ORDINANCE NO. _____, SERIES 2026

AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES ("LMCO") CHAPTER 36 ON POLICE DEPARTMENT POLICIES, TO BE KNOWN AS THE SAFETY AND ACCOUNTABILITY FOR EVERYONE (SAFE) LAW.

SPONSORED BY: COUNCIL MEMBER PURVIS

WHEREAS, Louisville Metro Government is committed to public safety and accountability in every neighborhood and for every citizen in our community; and

WHEREAS, Louisville Metro Government recognizes that the professionals in our Louisville Metro Police Department (LMPD), Louisville Fire Department (LFD), MetroSafe, case workers, and community volunteers who work every day to improve public safety and serve our community risk their lives and health for our families. They have difficult jobs and rise to the occasion when called upon. They deserve our respect and thankful gratitude for their service; and

WHEREAS, to best serve the people of Louisville Metro, the Louisville Metro Police Department (LMPD) and all those engaged in improving public safety must engage with and partner with the communities they serve. The agencies and organizations we rely on must acknowledge wrongs when they occur and work to correct problems and strive to better serve the public; and

WHEREAS, following the inadequate practices, policies, and actions of Louisville Metro government and tragic decisions that resulted in the death of Breonna Taylor and other victims in Louisville Metro, an investigation by the U.S. Department of Justice (DOJ) found the need for changes and improvements in the delivery of public safety services to the citizens of Louisville Metro; and

WHEREAS, the Louisville Metro Government agreed to the changes negotiated with the DOJ and enshrined in the Consent Degree before a federal judge; and

WHEREAS, the federal judge dismissed the legal proceeding, oversight, and enforcement of the Consent Decree on December 31, 2025 and issued the directive that the Louisville Metro Government lead these agreed-upon changes into being and conduct necessary oversight of those changes; and

WHEREAS, Mayor Greenberg incorporated objectives found in the previously negotiated Consent Decree into a plan known as “Community Commitment: Louisville’s Consent Decree”; and

WHEREAS, it is Metro Council’s intent to review the provisions of the Consent Decree and the “Community Commitment: Louisville’s Consent Decree” to determine whether provisions of those plans should be codified into ordinances; and

WHEREAS, amending LMCO 36.04 on uses of force is one small part of Metro Council’s intent to conduct a full review of public safety policies for potential codification; and

WHEREAS, in reviewing provisions for codification, Metro Council intends to consult with community members, police officers, advocates, and others who are committed to effective and lawful public safety in Louisville to foster community participation and engagement to help ensure reforms to public safety that are reasonable, measurable, actionable, and monitored with appropriate oversight; and

WHEREAS, Metro Council intends to support officers and Metro employees, through enhanced policies, training, supervision, and accountability systems; and

WHEREAS, Metro Council recognizes that Louisville Metro and LMPD have embarked on significant organizational changes to better serve their community and employees over the last few years including:

a. The creation of LMPD's Accountability and Improvement Bureau;

b. The creation of command and executive staff positions to oversee structural improvements;

c. The creation of a pilot alternative behavioral health emergency response program;

d. The creation of the Civilian Review & Accountability Board and Office of the Inspector General to strengthen the accountability system at LMPD by providing objective and independent civilian-led oversight;

e. Facilities improvements including new headquarters construction and the Summit Wellness Center.

WHEREAS, Louisville Metro Government believes that organizational changes and oversight are necessary to ensure that reforms are fundamental to the mission of LMPD; and

WHEREAS, Louisville Metro Government and LMPD are committed to treating each person with fairness and respect, ensuring that all members of the public receive equal protection of the law, without discrimination based on race, color, ethnicity, national origin, religion, gender, gender identity, sexual orientation, or disability.

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

SECTION I: LMCO Section 36.04 is amended as follows:

§ 36.04 REQUIRED POLICIES; LIMITATIONS ON POLICE USE OF FORCE.

(A) For the purposes of this section of the Louisville Metro Code of Ordinances, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

DE-ESCALATION. A desired outcome achieved by utilizing decision-making, communication, and tactics to resolve conflict or potential conflict, which is ethically based on the preservation of life and the avoidance of the use of force.

USE OF FORCE. Physical force used upon, or directed toward, the body of another person.

(B) The Chief of Police shall incorporate the following requirements, consistent with law and legal precedent, regarding the use of force in any policies, procedures, or regulations concerning the conduct of department members:

(1) Choking techniques are only an approved force option in a situation where the use of deadly force would be allowed.

(2) Department members ~~should~~ shall, when reasonable under the totality of the circumstances, attempt to resolve conflict or potential conflict through de-escalation techniques to decrease the likelihood that officers will resort to the use of force.

(3) Department members should, if feasible, give a clearly audible verbal warning before the use of deadly force.

(4) Department members should, when reasonable under the totality of the circumstances, exhaust all reasonable alternative uses of force prior to using firearms.

(5) Department members should act to prevent or stop any other officer, regardless of rank or assignment, from using unlawful, unnecessary, or excessive force.

(6) Department members should not discharge their firearms either at, or from, a moving vehicle unless deadly force is being used against the officer or another person. The use of a vehicle by a civilian shall not be considered deadly force unless there is gunfire or other deadly force emanating from the vehicle or it is reasonable to believe the vehicle is being used to strike a person, a crowd, another vehicle or a building or

structure when capable of causing mass injuries, serious physical injuries, or the death of another person.

(7) Department members should, based on facts known to the officer, utilize the lowest level of force reasonable to gain control of the subject.

(8) Department members should report, through the chain of command, each use of physical force other than a control hold and each instance of pointing a firearm at another person.

SECTION II: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

_____	_____
Sonya Harward Metro Council Clerk	Brent Ackerson President of the Council
_____	_____
Craig Greenberg Mayor	Approval Date

APPROVED AS TO FORM:

Michael J. O'Connell
Jefferson County Attorney

BY: _____

O-009-26 SAFE Law LMCO Ch 36 amends 1-8-26 al