

RESOLUTION NO. _____, SERIES 2020

A RESOLUTION URGING THE GENERAL ASSEMBLY TO AMEND SECTIONS OF THE KENTUCKY REVISED STATUTES IN ORDER TO ENABLE POLICE REFORMS (AMENDMENT BY SUBSTITUTION).

SPONSORED BY: COUNCIL MEMBERS WINKLER, DORSEY, SEXTON SMITH, GREEN AND PRESIDENT JAMES

WHEREAS, the Metro Council recognizes the need for police reform that enhances transparency, accountability, and restores the public trust; and

WHEREAS, Metro Council heard the many calls for change raised during the hearings on the approval of the Fraternal Order of Police Collective Bargaining Agreement; and

WHEREAS, Metro Council expects the administration to include these reforms in the negotiations of a long-term agreement set to begin January 2021; and

WHEREAS, many of the reforms that are needed are governed by state law; and

WHEREAS, Louisville Metro Government has instituted those reforms that it can enact or implement in the absence of changes to enabling statutory provisions.

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

SECTION I. The Louisville Metro Council requests that the General Assembly consider amendments to state law that might assist Louisville Metro Government in strengthening its police reform efforts to enhance transparency and accountability, and to restore the public trust. Suggested areas for consideration include, but are not limited to:

- (a) Evaluating possible amendments to the Kentucky Open Records Act in KRS 61.878(1)(h) and KRS 17.150 to permit body camera footage, 911 emergency telephone recordings, and radio transmissions to be released upon request for incidents involving

police use or force or potential misconduct, regardless of whether a law enforcement action or administrative adjudication is ongoing;

(b) Evaluating the repeal of KRS 67C.326(1)(f), which currently prevents Metro Government officials from making public statements concerning an officer's alleged violation of departmental rules prior to final disposition of any allegations;

(c) Evaluating the authorization of the power to use subpoenas by the newly created Office of Inspector General in conjunction with civilian oversight of police policies, processes, and conduct;

(d) Evaluating amendments to KRS 67C.321 to allow greater flexibility by allowing either the police chief or the chief's designee to participate in disciplinary hearings and actions that require the chief's participation.

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

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____
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