

LOUISVILLE METRO COUNCIL

COMMONWEALTH OF KENTUCKY
LOUISVILLE METRO GOVERNMENT
JEFFERSON COUNTY KENTUCKY

**IN THE MATTER OF CHARGES AGAINST
DISTRICT 21 COUNCILMAN DAN JOHNSON**

CHARGING COMMITTEE'S EXHIBIT LIST

Comes the Charging Committee, by counsel, pursuant to the Council Court's Order of October 5, 2017, submits the following Exhibit List:

EXHIBITS

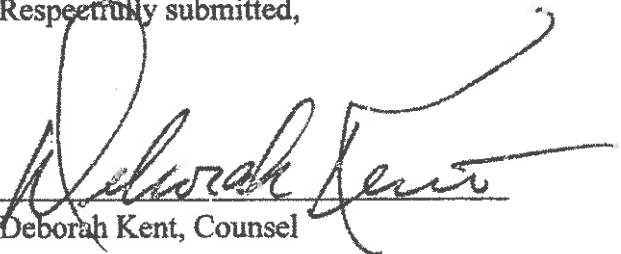
1. June 7, 2017 CW Green letter to President Yates, Majority Caucus Leaders
2. June 12, 2017 CM Johnson apology letter to CW Green
3. June 14, 2017 McAdam cease and desist letter to CW Green
4. June 14, 2017 McAdam cease and desist letter to Erin Hinson
5. June 14, 2017 CM Johnson letter of apology to Erin Hinson
6. May 28, 2015 Insider Louisville "President David Tandy threatened "to take me out""
7. May 28, 2015 Courier Journal "Dan Johnson Claims David Tandy Threatened him"
8. Louisville Metro Council Policy and Procedures
9. Rules of the Metro Council
10. July 4, 2017 President Yates letter to CM Johnson
11. June 21, 2017 Majority Caucus Memo to CM Johnson
12. June 29, 2017 Johnson Response to Majority Caucus Memo
13. July 13, 2017 Majority Caucus Resolution
14. Invoices to CW Leet for Security Services
15. June 28, 2017 CW Leet Email to President Yates

16. June 20, 2014 Caucus Personnel Committee to CM Johnson
17. June 24, 2014 Caucus Personnel Committee to CM James
18. June 28, 2017 Erin Hinson email to CW Angela Leet
19. July 12, 2017 Erin Hinson email to CW Angela Leet
20. June 9, 2017 Courier Journal Dan Johnson accused of inappropriately touching fellow Metro Council Member
21. June 29, 2017 Insider Louisville "CM Johnson resigns from Democratic Caucus
22. June 29, 2017 Courier Journal "Defiant Dan Johnson quits Democratic Caucus
23. June 29, 2014 WAVE3 "Louisville Councilman defends aide accused of using "N-word""
24. October 19, 2016 Insider Louisville "Councilman Dan Johnson "no longer welcome" at future GLI events due to alleged behavior"
25. October 19, 2016 Courier Journal "GLI Bans Dan Johnson from events"
26. June 21, 2017 Insider Louisville "A week after apologizing for behavior CM Johnson dismisses recent troubles in neighborhood meeting"
27. June 13, 2014 WFPL "Council Democrat criticizes Dan Johnson's hiring of Bryan Mathews"
28. June 13, 2014 WFPL "Johnson's top aide fired from last job after alleged racial slur"
29. July 13, 2017, Insider Louisville "Democrats urge Dan Johnson to resign or face removal"
30. August 9, 2017 LEO Weekly "Dan Johnson's fight to stay in city hall has split his district
31. February 10, 2014 Unemployment Insurance notice to Kling Center re Bryan Mathews
32. July 12, 2017 Transcript WHAS Radio interview with Terry Meiners
33. July 12, 2017 Audio WHAS Radio interview with Terry Meiners

<https://www.iheart.com/podcast/66-Terry-Meiners-28199905/>

- 34. Metro Council Resolution R-190-13
- 35. LOJIC Map 601 West Jefferson Street

Respectfully submitted,


Deborah Kent, Counsel
Charging Committee

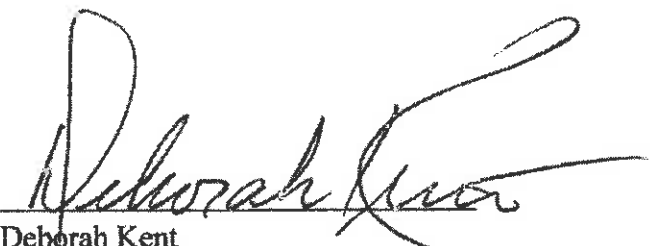
CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing was hand delivered to the following on October 23, 2017:

Hon. Stephen Ott
Metro Council Clerk
601 W. Jefferson St.
Louisville, Ky. 40202

Hon. Thomas McAdam
2950 Breckenridge Lane Ste 9
Louisville, Ky. 40220
Counsel for Respondent

Hon Mike O'Connell
Jefferson County Attorney
600 W. Jefferson St.
Louisville, Ky. 40202


Deborah Kent

June 7, 2017

Councilman David Yates
President
Louisville Metro Council
601 West Jefferson Street
Louisville, Kentucky 40220

Dear President Yates;

I want to bring to your attention an incident that took place today, June 7, 2017, at approximately 1:30pm, prior to the Mayor's Press Conference celebrating the ribbon cutting of the new basketball courts at Wyndotte Park. Prior to the press conference, myself and Councilwoman Butler were standing on Court # 3 closest to the park pavilion as Councilman Johnson approached us from the Court #1 side closest to Taylor Blvd. As Councilwoman Butler, myself and a member of my staff stood there talking CM Johnson walked toward us, at which time we were asked to pose for a picture; Councilwoman Butler stood to Councilman Johnson's right and I stood to his left. As we stood there posing, Councilman Johnson reached down and grabbed my right buttock and squeezed it. Appalled, I turned to him and he leaned down and whispered into my ear laughing, "You know that was an accident, right?" I immediately walked away toward two of my staff people and detailed what had just happened to them. I did not discuss this with him at the time and feel even more uncomfortable about having a conversation with him now. I was completely caught off guard, disgusted, and at a complete loss of words; that one of my colleagues would behave in such a manner, especially, in a public setting with thousands of people, including children present, is simply Outrageous!

Inappropriate and unwarranted advances are not acceptable in any setting, let alone where myself, and my colleagues are there to represent the Metro Council. Incidents such as this are inexcusable, in poor taste and reflect poorly on the entire Council. The thought that this could very well have happened to a

staff person or individual citizen, who would not or could not speak up for fear of reprisal, makes this situation even worse.

I am notifying you as the leadership of the Council and Majority Caucus respectively, with the expectation that you will both address this inappropriate conduct exhibited by my colleague and get back to me expeditiously with some type of action and corrective measure.

Sincerely,

Jessica E. Green

cc: Councilman Bill Hollander
Majority Caucus Chair

Councilwoman Cheri Bryant Hamilton
Majority Caucus Vice Chair



Louisville Metro Council

Dan Johnson
District 21 Councilman
dan.johnson@louisvilleky.gov

June 12, 2017

Councilwoman Jessica Green
601 W. Jefferson Street
Louisville, Kentucky 40202

Dear Jessica,

I am so sorry you felt I improperly touched you inappropriately on purpose and that you thought I was laughing when I said it was not on purpose. I know none of this is a laughing matter. I could not see where my hand was as we prepared to take the photo when this happened.

I respect you and regret this ever happened. I will maintain personal boundaries and I hope we can continue to have a positive working association.

I am so sorry. Please accept my apology

Please accept my apology

Sincerely,

Dan Johnson
Councilman, District 21

Cc: President David Yates, Metro Council
Councilman Bill Hollander, Caucus Chair

Thomas A. McAdam, III

Attorney at Law

2970 Breckinridge Lane, Suite 6, Louisville, Kentucky 40220-1462
Cbd136702 FAX: 502-202-1404 40200 ThomasMcAdam.com

June 14, 2017

Hon. Jessica Green
Louisville Metro Council
Louisville City Hall
601 West Jefferson Street
Louisville, Kentucky 40202

IN RE: Hon. Daniel D. Johnson

Dear Councilwoman Green:

Please be advised that this office has been retained to represent the interests of Louisville Metro Councilman Daniel D. Johnson, in the matter of a claim which he has against you for defamation, libel, and slander. If you are represented by legal counsel, please direct this letter to your attorney immediately and have your attorney notify us of such representation.

You are hereby directed to CEASE AND DESIST ALL DEFAMATION OF HON. DANIEL D. JOHNSON'S CHARACTER AND REPUTATION. Councilman Johnson is a respected elected official in this community. He has spent many years serving this community and his constituents, and building a positive reputation. Councilman Johnson believes that you, with actual malice, have engaged in publishing and spreading false, destructive, and defamatory rumors about him.

Under the laws of the Commonwealth of Kentucky, it is unlawful to engage in defamation of another's character and reputation. Defamation consists of

- (1) a statement that tends to injure reputation;
- (2) communicated to another; and
- (3) that the speaker knew or should have known was false.

Your defamatory statements were published in the Courier-Journal newspaper, in a June 9, 2017 article by Phillip M. Bailey:

Councilman Dan Johnson is facing accusations he inappropriately touched fellow Metro Council member Jessica Green during a recent community event.

Green said she notified council leadership about an incident, which multiple sources said involved Johnson allegedly squeezing her buttocks.

Hon. Jessica Green
June 14, 2017
Page Two

In a statement Friday, Green did not go into detail about what happened but said she had hoped to keep the matter private.

"Women historically have had to endure sexual harassment in the workplace," she said. "This cannot be tolerated anywhere, much less in Metro government."

Additional defamatory statements were published in the Courier-Journal newspaper in a June 12, 2017 article by Phillip M. Bailey:

Metro Councilwoman Jessica Green told council leadership that fellow Democrat Dan Johnson groped her...

In a June 7 letter addressed to the council president, which Green's office provided to the Courier-Journal on Monday, she said Johnson "grabbed my right buttock and squeezed it" during a group photo just before a mayoral press conference.

"Appalled, I turned to him and he leaned down and whispered into my ear laughing, 'You know that was an accident, right?'" said Green, D-1st District.

Accordingly, we demand that you (A) immediately cease and desist your unlawful defamation of Hon. Daniel D. Johnson and (B) provide us with prompt written assurance within ten (10) days that you will cease and desist from further defamation of Hon. Daniel D. Johnson's character and reputation.

If you do not comply with this cease and desist demand within this time period, Hon. Daniel D. Johnson is entitled to seek monetary damages and equitable relief for your defamation. In the event you fail to meet this demand, please be advised that Hon. Daniel D. Johnson has asked us to communicate to you that he will pursue all available legal remedies, including seeking monetary damages, injunctive relief, and an order that you pay court costs and attorney's fees. Your liability and exposure under such legal action could be considerable.

Before taking these steps, however, my client wished to give you one opportunity to discontinue your illegal conduct by complying with this demand within ten (10) days. Accordingly, please sign and return the attached Defamation Settlement Agreement within ten (10) days to us.

Hon. Jessica Green
June 14, 2017
Page Three

I recommend that you consult with an attorney regarding this matter. If I can provide you with any additional information which you might require, please feel free to call upon me at any time. In anticipation of your response, I remain,

Sincerely yours,


Thomas A. McAdam III

TAM/mt
Encl
cc: Holly Dandelk Johnson

Thomas A. McAdam, III

Attorney at Law

2950 Breckenridge Lane, Suite 9, Louisville, Kentucky 40220-1462
(502) 584-7255 FAX: 585-2025 KBA: 45200 thomas@meadam.com

June 14, 2017

Ms. Erin Hinson
Louisville Metro Council
City Hall, 601 West Jefferson Street
Louisville, Kentucky 40202



IN RE: Hon. Daniel D. Johnson

Dear Ms. Hinson:

Please be advised that this office has been retained to represent the interests of Louisville Metro Councilman Daniel D. Johnson, in the matter of a claim which he has against you for defamation, libel, and slander. If you are represented by legal counsel, please direct this letter to your attorney immediately and have your attorney notify us of such representation.

You are hereby directed to CEASE AND DESIST ALL DEFAMATION OF HON. DANIEL D. JOHNSON'S CHARACTER AND REPUTATION. Councilman Johnson is a respected elected official in this community. He has spent many years serving this community and his constituents, and building a positive reputation. Councilman Johnson has learned that you have engaged in spreading false, destructive, and defamatory rumors about him.

Under the laws of the Commonwealth of Kentucky, it is unlawful to engage in defamation of another's character and reputation. Defamation consists of

- (1) a statement that tends to injure reputation;
- (2) communicated to another; and
- (3) that the speaker knew or should have known was false.

Your defamatory statements were reported in the Courier-Journal newspaper, in a June 13, 2017 article by reporter Phillip M. Bailey:

In the alleged incident outside City Hall, Erin Hinson, a legislative aide to Councilwoman Angela Lee, told the Courier-Journal that she was leaving work last fall when she saw Johnson in the parking lot. She alleges he made a grunting noise and that when she turned around, his pants were on the ground exposing his bare buttocks.

Hinson said she ran to her car before Johnson pulled his pants back up. He then walked back to his car, she said, which was parked behind her vehicle.

Ms. Erin Hinson
June 14, 2017
Page Two

"He walked by again — this time closer to my car — if I had opened my door I would have hit him," she said. "And his pants fell down again."

Hinson said she saw Johnson's belly button "and a little below" that before turning away. She reported the incident to Leet and Republican caucus director Steve Haug Jr.

Accordingly, we demand that you (A) immediately cease and desist your unlawful defamation of Hon. Daniel D. Johnson and (B) provide us with prompt written assurance within ten (10) days that you will cease and desist from further defamation of Hon. Daniel D. Johnson's character and reputation.

If you do not comply with this cease and desist demand within this time period, Hon. Daniel D. Johnson is entitled to seek monetary damages and equitable relief for your defamation. In the event you fail to meet this demand, please be advised that Hon. Daniel D. Johnson has asked us to communicate to you that he will pursue all available legal remedies, including seeking monetary damages, injunctive relief, and an order that you pay court costs and attorney's fees. Your liability and exposure under such legal action could be considerable.

Before taking these steps, however, my client wished to give you one opportunity to discontinue your illegal conduct by complying with this demand within ten (10) days. Accordingly, please sign and return the attached Defamation Settlement Agreement within ten (10) days to us.

I recommend that you consult with an attorney regarding this matter. If I can provide you with any additional information which you might require, please feel free to call upon me at any time. In anticipation of your response, I remain,

Sincerely yours,



Thomas A. McAdam, III

TAM/ms
Encl.

cc: Hon. Daniel D. Johnson

Defamation Settlement Agreement

I, Erin Hinson, agree to immediately cease and desist defamation of Hon. Daniel D. Johnson's character and reputation in exchange for Hon. Daniel D. Johnson releasing any and all claims against me for defamation. In the event this agreement is breached by me, Hon. Daniel D. Johnson will be entitled to costs and attorney's fees in any action brought to enforce this agreement and shall be free to pursue all rights that Hon. Daniel D. Johnson had as of the date of this Agreement as if this Agreement had never been signed.

Signed:

Erin Hinson

Dated:

June 14, 2017

Ms. Erin Hinson
601 W Jefferson Street
Louisville, Kentucky 40202


Dear Erin,

I want to apologize for making you feel uncomfortable in the parking lot. It was never my intention and I regret that it happened.

I will maintain personal boundaries and proper dress.

Again, I apologize for putting you in an uncomfortable situation. Please accept my apology.

Sincerely,



Dan Johnson
Councilman

cc: President David Yates, Metro Council
Councilman Bill Hollander, Caucus Chair
Councilwoman Angela Lee



Councilman Dan Johnson allegation: Council President David Tandy threatened to 'take me out'

By **JOE SONKA** | May 28, 2015 9:53 am

Metro Councilman Dan Johnson, D-21, posted a status update on his Facebook page Wednesday night claiming that Council President David Tandy, D-4, had threatened to "take (him) out" over a dispute that was not spelled out.

"I was threatened by David Tandy tonight over the phone," wrote Johnson. "He said he was going to take me out. I believe this was unbecoming of a president to a fellow council person. This was all over safety to the council."

Johnson later deleted the post.



Dan Johnson

I was threatened by David Tandy tonight over the phone. He said he was going to take me out. I believe this was unbecoming of a president to a fellow council person. This was all over safety to the council.



Democratic Caucus spokesman Tony Hyatt told Insider Louisville that on Wednesday night he spoke with Tandy, who confirmed the two did have a conversation about security at city hall but adamantly denied that any threat was made. He says Johnson was upset that a security guard has been taken

away from the side entrance of city hall, believing that endangers the safety of council members. Tandy told Johnson he was free to bring the issue up in Thursday's Committee of the Whole to see if anyone supported his push to bring back the security guard.

It should be noted that due to a recent change in state law, anyone is allowed to bring firearms into city hall, security guard or not.

Hyatt told IL that Johnson sometimes writes things on his Facebook page that are "out there."

Johnson has not yet responded to IL's request for comment about his allegation.

***** UPDATE 12:30p.m. *****

Councilman Dan Johnson sent the following statement to Insider Louisville on the matter:

“President Tandy and I had a heated discussion last night about the security station at City Hall. Things were said that shouldn't have been said, but I hope the President will put the safety of Council Members and employees above petty arguments.”

In a phone interview, Johnson declined to say whether he stands by his allegation that Council President David Tandy threatened him. He said it was Tandy's unilateral decision to replace the security guard at the side entrance of city hall and install a card scan system for employees to enter the door.

Johnson also claimed he's seen employees let people into that door who should not have been allowed in, and that an unauthorized person recently walked up to the third floor late at night without going through security. He said there should be security at the parking lot in case of a medical emergency or if someone is mugged or assaulted.

In an interview with IL, Tandy said Johnson's claim that removing the

security guard from the side entrance was his decision is flatly false, as it was the suggestion of Metro Facilities director Cathy Duncan, and fully vetted among council members with no complaints.



Metro Councilman Dan Johnson

“Around February and March, we began talking about it with all council members,” said Tandy. “Talking about it in the Committee of the Whole, talking about it at caucus, asking people if they had any problems with it to let us know. Nobody said anything. Now all of a sudden it’s an issue for Councilman Johnson.”

Tandy also stated unequivocally that he never threatened Johnson.

“There’s no truth to that at all,” said Tandy. “He said he was going to file a resolution to try to get a security guard placed there. I said if he wanted to bring it up in the Committee of the Whole, we could hash it out there.”

Asked why Johnson would make up such a claim, Tandy replied: “Who knows?”

Dan Johnson claims David Tandy threatened him

Phillip M. Bailey, @phillipmbailey

Published 12:05 p.m. ET May 28, 2015 Updated 11:07 p.m. ET May 28, 2015



(Photo: C-J file photo)

Louisville Metro Councilman Dan Johnson claims Council President David Tandy physically threatened him in a private telephone conversation this week and that he may file a criminal complaint.

In a post to his Facebook page late Wednesday evening, Johnson said Tandy threatened to "take me out" over a safety issue he raised about security inside council chambers. Johnson said Tandy's behavior was "unbecoming of a president" before deleting the online message.

"I felt like I was threatened or I wouldn't have said that," said Johnson, D-21st District.

Tandy said he never threatened to harm Johnson personally or politically.

The two lawmakers discussed Johnson's concern about removing a security guard at the side entrance of City Hall along Congress Alley, Tandy said. Johnson disagreed with the decision to use cameras at the entrance rather than an armed guard, and said he thought it endangered city lawmakers' safety. A recent change in state

law does allow residents to bring firearms into metro buildings, and Johnson said he might file a resolution seeking support to bring back the security guard.

"Different people hear different things in any course of a conversation," said Tandy, D-4th District. "I'm trying to be tactful. This has been a pressing issue for him for whatever reason. He is the only person on the council who has brought this up as an issue thus far and we've talked about this change of the physical building for quite some time."

