



OFFICE OF THE MAYOR  
LOUISVILLE, KENTUCKY

GREG FISCHER  
MAYOR

October 8, 2020

Dear Members of the Metro Council,

Please accept this letter, accompanying the unsigned resolution that Metro Council passed on September 17, 2020, as an effort to provide context reflecting our current times. As 2020 began, Louisville had experienced a near decade of renaissance with billions of new investment, thousands of new jobs and businesses, and new growth opportunities across all the neighborhoods of our city. But 2020 brought many challenges: the ongoing COVID-19 pandemic, the economic downturn, an increase in violent crime, and the cries for racial justice fueled by the tragic death of Louisvillian Breonna Taylor.

Last month, Council passed a resolution calling on me to take a number of steps to address these challenges. Here is some of the recommended work that is already underway or complete:

- I have engaged the Council and other community partners in many ways, including the creation of the joint Civilian Review Board work group and an agreement to establish an Office of Inspector General; the ongoing top-to-bottom review of the Louisville Metro Police Department (LMPD); and the search for a new police chief.
- Council recommended an effort to incentivize LMPD officers to live in Jefferson County. On Sept. 15, I announced the creation of a program to incentivize officers to live in certain low-income neighborhoods in Jefferson County, designed to improve community/officer relationships and create a pathway to home ownership.
- We are aligned on the need for more affordable housing, as reflected in my administration appropriating a record \$56 million in general fund dollars for related initiatives over the past several budgets.
- Council urged me to conduct and publish a study of our employee demographic make-up. This is already done in an annual report to the federal Equal Employment Opportunity Commission. And through our Office for Equity, we use an equity toolkit that provides us with a roadmap to evaluate our policies and initiatives through an equity lens.
- I agree we will not make significant progress without state legislative changes. That's why dismantling systemic racism and reimagining public safety are at the core of my administration's 2021 state legislative agenda. Please find attached a letter to our legislative delegation that outlines many of our priorities.

- Council mentions the need for a new contract with the Fraternal Order of Police (FOP). This week a resolution was filed with Council to confirm a new short-term contract with FOP to run through June 30, 2021. River City FOP Lodge and Metro Government have also committed to begin negotiating a new agreement no later than January 31, 2021, which will be reflective of the continued community discussion and need for reform, including possible new and/or amended state laws.
- During my entire time in office I have always made staff available to Council and will continue this practice, with the exception when we are dealing with litigation. Further, there has always been a full-time staff member in the Mayor's Office whose sole job is to work with the Council. I have further promoted transparency by regularly holding media briefings to keep the public informed about our actions. During this global pandemic, we have moved many of these briefings online in an effort to keep people safe from the virus. In these briefings, the media has the opportunity to ask questions.

In addition to the steps Council has called for, LMG has also taken numerous other steps in the wake of Ms. Taylor's tragic death. These include:

- New LMPD leadership: A national search for a new permanent chief has been launched, a process that has included input from thousands of community members.
- Calling for independent investigations into her death and certain Officer-Involved Shooting (OIS): Beginning with the death of Ms. Taylor, I called upon both the Attorney General and the FBI to conduct independent reviews of the investigation, and the FBI to conduct its own investigation. Moving forward, in order to provide additional independence in OIS incidents where a person is injured or killed, the Kentucky State Police will lead an independent investigation of the incident.
- Reforming the search warrant process: On May 29, 2020, I suspended no-knock warrants, and then Council and I worked together to end them permanently with the passage and signing of Breonna's Law in June; the law also requires the use of body cameras in the execution of all search warrants. Additionally, as part of the settlement with Ms. Taylor's estate, LMPD amended its Standard Operating Procedure (SOP) on search warrants in multiple ways to provide more accountability and oversight.
- Implementing police accountability measures: As part of the aforementioned settlement, LMPD modified its SOP with additional protocols on the seizure of currency; committed to negotiating with the FOP in 2021 to expand the records LMPD may maintain in police officers' personnel files; expanded random drug testing of officers; updated its Public Standards Unit investigation process for cases when a police officer separates from LMPD prior to the completion of an investigation they are involved in; and agreed to implement an early warning system that tracks all use of force incidents, citizen complaints, investigations and other key factors.
- Creating programs to build stronger community relations: As part of the settlement, in addition to the aforementioned housing incentive program, LMPD officers will be able to use two hours a pay period, during their regular work shift to volunteer at an organization in the community they serve.
- Additional reforms to reimagine public safety: As part of the settlement, LMPD commits to retaining social workers at LMPD for officer support and assistance on dispatched runs that would benefit from a social worker's presence. In addition, LMPD changed policies on tear gas usage and duty to intervene.

