



Legislation Text

File #: O-276-20, Version: 1

ORDINANCE NO. _____, SERIES 2020
AN ORDINANCE REQUIRING DRUG AND ALCOHOL TESTING OF LOUISVILLE
METRO POLICE DEPARTMENT OFFICERS WHEN CRITICAL INCIDENTS OCCUR.
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WHEREAS, the Louisville Metro Council recognizes that the safety and well-being of our citizens and our police officers is imperative to the community;

WHEREAS, drug and alcohol use can impair judgement and exacerbate potential dangers to public safety; and

WHEREAS, detecting whether or not drug and alcohol use contributed to a critical police incident will help Louisville Metro Police Department investigate such incidents;

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

SECTION I: A new section of Chapter 39 of the Louisville Metro Code of Ordinances is created as follows:

Section 39.XX. Mandatory drug and alcohol testing after critical incidents.

(A) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

CRITICAL INCIDENT: The use of deadly force in the line of duty by a sworn Louisville Metro Police Department officer; or an action taken in the line of duty by a sworn Louisville Metro Police Department officer which results in, or potentially could have resulted in, the death or serious physical injury to the sworn officer or any other person.

(B) The chief of police shall incorporate the following policies regarding mandatory drug

and alcohol testing into any regulation concerning the conduct of sworn officers, including but not limited to Standard Operating Procedures and training procedures:

(1) Each sworn officer involved in a critical incident shall submit to drug and alcohol testing; and

(2) The drug and alcohol testing shall be performed as soon as practicable after the critical incident, but no later than the end of the involved officer's shift and before any interviews are conducted regarding the incident, including but not limited to interviews by the Public Integrity Unit.

(C) A violation of this section shall result in disciplinary action under department procedures and the appropriate union contract, and the officer shall receive all procedural due process rights to which the officer is entitled by law or contract.

SECTION II: This Ordinance 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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