



Louisville Metro Government

Legislation Details (With Text)

File #: R-090-20 **Version:** 1 **Name:**

Type: Resolution **Status:** Passed

File created: 6/24/2020 **In control:** Public Safety Committee

On agenda: 8/6/2020 **Final action:** 8/6/2020

Title: A RESOLUTION URGING THE ADOPTION OF POLICIES TO INCREASE TRANSPARENCY INTO, AND EXPEDITE CLOSURE OF, POLICE INVESTIGATIONS.

Sponsors: David James (D-6), Jessica Green (D-1)

Indexes:

Code sections:

Attachments: 1. R-090-20 V.1 062520 - Transparency RE Police Investigations.pdf, 2. RES 081 2020.pdf

Date	Ver.	Action By	Action	Result
8/6/2020	1	Metro Council	adopted	
7/29/2020	1	Public Safety Committee	recommended for approval	
7/15/2020	1	Public Safety Committee		
6/25/2020	1	Metro Council	assigned	
6/25/2020	1	Metro Council	assigned	

RESOLUTION NO. _____, SERIES 2020
A RESOLUTION URGING THE ADOPTION OF POLICIES TO INCREASE
TRANSPARENCY INTO, AND EXPEDITE CLOSURE OF, POLICE INVESTIGATIONS.
SPONSORED BY: COUNCIL PRESIDENT DAVID JAMES
AND COUNCIL MEMBER JESSICA GREEN

WHEREAS, Louisville strives to be a transparent and compassionate city; and

WHEREAS, Louisville Metro law enforcement is tasked with protecting all Louisville residents;

and

WHEREAS, either on receipt of a complaint or on its own volition, Louisville Metro Police Department (LMPD) undertakes investigations into officer conduct for actions that may constitute a policy violation, a criminal violation, or both; and

WHEREAS, LMPD investigates allegations of policy violations through its Professional Standards Unit (PSU), and to possible criminal violations through its Professional Investigation Unit (PIU); and

WHEREAS, upon completion of a PIU investigation, the decision whether to file criminal charges rests with state and local prosecutors, and upon completion of a PSU investigation the decision whether to pursue administrative discipline rests with the LMPD Chief of Police; and

WHEREAS, because of court rulings regarding an officer's constitutional rights, the current practice at LMPD is to complete and close a PIU criminal investigation before commencing a PSU policy investigation arising from the same events; and

WHEREAS, it is in the best interests of both an officer under investigation and the public to have any questions surrounding an officer's conduct resolved as expeditiously as possible; and

WHEREAS, the Kentucky Open Records Act provides for public agencies to exempt from disclosure public records, when their premature release might jeopardize the integrity of criminal or administrative investigations; and

WHEREAS, many of these records might otherwise be available to the public immediately upon request; and

WHEREAS, Metro Council is concerned with the significant delay of the release of records to the public; and

WHEREAS, in many instances, release of certain of these records which simply document events or interactions with the public such as 911 calls, body camera data, and Metro Safe Computer Aided Dispatch logs, should not impede potential investigations; and

WHEREAS, Louisville Metro Government should be as transparent as possible, and act as quickly as possible, both to provide victims, families, citizens, and the media access to records that will promote greater understanding on uncertain situations without hampering an investigation, and to bring any investigation to a close.

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

SECTION I. The Council calls upon the LMPD to revise its policies and practices to expedite

the completion of PIU and PSU investigations.

SECTION II. The Council urges LMPD to release promptly those records related to an investigation that document LMPD interactions with the public, the release of which will not jeopardize the integrity of that investigation and is not otherwise precluded from release by privacy rights or other applicable law.

SECTION III: 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: _____

R-090-20 -increased police investigation transparency- 6-25-20 - HH