And, in addition to these public safety reforms, we have taken other recent steps to create opportunity and pursue the cause of racial justice, including:

- With the Metro Council, we allocated \$21.2 million in FY21 to combat homelessness through rental support and \$27.6 million for small business recovery support. We also allocated \$1 million to fund new efforts to support youth who are not in school or working.
- We raised \$11 million with community partners to support households hardest hit by the pandemic. The most recent round of funding went to non-profits that provided direct services to Black residents, had Black leadership, or both. In addition, I worked with community partners to raise \$1.3 million to support hundreds of jobs for those ages 16-21, plus new tech training and a new Fellowship for Civic Engagement.
- I signed an executive order to establish an Equity in Contracting and Procurement Task Force that will work to close the community's wealth gap by supporting Black-owned and Minority-, Female- and Disabled-owned Business Enterprises (MFDDBE) through supplier diversity initiatives.
- We launched a complete review of our Land Development Code to identify and address land use regulations and policies that have inequitable impacts on Louisville residents.
- And, because symbols matter, this year, after a lengthy court battle, I removed the monument of John Breckinridge Castleman, who served the Confederacy, and I ordered that Juneteenth, which commemorates the end of slavery, be an official city holiday with paid time off for municipal workers.

While this isn't everything, it is a lot of work – done by my administration, Metro Council, community partners, and countless others. But I recognize that it is not enough – not nearly enough to tackle our challenges. The work ahead, and the Council resolution, also require a substantial financial commitment that we will need to work together to resolve.

With the resolution passed on September 17, Metro Council voiced its displeasure about how I've handled some of our challenges and made clear that I need a more productive relationship with all of the Council. To move forward, we need to pull together and I certainly pledge to work on this issue.

History tells us that moments of transformation are rare. Let's seize this moment and show the world what we already know – that we have the combination of wisdom, courage and compassion to be that community that takes itself from this time of challenge to transformation.

Sincerely,



Mayor Greg Fischer



OFFICE OF THE MAYOR  
LOUISVILLE, KENTUCKY

GREG FISCHER  
MAYOR

September 10, 2020

**Open Letter to Jefferson County Legislative Delegation, House and Senate Leadership**

*TRANSMITTED ELECTRONICALLY*

Dear Members of the Kentucky General Assembly:

I am writing following recent comments made by Senate Majority Leadership and Governor Andy Beshear to let you know that I energetically support the call for a 2020 Special Session of the General Assembly– or a publicly vetted package of legislation ready to be acted in the first weeks of the 2021 legislative session.

Cities across the nation are facing many challenges right now – the COVID-19 pandemic, an increase in violent crime, an economic downturn and renewed calls for racial justice. Louisville does need support, and we need resources. We have now surpassed more than 100 days of protests for racial justice, and while we had violence and destruction of property in the early days, we have successfully had weeks of generally peaceful protests.

And, as we prepare for and await a decision in the Breonna Taylor case by Attorney General Daniel Cameron, we aren't waiting to identify, implement and advocate for the larger policy changes we must make to address systemic racism. My staff and I are working diligently to identify specific changes to state statutes, local ordinances, and agency policies that will enhance public safety, cultivate trust among disenfranchised communities and local government, and position all Louisville residents, regardless of zip code, on a path to economic recovery. We have started locally, working with the Louisville Metro Council to ban the use of no-knock warrants; require the use of body-worn cameras when executing any search warrants; and our Civilian Review Board Work Group will be soon making a final recommendation for a draft Ordinance to present for Metro Council's consideration.