The controversy is just the most recent fracture among council Democrats, who have been embroiled in fights over caucus staff and elections recent months.



(Photo: Staff)

Some Democrats have said those arguments have diverted attention from more important issues in recent weeks.

"Will Rogers I think was the one who is quoted as saying 'I'm not a member of an organized political party because I'm a member of the Democratic Party,'" said Tandy, who was unanimously elected council president this year.

Johnson has yet to contact Metro Police over the argument with Tandy, and added he did not plan to seek additional police protection at future council meetings. Johnson declined to say whether he would file a criminal complaint about the alleged threat, however.

"I don't usually do things like that," he said. "It was a heated argument between two people."

As of
March 2016

Louisville Metro Council Policies and Procedures

Louisville Metro Council Policies and Procedures are designed to give guidance in a wide variety of areas necessary to administer the Offices of Metro Council Members



Persons who are elected to leadership positions within the council will forfeit their assigned office selection space, and will assume the office locations designated by the council. Offices vacated by those in leadership will be made available by allowing the next person in line to have office space.

If a person who served as council president is not re-elected to another term as president, he or she will be required to vacate the designated president's office within a reasonable time of the leadership vote. If the outgoing council president is no longer a member of council leadership, he or she will be given the discretion of all vacant offices. Majority and minority leaders who are not re-elected to their positions will resume office selection in their order of seniority.

Replacing a councilperson's office space if the member resigns, is removed or dies

Any non-leadership office space vacated by the death of a council member due to resignation, removal or death shall remain the office for the person chosen to represent the District for the remainder of that councilperson's term.

A person appointed to fill an unexpired term as councilperson will be given seniority over newly elected individuals who she is elected to serve a new term.

DESIGNATING SENIORITY

Council members who are elected to the same term shall establish seniority among themselves by a drawing. As example, if three council members are newly elected to the council during the same election, those three shall determine by a drawing of numbers who shall be 24, 25, and 26 in seniority. The voters shall maintain the seniority list.

Any councilperson who leaves office mid-term will keep the total seniority for all years served. Thus, if a person served eight years, was re-elected, then returns to office four years later, he or she would have a total of eight years seniority with respect to office selection.

Section 29. CODE OF CONDUCT

Members of the Council shall respect the district boundaries of their colleagues and shall not sponsor any activities in another council member's district without prior notification.

No council member shall personally attack, malign, or impugn the character or integrity of citizens who come before the council nor of any fellow council member. Any member engaging in such conduct shall be declared out of order by the President or presiding member and directed to cease such conduct. Should the member persist, the presiding officer shall remain declaring such members to be out of order, and such member shall immediately vacate the floor. This portion of the code applies to legislative Assistants, council office staff, or visitors.



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Dates Amended:

- 022408 401
- 072607 2012, 801, 901
- 121108 715, 716, 717, 718, 719, 720
- 021110 801
- 030811 Renumbered Section 7 to be in rank order
- 111812 511, adding 111 to end of Part 5M0101
- 121114 511 - Amendment 11 added to end of 5M0101
- 012215 401, 501, 601, 701, 801, 901, 1001, 1101, 1201

Term who shall perform all of the duties of the President of the Council until the expiration of the President's term or until the Council by majority vote shall declare that the President again is able to perform the duties of office. Upon the death of the President, the Council shall elect a President from one of its members at one of the next two Council meetings after his or her reported death to fill out the unexpired term of such President.

10.08

Within seven (7) days after a vacancy shall have occurred on the Council, qualified persons interested in being appointed pursuant to Kentucky Revised Statutes to the vacant seat shall submit a resume to the Clerk of the Council

10.09

The members of the Council shall review any resumes so submitted and shall indicate in writing to the Clerk the name of any applicant who that member wishes to be personally interviewed at a special meeting of the Council which shall be duly called pursuant to these rules and held not less than seven (7) days nor more than thirty (30) days after the occurrence of the vacancy.

10.10

At either a regular or special meeting of the Council, held not less than (7) days nor more than thirty (30) days after the occurrence of the vacancy, the Council shall fill the vacancy from among the qualified persons interviewed, or as provided by state statute.

10.11

The person receiving an affirmative vote of the majority of the remaining members of the Council shall be elected to fill the vacancy pursuant to this section. If more than one vacancy exists, each vacancy shall be filled by the Council one at a time and the newly appointed member shall immediately be seated pursuant to the rules so that he or she may vote on the filling of the remaining vacancies.

SECTION 11. AMENDMENTS TO THESE RULES

11.01

These Rules may be amended by an affirmative vote of a majority of the members of the Council at their Organizational Meeting. Thereafter, the Rules of the Council may be amended by an affirmative vote of a majority of the members of the Council provided that notice of the vote is given at a previous meeting and appears on the agenda.

11.02

These Rules shall follow applicable state statutes provided for in KRS 67C.101 [Section 2 (a), (c); Sections 4 and 5] et al.

SECTION 12. ETHICS

12.01

The Council shall adopt the "Code of Ethics" as established by the Louisville Jefferson County Metro Government. Members of the Council and employees will conduct themselves in the performance of their official duties at all times in a manner which manifests the highest moral and ethical standards.



LOUISVILLE METRO COUNCIL
OFFICE OF PRESIDENT DAVID YATES

July 4, 2017

Councilman Dan Johnson,

In light of recent events and in order to preserve decorum of the Louisville Metro Council, I am hereby removing you as Vice Chair of the Community Affairs, Housing, Health and Education Committee pursuant to Metro Council Rule 4.01(a). I have been advised by the County Attorney that I do not have the explicit power to remove you from committees, therefore you are still a member of Community Affairs, Housing, Health and Education Committee, Budget Committee and the Appropriations, NDF's & CIF's Committee.

Furthermore, it has recently been brought to my attention that some metro council employees are fearful and intimidated by your physical presence. In an effort to amicably resolve the situation I am requesting that you refrain from the second floor at any time and that you notify my office, via email (david.yates@louisvilleky.gov) at least an hour prior to arriving at City Hall to provide an opportunity for those employees to make any necessary arrangements.

I understand the situation is not ideal, however given the recent events and allegations I do not believe these requests are overly burdensome and thus, appreciate your anticipated willingness to accommodate.

Sincerely,

A handwritten signature in black ink, appearing to read "David Yates", written over a large, stylized flourish.

David Yates

Louisville Metro Council President
District 25 Councilman

MEMORANDUM

To: Councilman Dan Johnson
From: Majority Chair Bill Hollander and Vice Chair Cheri Bryant Hamilton
Date: June 21, 2017

Bill Hollander *Cheri B. Hamilton*

CONFIDENTIAL

Rules

Our actions in this matter are guided by the section of the Caucus rules titled "Separation from the Caucus". They provide that a Caucus member may be suspended or expelled from the Caucus for "unethical or adjudicated illegal activities that bring embarrassment and public scorn upon the Caucus, the Council or the Democrat Party." [Section 3].

Upon receipt of a written [Section 6] charge of alleged violation, Caucus leadership is tasked with conducting a "confidential, preliminary investigation as to the veracity of the charges...within fourteen days to determine whether further action is warranted." [Section 7].

"Within fourteen days, a report of recommendation (either exonerating the accused or preferring specific charges and action) shall be prepared and presented to the member or staff member in question by caucus leadership..." [Section 8].

Before the report and recommendation is sent to the Caucus as a whole, the member in question shall be given a fourteen-day time period to determine if internal corrective action is warranted. [Section 9].

The rules specifically state that any accused member has due process rights and has an opportunity to question and call witnesses at any Caucus hearing or meeting. [Sections 5 and 11].

Facts

On Thursday, June 8, we received a letter from Councilwoman Jessica Green, alleging that Councilman Dan Johnson had reached down, grabbed her right buttock and squeezed it while the two of them and Councilwoman Marianne Butler were posing for a photograph just before a large public ceremony at Wyandotte Park the day before. The letter also alleged that, after Councilwoman Green turned to him, Councilman Johnson leaned down and whispered into her ear laughing "You know that was an accident, right?" The letter was written on June 7 and placed in the mailboxes of President David Yates, Chair Bill Hollander and Vice-Chair Cheri Bryant Hamilton the previous evening after normal business hours, at the suggestion of Green's Legislative Assistant Charles

Weathers and Administrative Clerk Elizabeth Alexander. It concluded by expressing the "expectation that you will both address this inappropriate conduct exhibited by my colleague and get back to me expeditiously with some action and corrective measure." Interviews with Councilwoman Green have consistently repeated the facts set out in the letter.

In several interviews, Councilman Johnson has stated that his hand "touched" Councilwoman Green's buttocks for "just a second" while he was moving his hand down from Councilwoman Green's waist in the act of posing for the photo. He says that he told her "You know that was not on purpose" and then posed for the photo, which he believes was taken by Elizabeth Alexander. He says there was no grabbing or squeezing. He also denies laughing when making his comment to Councilwoman Green.

Two posed photos and a video (which does not show the posed photograph scene) taken by Elizabeth Alexander have been produced and reviewed.

Councilwoman Butler has no knowledge of the incident and saw or heard nothing about it while at Wyandotte Park.

In contacting people shown in photographs at the event, we located one witness, Chris Doolin, a Metro employee who delivered and installed the podium. Doolin described the incident as "awkward", and says he saw Councilman Johnson touch Councilwoman Green's butt before putting his hands behind his back. He believes he saw Councilman Johnson say something to Councilwoman Green about the incident but does not know what was said or if there was any squeezing. The event was noteworthy enough that Doolin immediately mentioned it to his co-worker, Kip Dix, telling him that Councilman Johnson had touched Councilwoman Green's butt while posing for the photograph. Doolin believes he told Dix that "it didn't look like he did it intentionally." Dix says he did not see the event, remembers Doolin pointing the incident out to him, but does not remember any description of it being or not being intentional.

Alexander and Weathers are two other individuals we have interviewed. Neither saw the incident nor saw any discomfort or unusual expressions while the three were posing or while the photograph was being taken. However, they both remember Councilwoman Green walking quickly toward them after the photo, saying, in the words and written notes of Alexander, "Can you tell me why in the hell that [expletive deleted] Dan Johnson just grabbed my ass". Alexander says Councilwoman Green described Councilman Johnson as "squeezing her ass." Weathers said after he asked Councilwoman Green if she was sure, Councilwoman Green responded, "Yes. He cupped his hand and grabbed my ass." When asked if Councilman Johnson just brushed her, Alexander remembers Councilwoman Green saying that he "cupped" and "squeezed" her. Alexander remembers advising Councilwoman Green not to tell Councilwoman Butler about the incident but instead go on with the event, which she did. She also remembers Councilwoman Green trying to stay on Councilwoman Butler's side and away from Councilman Johnson for the rest of the event.

in the car after the event. Alexander and Weathers say they advised Councilwoman Green to write the incident up and send it to Caucus leadership and the President, and Councilwoman Green agreed.

We have made inquiries about other potential witnesses, including asking those interviewed if they know of any. To date, we have found no other witnesses to the incident.

On Friday, June 9, Councilwoman Green's complaint about the incident was reported in the Courier-Journal. Later that day, Councilman Johnson posted on Facebook that he had "accidentally brushed Jessica Greens backside when her and Marriane [sic] were squeezing me in the middle of a picture taking wednesday and she has made it public!" The post was later deleted. That evening, Councilman Johnson tweeted "Truth is she touched me first when nestled against my left side. I was harrassed [sic] too". Councilman Johnson later deleted the tweet.

On June 12, Councilman Johnson sent a letter of apology to Councilwoman Green and on June 14 he sent a letter of apology to a legislative assistant to Councilwoman Angela Leet regarding another incident. On June 20, we learned that Councilman Johnson's attorney had written cease and desist letters, dated June 14, to Councilwoman Green and to the legislative assistant. These letters were sent against the advice of Caucus leadership that no such action be taken and without notice to Caucus leadership.

Recommendation

Final determination of any disciplinary action must be made by the full membership of the Majority Caucus. [Section 12]. Our recommendation based on this preliminary investigation is that the Caucus publicly censure Councilman Johnson and expel him from the Caucus as a result of the incident at Wyandotte Park and its aftermath.

At this stage, it is impossible to say definitively whether Councilman Johnson's touching of Councilwoman Green was intentional. While Chris Doolin believes he contemporaneously told a co-worker the action did not appear to be intentional, the fact that he noted it to a co-worker at the time indicates it was notable and likely longer than an incidental "brushing". The Caucus as a whole will be required to assess credibility of the two conflicting reports of Councilwoman Green and Councilman Johnson. While Caucus action will be limited to the Wyandotte Park incident (the only incident about which we have received a written charge) and its aftermath, we note that in assessing credibility the Caucus may consider other reported incidents of this type of misconduct by Councilman Johnson. It may also consider the plausibility of each person's version of events, the detail they provided, their demeanor at the time of the incident and afterwards, any possible motives regarding their statements, and other factors. We believe there is a likelihood that the Caucus will view Councilman Johnson's actions at the park as deserving of at least a public censure.

We view Councilman Johnson's tweet stating that Councilwoman Green "harrassed" [sic] him as an unethical action that brought embarrassment and public scorn upon the Caucus. We therefore believe it is deserving of public censure and expulsion from the Caucus. Councilman Johnson had no reasonable basis to conclude that Councilwoman Green "harassed him" and admits that he made the statement because he viewed Councilwoman Green's side touching him while posing for a photograph to be the equivalent of his hand touching her buttocks. But the two are clearly not equivalent and no reasonable person could conclude from these facts that Councilwoman Green harassed Councilman Johnson at Wyandotte Park. Making a false charge about a colleague is a serious ethical matter. In this case, it also had the effect of diminishing the importance of Councilwoman Green's accusation, which we, and we are sure all colleagues, have always felt deserves to be treated with the utmost seriousness.

Finally, the cease and desist letters sent to Councilwoman Green and the legislative assistant cast extreme doubt on the sincerity of apologies Councilman Johnson had sent to Councilwoman Green and the legislative assistant last week, which Caucus communications had reported to the public. As such, the letters also brought embarrassment and public scorn upon the Caucus and are deserving of public censure and expulsion from the Caucus.

Pursuant to Section 9 of the Caucus rules under "Separation from the Caucus", you, Councilman Johnson, will have fourteen days to determine if internal corrective action is warranted. Unless we receive something in writing from you within that time period, we will deliver this report and recommendation to the Caucus as a whole and move forward in scheduling a meeting of the Caucus to deal with it. The Caucus will then have the options of following the recommendation, taking other action or taking no action.

MEMORANDUM

To: Louisville Metro Council Democratic Caucus
Chair Bill Hollander and Vice Chair Cheri Bryant Hamilton
From: Councilman Dan Johnson *D.J.*
Date: June 29, 2017

1. This Memorandum is in reply to your of June 21, 2017, in which you request a response from me, within fourteen days, "... to determine if internal corrective action is warranted." You indicate that you would withhold delivering your Memorandum to the Caucus as a whole, until the period allowed for my response had expired. Indeed, your Memorandum is clearly marked "Confidential," and I was therefore led to believe that the Caucus would proceed in an ethical and honorable approach to investigate the facts in this matter.

2. You can therefore understand my dismay at learning that copies of your June 21 Memorandum have been widely circulated around City Hall, and that a copy was provided to a local newspaper reporter even before I received my copy. The untrue allegations made against me have been spread around our community by a series of rumors, leaks, and anonymous communications to the press. Naturally, a person's first response to such a back-door campaign of lies and innuendo is to ignore it, and trust that people of good will are able to see this attack for what it is: A political lynching and effort to destroy the good reputation of an elected official who has faithfully served his community for over a quarter century.

3. A great many of my friends and supporters have suggested to me that I simply continue to ignore this whole affair. They have told me that the Democratic Caucus members have already made up their collective minds that I should be considered guilty as alleged, and should therefore be expelled from the Caucus. They suggest that I should not expect any degree of fairness from the Caucus, and that any sort of hearing they might conduct would be nothing but a farce.

4. But my 26 years of experience with my colleagues on the Democratic Caucus lead me to the opposite conclusion. I have worked alongside these Council members, and have developed strong bonds of friendship with many of them. More importantly, I have gained a great deal of respect for the integrity and reasonableness of my fellow Metro Council members. If presented with clear evidence, I cannot believe that they would allow personal bias or political intimidation to keep them from fairly judging the scandalous allegations that have been made against me. If this faith in the honor of my colleagues is misplaced, then I have wasted the last 25 years of building relationships.

5. I will therefore respond to your June 21 Memorandum, as honestly and simply as I can, in an effort to clear the air, once and for all. I am releasing a copy of this response to the press, to save you the trouble of worrying about who might have leaked it.

6. Councilwoman Jessica Green sent you a letter on June 7, alleging that I intentionally assaulted her, by grabbing her buttock in front of approximately 1,000 witnesses, at a public ceremony at Wyandotte Park. Ms. Green, an attorney, certainly understood that there were a number of options available to her at that point in time. She could have talked to me, and asked me to explain my perceived behavior. She did not. She could have filed a civil lawsuit against me, asking for damages, with the burden of proof resting upon her to prove her allegation to an impartial jury, after being subjected to cross-examination. She did not. She could have sworn to a warrant, claiming that I criminally assaulted or harassed her; thereby giving me an opportunity to face my accuser in an open court, and requiring proof to an impartial jury, beyond a reasonable doubt, that I was guilty. She did not.

7. Instead, Councilwoman Green decided to air her concocted grievance in the newspaper, through the use of slurs, innuendo, anonymous leaks, and hearsay. This way, she avoids having to face me with her claims, avoids having to answer any questions I might have for her, avoids shouldering any burden of proof, and avoids having her accusations judged by a fair and impartial tribunal. Her choice to proceed in this manner is certainly disappointing, and speaks volumes about her sincerity and veracity.

8. From the outset, I have attempted to be truthful and courteous to all concerned. I immediately explained to Councilwoman Green that the momentary touching, as our group crowded together for a photograph, was accidental. When I was instructed to formally apologize to her in writing, I did so. It soon became clear that an apology was not what she really wanted, and that this entire silly accident was going to be blown all out of proportion, for political gain.

9. Our local newspaper has continued to stir the pot, with over a dozen salacious and sensational articles about this minor incident. It has contacted women's rights organizers, who have criticized me for being a sexual predator. It has contacted African American ministers, who have concluded that my behavior is somehow racially motivated. That this sort of crazed mob action, orchestrated by the press and government officials, can occur in a compassionate city like Louisville, is disheartening, to say the least.

10. When I sought legal advice, my attorney suggested that warning letters be sent to those individuals who were spreading lies and defaming my reputation. Your June 21 Memorandum concludes: "As such, the (cease and desist) letters also brought embarrassment and public scorn upon the Caucus and are deserving of public censure and expulsion from the Caucus." It is unclear from this whether you are stating that I, my attorney, or the letters he wrote on my behalf are deserving of public censure, but I remind you that I am not the person who made these private communications public. Moreover, I hope it is not the position of the Democratic Caucus that a member should be expelled for exercising his constitutionally-protected rights to legal representation and participation in the legal process, merely because Caucus leadership disagrees with the exercising of these rights. In America, a person falsely accused and defamed in the press has an absolute right to challenge such defamation in a court of law. In court, the burden of proof is on the accuser, and a cease and desist letter is a necessary prerequisite to such litigation.

11. Your June 21 Memorandum mentions only one eye-witness to the incident, out of over 1,000 persons in attendance at the Wyandotte Park ceremonies. With all the photographs, cellphone videos, and television cameras present at the occasion, I find it remarkable that your investigation was so unproductive. Surprisingly, not a single member of the public, present that day in Wyandotte Park, has come forward with eye-witness testimony tending to confirm Councilwoman Green's version of the events. Your Memorandum quotes a Metro government employee, Chris Doolin, as saying, "it didn't look like he did it intentionally." And, of course, you have my statement to Councilwoman Green at the scene, and repeated now, that my accidental touching of her was not intentional. Out of more than 1,000 people, only one, Jessica Green, has suggested that she believes my actions were intentional.

