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preponderantly meeting every step of Federal Rule of Evidence 702.

may testify under Rule 702 and these precedents:

factors do not constitute a “definitive checklist or test,” but may be tailored to the

facts of a particular case. Indeed, we have recognized that the *Daubert* factors “are not dispositive in every case” and should be applied only “where they are reasonable measures of the reliability of expert testimony.”

In re Scrap Metal Antitrust Litig., 527 F.3d 517, 529 (6th Cir. 2008) (internal citations omitted); *see also Endless River Techs., LLC v. TransUnion, LLC*, Nos. 23-3087 & 23-3144, 2025 WL 233659, at *5 (6th Cir. Jan. 17, 2025) (applying *Scrap Metal*’s three-step inquiry for assessing witness testimony under Rule 702); *Ramsey v. Lowe’s Home Ctrs. LLC*, No. 6:24-CV-1, 2025 WL 2577791, at *3–4 (E.D. Ky. Sept. 5, 2025) (same). The result here tracks consideration of Rule 702, as clarified and amended in 2023.

The LCSO’s liability hinges, as it pertains to this topic, on training and supervision under LCSO’s titular policies. It will help the jury to hear an explanation for why law enforcement agencies have policies, the need for training, and the effects when an agency does not train or implement supervision relative to its policies. This is part of the risk analysis attendant to a failure to train/supervise theory. Hilden has decades of experience and great fluency in policy formulation, policy legitimacy, and training/supervision rubrics. His views of the LCSO’s approach, under Sheriff Stines’s leadership, will help the trier of fact to understand the evidence and determine the facts in issue.

Further, Hilden bases his opinion on the record and on his training and experience. He also tethers his views to objective and well-trod resources, including the CALEA (Commission on Accreditation for Law Enforcement Agencies) standards (which, as cross-confirmation, LCSO’s own policies reference). The national resources also fortify the Rule 702(c) and (d) inquiries. The Court may be willing to temper the “best practices” proof with an instruction on how the jury may use such proof, but Hilden easily crosses the Rule 702 gate.

As to LCSO's state training arguments, Defendant is free to point out all that Hilden did not discuss. This is typical cross-examination fodder, and the Court has repeatedly noted that irrespective of the cafeteria line of labels across state law, Fields was a sworn officer with law enforcement power within the Letcher courthouse, where (with Fields armed and in uniform) the core conduct happened. State minimum training components the jury may know and weigh, but the Court sees no authority saying that the state certification floor implicates LCSO's adherence to its own stated policies. Thus, Hilden may testify per his report, but the defense may raise its points regarding state training.

Accordingly, the Court DENIES DE 185.

This the 21st day of February, 2026.



Signed By:

Robert E. Wier

A handwritten signature in black ink, appearing to read "REW".

United States District Judge