



Action Summary - Tentative
Public Safety Committee

Chair Jessica Green (D-1)
Vice Chair James Peden (R-23)
Committee Member Barbara Shanklin (D-2)
Committee Member Mark H. Fox (D-13)
Committee Member Marilyn Parker (R-18)
Committee Member Nicole George (D-21)
Committee Member Madonna Flood (D-24)

Wednesday, March 3, 2021

3:30 PM

Council Chambers/Virtual

Call to Order

Chair Person Green called the meeting to order at 3:31 p.m.

Roll Call

Chair Person Green introduced the committee members and non-committee members present. A quorum was established.

***NOTE: All committee members and non-committee members present attended virtually, except Council Member Piagentini, who attended in Chambers.**

Present: 7 - Chair Jessica Green (D-1), Committee Member Barbara Shanklin (D-2), Committee Member Mark H. Fox (D-13), Committee Member Marilyn Parker (R-18), Committee Member Nicole George (D-21), Vice Chair James Peden (R-23), and Committee Member Madonna Flood (D-24)

Non-Committee Member(s)

Council Member JeCorey Arthur (D-4), Council President David James (D-6), Council Member Paula McCraney (D-7), Council Member Cindi Fowler (D-14), Council Member Markus Winkler (D-17), and Council Member Anthony Piagentini (R-19)

Support Staff

Alice Lyon, Jefferson County Attorney's Office
Jason Fowler, Jefferson County Attorney's Office
Hollie Hopkins, Jefferson County Attorney's Office

Clerk(s)

Lisa Franklin Gray, Assistant Clerk
Sonya Harward, Clerk

Pending Legislation1. [O-074-21](#)**AN ORDINANCE AMENDING CHAPTER 123 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) RELATING THE REGULATION OF PAWNBROKERS, JUNK, SCRAP, SECONDHAND DEALERS, AND SECONDARY METALS RECYCLERS.**

Sponsors: Primary Cindi Fowler (D-14), Primary Pat Mulvihill (D-10), Primary Madonna Flood (D-24) and Primary Mark H. Fox (D-13)

Attachments: [O-074-21 V.1 022521 Amend LMCO 123 RE Secondhand Dealers.pdf](#)

This item was held in committee.

2. [R-018-21](#)**A RESOLUTION URGING THE KENTUCKY GENERAL ASSEMBLY TO ENACT HOUSE BILL 21, THE STATEWIDE “BREONNA’S LAW.”**

Sponsors: Primary Jecorey Arthur (D-4), Primary Jessica Green (D-1) and Additional Keisha Dorsey (D-3)

Attachments: [R-018-21 V.1 022521 Urging KY General Assembly to Enact Breonna's Law Statewide.pdf](#)

This item was held in committee.

3. [O-060-21](#)**AN ORDINANCE CREATING A CHAPTER OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (“LMCO”) TO PREVENT THE UNAUTHORIZED PUBLICATION OF INDIVIDUAL’S PERSONALLY IDENTIFYING INFORMATION IN A PRACTICE COMMONLY KNOWN AS “DOXING.”**

Sponsors: Primary Anthony Piagentini (R-19), Primary Markus Winkler (D-17), Additional Mark H. Fox (D-13) and Additional Marilyn Parker (R-18)

Attachments: [O-060-21 V.1 021121 Malicious Publication of Personally Identifying Information-Doxing.pdf](#)

A motion was made by Committee Member Fox, seconded by Committee Member George, that this Ordinance be recommended for approval.

The following spoke to this item:

- Chair Person Green
- Committee Member Fox
- Committee Member Parker
- Vice Chair Peden
- Committee Member George
- Committee Member Shanklin
- Committee Member Flood
- Council Member Piagentini
- Council Member Winkler
- Council Member Arthur
- Jason Fowler, Jefferson County Attorney's Office
- Lieutenant Colonel Joshua Judah, Louisville Metro Police Department

The following was discussed:

- This legislation was created in response to a growing practice of cyber bullying on social media that began after last summer's social justice protests.
- The practice called doxing exposes individuals' personal information, such as home address, cell phone numbers, etc.
- The primary intent of this legislation is to hold individuals accountable for posting private information and making potential/veiled threats against other individuals.
- This legislation seeks to offer protections against individuals that target public officials/servants, as well as, private citizens using unprotected speech.
- There was a discussion regarding the parameters outlined in the legislation and consequences to individuals that pose an imminent/implied threats to others.
- There was a discussion regarding how the legislation would impact First Amendment Rights.
- There were several questions regarding the potential cost that may be incurred by the Louisville Metro Police Department to increase cyber security monitoring.
- There was a discussion regarding how to and who would interpret the legislation such as by a judge.
- There were several questions regarding other jurisdictions that have adopted similar types of legislation.
- There was a discussion regarding the definition of a true threat and that it is not protected speech under the First Amendment.
- This legislation is an effort to regulate speech that is not protected.
- There was a discussion regarding at what threshold the doxing legislation would be applicable.
- There was a discussion regarding this legislation overlapping with similar legislation, such as terroristic threatening, etc.
- There were several questions regarding KRS 525.080 that speaks to harassing communications and/or intimidating behavior.
- There were several questions regarding whether this legislation covers hate speech.
- There were several questions regarding whether hate speech has previously been litigated and the outcomes in those instances.
- There was a discussion regarding hate speech distinctions being designed for protected classes.
- There was a discussion regarding the First Amendment and whether this legislation would make Louisville Metro susceptible to legal challenges.
- There was a discussion regarding the legislation lacking clarity on the definition of a true threat, its intent, and the overall application for enforcement.
- There were several questions regarding whether re-sharing information online would constitute doxing.
- There were several questions regarding testing the legislation against similar legislation.
- There were several questions regarding whether this legislation would be enforceable.

A motion was made by Committee Member Fox, seconded by Committee Member Flood, that this Ordinance be tabled.

The motion to table carried by a voice vote.

Adjournment

Without objection, Chair Person Green adjourned the meeting at 4:32 p.m.

Note: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on March 11, 2021.