12. Your Memorandum also quotes non-witnesses who merely repeat self-serving comments by Councilwoman Green. This sort of hearsay evidence would be inadmissible before any court or fair tribunal. That the Metro Council Democratic Caucus would give any credence to this sort of testimony is disturbing.

13. Your Memorandum contains a "recommendation" that the Caucus publicly censure me, and expel me from the Caucus. Your decision to arrive at this conclusion, and then release it to the public and the press before even listening to my side of the story, tells me that your understanding of fairness and procedural due process are significantly different from my understanding of the meaning of those terms.

14. Additionally, your Memorandum indicates that "...Caucus action will be limited to the Wyandotte Park incident," but then goes on to allude to "...other reported incidents of this type of misconduct by Councilman Johnson." Clearly, this means that you have no problem with allowing rumor, unfounded and unproven allegations, and innuendo to be used against me, without affording me any opportunity to know the name of my accuser, face my accuser, cross-examine my accuser, or present evidence on my own behalf. I find it impossible to believe that my colleagues in the Democratic Caucus will agree with you that this is either fair or just.

15. Subsequent to the leaking of your June 21 Memorandum, Councilwoman Green circulated an email around City Hall, containing some remarkable commentary. In the June 23 email chain, she said she was "completely astonished that the confidential investigative report was leaked once again" before she had an opportunity to see its recommendations. She asked Democratic leaders to address the "breaches of confidentiality in an effort to avoid further embarrassment." While I certainly share her astonishment, I suggest you give some serious thought and consideration to the question of who had the motive and opportunity to leak this to the press. Who, of all the actors in this little drama, has the most to gain from exploiting this scandal in the press? Who was most served by this distraction from other pending investigations into ethical lapses by members of the Council? I have avoided discussing this matter in the press, and have directed my attorney to send confidential letters to all participants, demanding that they cease discussing it in the press.

16. The June 23 email chain contains several reasonable responses from Councilmen Barbara Sexton Smith, David James, Cindi Fowler, and Vicki Aubrey Welch; to the effect that they are reserving comment and judgment until all the facts are in. Councilman Pat Mulvihill, on the other hand, indicates that he has somehow obtained a copy of the confidential June 21 Memorandum, and has unilaterally concluded that the report's recommendations are warranted and that he thinks "the punishment fits the crime." To date, Councilman Mulvihill has not attempted to discuss this matter with me; nor has he expressed any interest in hearing my side of the story. I can perhaps be forgiven if I have concerns about Councilman Mulvihill's impartiality.

17. I state again: At no time did I grope or harass Councilwoman Jessica Green. I didn't create this embarrassing mess. I didn't file the complaint. I didn't leak documents and pander to the press. And it was not my quiet efforts to resolve this misunderstanding peacefully and informally that brought public scorn and embarrassment to the Louisville Metro Council. But I will do everything in my power to bring it to an end.

18. I have been a loyal Democrat all my adult life. I have served my constituents in an honorable fashion, to the best of my abilities, since January of 1992. I have always tried to treat my colleagues on the Board of Aldermen, and, later, on the Louisville Metro Council, with respect and decency. In all humility, I have been blessed with the opportunity to provide many services and benefits to the wonderful folks who have honored me with continuous re-election. I have served in this position longer than any other elected official in the City of Louisville. To reach the end of my political career with my character besmirched with such ugly allegations is a pain which is almost unbearable for me.

19. It is my firm conviction that I am innocent of the malicious allegations that have been made against me. I am confident that my innocence would be evident at any fair and reasonable hearing, presided over with substantial due process. I cannot believe that my accusers could prove, by competent evidence, the charges they have made against me; particularly if forced to prove them before an unbiased and disinterested tribunal.

20. Nevertheless, I have decided to place the good of my community and my beloved Democratic Party above my personal desire for justice. This ugly mess has made the entire Democratic Caucus look foolish and undisciplined. Charges, counter-charges, leaks, tears, and armed escorts in City Hall; all reflect poorly upon the lot of us.

21. Rather than put the Democratic Caucus of the Louisville Metro Council through further pain and embarrassment, I am hereby announcing my resignation from the Caucus. I will continue to serve the citizens of Metro Louisville's 21st District, until my current elected term expires. I leave my former colleagues on the Democratic Caucus with my best wishes for their continued success. I harbor no animosity and bear no grudge against any of the individuals involved in this matter, and look forward to working together with all of my Council colleagues in our concerted efforts to address the many challenges facing our wonderful city.

Majority Caucus Resolution - July 13, 2017

Whereas, Councilwoman Jessica Green reported to Caucus leadership that Councilman Dan Johnson reached down, grabbed her right buttock and squeezed it while posing for a photograph at Wyandotte Park on June 7, 2017, and then laughingly told her it was an accident;

Whereas, Councilman Johnson admitted to the touching and a witness to the event described the touching as "awkward" and notable enough to immediately mention it to a co-worker, while not knowing if it was intentional or not;

Whereas, Councilman Johnson responded to a published report about Councilwoman Green's charge by alleging that Councilwoman Green "harrassed" [sic] him too;

Whereas, Councilman Johnson issued an apology to Councilwoman Green;

Whereas, two days after the letter of apology to Councilwoman Green was sent, Councilman Johnson, through his attorney, sent a cease and desist letter to Councilwoman Green, casting extreme doubt on the sincerity of his earlier apology;

Whereas, Councilman Johnson's actions are inconsistent with the standards of conduct to which members of the Metro Council should be held, have brought embarrassment and public scorn upon the Caucus and the Council, and are deserving of public censure and expulsion from the Caucus;

Whereas, the Caucus has followed Caucus rules, heard from witnesses and afforded Councilman Johnson rights due to him under principles of due process and a fair disciplinary process;

Now, therefore, be it;

Resolved, That the Democratic Caucus of the Louisville Metro Council --

- (1) condemns Councilman Johnson's actions at Wyandotte Park, his false allegation that he was harassed and his insincere apology;
- (2) expels Councilman Johnson from the Caucus, Councilman Johnson having tendered his resignation and the Caucus having held an evidentiary hearing in which Councilman Johnson was invited to participate and declined;
- (3) urges Councilman Johnson to resign from Metro Council by August 1, 2017, and not to seek reelection, to avoid a removal action by members of our Caucus, and to allow the Metro Council to continue to address the critical issues facing our community

Approved July 13, 2017



Kentuckiana Law Enforcement

P.O. Box 1111
Prospect, KY 40059-1111
(502) 767-0000 or (502) 773-3966

Prospect, KY 40059-1111

Invoice

Date	Invoice #
6-29-2017	12018

Bill To
Angela Leet A. Leet Company [REDACTED] Louisville, KY [REDACTED]

P.O. No.	Terms	Job/Project
	Net 15	Escort

Quantity	Description	Rate	Amount
5	Off-Duty Police for Security Escort during Meetings: 6/22/17: various locations - also 601 W. Jefferson: 1400-1900	50.00	250.00

pd by Check [REDACTED]
on 7/3/17

Thank you for choosing KLE! We are here when you need us, and available 24 7!!!

Total **\$250.00**

Steve Thomas

239 South Fifth Street, Suite 1022
Louisville, KY 40202
Phone (502) 409-3675
[Fax Number]

INVOICE

INVOICE #101
DATE: 6/20/2017

TO:

Angela Leet



DESCRIPTION	AMOUNT
Security Services	\$300.00
TOTAL	\$300.00

Make all checks payable to Steve Thomas

THANK YOU FOR YOUR BUSINESS!

Hinson, Erin

From: Leet, Angela
Sent: Wednesday, June 28, 2017 11:35 AM
To: Yates, David
Subject: Per our conversation last night...

David –

Thank you for taking the time to discuss some of the concerns I have regarding recent events at City Hall. This is to serve as a reminder for you to discuss or coordinate with the Jefferson County Attorney's office about what steps, you as President, can take to ensure not only Erin's safety in the building but everyone's safety until this matter with Councilman Johnson is resolved.

I am asking specifically that Councilman Johnson not be allowed on the second floor at any time and that I receive prior notice as to when Councilman Johnson expects to be in the building so that, if necessary, Erin can make arrangements to work from a District office or be prepared to stay on the 2nd floor.

Councilman Johnson does serve as Vice Chair of Community Affairs, Housing, Health and Education and per the JCAO yesterday you do have the authority to remove him from that seat and Councilman Hollander has the authority to remove him from all committees he is assigned to until some resolution is reached so he would have little need to be in the building.

Please let me know if you have any questions.

Thanks,
Angela

TO: Councilman Dan Johnson
FROM: Caucus Personnel Committee
DATE: June 20, 2014
RE: Report of Recommendations

As you are aware, Councilman James submitted a complaint on Thursday, June 19, 2014 regarding the conduct of your Legislative Aide, Bryan Mathews, in regards to Tweets and Facebook comments he made toward Councilman James beginning on May 29, 2014.

Per our Caucus Rules under *Separation from the Caucus*, charges of alleged violations should be filed in writing with a preliminary investigation conducted by the Caucus Leadership. If the member in question is a member of Caucus Leadership, the preliminary investigation will be conducted by the Personnel Committee. Given your role in leadership, members of the Majority Caucus Personnel Committee (Councilwoman Welch, Councilwoman Shanklin, Councilwoman Scott, Councilwoman Flood and President King) were convened on Thursday, June 19, 2014 after the Council meeting where they conducted a preliminary investigation of alleged violations by Councilman James.

After careful consideration from the Personnel Committee, it was determined that the complaint against your Legislative Aide, Bryan Mathews, was valid. The evidence presented from the Facebook and Twitter posts could be perceived as an attempt to bring embarrassment and public scorn upon Councilman James as described in our Caucus Rules under *Separation from the Caucus*, Section three, Item (i).

The Personnel Committee recommends, under *Separation from the Caucus*, Section eight; you (Councilman Johnson) present an action plan to the committee on how you plan to address the behavior of your Legislative Aide, Bryan Mathews, going forward. Specifically, the action plan should clearly state he (Mr. Mathews) shall not use social media of any kind to attack or malign a Council Member for any reason.

The Caucus Rules provide under *Separation from the Caucus*, Section nine; that after receiving the recommendations you shall be given a fourteen-day time period (by July 6, 2014) to determine if internal corrective action is warranted. Depending on the severity and substantiality of the specific charge, disciplinary actions may include: a verbal warning, written warning, suspension and/or termination of the staff member in question. A written report describing any corrective action you will be taking or not taking shall be sent to the Personnel Committee by the end of the fourteen-day period (July 6, 2014). If no action is taken within the fourteen-day period (July 6, 2014) or Mr. Mathews fails to discontinue the action in question, the Personnel Committee shall continue the disciplinary process with the Caucus as a whole.

Thank you for your prompt attention to this matter.

Cc: Bryan Mathews, Legislative Aide
Caucus Personnel Committee

TO: Councilman David James
FROM: Caucus Personnel Committee
DATE: June 24, 2014
RE: Report of Recommendations

As you are aware, Councilman Johnson submitted a complaint on Thursday, June 19, 2014 regarding your conduct in six separate issues beginning on January 6 through June 13, 2014.

Per our Caucus Rules under *Separation from the Caucus*, charges of alleged violations should be filed in writing with a preliminary investigation conducted by the Caucus Leadership. If the member in question is a member of Caucus Leadership, the preliminary investigation will be conducted by the Personnel Committee. Given Councilman Johnson's role in leadership, members of the Majority Caucus Personnel Committee (Councilwoman Welch, Councilwoman Shanklin, Councilwoman Scott, Councilwoman Flood and President King) were convened on Thursday, June 19, 2014 after the Council meeting where they conducted a preliminary investigation of alleged violations by Councilman Johnson.

After careful consideration from the Personnel Committee, it was determined that the complaint against you, was not valid. The evidence presented was not perceived as an attempt to bring embarrassment and public scorn upon the Caucus as described in our Caucus Rules under *Separation from the Caucus*, Section three, Item (i).

Therefore, the Personnel Committee recommends no further action is warranted.

Cc: Councilman Dan Johnson
Caucus Personnel Committee

Hinson, Erin

From: Hinson, Erin
Sent: Wednesday, June 28, 2017 10:37 AM
To: Leet, Angela
Cc: Haag, Steve; sthomas@kysiu.com
Subject: Incident with CM Johnson

Angela --

Given the fact that the Metro Council is on recesses for 2 weeks I didn't anticipate having to deal with Councilman Johnson in the building. Thus the reason for my comment last Friday when we spoke that additional security was not needed; however, when coming back from lunch yesterday I had to sit in my car for an additional 10 minutes as Councilman Johnson pulled into the parking lot and I wanted to give him ample time to get to his office before coming into the building.

I know that you and I spoke about this when it happened but in light of the yesterday's situation I feel it necessary to document what happened on Tuesday, June 20. Immediately after the Budget Committee concluded its meeting (approximately 6:45PM) I and Steve Thomas from KYS.I.U made our way up to chambers to escort you back to the office. As we got off the elevator Councilman Johnson and Councilman Hollander were having a conversation and standing in a way that we could not get through to the council chambers without having to walk right between them and within a proximity to CM Johnson that I was very uncomfortable with. Recognizing this Steve suggested that we wait by Sophia's desk until Councilman Johnson decided where he was going to go.

Once he concluded his conversation with CM Hollander, Dan approached Sophia's Desk and faced Steve and I. He just stood there staring at me and made several attempts to step closer to me. Thankfully Steve was there and when he asked Dan what he needed, Dan told Steve to get on the elevator and when Steve refused Dan became visibly frustrated and stood there a moment longer staring at me before turning around and walking down the stairwell.

Given that this was the same day I received his threat of legal action one has to jump to some conclusions that at best Dan is again unaware of proper decorum, personal space and common sense, but at worst he thinks this is a game in which he can just stand around staring at me in what one can only conclude is an attempt to intimidate me or cause some kind of scene that he can then attempt to pursue with legal action.

I am thankful that Steve was there and he later made the comment that it was very apparent that Dan either wanted to talk to me or stand with in as close a proximity to me as possible. After Dan walked away I turned around to see who was also standing in the hall way and I remember seeing Sarah Martin, Matt Golden and Sonya Howard from the County Attorney's office and Matt did ask me if I was ok, although I am unsure that they saw the entire exchange they just saw that Dan was obviously too close. The Budget Committee had just concluded and so the public side of the 3rd floor hall way was crowded and I can't remember specifically who was where.

I am just overwhelmed by all of this and, for me, this is absolutely the definition of a hostile work environment. Not being able to move freely throughout City Hall for fear that Dan's presence is going to create an uncomfortable or dangerous situation is not something that anyone should have to deal with. I appreciate more than you will ever know that you hired KYS.I.U that day and that Steve was there, but moving forward I don't know what to do and certainly hiring private security for the next 18 months isn't feasible.

Thanks,
Erin

Hinson, Erin

From: Hinson, Erin
Sent: Wednesday, July 12, 2017 11:39 PM
To: Leet, Angela
Subject: Update

Angela,

It became obvious today, prior to CM Johnson's interview with Terry Meiners, that CM Johnson has no intentions of complying with the request that he notify President Yates' office prior to coming to City Hall. His car was in the parking lot this afternoon and I had no idea he was even in the building. I was also told that he arrived at city Hall just 15 minutes prior to the start of the Harassment Work Group meeting on Monday, again with no notice given.

When this all started 20 days ago I had no idea what to expect. I could never have imagined the emotional toll that it would have on me to come forward and speak publicly about what happened. I have found it difficult to reconcile in my mind doing the right thing versus the anxiety it has caused. My name being in the newspaper nearly every day, on tv, on the radio. It's seemingly everywhere and it has started taken an emotional toll on me. I lay awake at night thinking about what will happen if CM Johnson is allowed to stay for the remainder of his term or what will happen if we have to go through removal proceedings. I sit in my car for 5-10 minutes every morning when I arrive at city hall trying to calm my anxiousness about what today's story will be.

But I think even with all the media attention and the Dan encounters or the potential of Dan encounters, the thing that is taking the biggest emotional toll at the moment is the limbo I feel stuck in. I just want to move on and I feel like I can't because I don't know what's going to happen. Either I need to begin preparing emotionally that he's staying for the next 18 months or I need to emotionally prepare for what it's going to look like to go through a removal hearing.

I told the truth and I will never regret doing the right thing, but I am growing weary of the constant news stories. CM Johnson's bizarre and ongoing conversations with the media and the conversations that are overheard in the hallways at City Hall. I have at least come to terms with the fact that things will never be as they once were, but I just need some resolution. For my mental health I need for this to be resolved. I can't continue to be nervous about riding the elevator by myself for fear the doors will open and he's going to be standing there. It's awkward. It's uncomfortable. It's emotionally taxing and it's just sad that you and CW Green seem to be the only ones seeking real resolution.

Thanks.
Erin

Dan Johnson accused of inappropriately touching fellow Metro Council member



Phillip M. Bailey, @phillipmbailey

Published 2:25 p.m. ET June 9, 2017 | Updated 6:02 p.m. ET June 9, 2017



Democrat Dan Johnson is facing accusations he inappropriately touched fellow Metro Council member Jessica Green during a recent community event.

Green said she notified council leadership about an incident, which multiple sources said involved Johnson allegedly squeezing her buttocks.

In a statement Friday, Green did not go into detail about what happened but said she had hoped to keep the matter private.

"Women historically have had to endure sexual harassment in the workplace," she said. "This cannot be tolerated anywhere, much less in Metro government."

President David Yates said in a statement the letter from Green alleges misconduct against Johnson. He said he has forwarded the complaint to the city's Human Resources Department.

"I have spoken to each party and have expressed my deepest concern," Yates said. "Although I have no tolerance for any form of harassment, the (Jefferson) County Attorney's Office has advised that (my office) does not have authority over the matter."

Johnson told the Courier-Journal on Friday that he accidentally touched Green's backside while a group photo was being taken celebrating an announcement about [refurbished basketball courts](#) ([/story/news/local/communities/2017/06/07/bryson-tiller-fans-and-basketball-lovers-flock-see-new-wyandotte-park-basketball-courts/377167001/](#)) at Wyandotte Park.

Related: [GLI bans Councilman Dan Johnson from events](#) ([/story/news/politics/metro-government/2016/10/19/gli-bans-councilman-dan-johnson-events/92404490/](#))

"I believe it is totally ridiculous," Johnson said. "It was completely not on purpose ... it was just an accident."

Green, who is an attorney, said as a woman she knows the difference between (accidental) and intentional touching. "The incident in question happened in a public place and was not accidental," she said.

Johnson said he apologized. He also posted on Facebook an explanation Friday afternoon that criticized Green, saying "she has made it public!"

Councilwoman Cheri Bryant Hamilton said she confronted Johnson during Thursday's council meeting about the incident, which she described as "disturbing."

"He played innocent, so I don't know," Hamilton said. "It's not the way Councilwoman Green described it. If he did it in jest or fun, it is totally inappropriate, and I was calling him out on it."

Bill Hollander, chairman of the 17-member Democratic caucus, who Green said was also informed about the incident, said he's consulted with the county attorney's office on what actions he can take.

"The allegation is, of course, very concerning," Hollander said.

This incident comes eight months after [Johnson was banned from attending events held by Greater Louisville Inc.](#) ([/story/news/politics/metro-government/2016/10/19/gli-bans-councilman-dan-johnson-events/92404490/](#)) over remarks made to a female staff member during a chamber of commerce trip to Austin, Texas. Johnson denied harassing any GLI employee, but he apologized in an October statement if he came off as offensive.

In a June 7 Facebook post, however, Johnson told a constituent he was banned from GLI due to a "bar issue, and I was supporting Hillary (Clinton) and they were not." Asked what evidence the ban was politically motivated, Johnson said GLI is run by Republicans.

