



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, September 30, 2020

3:00 PM

Council Chambers

THIS IS CONSIDERED A SPECIAL MEETING

Call to Order

Chair Green called the meeting to order at 3:03 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 attended the meeting virtually, except for Council Member Coan who was present in Chambers.

Present: 7 - 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), and Committee Member Madonna Flood (D-24)

Non-Member(s)

Council Member Donna Purvis (D-5), Council President David James (D-6), and Council Member Brandon Coan (D-8)

Support Staff

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

Clerk(s)

Sonya Harward, Clerk
Lisa Franklin-Gray, Assistant Clerk

Pending Legislation

1. [O-378-20](#)

AN ORDINANCE REQUIRING THE INCORPORATION OF CERTAIN LIMITATIONS ON POLICE USE OF FORCE INTO LOUISVILLE METRO POLICE DEPARTMENT POLICIES (AMENDMENT BY SUBSTITUTION) (AS AMENDED).

Sponsors: Primary Jessica Green (D-1) and Primary Brandon Coan (D-8)

Attachments: [O-378-20 V.2 CABS-CAM 093020 - New Policy on Police Use of Force.pdf](#)
[O-378-20 PROPOSED CABS 092320 - New Policy on Police Use of Force.pdf](#)
[O-378-20 V.1 082020 - New Policy on Police Use of Force.pdf](#)
[O-378-20 LTR LMPD Review - Use of Force Restrictions \(003\).pdf](#)

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

The following spoke to the item:

- Council Member Coan
- Chair Green
- Committee Member Fox
- Council President James
- Alice Lyon, Jefferson County Attorney's Office
- Vice Chair Peden
- Committee Member Parker
- Committee Member Sexton Smith

The following was discussed:

- Required policies
- Codes vs. policies
- Choke holds
- What other cities are doing and their policies
- De-escalation and decision making
- Officers shooting at a moving vehicle
- When a vehicle is being used to strike a person, a crowd, with the intent of causing mass injuries or the death of another person
- The purpose of codifying the ordinance
- What Chief Robert Schroeder agreed with regarding the Amendment by Substitution
- Should not try to handcuff the police regarding policies
- Chemicals agents
- Use of tear gas and pepper balls
- State Representative Attica Scott, who proposed Breonna's Law and her arrest during the protest
- Limitation of police use of force
- Chair Green stated she will invited Chief Yvette Gentry to attend next's Public Safety Committee

A motion was made by Committee Member Sexton Smith, seconded by Chair

Green, that this Ordinance be amended by substitution as shown in the document attached hereto titled "O-378-20 PROPOSED CABS 092320 - New Policy on Police Use of Force.pdf."

The motion to amend by substitution carried by the following vote:

Yes: 4 - Green, Shanklin, Sexton Smith, and Flood

No: 3 - Peden, Fox, and Parker

A motion was made by Chair Green, seconded by Committee Member Peden, that this Ordinance be amended by deleting Section 36.XX(B)(9), which stated the following:

"When mitigating civil unrest, department members shall not use chemical agents, including tear gas, unless it is reasonable to believe an individual or a group of individuals is acting with the intent of causing physical injury or death to an officer or another person or persons, arson or rioting. When reasonable under the totality of the circumstances, department members shall give a clearly audible verbal warning prior to the use of chemical agents."

The motion to amend carried by a voice vote:

Yes: 7 - Green, Peden, Shanklin, Sexton Smith, Fox, Parker, and Flood

A motion was made by Chair Green, seconded by Committee Member Peden, that this Ordinance be tabled. The motion 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 was held in committee.

Adjournment

Without objection, Chair Green adjourned the meeting at 4:21 p.m.