



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

August 20, 2020

David James, President
Metro Council
City Hall, First Floor
Louisville, KY 40202

RE: R-090-20

Dear President James:

My administration shares the same goal of the expeditious resolution of PIU and PSU investigations as reflected in this Resolution. However, we had requested the insertion of language that would also ensure that the PSU and PIU investigations would also be “thorough” so as to ensure due process to all involved. PIU and PSU should follow up on any relevant evidence and not let an artificial deadline hinder the discovery of what occurred at any event giving rise to a PIU or a PSU investigation. The timely completion of investigations is important but timeliness should not infringe on the quality and comprehensiveness of any investigation. The goal of any investigation is to get the truth out to the public. As such, we believe that our requested addition to the Resolution would have improved the Resolution and the ultimate goal of the PIU and PSU process.

Despite the omission of the language, I am, nonetheless, returning to you the executed Resolution because it is our intent to continuously improve the PIU and PSU process. Those improvements may likely emanate from recommendations from the department top to bottom review that is currently underway.

Sincerely,

Greg Fischer
Mayor

Cc: Michael O’Connell, Jefferson County Attorney

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LOUISVILLE METRO HALL 527 WEST JEFFERSON STREET LOUISVILLE, KENTUCKY 40202 502.574.2003

RESOLUTION NO. 081, SERIES 2020

**A RESOLUTION URGING THE ADOPTION OF POLICIES TO INCREASE
TRANSPARENCY INTO, AND EXPEDITE CLOSURE OF, POLICE
INVESTIGATIONS.**

**SPONSORED BY: COUNCIL PRESIDENT DAVID JAMES
AND COUNCIL MEMBER JESSICA GREEN**

WHEREAS, Louisville strives to be a transparent and compassionate city; and

WHEREAS, Louisville Metro law enforcement is tasked with protecting all
Louisville residents; and

WHEREAS, either on receipt of a complaint or on its own volition, Louisville Metro
Police Department (LMPD) undertakes investigations into officer conduct for actions that
may constitute a policy violation, a criminal violation, or both; and

WHEREAS, LMPD investigates allegations of policy violations through its
Professional Standards Unit (PSU), and to possible criminal violations through its
Professional Investigation Unit (PIU); and

WHEREAS, upon completion of a PIU investigation, the decision whether to file
criminal charges rests with state and local prosecutors, and upon completion of a PSU
investigation the decision whether to pursue administrative discipline rests with the LMPD
Chief of Police; and

WHEREAS, because of court rulings regarding an officer's constitutional rights,
the current practice at LMPD is to complete and close a PIU criminal investigation before
commencing a PSU policy investigation arising from the same events; and

WHEREAS, it is in the best interests of both an officer under investigation and the
public to have any questions surrounding an officer's conduct resolved as expeditiously
as possible; and

WHEREAS, the Kentucky Open Records Act provides for public agencies to exempt from disclosure public records, when their premature release might jeopardize the integrity of criminal or administrative investigations; and

WHEREAS, many of these records might otherwise be available to the public immediately upon request; and

WHEREAS, Metro Council is concerned with the significant delay of the release of records to the public; and

WHEREAS, in many instances, release of certain of these records which simply document events or interactions with the public such as 911 calls, body camera data, and Metro Safe Computer Aided Dispatch logs, should not impede potential investigations; and

WHEREAS, Louisville Metro Government should be as transparent as possible, and act as quickly as possible, both to provide victims, families, citizens, and the media access to records that will promote greater understanding on uncertain situations without hampering an investigation, and to bring any investigation to a close.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“COUNCIL”) AS FOLLOWS:

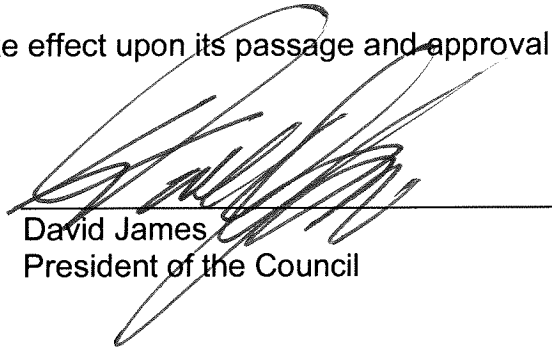
SECTION I. The Council calls upon the LMPD to revise its policies and practices to expedite the completion of PIU and PSU investigations.

SECTION II. The Council urges LMPD to release promptly those records related to an investigation that document LMPD interactions with the public, the release of which will not jeopardize the integrity of that investigation and is not otherwise precluded from release by privacy rights or other applicable law.

SECTION III: This Resolution shall take effect upon its passage and approval.



Sonya Harward
Metro Council Clerk



David James
President of the Council



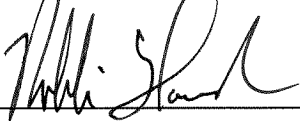
Greg Fischer
Mayor

8/20/2020

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: 

**LOUISVILLE METRO COUNCIL
ADOPTED
August 6, 2020**

R-090-20 –increased police investigation transparency– 6-25-20 - HH