GLI spokeswoman Alison Brotzge-Elder said the ban on Johnson remains in effect, and that it isn't due to his support of Clinton in the 2016 presidential race.

"It was not over political preference," Brotzge-Elder said. "GLI does not endorse political candidates."

She said GLI stands by its original statement from October that it will not identify the staffer to protect her privacy.

Johnson's district covers parts of the Beechmont, Iroquois and other southern Louisville neighborhoods. He was first elected as a member of the old Board of Aldermen in 1992 and later as a charter member of Metro Council in 2002.

He took to Facebook on June 7 saying, "I have had my problems and successes but the time has come to hear from you as other people are considering District 21 next year, do you want me to stay or go?"

Among those numerous controversies over the years are a 2012 accusation by Yates that Johnson tried to purchase the Colonial Gardens (<http://wfpj.org/johnson-accused-trying-buy-colonial-gardens-city-funds-economic-study/>) property and profit from its redevelopment. Johnson declined to say at the time if he made an offer to buy the historic site. In 2014, he was sued on two separate occasions (</story/news/politics/metro-government/2014/08/12/second-businessman-sues-councilman-debt/13983769/>) for writing bad checks to pay off personal loans. Those suits were later settled out of court.

Johnson also had written two bad checks in an attempt to pay an overdue bill on his city-issued cell phone but eventually paid the city back.

In another incident, Johnson accused former (</story/news/local/2015/05/28/johnson-claims-council-president-threatened/28070371/>) council (</story/news/local/2015/05/28/johnson-claims-council-president-threatened/28070371/>) president David Tandy (</story/news/local/2015/05/28/johnson-claims-council-president-threatened/28070371/>) of threatening to assault him over additional security at City Hall. Johnson never filed a police report against Tandy and later said it was a misunderstanding.

Johnson said after winning re-election in 2014 that he would not run again, but in a June 8 tweet directed at a reporter, he said his informal poll on social media showed "a majority want me to run again for my council seat."

Reporter Phillip M. Bailey can be reached at 502-582-4475 or pbailey@courier-journal.com.

October 21, 2017
[Insiders Login](#)

Councilman Dan Johnson resigns from Democratic caucus, says he will remain in council seat

By **JOE SONKA** | June 29, 2017 3:56 pm

A defiant Councilman Dan Johnson stated at a press conference Thursday that he would resign from the Democratic caucus, but would not resign from his seat on Metro Council. He said he did nothing wrong despite **recent allegations** that he squeezed the buttocks of Councilwoman Jessica Green, D-1, and bared his buttocks to the legislative aide of Councilwoman Angela Leet, R-7.

Reading a prepared statement, Johnson — who has been a member of the Democratic caucus since first becoming an alderman in 1992 — said that he felt

betrayed by members of his party within Metro Council. Last week, the leadership of the Democratic caucus submitted their recommended discipline for Johnson after two weeks of investigating Green's accusation, giving Johnson two weeks to



Councilman Dan Johnson reading a prepared statement at his press conference on Thursday | Photo by Joe Sonka

respond before such discipline was made public and the caucus could vote on any action they would take.

However, shortly afterward, a copy of the investigation was **leaked to The Courier-Journal**, which reported that caucus chair Bill Hollander and vice chair Cheri Bryant Hamilton recommended that Johnson be censured for his behavior after the initial incident and kicked out of the caucus.

“In the quarter of a century that I have held public office I never would have imagined that the Metro Council Democratic Caucus that I have loved and supported would treat one of their own with such disdain and strip away the most basic due process, innocent until proven guilty.” said Johnson, not looking up from his prepared statement. “While I will always continue to be a member of the Democratic Party, I can no longer continue to be a member of a Democratic Caucus that would disregard and abandon the Democratic values of truth and justice so comfortably.”

Two weeks ago, Johnson sent **letters of apology** to Green and the legislative aide of Leet, while the Democratic caucus released a statement saying that Johnson had agreed not to seek re-election next year and would seek counseling. However, that same day Johnson’s attorney, Thomas McAdam, sent **cease and desist letters** to both of the alleged victims, and last week four attendees of the Beechmont Neighborhood Association said that Johnson called all of the recent allegations against him “**bullshit**.”

Johnson again maintained at the press conference Thursday that his contact with Green was accidental due to him being crowded, and he said he did not recall the alleged incident in which he dropped his pants in front of Leet’s legislative aide in the parking lot outside of city hall. He and his attorney were angry that the recommendation of caucus leadership was leaked to the media before he could craft his own response.

Within the memorandum delivered to Johnson last week by Democratic caucus leadership — which Johnson’s aide handed out to reporters before his remarks — there was one eyewitness to the Green incident besides herself and Johnson, who said he thought the contact was accidental. However, the recommendations of the report went on to detail and criticize Johnson’s behavior after that incident, in which he tweeted that Green was harassing him and had his attorney issue a cease and desist order against her.

Also speaking at the press conference, Johnson's attorney McAdam described what his client had been

Thomas McAdam, the attorney of Dan Johnson, sparring with reporter Phillip Bailey of The Courier-Journal | Photo by Joe Sonka

subjected to as a "lynching," saying that Green's claim was false and that Democrats had essentially convicted Johnson without affording him the right to defend himself. He also stated that he would not answer any questions from Courier-Journal reporter Phillip Bailey, as he previously threatened legal action against the newspaper for its coverage of Johnson, adding that he did not recognize Bailey wearing clothes or without a gun — only explaining that bizarre statement by saying "I've seen a picture of you with your pistol."

Asked by IL what type of counseling Johnson was seeking, McAdam said: "I don't know anything about that. What do you mean?" Reminded of the statement issued by the caucus that Johnson would seek counseling, he replied "I'm his counselor."

"He was told that if he would apologize and agree to go to counseling, all of this would go away," said McAdam. "That was a trap! He apologized for something that he didn't do. If you've ever been married, you know what it means to apologize for something you didn't do."

Johnson's legislative aide, Bryan Mathews, answered that the person who told him it would all go away if he apologized and agreed to counseling was "caucus leadership," which is Hollander and Hamilton.

After the press conference, Hollander and Hamilton issued a joint statement saying that Democratic caucus leadership followed all of its rules and afforded Johnson the due process that was required.

"Pursuant to our rules, Councilman Johnson's opportunity to testify himself, to call witnesses and to examine witnesses would occur at the full Caucus meeting we scheduled for July 13," read the statement. "Councilman Johnson was informed of that fact in writing last week. We followed our rules and afforded Councilman Johnson the due process the rules contemplated."

Hollander and Bryant rebutted the claim of Johnson's attorney that caucus leadership told him the matter would "go away" if he agreed to seek counseling and not run for reelection, stating "at no point did either I or Vice Chair Bryant Hamilton tell Councilman Johnson that any of his voluntary actions would end our

investigation or prevent further Caucus or Council actions. That statement is absolutely false and part of a disturbing pattern.”

Their statement concluded: “Our Caucus can now move forward, without Councilman Johnson.”

Thursday morning, the Louisville Democratic Party released a statement that was approved by each of its legislative districts, approving of the action initiated by caucus leadership to censure Johnson and kick him out of the council’s Democratic caucus.

“The Louisville Democratic Party is embarrassed by and will not tolerate Metro Council Representative Daniel Johnson’s continuing misconduct.” read the statement. “We aspire to live our values and no one should be subjected to the behavior reported by Metro Council Representative Jessica Green and Legislative Assistant Erin Hinson. We strongly support and endorse the recommendations of the Democratic Caucus Leaders Cheri Bryant Hamilton and Bill Hollander, including censure and expulsion from the Democratic Caucus. We thank Councilwoman Green and Ms. Hinson for coming forward and speaking out.”

Video by Peter Champelli

Councilman Dan Johnson and attorney discuss caucus resignat...




Johnson has **repeatedly been involved in controversy** over the past several years, including being banished from future GLI events because of allegedly being intoxicated and repeatedly harassing a female staffer on a GLI-sponsored trip to Austin, Texas. Several council members have said that Johnson also became

intoxicated on a council trip to Frankfort last year and vomited on their bus on the way back. Johnson also ran into trouble in 2014 with bounced checks for his city-funded cellphone and to Action Loan owner Gus Goldsmith.

Below is a copy of the recommendations for Johnson issued by the leadership of the Democratic caucus, and the letter sent by Johnson to the leadership Thursday, announcing his resignation from that group.

Democratic caucus report on Dan Johnson allegation by **insiderlouisville** on Scribd

MEMORANDUM

To: Louisville Metro Council Democratic Caucus
Chair Bill Hollander and Vice Chair Cheri Bryant Hamilton
From: Councilman Dan Johnson 
Date: June 29, 2017

1. This Memorandum is in reply to your of June 21, 2017, in which you request a response from me, within fourteen days, "... to determine if internal corrective action is warranted." You indicate that you would withhold delivering your Memorandum to the Caucus as a whole, until the period allowed for my response had expired. Indeed, your Memorandum is clearly marked "Confidential," and I was therefore led to believe that the Caucus would proceed in an ethical and honorable approach to investigate the facts in this matter.
2. You can therefore understand my dismay at learning that copies of your June 21 Memorandum have been widely circulated around City Hall, and that a copy was provided to a local newspaper reporter even before I received my copy. The untrue allegations made against me have been spread around our community by a series of rumors, leaks, and anonymous communications to the press. Naturally, a person's first response to such a back-door campaign of lies and innuendo is to ignore it, and trust that people of good will are able to see this attack for what it is: A political lynching and effort to destroy the good reputation of an elected official who has faithfully served his community for over a quarter century.
3. A great many of my friends and supporters have suggested to me that I simply continue to ignore this whole affair. They have told me that the Democratic Caucus members have already made up their collective minds that I should be considered guilty as alleged, and should therefore be expelled from the Caucus. They suggest that I should not expect any degree of fairness from the Caucus, and that any sort of hearing they might conduct would be nothing but a farce.
4. But my 26 years of experience with my colleagues on the Democratic Caucus lead me to the opposite conclusion. I have worked alongside these Council members, and have developed strong bonds of friendship with many of them. More importantly, I have gained a great deal of respect for the integrity and reasonableness of my fellow Metro Council members. If presented with clear evidence, I cannot believe that they would allow personal bias or political intimidation to keep them from fairly judging the scandalous allegations that have been made against me. If this faith in the honor of my colleagues is misplaced, then I have wasted the last 25 years of building relationships.

Dan Johnson's letter resigning from the Democratic caucus by **insiderlouisville** on Scribd



Louisville Metro Council

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To: Chair Bill Hollander and Vice Chair Cheri Bryant Hamilton
Louisville Metro Council Democratic Caucus

From: Councilman Dan Johnson

Date: June 29, 2017

Chair Bill Hollander and Vice Chair Cheri Bryant Hamilton,

I have been a member of the Democratic Caucus of the Louisville Board of Alderman and the Louisville Metro Council since 1992. I have supported the values and ideals of the Democratic Party for my entire adult life because I believe in a country that is strong and free. I have to the best of my ability embodied the principles of the Democratic Party and will continue for the rest of my life.

In the quarter of a century that I have held public office I never would have imagined that the Metro Council Democratic Caucus that I have loved and supported would treat one of our own with such disdain and strip away the most basic due process, innocent until proven guilty. While I will always continue to be a member of the Democratic Party, I can no longer continue to be a member of a Democratic Caucus that would disregard and abandon the Democratic values of truth and justice so comfortably.

I will continue to work alongside my many Democratic Caucus colleagues and my Republican Caucus colleagues and continue building the progress to better our city. I will continue to share in the hopes and dreams of my constituents as a Democrat, however I hereby resign from the Louisville Metro Council Democratic Caucus effective immediately.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Johnson", written over a horizontal line.

This story may be updated.

Defiant Dan Johnson quits Democratic caucus, won't give up Metro Council seat

Phillip M. Bailey, @phillipmbailey

Published 10:30 a.m. ET June 29, 2017 | Updated 6:49 p.m. ET June 29, 2017



(Photo: By Michael Clevenger, C-J)

In a surreal press conference, embattled Metro Council member Dan Johnson announced Thursday that he is leaving its Democratic caucus but would not resign his council seat.

Johnson and his attorney, Thomas McAdam, also lashed out at Democratic leaders and the councilman's accusers, who allege sexual harassment and other inappropriate behavior by him.

"In the quarter of a century that I have held public office, I never would have imagined that the Metro Council Democratic Caucus that I have loved and supported would treat one of our own with such disdain and strip away the most basic due process: innocent until proven guilty," Johnson said.

Johnson, a longtime councilman who represents parts of southern Louisville, was accused by Councilwoman Jessica Green of squeezing her buttocks during a group photo this month. On Thursday, he reiterated an earlier statement that the incident was an accident but added that Green was "crowding" him during the community event.

He also was accused by City Hall aide Erin Hinson of exposing his butt to her in a parking lot last year when his pants dropped. A staff member for Greater Louisville Inc., the city's chamber of commerce, also alleged that he made inappropriate comments on a business trip. GLI, which has barred Johnson from all of its events, and the staffer's name has never been disclosed.

Johnson said he doesn't know Hinson, who works for Republican Councilwoman Angela Leet. He said during the press conference — and insisted in an interview with the Courier-Journal afterward — that he didn't remember his pants falling to the ground in front of Hinson.

"I don't wear suspenders," Johnson told the Courier-Journal. "I have a thin waist, and my belt is never tight enough to hold my pants up."

More: [Councilman Dan Johnson should be removed, prominent women say \(/story/news/politics/metro-government/2017/06/15/councilman-dan-johnson-should-removed-prominent-women-say/399181001/\)](#)

More: [Top Democrats want Dan Johnson kicked out, investigation shows \(/story/news/politics/metro-government/2017/06/23/louisville-democratic-leaders-call-dan-johnsons-censure-and-expulsion-caucus/422798001/\)](#)

More: [Councilwoman Jessica Green says Councilman Dan Johnson laughed about groping her \(/story/news/politics/metro-government/2017/06/12/councilwoman-jessica-green-appalled-dan-johnsons-twitter-rant-accusing-her-harassment-victim-blaming/388944001/\)](#)

More: [Jessica Green urges Dems to release findings of Dan Johnson investigation \(/story/news/politics/metro-government/2017/06/22/louisville-democrats-finish-dan-johnson-investigation-but-jessica-green-wants-findings-released-now/415583001/\)](#)

Johnson's decision to leave the 17-member caucus follows a nearly monthlong scandal that has forced Metro Council to address its lack of sexual harassment rules.

This week about 100 Louisville leaders — attorneys, civil rights leaders and elected officials — demanded in a petition that Mayor Greg Fischer and Metro Council President David Yates temporarily remove Johnson from his seat following the sexual harassment allegations.

Meanwhile, the Louisville Democratic Party issued a statement Thursday that said it was embarrassed by Johnson's actions and that it would not tolerate what it called "continuing misconduct."

But at Thursday's press conference, McAdam — who was wearing a tie that featured Pepé Le Pew, the cartoon skunk who was always mistakenly chasing a female cat — criticized the bipartisan efforts to craft the sexual harassment rules for council members and City Hall employees.

He said measures being discussed are not American because they would allow individuals to lodge their complaints anonymously.



Attorney Thomas McAdams, who represents Metro Councilman Dan Johnson, speaks during a press conference where Johnson announced that he has decided to leave the Metro Council Democratic Caucus immediately. Johnson, who has stated that he will not seek re-election, will stay on the council through the end of his term. June 29, 2017 (Photo: By Michael Clevenger, C-J)

"This is a political lynching, this is a mob, are you all proud of being members of the mob," McAdam said.

McAdam blasted council Democratic leaders, claiming they leaked a report about their investigation of Green's allegations against Johnson, depriving his client of his right to due process.

The report, obtained by the Courier-Journal, recommended that Johnson be publicly condemned and kicked out of the Democratic caucus.

"It's circulated all around City Hall, does anybody think that's fair?" McAdam asked. "Do you think it's fair to try this case in the newspaper — there have been a dozen articles about this stupid thing."

"He was told that if he would apologize and agree to go to counseling, all of this would go away," McAdam added. "That was a trap."

More: [Dan Johnson is angry about leaks. At least that's what a leaked email tells us \(/story/news/local/2017/06/26/dan-johnson-angry-leaks-least-thats-what-leaked-email-tells-us/419072001/\)](#)

More: [Louisville Metro Councilman Dan Johnson exposed his buttocks in parking lot. City Hall aide says \(/story/news/politics/metro-government/2017/06/13/councilman-dan-johnson-exposed-his-buttocks-parking-lot-city-hall-aide-says/391893001/\)](#)

More: [Nearly 100 Louisville leaders call for Dan Johnson's suspension from Metro Council \(/story/news/politics/metro-government/2017/06/27/metro-councils-sexual-harassment-work-group-meet-tuesday-amid-dan-johnson-scandal/429268001/\)](#)

More: [Shut up or face lawsuit. Councilman Dan Johnson tells his accusers \(/story/news/local/2017/06/20/louisville-councilman-dan-johnson-threatens-legal-action-sexual-harassment-jessica-green/412579001/\)](#)

Democratic leaders Bill Hollander and Cheri Bryant Hamilton, who conducted the investigation, denied that assertion in a statement later Thursday. They said they never told Johnson that any of his voluntary actions, which included seeking counseling, would end their investigation or prevent further disciplinary action.

"That statement is absolutely false and part of a disturbing pattern," they said. "Our caucus can now move forward, without Councilman Johnson."



Metro Councilman Dan Johnson leaves a press conference where he announced that he has decided to leave the Metro Council Democratic Caucus immediately. Johnson, who has stated that he will not seek re-election, will stay on the council through the end of his term, June 29, 2017 (Photo: By Michael Clevenger, C~J)

McAdam has sent a pair of cease-and-desist letters threatening Green and Hinson with legal action. He also has demanded the Courier-Journal retract and delete at least three stories about the allegations or face a libel suit. Executive Editor Joel Christopher called the demand "laughable."

McAdam said it's up to Johnson on whether to pursue legal action through the courts.

More: [Dan Johnson's got to go | Editorial \(/story/opinion/editorials/2017/06/29/dan-johnsons-got-go-editorial/436371001/\)](#)

More: [Drop your trousers, drop your title: Dan Johnson should resign | Joseph Gerth \(/story/news/local/joseph-gerth/2017/06/16/councilman-dan-johnson-should-step-aside-following-embarrassing-display-joseph-gerth/398976001/\)](#)

By leaving the Democratic caucus, Johnson will be deprived of using the group's resources, including research and strategic and communications services. But he will remain a voting member of the council and its committees until his term ends in January 2019.

Democratic spokesman Tony Hyatt said no member has ever quit the caucus in the more than a decade he's worked at City Hall.

Under state law, either the mayor or five council members can file charges that could lead to the convening of a council court that would deliberate Johnson's removal.

Hyatt said the council president's office has not received any charges along those lines. "But, again, remember we're on a two-week break right now," he said.

Leet said in a statement Thursday she intends to "pursue all remedies" against Johnson to "ensure a safe workplace" at City Hall.

"I intend to stand up for women and other marginalized members of our society," she said.

Asked if he's worried about Fischer or council members seeking his removal, Johnson said, "I think that's fine if they want to."

Reporters Sheldon Shafer and Darcy Costello contributed to this report. Contact Shafer at 502-582-7089 or sshafer@courier-journal.com, and Costello at 502-582-4834 or dcostello@gannett.com. Phillip M. Bailey can be reached at 502-582-4475 or pbailey@courier-journal.com.



Louisville councilman defends aide accused of using 'N-word'

June 29, 2014

Louisville, KY (WAVE) - A Louisville Metro councilman defended the hiring of a personal friend who's accused of repeatedly using a racial slur at his previous job.