I am grateful for the resources Governor Beshear and his team have already provided, as well as the support we have received from the legislature in the past. Under unprecedented circumstances this past session, your dedication to the people of this Commonwealth overcame every obstacle and you passed a budget, a revenue plan, a road plan, and, specific to Louisville, vital financial support for the University of Louisville hospital and the pension freeze.

[WWW.LOUISVILLEKY.GOV](http://WWW.LOUISVILLEKY.GOV)

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We turn to you again, advocating for legislation that reimagines public safety, dismantles systemic racism and advances economic inclusion. I hope the following are legislative proposals, put forward by community leaders and my team, and discussed with some of you, that would be included on a special or general session agenda:

### **Reimagining Public Safety**

- Allow local jurisdictions to create Civilian Review Panels with subpoena power.
- Create a statewide officer-involved shooting investigative team to review all such incidents.
- Amend KRS 67C to increase accountability and transparency in law enforcement, including allowing police departments and public officials to discuss pending internal disciplinary cases.
- Ban the use of no-knock warrants statewide and require the use of body-worn cameras when executing all search warrants, just as Louisville Metro has done in adopting Breonna's Law.
- Require all police departments to use body cameras, encourage transparency in release of video, and provide state funding for purchase of equipment and data storage.
- Create new laws, policies and state funding streams to promote mental wellness among officers, including making it a crime to attempt to "blind" an officer with a "laser light device" and criminalizing the practice of "doxing" (maliciously publishing the personally identifying information of) a public official.
- Fund a new cadre of "first responders" from the social work and mental health fields to work in concert with officers to handle many of the emergency responses where a sworn officer is not the best 'first' solution to aide a person(s) in need.
- Fund violence prevention and intervention efforts to interrupt the cycle of violence and engage youth in productive activities.
- Ban the use of chokeholds, neck restraints, strangleholds, and weight on subject's necks unless necessary to save the life of an officer or another person. (This is current LMPD policy.)
- Require all police departments to train on de-escalation techniques, as LMPD does.
- Require officers to act to prevent or stop any member, regardless of rank or assignment, from using unlawful or excessive force; intervention may be verbal and/or physical. (Current LMPD policy.)
- Ban shooting at moving vehicles except in situations where officers are returning gunfire to save a human life or prevent a vehicle ramming attack. (This is current LMPD policy.)
- Require comprehensive reporting and public release of documentation when officers use force.

### **Dismantling Systemic Racism**

- Create legislation that seeks to educate about and promote racial and ethnic equity, including laws that enact equity impact reviews.
- Enhance initiatives to assist with post-incarceration re-entry to our communities.
- Pass laws to allow mail-in ballot option for all for every election, early voting expansion, and other initiatives to ensure everyone has an opportunity to vote.

- Enhance the restoration of voting rights to those who have paid their debt to society by allowing them to participate in our electoral processes.
- Declare racism as a public health crisis in Kentucky, and support initiatives to recognize and correct health disparities throughout the Commonwealth.
- Require state review of education standards to include a thorough history of slavery, racism, and racist practices in the U.S. and ensure anti-racist standards, curriculum, and textbooks/course material no later than the 2021-2022 school year.

#### **Advancing Economic Inclusion**

- Begin the discussion on changes to insurance rate setting policies to eliminate any processes that create disadvantages among residents in historically disinvested neighborhoods and, specifically, to provide affordable property and casualty insurance rates in these neighborhoods.
- Pass legislation to expand the tools currently available to cities to address vacant and abandoned properties, including creating conservatorships for rehabilitation of qualifying areas.
- Increase funding and policy solutions to meet the growing demands for affordable housing.
- Increase funding to provide down payment assistance and other support to increase home ownership rates in historically disadvantaged populations.
- Pass legislation to create tenant protections that address unjust evictions.
- Support investment without displacing current residents in historically disinvested neighborhoods.

The sense of urgency coming from the Governor and Senate Majority Leadership this past week is encouraging. I share that enthusiasm and thank you for pushing this forward and offering state assistance to our community. I am hopeful that a stronger dialogue can begin, and I stand ready to do this work with you. I welcome and look forward to any opportunity to meet with each of you to discuss these specific recommendations. Thank you for all you continue to do for the people of Kentucky.

Sincerely,



Greg Fischer

cc: Governor Andy Beshear