



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Final Public Safety Committee

Chair Jessica Green (D-1)
Vice Chair James Peden (R-23)
Committee Member Barbara Shanklin (D-2)
Committee Member Barbara Sexton Smith (D-4)
Committee Member Mark H. Fox (D-13)
Committee Member Marilyn Parker (R-18)
Committee Member Madonna Flood (D-24)

Wednesday, October 28, 2020

3:30 PM

Council Chambers

Call to Order

Chair Green called the meeting to order at 3:30 p.m.

Roll Call

Chair 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 for Council Member McCraney and Council Member Coan who were present in Chambers.**

- Present:** 6 - Chair Jessica Green (D-1), Vice Chair James Peden (R-23), Committee Member Barbara Shanklin (D-2), Committee Member Barbara Sexton Smith (D-4), Committee Member Mark H. Fox (D-13), and Committee Member Marilyn Parker (R-18)
- Excused:** 1 - Committee Member Madonna Flood (D-24)

Non-Committee Members

Council Member Donna Purvis (D-5), Council President David James (D-6), Council Member Paula McCraney (D-7), Council Member Brandon Coan (D-8), Council Member Bill Hollander (D-9), Council Member Kevin Triplett (D-15), and Council Member Markus Winkler (D-17)

Support Staff

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

Clerk(s)

Sonya Harward, Clerk

Pending Legislation

1. [O-481-20](#)

AN ORDINANCE CREATING THE CIVILIAN REVIEW & ACCOUNTABILITY BOARD AND THE OFFICE OF INSPECTOR GENERAL, AND ABOLISHING THE CITIZEN COMMISSION ON POLICE ACCOUNTABILITY (AS AMENDED).

Sponsors: Primary Paula McCraney (D-7), Primary Bill Hollander (D-9) and Primary David James (D-6)

Attachments: [O-481-20 PROPOSED CABS 111120 Civilian Rev. and Acct. Board and OIG.pdf](#)
[O-481-20 V.2 CAM 102820 Civilian Rev. and Acct. Board and OIG.pdf](#)
[O-481-20 V.1 102220 Civilian Rev. and Acct. Board and OIG.pdf](#)

A motion was made by Committee Member Fox, seconded by Committee Member Sexton Smith, that this Ordinance be approved.

Council Member McCraney provided some background on how this Ordinance came to be. She also proposed an amendment to add an additional Whereas clause.

A motion was made by Committee Member Peden, seconded by Chair Green, that this Ordinance be amended to add the following additional Whereas clause:

"WHEREAS, the creation of the new Civilian Review & Accountability Board and Office of Inspector General is designed to promote police accountability and reduce civilian complaints."

The following spoke to this proposed amendment:

- Committee Member Peden
- Council Member McCraney

The motion to amend carried by a voice vote.

Council Member McCraney proposed an amendment to the Ordinance in Section 36.71(A)(2).

The following spoke to this proposed amendment:

- Committee Member Peden
- Hollie Hopkins, Jefferson County Attorney's Office
- Council Member Coan
- Council Member Winkler
- Council Member Hollander
- Committee Member Parker
- Council Member McCraney
- Chair Green

A motion was made by Chair Green, seconded by Committee Member Peden, that this Ordinance be amended as follows:

-In Section 36.71(A)(2), amend the current language by creating two subsections as follows:

"(2) (a) For two Board positions, appointments shall be at the Mayor's discretion.

(b) Two citizens may self-nominate to be considered for an appointment made under this subsection;"

The motion to amend carried by a voice vote.

Council President James came back to this amendment and there was additional discussion about this amendment but it remained as approved, with possible changes coming at a later time. Additional research will be done by the County Attorney's Office regarding appointments being made by the Council.

Council Member McCraney proposed an amendment to the Ordinance in Section 36.71(D).

The following spoke to this proposed amendment:

- Chair Green
- Committee Member Fox
- Committee Member Peden

A motion was made by Committee Member Green, seconded by Committee Member Fox, that this Ordinance be amended as follows:

-In Section 36.71(D), add the following language after the first sentence in this section:

"Members' term and participation on the commission will end immediately at the end of their term and that their position would be declared vacant until a new replacement has been made. If the mayor fails to take action on a recommendation to fill a vacancy described by Section 2, by either the Metro Council or another named group, after 60 days the Metro Council will have the right to name that appointment based on those names submitted for consideration to the Mayor."

The motion to amend carried by a voice vote.

There was additional discussion regarding KRS 67C and whether the Council can fill an appointment if the Mayor does not within 90 days of the vacancy.

The following spoke to this topic:

- Committee Member Fox
- Chair Green
- Hollie Hopkins
- Council Member Hollander

Council Member McCraney proposed an amendment to the Ordinance in Section 36.72(B)(1), which changes the maximum number of retired or former Metro employees from two to one.

A motion was made by Chair Green, seconded by Committee Member Fox, that this Ordinance be amended as stated above.

The motion to amend carried by a voice vote.

Council Member McCraney proposed an amendment to the Ordinance in Section 36.73(A) as follows:

- Delete subsection (6), "Speaking to the media about Board activities without

the approval of the Board chair;"
- Renumber subsections (7) and (8) accordingly.

A motion was made by Chair Green, seconded by Committee Member Sexton Smith, that this Ordinance be amended as stated above.

The motion to amend carried by a voice vote.

Council Member McCraney proposed an amendment to the Ordinance in Section 36.75(B) as follows:

-Delete "including to the media"

A motion was made by Chair Green, seconded by Committee Member Sexton Smith, that this Ordinance be amended as stated above.

The motion to amend carried by a voice vote.

Council Member McCraney brought attention to Section 36.76 regarding training.

The following spoke about the training provision in the Ordinance:

- Chair Green
- Council Member McCraney
- Committee Member Fox
- Committee Member Peden
- Hollie Hopkins

The County Attorney's Office will work on possible amendments to this section.

Council Member McCraney stated that she would work with the County Attorney's Office to get the remainder of her proposed changes updated and provide a proposed amendment by substitution at the next Committee meeting.

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

The motion to table carried by a voice vote.

2. [R-120-20](#)

AN RESOLUTION URGING METRO GOVERNMENT TO TAKE ALL POSSIBLE STEPS TO REQUIRE DRUG AND ALCOHOL TESTING OF LOUISVILLE METRO POLICE DEPARTMENT OFFICERS WHEN CRITICAL INCIDENTS OCCUR.

Sponsors: Primary David James (D-6) and Primary Barbara Sexton Smith (D-4)

Attachments: [R-120-20 V.1 091720 Drug Testing for LMPD After Incidents.pdf](#)

This item remained held in Committee.

Adjournment

Without objection, Chair Green adjourned the meeting at 4:00 p.m.