Councilman Dan Johnson hired Bryan Mathews as a legislative assistant within the past month. Mathews is also the elected Jefferson County judge executive, raising questions about whether he can legally hold both positions at once.

But the issue creating tension among Metro Council Democrats is the allegation that Mathews used the "N-word" while he was the executive director at The Kling Center, an Old Louisville nonprofit that provides free meals to impoverished senior citizens.

"I don't want to sound bitter but I'm very angry with what happened here," said Steve Gahafer, the organization's executive director.

Gahafer said the board voted 6-2 to remove Mathews in January, alleging that he repeatedly used the "N-word" and wasn't securing grants for the nonprofit center.

"His last words to me were, 'I guess you let the ghetto win,'" Gahafer said. "We serve poor people -- we don't care what color they are."

Mathews called the allegation "a ridiculous and malicious lie" before declining to comment further and hanging up the phone on WAVE 3 News.

Johnson admitted that Mathews had been a personal friend for years, but said he hired Mathews for his skills as a manager.

Johnson said Mathews never used the "N-word" and accused The Kling Center's directors of lying about the issue.

"The Kling Center threw him out at a certain councilman's demand," Johnson said, refusing to say which councilman he was referring to. "That councilman was worried someone was going to run against him who worked there at that place. That's why he got him fired. It had nothing to do with a racial slur."

Gahafer, at The Kling Center, didn't back down from his allegations.

"It's not a lie," Gahafer said. "He (Mathews) did it. He admitted it."

Johnson refused to provide a letter sent from the Jefferson County Attorney's office about whether Mathews could hold both his judge executive and legislative aide positions at once.

Johnson had asked for a legal opinion shortly before he hired Mathews, said Bill Patteson, a spokesman for County Attorney Mike O'Connell.

Patteson declined to provide the county attorney's response, citing attorney-client privilege. Johnson also cited privilege as the reason for not making the letter public, even though he has the right to disclose that information, Patteson said.

Johnson has asked the Commonwealth's Attorney for a second opinion on the matter.

"Once the Commonwealth's Attorney has made a decision, that's what we'll go on," Johnson said. "(Mathews) doesn't have an office that's paid as county judge (executive), he just works for me. And I think the Commonwealth's Attorney will see it that way."

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Councilman Dan Johnson 'no longer welcome' at future GLI events due to alleged behavior during Austin trip

By **JOE SONKA** | October 19, 2016 3:10 pm

*Story updated at 6 p.m.
with additional
comments.*

Greater Louisville Inc. has banned Metro Councilman Dan Johnson, D-21, from all future events, which sources tell IL is due to alleged unprofessional behavior during a GLI-sponsored trip to Austin, Texas last month.



(Metrolouisville.com) Councilman Dan Johnson

GLI spokeswoman Alison Brotzge-Elder declined to reveal Johnson's specific behavior that led to the ban, though she told IL "it's a private matter that we've fully dealt with through internal channels, and Dan Johnson is no longer welcome at GLI events."

Asked for the councilman's response to the ban, Democratic caucus spokesman Tony Hyatt sent IL a statement from Johnson saying "I have not talked to GLI about any situation involving their organization, so there is nothing to comment on."

However, several sources close to the matter tell IL that Johnson was banned from future chamber of commerce events due to unprofessional behavior exhibited during the **GLI-sponsored trip to Austin** in September. These sources say Johnson allegedly became intoxicated and repeatedly harassed a young female GLI staffer.

Several other council members tell IL that Johnson also behaved unprofessionally earlier this year on a trip to Frankfort, during which council members rented a bus to travel to the Capitol while the General Assembly was in session. The council members — who represent both political parties — allege Johnson became intoxicated while in Frankfort and vomited on the bus on the way back.

Neither Johnson nor council president David Yates immediately responded to questions sent by IL to Hyatt asking to confirm both alleged incidents.

WHAS first reported the GLI ban on Tuesday night, and several council members told **The Courier-Journal** Wednesday that Yates has been informed of why Johnson was banned and should share that information with them.

Johnson has served on Metro Council and the previous Board of Alderman for over two decades, representing several south Louisville neighborhoods including Iroquois, Beechmont and Kenwood; he has two years left in his current term. He ran for state House this year and was handily defeated in the Democratic primary by his opponent McKenzie Cantrell, but he also has expressed interest in running for mayor of Louisville in 2018.

On Wednesday evening, Johnson, Yates and Greater Louisville Inc. each released additional comments in response to media reports on Johnson being banned from future GLI events.

"It is certainly not in my character to be offensive, so I do apologize if I came across that way in Austin," said Johnson in his statement. "GLI has not

contacted me personally about any incident during the Austin trip. At the time, (I) was not aware that my words were offensive to anyone. I wish someone had brought this to my attention a month ago so I could have apologized. I will honor GLI's request so now that this has been settled, it's time for all of us to move forward."

Councilman Yates said in his statement that he was contacted by a GLI employee a few weeks ago and told that "an individual was offended by a statement or statements that Councilman Johnson made one evening in a social setting in Austin," but he also was informed that this individual "did not want their name nor the issue made public."

"Although as President of the Louisville Metro Council I do not have the authority to restrict or dictate Councilman Johnson's private conduct or activities, I agreed to convey to Councilman Johnson that he was no longer welcome at GLI events," stated Yates. "Although Councilman Johnson maintained that he did not believe that his words warranted such action he agreed to avoid any and all future GLI functions. Neither GLI nor the individual has requested any further action from myself or the Metro Council, but has adamantly requested that this issue remain private."

GLI spokeswoman Brotzge-Elder restated that Johnson is no longer welcome at GLI events, as "inappropriate or unprofessional behavior and comments are never welcome at GLI events. Protecting and respecting our staff's privacy has been our main concern. GLI took strong and appropriate action when we learned of this specific incident and consider the matter closed as it relates to our organization."

GLI bans Councilman Dan Johnson from events

Phillip M. Bailey, @phillipmbailey

Published 12:01 p.m. ET Oct. 19, 2016 | Updated 6:19 p.m. ET Oct. 19, 2016



(Photo: Candidate)

Louisville's chamber of commerce has banned longtime Metro Councilman Dan Johnson from attending its events over remarks a female staff member found offensive.

"We had an incident at one of our events, we've dealt with it privately, and he's no longer welcome," said Alison Brotzge-Elder, a Greater Louisville Inc. spokeswoman.

The incident occurred in a social setting during a recent [GLI-led trip to Austin](#), [\(/story/money/companies/2016/09/14/austin-trip-sparks-fresh-ideas-louisville/89723188/\)](#) Texas, attended by Mayor Greg Fischer and his team, several council members and Louisville business leaders. Multiple sources said the incident involved a female GLI staffer.

Johnson, D-21st District, issued an apology late Wednesday afternoon that said he will honor GLI's request to not attend their events.

"It is certainly not in my character to be offensive, so I do apologize if I came across that way in Austin. GLI has not contacted me personally about any incident during the Austin trip. At the time, I was not aware that my words were offensive to anyone. I wish someone had brought this to my attention a month ago so I could have apologized."

As the regional chamber, [GLI hosts more than 70 events](#) (<http://www.greaterlouisville.com/events/>) across 15 counties each year including luncheons and different networking programs. Brotzge-Elder declined to say what Johnson said to the staffer to cause the ban other than to say he behaved unprofessionally.

"Protecting and respecting our staff's privacy has been our main concern," she said later Wednesday.

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► [READ MORE: Clerk must grant license for prison marriage](#) ([/story/news/local/2016/10/19/clerk-must-grant-license-prison-marriage/92409348/](#))

► [READ MORE: 4 arrested after meetup for date turns violent](#) ([/story/news/crime/2016/10/19/4-arrested-after-meetup-date-turns-violent/92399984/](#))

Council President David Yates, who also attended the Austin event, said in a statement that he was made aware of the incident by GLI officials and had conveyed the chamber's wishes to Johnson.

"Although Councilman Johnson maintained that he did not believe that his words warranted such action he agreed to avoid any and all future GLI functions," said Yates, D-25th. "Neither GLI nor the individual has requested any further action from myself or the Metro Council, but has adamantly requested that this issue remain private."

Other council members who attended the Austin trip said they did not witness Johnson behaving inappropriately, but they said city and business leaders who know about the incident need to be more forthcoming.

"If there's some behavior that occurred that puts anyone else at risk to being exposed to certain behavior, if it was inappropriate, that should indeed require disclosure," Councilwoman Angela Leet said. "Our safety is important, too."

Former Council President David Tandy said he didn't hear about any incident during the Austin trip but that he is curious to learn why GLI took the step to ban Johnson. "If there is an action that requires the council as a whole to respond then all the facts have to be laid out before we can take an appropriate action," said Tandy, D-4th.

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"Whatever (President) Yates knows, he needs to share with us," said Councilwoman Julie Denton, R-19th, who also joined the Louisville delegation to Austin.

A spokeswoman for Louisville Forward — the city's economic development arm — which was also represented at GLI's trip to Austin, did not immediately respond to a request for comment.

Johnson, who represents parts of the Iroquois, Beechmont and other neighborhoods in southern Louisville, has been in public office for more than two decades. He was first elected as a member of the old Board of Aldermen and later as a charter member of Metro Council. In May, he lost a Democratic primary bid for the state House to political newcomer McKenzie Cantrell.

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In recent years, Johnson has been at the center of numerous controversies. In 2012, [he was accused by Yates of trying to purchase the Colonial Gardens \(http://wfpj.org/johnson-accused-trying-buy-colonial-gardens-city-funds-economic-study/\)](#) property and profit from its redevelopment. Johnson declined to say at the time if he made an offer to buy the historic site.

Two years later, [Johnson was sued in two separate cases for writing bad checks \(/story/news/politics/metro-government/2014/08/12/second-businessman-sues-councilman-debt/13983769/\)](#) to pay off personal loans. Those suits were later settled out of court. He had also written two bad checks in an attempt to pay an overdue bill on his city-issued cell phone but eventually paid the city back.

And last year, Johnson went on Facebook and [accused Tandy \(/story/news/local/2015/05/28/johnson-claims-council-president-threatened/28070371/\)](#) of threatening to assault him over additional security at City Hall. Johnson never filed a police report against Tandy and later said it was a misunderstanding.

Reporter Phillip M. Bailey can be reached at (502) 582-4475 or pbailey@courier-journal.com (<mailto:pbailey@courier-journal.com>).

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A week after apologizing for behavior, Councilman Dan Johnson dismisses recent troubles in neighborhood meeting

By **JOE SONKA** | June 21, 2017 3:09 pm



Councilman Dan Johnson

A week after **apologizing for inappropriate behavior** toward a

councilwoman and legislative aide — and announcing that he would seek counseling and not run for re-election — Councilman Dan Johnson, D-21, said at a Beechmont Neighborhood Association meeting Monday night that his recent troubles were “all bullshit,” according to multiple attendees.

This news comes one day after The Courier-Journal reported that Johnson’s attorney sent **cease and desist letters** last week to Councilwoman Jessica Green, D-1, and the legislative aide of Councilwoman Angela Leet, R-7, threatening legal action against the two women who came forward with allegations of misconduct against Johnson.

Green alleged that Johnson squeezed her buttock during a group photo on June 7, and she notified council President David Yates of the incident in a letter the next day. Johnson denied that he intentionally did so, even tweeting that it was Green who harassed him. The following week, news broke that Leet’s legislative aide had reported last year that Johnson exposed his buttocks to her in the parking lot outside council offices.

On June 14, the council’s Democratic Caucus released a statement announcing that Johnson would **seek counseling and not run for re-election** next year, and Johnson issued letters apologizing to both women, though he maintained both incidents were accidental. Both Green and Leet called those measures insufficient, saying that Johnson should resign from his position immediately instead of serving out his final 18 months in office.

While Johnson sounded contrite last week, he did not appear so in his remarks at the Beechmont Neighborhood Association meeting on Monday night, according to multiple people in the room who shared independent accounts of what happened with IL. By their accounts, Johnson mentioned the trouble he had been embroiled in over the past two weeks, but said that was all “bullshit” and that people needed to move on.

Johnson declined to comment on what he said at the meeting and denied an interview request.

Told of Johnson’s comments at the neighborhood meeting, Leet told IL “I guess at this point I’m not shocked by what Councilman Johnson will say. Or do, for that matter.” She hopes that Johnson will voluntarily resign under

increased calls for him to do so, but if he sticks around, Leet “will seek other remedies that are available.”

In a statement to IL, Councilwoman Green also ripped Johnson’s comments as “another pathetic attempt to divert attention from what the real issues are: sexual harassment, scare tactics to silence accusers, and continued victimization by an individual who clearly has a pattern. I want to reiterate my statement that it is my hope that Councilman Johnson immediately resign.”

In the **cease and desist letter** sent by Johnson’s attorney, Thomas McAdam, Green was accused of “spreading false, destructive, and defamatory rumors” with malice against Johnson, who is a “respected elected official” with “a positive reputation.” Both Green and Leet’s legislative aide were given 10 days to comply with the demands of Johnson’s attorney before legal action is taken.

Councilman Robin Engel, R-22, issued a statement Tuesday saying it’s clear Johnson is “neither apologetic nor able to change his ways,” and that Johnson “should resign from this council and should seek professional help immediately.”

Democratic caucus chair Bill Hollander, D-9, and vice chair Cheri Bryant Hamilton, D-5, began an investigation into Johnson’s actions on June 8 in accordance with their caucus rules. According those same rules, a letter recommending possible disciplinary actions — including a suspension or expulsion from the caucus, or a censure — is due to be delivered to Johnson from the caucus leadership by Thursday. Johnson would then have 14 days to respond, after which the caucus could take disciplinary measures by a two-thirds vote.

While the Democrats may vote to expel Johnson from their caucus, there is no method to force the councilman out of office through the rules of their caucus.

Though the caucus leadership is due to send their recommendation to Johnson tomorrow, Leet’s legislative aide tells IL that no one from that investigation has interviewed her yet about the incident with Johnson last year in the

parking lot. However, a Democratic caucus representative tells IL that its caucus rules provide that charges of alleged violations be filed in writing, and the only written charge they have received is the one regarding Councilwoman Green's allegations concerning Johnson.

Johnson has been **no stranger to controversy** over the past several years, including being banned from future GLI events because he allegedly became intoxicated and repeatedly harassed a female staffer on a GLI-sponsored trip to Austin, Texas. Several council members also told IL that Johnson became intoxicated on a council trip to Frankfort and vomited on their bus on the way back. Johnson also has run into trouble with bounced checks for his city-funded cell phone and to Action Loan owner Gus Goldsmith.

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Council Democrat Criticizes Dan Johnson's Hiring of Bryan Mathews

By Phillip M. Bailey (<http://wfpl.org/author/phillip-m-bailey/>)

POLITICS (<http://wfpl.org/category/politics/>) June 13, 2014

A Louisville Metro Councilman is criticizing his Democratic colleague Dan Johnson's hiring of a legislative aide who was fired from a previous job for allegedly using racial slurs.

(/post/louisville-councilman-dan-johnsons-top-aide-fired-last-job-after-alleged-racial-slur)

The controversy may inject race back into the discussion for the Council Democratic majority, which grappled with issue in the beginning of the year (/post/barbara-shanklin-verdict-leads-leadership-struggle-among-louisville-council-democrats) during leadership elections.

Jefferson County Judge-Executive Bryan Mathews is accused of using the N-word while working as executive director of the Kling Center, a senior health and wellness center.

Earlier this month, Mathews was hired as the top assistant for Johnson, who is vice chair of the council's Democratic majority.

The Kling Center is in Councilman David James's district. He said the non-profit's board members and visitors had first mentioned Mathews's alleged language last December.

"So I was kind of surprised that Councilman Johnson hired him even after that had allegedly taken place," said James. "Pretty offended by it actually, because we're talking about the [use of the N-word currently in the caucus, \(/post/louisville-metro-council-members-see-bar-hate-speech-city-hall-speakers\)](#) as you know. And I would say the best way I could describe it right now is I'm a little shocked and concerned."

James said he plans to address the allegations against Johnson's aide at next week's caucus meeting. Mathews has denied using any racial slurs, telling WFPL the accusations are "malicious lies."

Johnson, who is the Democratic caucus' vice chair, declined requests for an interview. On Thursday, Johnson said in a statement he'd never known Mathews to use that type of offensive language and "the past is in the past."

The Kling Center is located in the Old Louisville neighborhood, and about 60 percent of its visitors are African-American, according to staff. Its programs include providing seniors with nutritious meals and delivery service to some residents in Old Louisville.

Three of the center's staffers—board president Steve Gahafer, receptionist Peggy Owens, and co-director Theresa Carter—told WFPL Mathews often referred to visitors as "ghetto."

On Friday, another former colleague of Mathews, former board member Robert Phillips, said Mathews used the N-word in his presence.

In an interview, Phillips said Mathews first used the N-word in November when telling staff that a visitor to the center had used it.

When Mathews used it repeatedly during the conversation even after being asked to stop, the 63-year-old Phillips said he confronted the executive director at the center.

"I finally said, Bryan you're out of pocket using that word," he said. "And he said, 'Everybody uses that word.' I let him know right then, as an older black man, that word has been barred out of my language for years and years and years, and I thought everybody knew that."

Earlier this year council Democrats dealt with race during their unusually tense leadership elections.

When the 17 Democrats elected Councilwoman Vicki Aubrey Welch as their chair and Johnson as their vice-chair, African-Americans members voice concerned about the lack of diversity in their leadership.

Welch said she plans to speak with Johnson next week about the situation, but noted the caucus has little power over how members run their office.

"If the council members bring that up then I will certainly see what it is that we need to do with it," said Welch. "But as we all know a council member can hire and fire at will. We don't get involved with each others hirings, so it's certainly up to Councilman Johnson to do what it is he wants to do with his office staff."

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Louisville Councilman Dan Johnson's Top Aide Fired From Last Job After Alleged Racial Slur

By Phillip M. Bailey (<http://wfpl.org/author/phillip-m-bailey/>)

POLITICS (<http://wfpl.org/category/politics/>) June 13, 2014

Jefferson County Judge-Executive Bryan Matthews, a newly hired Louisville Metro Council aide, was fired from a previous job for allegedly using racial epithets about African-Americans.

Democratic Councilman Dan Johnson [recently appointed Mathews \(/post/jefferson-county-judge-executive-bryan-mathews-also-working-metro-council-aide\)](/post/jefferson-county-judge-executive-bryan-mathews-also-working-metro-council-aide) to be his top legislative aide. Late last year, Mathews was terminated as the executive director of [Kling Center, \(http://www.theklingcenter.org/\)](http://www.theklingcenter.org/) a senior health and wellness center in Old Louisville.

A receptionist for the organization told WFPL that Mathews, who is white, used the N-word repeatedly in front of visitors and staff. The center's board president, Steve Gahafer, said this was the basis for Mathew's termination.

Johnson, the longest serving official in city government, has touted Matthews and his skills, while exaggerating the top aide's resume and professional qualifications.

Throughout most of 2013, Mathews worked as executive director for the non-profit group. The racial slur was allegedly uttered late last year.

"One of the staff heard it, and the staff happened to have a black daughter-in-law and told him she was offended by it, and he used it a couple of more times explaining something," said Gahafer, board president at Kling.

"I don't know what he was explaining, but I took him in the office and told him it was not acceptable, that this was 2014 and not 1800."

In a telephone interview Thursday, Mathews vehemently denied ever using the slur, saying he left the center over a "difference of opinion and direction" with the group's board.

"That is a ridiculous and malicious lie." Mathews told WFPL before hanging up. "I've given more time to this than this nonsense deserves. I hope you understand if I don't demean myself by taking any of it seriously."

Three former Kling staff members—Gahafer, receptionist Peggy Owens, and co-director Theresa Carter—alleged Mathews used the racial slur. Only Owens said she heard it first-hand.

