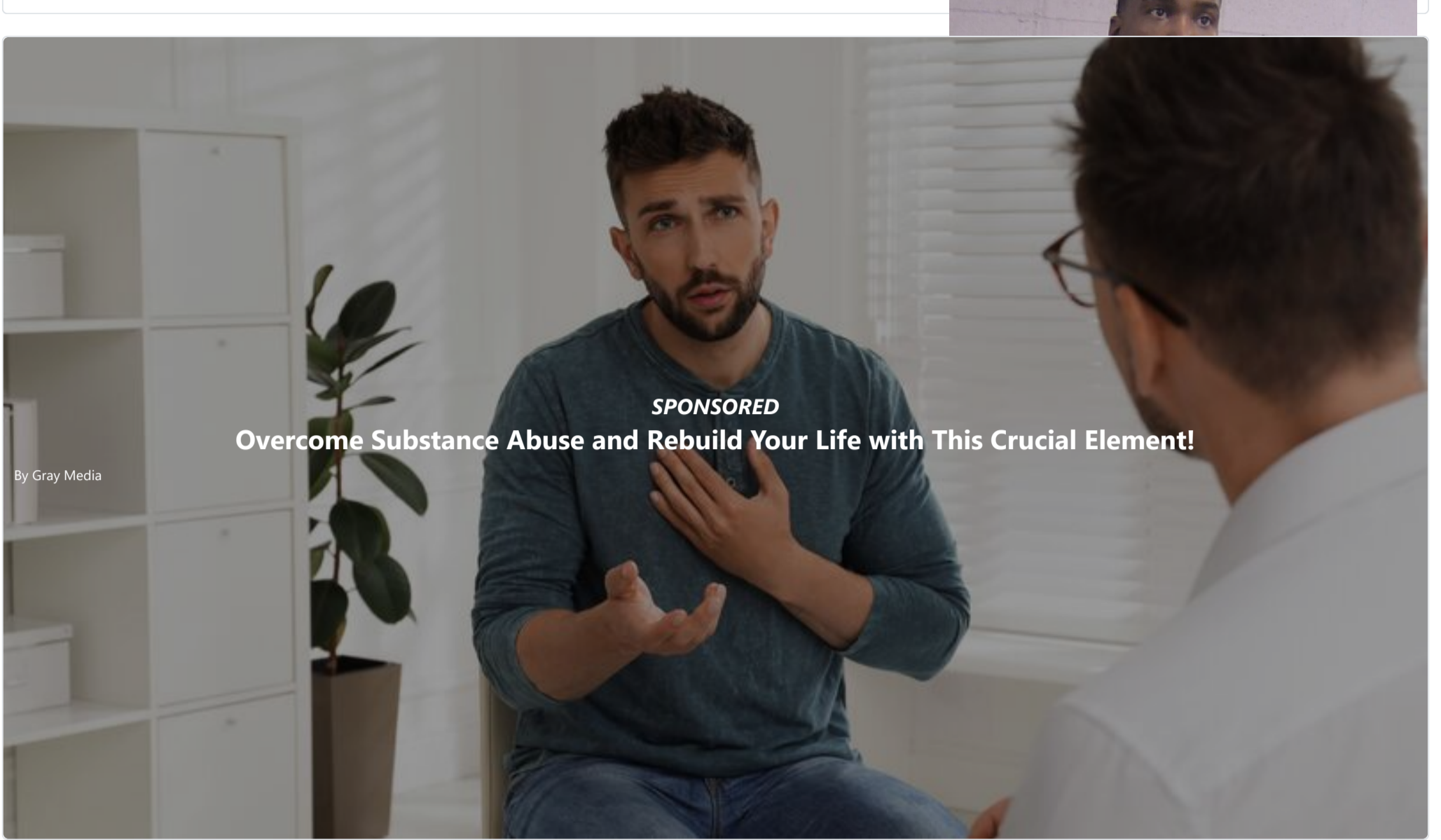
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