Besides those allegations, the board also took issue with Mathews's work performance, Gahafer said. Mathews' work on financial reports and grant applications put some of the non-profit's programs in jeopardy, Gahafer added.

Among the Kling Center's programs is a service that provides seniors each weekday with nutritious meals. The group also offers a companion meal-delivery service to some residents in the Old Louisville neighborhood.

"We serve very poor seniors and a majority of our clients are African-American," said Gahafer. Gahafer also alleged that Mathews' statement to the group, upon his firing, said "I guess y'all let the ghetto win."

Councilman Johnson declined to be interviewed for this story. In a released statement, Johnson dismissed the accusations against Mathews.

"I have known Bryan Mathews for many years and I am not aware of him using that kind of language towards anyone," he said. "The past is in the past. I hired him because of his abilities and I am moving forward with the needs of the people of District 21."

Johnson Defends Hiring

Mathews is running for re-election as county judge-executive this year. The office's salary and governmental powers were stripped when Jefferson County and Louisville merged in 2002.

Mathews said he is slated to make \$50,000 a year as Johnson's aide.

His predecessor, Briana Morgan, made \$5,000 less, according to city records.

Morgan was let go in May after working in the councilman's office for nearly two years.

"Councilman Johnson offered me the wonderful opportunity to stay part-time for two days a week," she said. "Obviously, I can't support myself on two days a week. So it was sort of like a lay off."

Morgan began working in the District 21 office as an administrative clerk in November 2012 as a pupil of Johnson's longtime assistant Ray Maniey, who retired last fall. When the top office position opened up, Morgan was promoted to legislative aide where she made about \$40,000 per year working full-time.

On March 28, Johnson gave Morgan a 12 percent raise, according to city personnel records. Less than two months later, however, she was given a four-day notice to either accept a significant demotion or leave.

"I think he really just wanted to hire Bryan," said Morgan.

Morgan said she was told that Mathews was an attorney.

Amid the office shuffle, Johnson told constituents that Mathews was more qualified.

"Bryan is an attorney," Johnson wrote in a posting on the Beechmont Neighborhood Association's Facebook page. "I think getting him for this position is cheap."

A Kentucky Bar Association's database, however, doesn't list Mathews as a licensed lawyer in the state.

On Thursday, Mathews said he has never attended law school or taken a bar exam. He said he never misled Johnson about his resume or qualifications.

"This has nothing to do with me, you'll have to ask him about it," Mathews said.



Council Democrats urge Dan Johnson to resign or face removal from office

By **JONATHAN MEADOR** | July 13, 2017 5:13 pm

The Louisville Metro Democratic Caucus on Thursday passed a resolution that expelled Councilman Dan Johnson from their ranks and urged him to resign voluntarily from the council by Aug. 1 or face formal removal proceedings.

The resolution was passed by over two-thirds of the caucus following a nearly two-hour



Johnson speaks during a meeting of the Louisville Metro Democratic Caucus on Thursday, July 13, 2017. He is speaking at the podium during the caucus on June 29. Photo by Joe Smith.

closed-door gathering of the Democratic conclave. Only three caucus members — Barbara Shanklin, D-2; Mary Woolridge, D-3; and Madonna Flood-24 — abstained from the otherwise unanimous vote. The expulsion circumvents Johnson's **voluntary resignation** from the caucus, which he offered in a bizarre June 29 press conference

Johnson, D-21, has been under heavy fire **over allegations** that he sexually harassed Councilwoman Jessica Green, D-1, and a legislative aide to Councilwoman Angela Leet, R-7, as well as for his erratic public response to those allegations.

"Councilman Johnson's actions are inconsistent with the standards of conduct to which members of the Metro Council should be held, have brought embarrassment and public scorn upon the Caucus and the Council, and are deserving of public censure and expulsion from the Caucus," the resolution read.

Further, the resolution explicitly condemns Johnson for his actions toward Green, which include allegedly grabbing her buttocks during a photo op at Wyandotte Park, and for his "false allegation that he was harassed" by her: expels him from the Democratic Caucus following an evidentiary hearing, which Johnson declined to cooperate with; and urges him to resign from the council and not seek re-election or face "removal action by members of our Caucus."

In response to the resolution, Johnson's legislative aide sent IL a statement in which the councilman again denies the allegations and makes clear he has no plans to vacate his council seat willingly.

"I did not ever sexually harass Councilwoman Green or the legislative aide. This has been another desperate and malicious act by a few Democratic caucus members wishing to install their hand picked crony as a Council Member," Johnson said. "I will continue to express my innocence and I am eager to clear my name of these allegations while doing my best every day to serve the 21st District. I was elected by the 21st District to serve the people for four years and I intend to do just that until the end of my term in office."

Following the vote and subsequent adjournment of the meeting, caucus

president Bill Hollander, D-9, made a statement condemning Johnson further.

“Councilman Johnson’s actions are inconsistent with the standards of conduct that we should expect of any public official and any member of the Metro Council,” Hollander said.

Hollander says members of his caucus will be prepared to file formal charges of removal against Johnson should he decline to accept the Aug. 1 deadline. In that event, it would take a vote of five council members to convene a so-called “council court,” which would initiate public hearings against Johnson for the purposes of his removal from Metro Council.

Steve Haag, spokesman for the Metro Republican Caucus, said several GOP council members would join in such a vote with their Democratic counterparts.

“Our members have serious concerns over his continued presence here at the council,” Haag told Insider Louisville. “A large number of our members have called for his resignation and believe that his actions over the last few months have caused even greater concern.”

Hollander acknowledges that such a process won’t be simple. Five members of the council must form what is known as a charging committee, which would initiate the formal introduction of charges against Johnson within a quorum of the Metro Council. Johnson then would be able to defend himself via counsel against the charges, resulting in a trial within the council chambers. Following the trial, a two-thirds vote by the entire council would be required to remove Johnson from his South Louisville seat, which he has held for over two decades, as he previously served on the Board of Alderman.

Even if Johnson is found guilty and removed, however, he could appeal the decision with Jefferson Circuit Court, fueling the time and expense needed to reach a legal resolution, one that could take several months.

“It’s a long process, and that’s one of the reasons we are asking Councilman

Johnson to resign, to avoid that process.” Hollander said. “It’s an expensive process for the community. It’s a time-consuming process.”

Johnson briefly appeared in the third floor hallway during the closed-door caucus session but declined interviews with reporters before briskly exiting through a stairwell. **Despite a quasi-apology** made to his accusers last month, he has filed a cease-and-desist letter against Green regarding her public revelation of the alleged incident, and has flatly denied the allegations against him, a defiance most recently reiterated in a Wednesday interview with WHAS 84 broadcaster Terry Meiners.

On that program, Johnson maintained his innocence and lambasted the media, particularly Courier-Journal reporter Phillip M. Bailey for covering the allegations.

Over the ensuing 18-minute interview, Meiners asked Johnson a variety of questions involving other alleged incidents, including one of indecent exposure toward a legislative aide to Republican Councilwoman Angela Leet in a downtown parking lot near Metro Council chambers.

“You would remember if your pants came down, in a parking lot in a public place where someone saw you and she said, and I’m paraphrasing, that then she got in her car and you walked past her car?”

“I don’t remember anything about that, Terry.”

“Are you on medication?” Meiners followed up.

“No, sir,” Johnson replied.

“Is it possible you were inebriated? You had some drinks?”

“I don’t think so,” Johnson said. “We don’t have drinks at Metro Council.”

Johnson insisted to Meiners that for most of his life, he has always had trouble with belts and keeping his pants from falling down.

The councilman also told Meiners that he “drank so much beer” during a September 2016 Greater Louisville Inc. trip that he couldn’t remember what happened — particularly when it came to allegations that a drunken Johnson **harassed a female GLI staffer** on the trip. Subsequently, GLI made it clear Johnson was no longer welcome at chamber events.

Johnson said he wasn’t sorry for the behavior at the root of these allegations, but for his alleged victims’ perception of his behavior.

“The insincerity of Councilman Johnson’s apologies is disturbing, extremely disturbing, to the caucus” Hollander said. “And I think we saw that again yesterday,” he added, referring to Meiners’ interview.

Hollander said Johnson was invited to attend Thursday’s special caucus meeting but declined to do so.

Johnson also told Meiners he would ignore requests made of him by Metro Council President David Yates, D-25, to notify Metro Hall in advance of his arrival — giving his accusers time to prepare and move elsewhere — and to avoid floors of government buildings in which his accusers work.

“I will never do that, because I’m a councilman and I’m able to go to my office if I feel like it” Johnson said during the interview.

In response, Yates told IL that his position as council president never gave him the authority to moderate Johnson’s movements, but that “his decision not to honor those [requests] is just that: his decision.”

Councilwoman Green’s attorney, Brian Butler, said his client is satisfied with the actions taken by the caucus, and that she has no plans at present to file criminal charges against Johnson.

“I think this was the strongest message that they could have possibly sent on behalf of councilwoman Green,” Butler said. “Everyone deserves the right to be treated with respect, dignity, regardless of their gender, and we hope that this doesn’t happen anymore, and that we can all move on.”

Johnson would be the third member of the council to have removal proceedings initiated against them, and he could be the second member to be removed if found guilty and voted out. In 2011, the council unanimously voted to remove the late Judy Green, mother of Jessica Green, following revelations that she misappropriated city money toward youth groups in which she held a personal stake, even after Green voluntarily resigned. In 2013, Councilwoman Barbara Shanklin narrowly avoided removal by one vote after a council court debated her culpability in diverting public funding to an ex-offender outreach group with which she was involved.

Democratic Caucus Resolution re: Dan Johnson by **Insider Louisville** on Scribd

Majority Caucus Resolution - July 13, 2017

Whereas, Councilwoman Jessica Green reported to Caucus leadership that Councilman Dan Johnson reached down, grabbed her right buttock and squeezed it while posing for a photograph at Wyandotte Park on June 7, 2017, and then laughingly told her it was an accident;

Whereas, Councilman Johnson admitted to the touching and a witness to the event described the touching as "awkward" and notable enough to immediately mention it to a co-worker, while not knowing if it was intentional or not;

Whereas, Councilman Johnson responded to a published report about Councilwoman Green's charge by alleging that Councilwoman Green "harrassed" [sic] him too;

Whereas, Councilman Johnson issued an apology to Councilwoman Green;

Whereas, two days after the letter of apology to Councilwoman Green was sent, Councilman Johnson, through his attorney, sent a cease and desist letter to Councilwoman Green, casting extreme doubt on the sincerity of his earlier apology;

Whereas, Councilman Johnson's actions are inconsistent with the standards of conduct to which members of the Metro Council should be held, have brought embarrassment and public scorn upon the Caucus and the Council, and are deserving of public censure and expulsion from the Caucus;

Whereas, the Caucus has followed Caucus rules, heard from witnesses and afforded Councilman Johnson rights due to him under principles of due process and a fair disciplinary process;

Now, therefore, be it;

Resolved, That the Democratic Caucus of the Louisville Metro Council –

- (1) condemns Councilman Johnson's actions at Wyandotte Park, his false allegation that he was harassed and his insincere apology;
- (2) expels Councilman Johnson from the Caucus, Councilman Johnson having tendered his resignation and the Caucus having held an evidentiary hearing in which Councilman Johnson was invited to participate and declined;



(<https://www.leoweekly.com/2017/08/dan-johnsons-fight-city-hall-district-says/>)

Louisville Metro District 21 Councilman Dan Johnson in his office

Photo by Brian Bohannon

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Dan Johnson's fight to stay in city hall has split his district

Aug 09 2017

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BY MICHAEL L. JONES (MAILTO:CITYSTROBE@LEOWEELY.COM)

Dan Johnson has quietly represented South Central Louisville for 25 years, first as Sixth Ward alderman and now as District 21 councilman. This year, he is getting more attention than ever.

Unfortunately for everyone involved, it is because of sexual harassment allegations against him.

Johnson is accused of having groped Councilwoman Jessica Green during a group photo in early June. He is accused of having dropped his pants last year in front of another councilwoman's legislative aide. He is accused of having made inappropriate remarks last year to a female chamber of commerce staffer while on a field trip to Texas.

Johnson apologized for the incidents and said initially he would seek counseling, but he soon backed out of the agreement. He denies he purposely touched Green, claims his pants fell down accidentally and says he was unaware he was being offensive at the bar. A council investigation of Green's claim was inconclusive, with the only witness recalling that Johnson's touching seemed unintentional, The Courier-Journal reported. Despite that, Johnson came under enormous pressure from Democrats to resign by Aug. 1, which he refused to do. With that deadline now passed, the council is on a path to convene a court to determine whether he should be removed. If he is, it would be only the second time in council history.

When Johnson and I talked in his office recently after a meeting of a council committee, he was defiant, saying he is a victim of political persecution, although council members have denied that.

"If I decide to resign, or retire, then the council will elect someone to take my place. But I don't think that will happen, and I don't see them removing me," Johnson said. "You have to commit malfeasance, or misfeasance, and I've done neither one. Both of those concern money and whether or not you are doing your job. You saw me today: I was at a committee meeting doing my job."

Since the latest allegations surfaced in June, Johnson's political future has grown murkier, with new revelations (and some of self-inflicted wounds) seemingly never-ending.

What is clear is that Johnson's troubles highlight growing tension in District 21 between longtime homeowners who have faith in him and newer residents who are longing for a change in leadership. Like many areas of Louisville, Johnson's district has been evolving: The historically blue-collar neighborhoods have become home to a growing number of immigrants, and to more young professionals who are being priced out of The Highlands and Germantown.

Some tension also comes from a perception that the Metro Council is trying to decide what is best for the South End, getting rid of a duly-elected, veteran representative over unproven allegations or for political reasons.

All of this and more have given Johnson's political opponents new hope of taking his seat. Until this year, Johnson was adamant that he would not run for reelection. His term ends in 2019. But recently he has been noncommittal when asked if he will run again, or even seek another office. "The future is so bright I can do either one ... I haven't seen but one email asking me to withdraw, and the fact is that one email was sent by someone nowhere near our district. I paved every street in this district twice since I've been an alderman and a councilman. I've done a lot of things, as far as new things, for Louisville."

The district, then and now

District 21 stretches from North Audubon almost to Okolona. It includes the neighborhoods of Beechmont, Iroquois, Kenwood, Edgewood, Lynnview, Hazelwood and Preston Park, along with Louisville International Airport and the Kentucky Exposition Center.

Most of these areas were farmland until the early 20th century when small developments started to appear. The district experienced a housing explosion in the 1940s and '50s, thanks to manufacturing jobs like those at the Naval Ordnance Station Louisville, or NOSL. At its peak, NOSL employed more than 4,000 people to assemble gun mounts, torpedo tubes and other naval ordnance. Many of those workers used their paychecks to purchase homes in the neighborhoods surrounding the facility. But in the 1980s, manufacturing jobs began to leave Louisville just as they did in urban cores across the country, starting a slow decline in those neighborhoods, among them District 21.

Johnson, 58, grew up in the area he now represents. He graduated from Southern High School and got a degree in political science from the UofL. Johnson said he first ran for office because incumbent Sixth Ward Alderman Jerry Kleier made him mad. After a snowstorm, Johnson and his pregnant wife and young son couldn't get to their home because their steep street had not been plowed. The next day he found out that the less-steep Kenwood Hill Road, where a state senator lived, had been plowed. Angry, he filed to challenge Kleier.

Johnson lost to Kleier by 200 votes in 1989. He ran again and beat Kleier in 1992, pledging to focus on pocketbook issues that impact his constituents. After taking office, Johnson sponsored a bill establishing the city's Drainage Backflow Program. This is the program that allows the Metropolitan Sewer District to install free backflow valves in homes within the floodplain. Because of the hilly terrain in the South End, this impacts many District 21 voters. When the city of Louisville and Jefferson County merged in 2003, Johnson led a campaign to make sure District 21 included the boundaries of the Sixth Ward, so it could stay as one community. Johnson also fought to keep open NOSL, which was threatened in a national wave of base closings. The facility was decommissioned in 1996, but with help from U.S. Sen. Mitch McConnell, the property was privatized and became the Greater Louisville Technology Park.

Today, Johnson's biggest supporters are the people who remember his accomplishments, according to Barbara Nichols, Johnson's administrative assistant. And the loudest voices calling for Johnson to leave belong to newer residents who were unhappy with the pace of economic development even before the allegations, she added.

"We have a trend of younger people coming to the area. A lot of them are first-time homebuyers, and they find the area attractive because of the affordable housing and the great location," said Nichols, who also is president of the Iroquois Neighborhood Association and the Iroquois Business Association. "But they want the amenities we see in other neighborhoods like The Highlands. They don't know the things Dan has done."

New residents, new needs

I count myself among the first-time homeowners who gravitated to South Louisville. My wife Melissa and I rented a house on Wrocklage Avenue in The Highlands for seven years. When we were looking to buy, our real estate agent steered us toward Kenwood Hill, the neighborhood across New Cut Road from the Iroquois Amphitheater. In 2011, we purchased a home with three bedrooms, a finished basement and a garage for about the same price as a much smaller shotgun house in Germantown.

We only knew one person in the neighborhood. But over the next five years, more and more of our friends from The Highlands and Germantown began to join us: Farmington historic home Director Diane Carman-Young lives around the corner; Nitty Gritty Vintage Clothing and Costume Rental owner Teri Burt and her husband, Patrick Donley of Zephyr Gallery, built a home on the hill above us; and musician and chef Darren Rappa and his artist wife Caitlin Kannapell moved nearby on Possum Pass.

Whenever I get together with my fellow transplants, several subjects always seem to come up — how different the community is from preconceived notions of South Louisville, the desire for more restaurants and shops — and Dan Johnson.

After his 2014 reelection, Johnson announced that it was his last race for councilman. Several of my friends who had wanted new leadership then said they were willing to wait for the next election. But that was before the latest scandal happened.

Among those calling for Johnson to resign is Carman-Young.

ADVERTISEMENT

"The allegations against Dan Johnson are infuriating, and only feed the stereotypes that continue to plague the South End. Allegations aside, I don't think he has done a good job as our councilman as District 21 continues to struggle. It is infuriating that he will not do the right thing and resign," said Carman-Young.

My relationship with Johnson is a little more complicated because I am on the board of directors of the Iroquois Neighborhood Association. Before I had even met Johnson, I heard the "Dan stories." People told me he was known to sell knives out of the trunk of his car after meetings. Johnson does sell vintage pocket watches and pocketknives at flea markets on most weekends. Neighbors also joked that Johnson seemed to get into a car accident just before each election, so he could fund his campaign. It is not unusual to see him wearing a neck brace, and he has had two or three accidents since I've lived in District 21, but it is doubtful that any of that is a campaign tactic.

When I met Johnson, I found him rather amusing but obviously attentive to his constituents. I mentioned to him one day that I was having a book published, and a few weeks later his staff gave me a Spirit of Louisville Award from the Metro Council for my contribution to local culture. Johnson sometimes seems to live in his own world like a modern-day Walter Mitty. I see how he got the reputation for saying odd things, even at his own expense. For instance, regarding the Green allegation, Johnson has said he touched Green's backside by accident because they were standing so close together.

According to a Courier-Journal story in which Green recalled the incident, she said: "Appalled, I turned to him, and he leaned down and whispered into my ear laughing, 'You know that was an accident, right?'"

After Green made public her allegation about being groped, Johnson, apparently trying to defend himself, tweeted: "Truth is, she touched me first when she nestled against my left side," he said. "I was harassed too."

As for his pants falling down, Johnson is usually disheveled, and more than one constituent has talked about seeing his backside. The councilman claimed to radio host Terry Meiners that he has a thin waist "and sometimes my pants come down," so he has resolved to get a better belt.

And then there is the allegation over remarks made in the Texas bar. He told me: "The other thing that happened, happened in a bar and that is baloney. Anything that happens in a bar is legal as heck, as far as talking to people, as far as I am concerned"

No one ever said Johnson has tact.

Despite all of this, I know how he has managed to stay in office for over two decades: ultra-personal service. If you have a tree in your yard and the public works won't come out to help, Dan will show up with a chainsaw and do it himself. Did waste disposal miss your garbage can two weeks in a row? Dan will pick it up and dump it for you. It is that kind of service that has endeared him to some current and former District 21 residents.

Sandy Downs grew up in District 21 and still owns a house there. "I've had issues on my street, and I emailed him and he got back with me within an hour — and this was 10 p.m. I bought a commercial building in the area, and he gave me suggestions on what to do with it!" As for the allegations, Downs said, "He is a hard worker and I feel like he has seniority over Miss Green, and I will take his word over hers."

Keep the meter going

Johnson could retire now from city government and take home about \$1,800 a month from his pension. However, if he doesn't serve out his current term, his pension would be \$500 less a month. When I profiled him for Louisville Magazine in May 2014, his plan was to retire after this term and run for another office. He did run for the District 38 State House seat in 2016 to challenge Democrat turned Republican Denny Butler. But in what could be another sign of how his part of South Louisville is changing, Johnson lost badly to political newcomer McKenzie Cantrell in the Democratic primary. Cantrell raised five times as much money as he did and she defeated him by a 2-1 margin. Johnson believes he lost because he didn't invest enough money on mailings. He thought name recognition alone would win the day. Now, Johnson believes he is being persecuted because he is rethinking whether he will run for another council term.

"This is happening because I talked about running again. There is a handpicked person that they are interested in getting in here, and they didn't want me to run again. They are going through everything they can find to try and beat me," he told me, adding, "In my district people are still for me as far as I can see."

Nicole George is the candidate whom Johnson believes the local Democratic Party wants to replace him. The social worker and former board member of the Beechmont Neighborhood Association may be the front-runner with many younger voters in the district. She has also garnered support from Cantrell and longtime Beechmont resident Virginia Woodward, a former member of Gov. Steve Beshear's administration. All three women are members of the Metropolitan Louisville Women's Political Caucus and Emerge Kentucky, the state's leading organization for recruiting and training Democratic women to run for elected office.

George denied there is a conspiracy by Democratic women against Johnson, but she does feel District 21 needs "new, ethical leadership."

"Timing is everything. I filed in April and had my kickoff June 8. A few days later, a lot of this most recent media attention and events came to light," she said. "I'm not worried if Dan jumps in the race. It is time that District 21 had a choice ... We've been underserved and under marketed."

George said she also recognizes the divide between "people who have a historic perspective" of District 21 and some of the area's newer residents.

"We are a fantastic blend of people who have been in the district for a long time and folks who are new to the area or maybe even new to Louisville. How we reconcile those two (groups) is really going to decide how we capitalize on our strengths," George said.

George's only current primary opponent, Vitalis Lanshima, said the media is so focused on Johnson they are ignoring the other things that are happening in District 21. The ECE instructor for Jefferson County Public Schools said, "I have a 12-page plan that I would like to talk to people about, but it seems like the newspapers every time are talking about Dan Johnson. I understand that it needs to be talked about, but at the same time we have real issues that we need to be focusing on. We have youth in the community that don't have things to do, we have infrastructure problems."

'Strong despite him'

This is actually a time of guarded optimism for residents starved for economic development. Construction on the revamped Colonial Gardens is scheduled to begin this fall with the promise of four restaurants that are not fast food.

Also, a longtime, eyesore property at the corner of Southern Parkway and Woodlawn Avenue has been renovated, opening in May as Cocoberry Pops, a gourmet, frozen-treat shop. Near Cocoberry is Cindy Venture's Beechmont Bombshells hair salon. She started the "District 21 Political Discussion Group" on Facebook, not intending for it to become vehicle for anti-Johnson sentiment, although it did. But Venture said that lately discussion has turned more positive as residents debate what they want in the next council member. In an unexpected way, she said, Johnson's troubles have been a catalyst for community building.

"It's actually opening people's eyes about their participation in local politics and why it is important. Personally, I think the allegations reflect negatively on our city overall. The community around here is strong despite him."

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88

7

COMMENTS

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Bobby Brooks · Watterson College of Business

I dont think they have a case to get Dan out of Office, and I am no fan. I ran against Dan in the last election cycle and was blocked from debating him in public at Beechmont and blocked again in an open forum to 'Meet the Candidates' a short time later. The problem with District 21 goes beyond the actions of just Dan Johnson, but I am very happy to see more residents taking notice now of local politics. They are becoming well aware of the 'Good Ole Boy' system that plagues not only Louisville and district 21 but the state as well. It is good to see the growth in awareness and involvement.

Like · Reply · 2 · Aug 13, 2017 2:37am



Tim Cain · Rotator at Lost Creek Ranch

Add bad Checks. Dan Johnson-the Democrat is totally useless.

Like · Reply · Aug 9, 2017 1:42pm

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TRENDING

- 1 Saving nine lives: Louisville's feral cat heroes (</2017/10/saving-nine-lives-louisvilles-feral-cat-heroes/>)
- 2 Building by tearing: Unraveling the Confederate flag at the Speed Art Museum (</2017/10/building-tearing-unraveling-confederate-flag-speed-art-museum/>)

(REV 08/04)

Notice of Potential Benefit Charges

www.oet.ky.gov

Worker's Name	Social Security Number	Date of Claim	WKLTY Rate	Maximum Benefits	% of Charges	Local Office	Pre-Fix	Employer Number	Mailing Date
B L MATHEWS EB - SHOULD IT TAKE EFFECT	[REDACTED]	02/13/13	[REDACTED]	[REDACTED]	100.000	56	00	[REDACTED]	02/04/14

As the employer, you now have the option to provide the response to this form electronically. Please visit our website at [HTTPS://KFWTS.KY.GOV](https://kfwts.ky.gov) for additional information and to sign up for these services. You will use your Kentucky employer identification number and pin to login. [HTTPS://DATAEXCHANGE.ORG/SEW-SATEWS.LOGIN](https://dataexchange.org/ew-satews/login)

ARTHUR S KLING CENTER INC
 219 W ORMSBY AVE
 LOUISVILLE KY
 40203

Education Cabinet
 Office of Employment and Training
 Division of Unemployment Insurance
 275 East Main Street, 2nd Floor East
 Frankfort, KY 40621-0001

Important

This is not a determination of the claimant's eligibility to receive benefits. Please read the detailed information below regarding this claim and your right to protest.

This "Notice of Potential Benefit Charges" is to provide you with information as to this claim's potential effect upon your reserve account and your right to protest such potential charges.

If unable to identify by name as a former employee, check social security number as name changes occur. The total amount of benefits are potentially chargeable against the reserve account of the most recent employer for whom the claimant worked in each of ten (10) weeks, whether or not consecutive. Benefits are charged proportionally if the former employee also earned wages in his base period from employment in federal civilian or military service in other states, in relation to wages earned from each.

Non-profit organizations or employers who have elected reimbursement in lieu of payment of contributions may not protest claims with respect to chargeability. However, if you feel you have been incorrectly identified as the chargeable (last ten weeks) employer, you may write the division at the address shown above to question your chargeability. Further, if it is determined that you or your agent was at fault for failing to respond timely or adequately to the separation inquiry sent to the last known address of record, then credit to your reimbursing employer account for overpayment sums collected from the claimant related to any improper benefit payment is subject to being removed or denied credit in accordance with KRS 341.415(1)(c) and 341.530(4)(a) and (b).

This is not a notice that the claimant has been or will be paid benefits. It means only that the claimant has satisfied that particular requirement of the several eligibility requirements to be met, which relates to qualifying wages.

This notice carries with it the right of protest only if it constitutes first notice to you of the filing of a claim by a former employee. If you have previously received (as the most recent employer for whom the claimant worked in each of ten (10) weeks, whether or not consecutive) form UI-412A, Employers' Notice of Initial Claim, and did not respond to that notice within the 10-day period prescribed, your reserve account, under law, must be charged. If you did so respond, no further protest is required. Further, if it is determined that you or your agent was at fault for failing to respond timely or adequately to the separation inquiry sent to your last known address of record, then relieved claimant benefit charges from your reserve account related to any improper benefit payment are subject to reinstatement or non-relief in accordance with KRS 341.530(4).

If this notice does constitute first notice, you have 15 days from its mailing date to file your protest. If this claimant's separation from your employment was for any reason other than lack of work, please check the applicable block(s) below and return this notice to the address shown above within 15 days of this notice.

Dates of Employment: From 06/01/2013 To 01/28/2014

- Voluntary Quit
 Labor Dispute (strike)
 On Vacation or Other Paid Leave
 Discharge for Misconduct
 Unable to or Unavailable for work
 Other (specify) Discharge for Cause

Steve Cahalan
 (Signature Employer Representative)

Steve Cahalan, President
 (Please print Employer Representative name and title)

502-338-7659
 (Phone Number)

Comments: See Attached Letter of 2/13/14



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A N E I G H B O R H O O D S E N I O R S C E N T E R

February 13, 2014

Commonwealth of Kentucky
Division of Unemployment Insurance
275 E. Main St-Mail Stop 207
P.O. Box 452
Frankfort, KY 40602-0452

RE: Bryan Matthews



To Whom It May Concern:

Mr. Matthews was hired on 8/1/13 by the Board of Directors as the Executive Director of our non-profit corporation, Arthur S. Kling Center, Inc. As Executive Director, his job duties were to oversee and be responsible for the following for our Neighborhood Seniors Center: day-to-day operations; employees; processing and payment of bills and checks; processing and recording all bank deposits; processing and payment of all payrolls and payroll taxes; maintain the QuickBooks for the operations; fund raising and representing our Seniors Center at local neighborhood events; the processing and filing of applications for income grants; the development of an annual budget; the providing of monthly written and verbal reports concerning the day-to-day operations to the Officers and Board of Directors; and the providing of monthly written financial reports to the Officers and Board of Directors.

At the Board of Directors Meetings on 8/27/13, 9/24/13, 10/29/13 and 11/26/13, Mr. Matthews provided his monthly reports as Executive Director. During these monthly meetings, Mr. Matthews was directed by the Officers and Board to get the certified Audit completed for fiscal year ending 6/30/12 and



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file the 990 with the IRS; to complete and file at least eight (8) grant applications by December 31, 2013; to complete a proposed budget for Board approval for fiscal year 2013 beginning 7/1/13; to provide monthly financial reports and documentation concerning the operations.

At the Board Meeting of 1/28/14, Mr. Matthews provided a thirty-five minute report. During his report, the following issues were raised by Board Members:

1. Although during previous monthly reports he represented his ability to raise private contributions of \$20,000 by 12/31/13, Mr. Matthews acknowledged that he had not been able to raise such private contributions.
2. Although he had previously acknowledged the Board's request to complete and file by 12/31/13 for at least eight (8) grants for funding, Mr. Matthews acknowledged that he had only completed two (2) grant applications.
3. Although he had been previously asked to provide financial reports at each Board Meeting, he acknowledged that he had failed to have or provide any reports at the Board's Meeting on 1/28/14. Board Members inquired as to the cash balance on hand, amounts needed to pay invoices and payrolls. Mr. Matthews did not have any such information. A Board Member then produced actual copies of the QuickBooks and inquired as to why no deposits were reflected since mid-December. A Board Member inquired as to why Mr. Matthews had changed the password for the PNC Online Bank Account without providing notice to the Officers. Board Member Jennings finally reminded Mr. Matthews of a lunch in December with President Gahafer to discuss the financial protocols for the Kling

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Center and its Executive Director. Mr. Matthews acknowledged that he did not have any financials for the Board Meeting on 1/28/14 and that he would update the QuickBooks by the end of the next week.

4. During his report as Executive Director, Mr. Matthews represented that he was working on the documentation required for the disbursements of the \$15,000 grant already approved by the Louisville Metro Council. Marilyn Edwards of Community Services was then invited to meet with the Board. Ms. Edwards provide Board Members with a timeline document which confirmed the lack of cooperation and diligence of Mr. Matthews in getting the grant disbursements that had already been approved (Exhibit 1).

During Executive Session, the Board voted to permit Mr. Matthews the opportunity to voluntarily resign or to terminate Bryan Matthews for cause pursuant to the By-Laws. Following the Executive Session, the Board explained to Mr. Matthews the reasons for his termination or voluntary resignation. Since Mr. Matthews declined to voluntarily resign, he was then terminated (Exhibit 2).

I hope this information meets your request for details. If you have any additional questions or need any additional documentation, please feel free to contact me. I am also providing you with my mobile number.

Sincerely,



Steve Gahafer
President

(502) 338-7659 (mobile)

SG
alj
Enclosures

840WHAS Dan Johnson Interview with Terry Meiners – June 12, 2017

(Terry Meiners) I am here with a member of the Metro Council, Dan Johnson, he represents District 21 is in the studio with me. Hello, Dan Johnson.

(Dan Johnson) Hello Terry, how are you?

TM You reminded me that the two of us have known each other for 25 years.

DJ Yes sir, we have

TM And it was from racing uh, the Run for the Rose.

DJ Yes, at the, uh, Beivedere

TM It was a and uh, Derby Festival event.

DJ That's right. That's how long we've been together.

TM And, uh, go ahead and rub it in, did you beat me in that particular.....?

DJ I think it was kind of a tie.

TM It was kind of a tie? I don't really recall the outcome because I actually did that a few times.

TM Well, clearly your name has been on the news a lot lately and not in a way that you would like...you would prefer.

DJ That's true.

TM I have talked with Jessica Green, she's one of your colleagues on the Metro council multiple times on here and she's told, told us her uh story about um, in early June there was a photo opportunity situation. And why don't you take it from there and tell me your perspective of what happened because Councilwoman Green said that you touched her inappropriately.

DJ Well, well the problem was Terry was we were standing three wide for photograph and the when you are taking a photograph all the faces try to get closer together and Marianne Butler was on one side and Jessica Green was on the other side with my arm was trapped between my leg and Jessica Green's leg when she moved close to me when I move my arm away from being there to put it towards her shoulder it landed on her backside. And I did not do it on purpose it was just I couldn't even see what I was doing it just went there and that was just the way it was there was no plan to it, no harassment it, it wasn't on purpose and I didn't do it on purpose.

TM You do understand though that it is sexual-harassment to touch a woman's behind

DJ Inaudible

TM unless you're invited or encouraged to do such thing.

DJ I certainly do, and, and that wasn't what it was about. It was, it was just an accident.

TM Did you lean into her ear and say you, uh, you know that was an accident?

DJ Yes. I said, I said, that's what I said, I said that wasn't supposed to happen that way.

TM You, you said that to her?

DJ Yes

TM and what was her response?

DJ She had no response then. As a matter of fact I believe if you look at the picture all of us are smiling everybody was happy and I think she just got away from it and thought of a good way to, um, hurt me and she did. She's been trying to do so ever since.

TM She's trying to hurt you?

DJ Well, I think if you say I am a sexual predator which is what she's been saying than I guess that is hurting me.

TM OK well if you put your hand on someone's behind they are going to respond and, and it's not gonna be pleasant

DJ Inaudible

TM Unless it's someone with whom you have a relationship a romantic relationship.

DJ She and I had a, a good relationship together professionally we've known each other and worked together and uh, she even suggested I might run for president last year and and I think uh she's been uh with me and and this is interesting this happened this way to pull us apart.

TM Pull you apart..you mean were you, were you, a couple at one time?

DJ Never

TM Ok

DJ I just mean that we've been professionally together.

TM I see professionally uh.....friendly colleagues

DJ Right

TM OK well there are many other instances that have come up in the news as well. The situation with a legislative aid to Angela Leet another member of the council where your pants fell down or what.....inaudible. Do you have any memory of this happening?

DJ I do not remember that happening and I don't think it did.

TM You would remember if your pants came down though, in the parking lot in a public place where someone saw you and then, she said, I'm paraphrasing, then she got in her car and then you walked past her car

DJ I don't remember anything about that Terry

TM Are you on medication?

DJ No sir

TM You're not on any medication whatsoever is it possible that you umm were inebriated you had some drinks?

DJ I was leaving the metro council at the time. I don't think so we don't have drinks at the Metro Council

TM I didn't think it was uh typical behavior there but just err is it possible that that that one day you'd had some drinks for lunch and then something like that happened?

DJ No sir, I don't think anything like that happened.

TM Ok, let's go back to the Councilwoman Jessica Green you apologized to her; you also apologized to Erin Hinson who is that legislative aide. You've made apologies to those women so isn't that an acknowledgment that improper behavior occurred?

DJ No it was actually cuz they didn't feel well about it and trying to make them feel better.

TM You did it to try and make them feel better?

DJ Yes sir

TM If it was not an admission of guilt it's - it's I'm sorry that you feel like something happened.

DJ Yes

TM But do you see how that sort of flips back on them thought where it makes them...you're diminishing what they're saying happened to them by saying oh you feel this happened but it didn't.

DJ I agree and I think that the interesting thing about all this was is that it's been in the newspaper so many times and I think that what the reason that happened is the person who writes the newspaper, uh, Mr. Bailey doesn't care for me at all and he's been against me ever since he's been a a newspaper reporter and been the one to personally go after me no matter what else happened and I think that's why it's been the paper so often.

TM You are referencing Philip Bailey, I happen to know him, he's a colleague and uh I, I think of a, a professional I, I, have seen his work over the years and I find him very professional that is my assessment of of Phillip Bailey. I'm sorry you feel like that you're being targeted there's some vendetta out of one reporter.

DJ It's been that way ever since he's been there Terry.

TM OK if you can sit tight I have to take a break here we're are going to come back Dan Johnson's in the studio from metro council there of been a bunch of allegations about his behavior and he's been asked uh and he's been removed from the Democratic caucus their meeting tomorrow and asked

DJ No, I removed myself

TM Oh excuse me, you removed yourself from the Democratic Caucus their meeting tomorrow and I want to dive in that a little bit more bit more and then about what you do as a metro council person Dan Johnson with us we're coming back in a few on news radio 840WHAS

TM Terry Meiners here at news radio 840WHAS Dan Johnson from the metro council is in the studio with me. Alright the Democratic caucus is meeting tomorrow and you have withdrawn yourself from that caucus?

DJ Uh, yes I did. One of the things they were gonna do in their initial letter was throw me out of it so I, I saved them time and just withdrew from it because I don't feel like they have represented me very well lately and I think their, there, there not any place, uh anybody I want to be associated with.

TM You don't think they defended you appropriately against the allegations?

DJ No, no they did not and they only took one side and that's been forced and they told me not to say anything well now that I'm not a in the caucus I can say something and I can say that this was not a problem it shouldn't of ever come this far and I didn't do anything on purpose.

TM So the incident with Jessica Green was in it was incidental contact?

DJ Very incidental^o

TM Again I don't want to put words in your mouth but do you think that was just an accident that

happened?

DJ It was just an accident that happened?

TM OK well the, the situate, Jessica, by the way is, is very strong in her beliefs that you did what you did and that your apology is insincere because you later said that you're going to sue.....you had your attorney say that you were going to sue, is that correct?

(Talking over each other)

DJ No, what I wanted was I wanted them to stop talking about it and that's what the cessation letter was about was for them to quit discussing this issue. As you know it's gone on ever since it was gone to start before you went on vacation. It's been going on ever sense. There's been article after article about it and there'll be another article tomorrow I am sure.

TM I'm sure but you can't ask Jessica Green or anyone else to stop talking about something you can't control someone else's emotions if she feels violated she may talk about it for the rest of her life.

DJ Long pause.....But.....she has to come to grips that it was an accident and I didn't do it on purpose and I'm sorry she feels like it wasn't an accident.

TM It's not an isolated incident because of the reference I just made to the parking lot thing, although you say you think it never happened; you think it was made up; why would someone make up a thing like that? What's the advantage to someone making up a situation where your pants fell down?

DJ I have been in public for a long time and sometimes my pants have come, come down but it certainly has been like that and I've had a thin waist and a full waist and it depends on where I was at that time I suppose as to what might of happened but I sure don't remember

TM Your pants fall down regularly? Because I know a lot of people and their pants never fall down

DJ Well it's, it's because my waist and my belt and I think it's been a real issue for me. Like, I've sold pocket knives for years and set up at the flea market and people there have complained about it on and off and I just never have done it on purpose it would've just been an accident.

TM So, you're working at a flea market and your pants fall down and then what happens to sales? Does sales spike after your pants fall down? (laughing)

DJ I don't know. (chuckles)

TM (Laughing).....That's an odd thing to say, I'm sorry man to man, that is a weird thing to say

DJ Umm Hmm

TM Because we all live in a world where we know if we expose ourselves to someone we're, we're going to be in some serious trouble.

DJ Umm Hmm

TM I mean you understand that's a violation of not only a violation of someone's personal space, but the law.

DJ I understand, and that was over year ago, what they're talking about and I sure don't remember it ever happened.

TM (Long pause).....Then there's another incident that involved GLI, Greater Louisville, Inc, the Chamber of Commerce arm, if you will. They say they don't want you to accompany them on anymore of their official trips or any other business.

DJ What it was, was the last night we were there the council members and myself, uh, and I think I was sitting across from Bill Hollander and David Yates and maybe Robin Engel, can't remember. They were on the other side and I was sitting next to a lady and then there were these two people that actually made the beer we were drinking and they were giving us dinner and pouring us beer and I was tired of the beer and I actually had a bottle of maker, of margarita mix up in my suitcase that I hadn't opened and I suggested to everybody at the table that they're welcome to come up to my room and have a bottle of margarita have a, have a glass of margarita with me, me...nobody came up to my room and did it, we, we drank so much beer that it didn't matter and, and I don't (sigh) I don't know why that ever was an issue? She says I said something to her later, I don't remember that and if that's the case I'm sorry.

TM So you do have memory problems

DJ Well.....(inaudible)

TM That's the second time you cited something controversial that's happened but say you have zero memory of it.

DJ Yeah, I do remember that we were drinking beer at a, at a, table together

TM Do you have a drinking problem? Has anyone ever told you, you have a drinking problem?

DJ No and I don't

TM You, you, you don't have blackouts, you don't have any issues?

DJ No

TM But, but, but other people are saying things are happening and you are saying that they didn't happen, so clearly there, there two distinct sides of the story.

DJ There always is

TM But do you feel like there is any chance that you were just not lucid at certain times because of..... I don't know, did you have a concussion when you were playing sports as a kid uh, er, did it

there are you on medication I have asked you that already..but, uh, er is there any other issue that could come in to play that would wipe out your memory and short-term blocks?

DJ Well.....I don't believe so, not right now

(Pause)

TM Alright right now the law says they're there is no sexual harassment policy for elected officials you're aware of that?

DJ No, I am not aware of that.

TM They're trying to put it in place now Jessica Green and Angela Leet are actually working together those are both councilwomen, for those of you unaware and they say they're working for a policy to create more parameters for everybody in the building. There was talk you have to contact the Democratic chair, is that David Yates?

DJ No, it was actually uh, the uh, somebody else it was the President....yeah, David Yates.

TM President David Yates, President of the Council that you need to contact him before you even enter City Hall?

DJ Well, I'll never do that because I'm a Councilman and I'm, I'm able to go to my office if I feel like it and I don't ever spend much time on the second floor which is what his question was and never have unless it was the uh, Beth, who writes the budget for us. And I think that besides her uh, the times I have been on the uh second floor this year were probably to ask for people to vote for my resolution for the NBA and, and, and that was the only time I've been there this year.

TM In the letter that President uh, the Council President David Yates writes he said that um, some employees "are fearful and intimidated by your physical presence" why would they be that way?

DJ I have no idea you haven't heard about me touching anybody except for Jessica by mistake and, and I think Uh there's a lot of council members who probably take her side and I wasn't allowed to talk about it till now and I'm saying that I didn't do it I didn't do it on purpose it just was an accident that's what I'll say till I die.

TM But why are people taking the sides of not only Jessica Green but the legislative aide to Angela Leet and the GLI folks now that's a group of people GLI who have come together to say we don't want Dan Johnson to accompany us on business so were all these people out to get you

DJ Well, uh, you know when, when you get to uh, Jessica and uh, GLI those are Republicans mostly, but the point is, is that I don't remember anything happening with um, you know that issue and they were force feeding us beer at this at this dinner and

(They are talking over one another)

TM Oh! Wait a minute force feeding beer....

DJ Yeah

TM Where where can I get a ticket to this dinner where.....

DJ Putting one in front of you the whole time if you, if you finished drinking one they would put another one there.

TM I need to learn more about these dinners. Do you have time do you have more time to stay?

DJ Um hmm

TM Alright Suzanne, thanks a bunch. We're going to spend a few more minutes with Dan Johnson from the metro council. Dan, appreciate you hanging in extra time here.

DJ Well, Thank you Terry

TM Alright, uh, Dan Johnson and has been for those of you just tuning in, has been in the cross hairs of several people because of what they claim, um, or inappropriate behavior incidence of sexual harassment and that we've talked about several of those, but I know some people are just joining in to get to it. The bottom line is the Democratic caucus is meeting tomorrow you were no longer you took yourself out of that but, um, council rules say that no person can be removed from office except if there's malfeasance, misfeasance, or unfitness for office, so do you skirt under that bar OK; are you safe, are you clear you think to to to not be removed from office which the mayor could do or five council members could do.

DJ None of those things apply to what I've done or, um, said to have done.

TM They don't?

DJ (Inaudible in background)

TM Malfeasance misfeasance is abuse of power malfeasance obviously is you know, uh, uh violation or, or dereliction of duty.

DJ right it's its doing with your job. None of these things occurred with my job.

TM Uh, here's the definition of malfeasance performance by public official of an act that is legally unjustified, harmful.. isn't sexual harassment harmful?

DJ No. I didn't I didn't do anything like that

TM Ok contrary to law sexual-harassment is contrary to law

DJ I did not do that.

TM OK and wrong doing so it's kind of a wide open, um, um now that's the Meriam Webster, um (sigh) the GLI incident was you, I know its vague but, again that's a group of people who are asking you

to no longer be around them, so, is that a group of people out to get you because these other incidents involve singular people.

DJ Well no, that think they just didn't want me to come to their meeting anymore and that's fine with me.

TM Alright what are you doing for the people in your district you wanted to, to talk about what you do for the people in your district why why should they continue to support you?

DJ Today I spent an hour with Jeff Underhill working on trying to get Colonial Gardens started and that's a big issue for our district and we need to have that done because it's gonna be a lot more restaurants for the south end and it's just things like that I've been working hard on trying to get done.

TM I know, I know you've also been in advocate for an NBA team here.

DJ I'm certainly am. When I was a youngster I went to kernels games and with my father and he took me to him and it was a shame of Colonels left and I been trying to see to it that we got one back and we just might next year.

TM Uh, You think there's really a plan in place there that's not just, um, some pipe dream for some, some investors?

DJ If Seattle gets a team I think we'll get a team.

TM OK so you are working on these things....how is it you're going to be able to work with the rest of the council if they are meeting in saying we don't want this guy on the floor with Us that some people are...I read the quote a few minutes ago "or fearful and intimidated by your physical presence," that's from another Philip Bailey article in the Courier Journal.

DJ See what I mean? And, and, and.....inaudible

(Talking over each other)

TM Well, then actually, excuse me, that quotes from the, from the letter by the council president but that's where I found it.

DJ Right, and then I think we can, uh, work through all those things and I can keep working on sidewalks and streets and everything else that I do. Drainage and all the things that I've been doing all my career.

TM But if.....men and women don't want you around in there, are you going to work from your home and just Facetime?

(talking over each other)

DJ I work, I work at the office.

TM You work at the office and, and if some other people feel uncomfortable, *tulare* ,uncomfortable at work what do you say to them?

DJ Um, sorry.

TM Sorry that they feel uncomfortable?

DJ That's right

TM So were your apologies to Jessica Green and Erin Hinson sincere?

DJ I was asked to do those apologies. Yes, I was sincere in doing them.

TM But if you're asked to do them, there they're induced by someone who has authority over you

DJ No councilman has authority over another councilman. It was just a suggestion

TM Why did you honor that suggestion if you didn't do anything?

DJ Because I think that, that had to be like I said.. I was concerned about their feelings.

TM Are you no longer concerned about their feelings....if you are you saying past tense.

DJ of that was at the time I am in pretty much upset by the way this is gone since then.

TM What about this notion of filing a lawsuit just for people talking about how they are hurt, their offended and hurt.

DJ You have to send cessation motion to be able to be able to do that in future if you need to.

TM I believe words like defamation and liable were thrown around as well. Do you really think anybody's done that to you?

DJ Oh yes, I think that's been well known on their plate.. see the fr..the point is, is this should've never gone any further than it did and then the day that it happened and I and I don't understand why we're still talking about it a month later.

TM Well because the Democratic caucus is meeting tomorrow.

DJ Right

TM And they could censure you; you could be removed from office by the mayor or five of the members of metro council. This is a news item so it's going to be addressed until there is finality. the caucus leaves and says you know we're gonna move on now and move back to city business other city business that'll be the end I guess.

DJ Um Hmm, that'll be a good thing.

TM Are you going to, is there anyway that you will resign?

DJ No, I was elected by the 21st district serve them for four years and I will do that until my time is up.

TM will you consider running again?

DJ I have said that I will not do that and I probably will not run for councilman again.

TM probably is a word that you just threw the middle that sentence so there's no finality into uh,uh your decision about whether not you'll stay in or run for that office again.

DJ I don't think I will.

TM you told me off the air there was someone named Mr. Cooley who was there during the Jessica Green photo shoot.

DJ Yes it was.

TM Whose who

DJ He was the one that

TM Confirmed, uh, that it happened the way you described.

DJ Yes, he and Yes he said that it didn't look like I did it on purpose and that's the honest truth that I didn't do it on purpose and it was just an accident.

TM Then to the incident of the dropping of the pants. You said that's happened to you multiple times and.....

DJ Not, not very far some people get you know you if you're picking something up or bending over it's called plumbers, you know to mean?

TM Yes.

DJ And, and that's that's what I'm talking about.

TM You told Sheldon Shafer of the Courier-Journal "I don't wear suspenders I have a thin waist and my belt is never tight enough to hold my pants up" well wouldn't that be something you'd resolve as a 10-year-old boy you'd figure, oh I have to put my belt on a certain hitch to hold up my pants?

DJ It actually heart happened when I, when I got older, it wasn't when I was younger so.

TM So you've had a reshaped body as a grown man?

DJ Um Hmm

TM still though you have a brain and you know that if your pants are too loose or whatever your,

you need to go see a tailor and get a different pair of pants.

DJ I fixed that by getting a better belt.

TM So you're going to do that now; you're going to get a better belt?

DJ Already have one.

TM You have one?

DJ Um hmm.

TM Alright, would you mind standing in front of that TV camera over there? I just want to see, I don't, since we're talking about this, there's a, there happens to be a TV camera here in the studio. Let's see Dan, I am just gonna give you a belt test here right now. Do you mind?

DJ Yeah, sure.

TM Alright thanks. His pants by the way are hanging kind of low. There you go, do you mind, here? Let me see. You got, well there he goes, he's got a belt on and I can't pull his pants. AND I wasn't trying to pullem down I didn't want to harass you, I just, I just wanted to check right there..your pants are snug.

DJ Um Hmm

TM I don't think this is a problem anymore so you figured out the calculus of wearing the right belt now.

DJ That's right

TM I am not making light of sexual harassment by the way. Uh, it's just that this has become a topic here all of the sudden but, ummm, what happens now? What happens after tomorrow when the, when the Caucus meets regarding...if they say they want to remove you from office are you gonna to go to court, gonna file a suit, are you gonna go through a legal process....or will you

Dan interrupts

DJ We'll see what happens tomorrow, I don't know

TM But you are determined to stay in position?

DJ I certainly am

TM Alright

DJ And I've been through a fight before once or twice and I've lived through it and so I will live through this.

TM Where there have been other things that have happened, I mean you and I discussed off the air there was a thing about a bad check years ago, that was just another thing that was t-t that popped up on the radar screen for you.

DJ Um Hmm

TM Was there not also an article, er, or two a story about you looking at porn on computers.

DJ Oh that lasted for one day

TM was that wrong was that a lie?

DJ No, it was true but it lasted for one day and the point was is.. that there was back in the day.. when you got emails, you got emails for everything.. but i think it's slowed down now, but you could open up an email and look what would be there...and that was that was one day and it was over and it it wasn't on purpose there either.

TM Was that a city computer?

DJ Yes

TM OK but did, eh, did but that was, that was an incidental thing where you opened a file

DJ Right

TM that's all that happened

DJ inaudible

TM OK and what do you think that allegation was rooted in? was it of partisanship was that somebody from the other side

DJ No it wasn't, it was certainly somebody was in my office that the complained that hadn't been there very long and she um she later showed me some pictures of um the other person the other side and an during the time before she left.

TM The other side?

DJ Men

TM I see

DJ From an email she got

TM You got a naked woman picture and she showed you naked men pictures?

DJ That's right

TM Is that the kind of work people ought a be doing on a city computer?

DJ Well that was a long time ago

(Terry interrupts Dan)

TM It doesn't matter, they're still city computers

DJ it just happened that way

TM Well Dan, I'm curious to see where this story goes next, is there anything else you want to say to Jessica Green or Erin Hinson or the people at GLIat this point

DJ I'm sorry if they feel that way and I hope we can work together in the future

TM Alright and now what do you want to say to the people who are constituents in your district?

DJ I'll continue working for you as hard as I have in the past

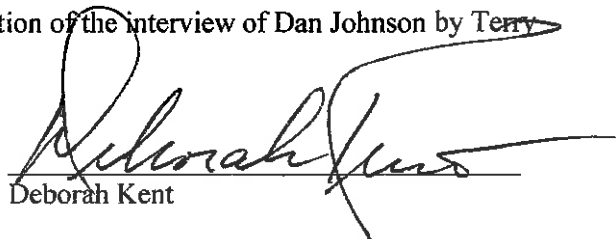
TM There you go , Dan Johnson live in the studio and we will let you know when the next chapter in this news story as it advances. Good to talk to you.

DJ Thank you, sir.

END

CERTIFICATION

I certify that this is a true and accurate transcription of the interview of Dan Johnson by Terry Meiners aired on WHAS Radio on July 12, 2017.


Deborah Kent

RESOLUTION NO. 190, SERIES 2013

A RESOLUTION REQUESTING THE KENTUCKY GENERAL ASSEMBLY TO ENACT LEGISLATION GRANTING THE LOUISVILLE METRO ETHICS COMMISSION THE AUTHORITY TO ISSUE ADMINISTRATIVE SUBPOENAS IN RELATION TO ETHICS COMPLAINTS AND HEARINGS AND REQUIRE MANDATORY REMOVAL OF AN ELECTED OFFICIAL UPON A FINDING OF FRAUD, THEFT, EMBEZZLEMENT OR MISAPPROPRIATION OF PUBLIC FUNDS (AS AMENDED).

Sponsored By: Council Members David Yates, Jerry T. Miller, President Jim King, Robin Engel

WHEREAS, the Louisville Metro Ethics Commission (“the Commission”) is charged with enforcing the Metro Code of Ethics governing the standards of conduct for government workers and all elected officials; and

WHEREAS, the Louisville Metro Ethics Commission currently lacks the subpoena power necessary to compel individuals to testify before the Commission during the investigation of an ethics complaint or an ethics hearing; and

WHEREAS, the lack of subpoena power remains a serious challenge to the Louisville Metro Ethics Commission’s ability to enforce the law and is ultimately a question of state law that the General Assembly must address; and

WHEREAS, Kentucky Revised Statute (“KRS”) 67C.143(1) states that “any elected officer of a consolidated local government may be removed from office in case of misconduct, incapacity, or willful neglect in the performance of the duties of his or her office by the legislative council, sitting as a court, under oath, upon charges preferred by the mayor or by any five (5) members of the legislative council...”; and

WHEREAS, “misconduct”, “incapacity” or “willful neglect” are not defined by the KRS; and

WHEREAS, the Louisville Metro Ethics Commission needs the ability to issue administrative subpoenas for the attendance and testimony of witnesses and the production of documents relevant to possible violations of the Code of Ethics; and

WHEREAS, Louisville Metro finds it imperative that “misconduct”, “incapacity” and “willful neglect” be defined under the KRS and also that upon a finding of fraud, theft, embezzlement or misappropriation of public funds committed by an elected officer by the legislative council sitting as a court, an elected official shall be removed; and

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

SECTION I: The Louisville Metro Council, by this Resolution, requests the Kentucky General Assembly enact legislation granting the Louisville Metro Ethics Commission the authority to issue administrative subpoenas designed to compel individuals to testify before the Commission and require those individuals to produce documents relevant to possible violations of the Code of Ethics.

SECTION II: The Louisville Metro Council, by this Resolution, requests the Kentucky General Assembly enact legislation that would amend KRS 67C.143(1) to require that upon a finding of fraud, theft, embezzlement, misappropriation of public funds or official misconduct as defined under Kentucky Revised Statute (“KRS”) 522.020 committed by an elected officer by the legislative council sitting as a court, an elected official *shall* be removed from office, instead of *may be* removed from office.

SECTION III: The Louisville Metro Council, by this Resolution, requests the Kentucky General Assembly enact legislation that would amend KRS 67C.143(1) to require

“misconduct”, “incapacity” and “willful neglect” be defined under the KRS, and recommends that following definitions be adopted:

“Misconduct”-Misconduct is defined as a transgression of some established and definite rule of action, a forbidden act, a dereliction from duty, unlawful behavior, willful in character, improper or wrong behavior; its synonyms are misdemeanor, misdeed, misbehavior, delinquency, impropriety, mismanagement, offense, but not negligence or carelessness.

“Official Misconduct”- you must knowingly, with the intent to obtain or confer a benefit or to injure another person:

- a) Commit an act relating to his/her office which constitutes an unauthorized exercise of his/her official functions; or
- b) Refrain from performing a duty imposed upon him/her by law or clearly inherent in the nature of his/her office; or
- c) Violate any statute or lawfully adopted rule or regulation relating to his/her office.

“Incapacity”-The physical or mental inability for an individual to perform the functions of their elected office, or a condition of impairment that substantially limits an individual's ability to perform the functions of their elected office.

“Willful Neglect”- the intentional disregard of a plain or manifest duty, in the performance of which the public or the person injured has an interest. Willful neglect suggests intentional, conscious, or known negligence – a knowing or intentional mistake.

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

H. Stephen Ott

H. Stephen Ott
Metro Council Clerk

Jim King

Jim King
President of the Council

Greg Fischer

Greg Fischer
Mayor

12/17/13

Approval Date

APPROVED AS TO FORM AND LEGALITY: KBB

Michael J. O'Connell
Jefferson County Attorney

**LOUISVILLE METRO COUNCIL
ADOPTED**
December 12, 2013

BY: *William P. O'Brien*

SubpoenaPower to Metro Ethics Command Amending KRS 67C 143 by KY Gen. Assem. Res. ROC kbb Amended Draft 3.doc 12.03.13
SubpoenaPower to Metro Ethics Command Amending KRS 67C 143 by KY Gen. Assem. Res. CCO hso Amended Draft 2.doc 11.20.13
SubpoenaPower to Metro Ethics Command Amending KRS 67C 143 by KY Gen. Assem. Res. ROC kbb Amended Draft 1.doc 11.04.13
RES 216 GENERAL ASSEMBLY POSSIBLE AMEND ON FLOOR

