

RECOMMENDED REMEDIAL MEASURES

We commend Louisville Metro Government and LMPD for not waiting for the outcome of this investigation to make improvements. But they must do more to address the legal violations—and the root causes of those violations—identified in this report. The recommended remedial measures below provide a starting framework for changes that Louisville Metro and LMPD must make to improve public safety, build the trust of Louisville’s many communities, and comply with the Constitution and federal law.

- 1. Enhance Use-of-Force Policies, Reporting, and Review Procedures.** LMPD should revise its use of force policy to place more emphasis on de-escalation techniques and require officers to consider less-intrusive alternatives before employing force. LMPD should implement use-of-force reporting and review systems to ensure that officers report all uses of force, and that LMPD conducts timely, thorough reviews of force incidents.
- 2. Create and Deliver New Use-of-Force Training.** New use-of-force training should provide clear guidance to officers about when to use the different force options and explicitly address the dangers of neck restraints, canines, and tasers.
- 3. Enhance Force-Related Accountability Mechanisms.** LMPD should ensure that uses of force are promptly referred to the appropriate investigative unit or agency whenever a supervisor or reviewing officer finds evidence indicating apparent misconduct or criminal conduct by an officer. LMPD should promptly take appropriate corrective or disciplinary action when officers use force that violates the agency’s policies.
- 4. Improve Policies Related to Confidential Informants.** LMPD should develop and implement clear policies on how officers can use confidential informants, regularly evaluate and document their credibility and reliability, and track confidential informants’ work over time.
- 5. Improve Policies and Training Related to Search Warrant Requests.** LMPD should develop and implement clear policies to guide all aspects of search warrant requests, including: the use of confidential informants to establish probable cause for a search; the preparation of warrant applications to demonstrate probable cause; internal review of applications; the presentation of applications to prosecutors prior to seeking authorization; and a system for seeking judicial approval of a search without forum shopping.
- 6. Improve Policies and Training Regarding Knocking and Announcing During Search Warrant Executions.** LMPD should adopt policies that require officers to knock and announce their presence during search warrant executions at homes, and establish strict criteria for supervisory approval of executing a search warrant on a home without first knocking and announcing. LMPD should generally require officers to execute search warrants during the daytime and establish strict criteria for supervisory approval of night-time search warrant executions. LMPD should develop training on these new policies and require all officers who prepare, review, or execute search warrants to receive this training.

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8. **Improve Policies and Training Related to Residential Search Warrant Executions.** LMPD should adopt policies that identify techniques to accomplish a thorough and lawful search, minimize intrusion experienced by individuals having their premises searched, and provide for the safety of all persons involved in the search.
9. **Implement Planning and After-Action Review Processes for Residential Search Warrant Executions.** LMPD should require officers to plan for search warrant executions by evaluating the risks of executing a warrant, developing operation plans for search warrant executions, and ensuring that appropriately trained officers participate in executing the warrants. LMPD should require supervisory approval of search warrant execution plans. After search warrants are executed on a residence, LMPD should require officers to promptly conduct thorough after-action reviews to evaluate the effectiveness of the search warrant execution and any lessons learned and to establish a record of the warrant execution process
10. **Require Consistent Activation and Review of Body-Worn Cameras.** LMPD should require officers to consistently wear and activate their body-worn cameras to document enforcement and investigative activities and other contacts with the public. LMPD should take steps to ensure compliance with its new policy requiring supervisors to review body-worn camera footage of their subordinates on a monthly basis in order to monitor officer performance and to ensure compliance with all LMPD policies.
11. **Street Enforcement Policies and Training.** LMPD should adopt, implement, and train officers on policies relating to street enforcement that clearly set forth the constitutional limits on stops, searches, frisks, and arrests, and ensure that officers comply with those limits. LMPD should require close and effective supervision of all street enforcement activities, including traffic and pedestrian stops. LMPD should reconsider the role of any specialized street enforcement units that conduct targeted or pretextual traffic and pedestrian stops.
12. **Require Documentation of All Stops.** LMPD should collect data on all traffic and pedestrian stops, including stops that do not lead to citations or arrests. Officers should document the reasonable articulable suspicion for any stops and frisks, the probable cause for any searches, and the basis for any consent searches. Supervisors should review officers' stops, frisks, searches, and arrests to ensure compliance with law and policy.
13. **Analyze Data from Enforcement Activity.** LMPD should regularly analyze data about its enforcement activities, such as stops, searches, citations, and arrests. If the data shows evidence of racial disparities by officers, units, divisions, or across LMPD, then Louisville Metro and LMPD should take steps to reduce or eliminate unjustified racial disparities, including by modifying deployment and enforcement priorities.

14. **Improve Community Engagement in Violent Crime Reduction Efforts.** Louisville Metro and LMPD should implement measures to support victims' families and strengthen community engagement to address and prevent violent crime.
15. **Deliver Public Safety Services in Ways that Are Consistent with Community Values.** Louisville Metro and LMPD should open new channels of communication with residents and hear from those impacted by the unlawful practices described in this report. Louisville Metro and LMPD should partner with residents to address public safety challenges by incorporating the views of residents and community stakeholders into LMPD's policies, training, and enforcement priorities.
16. **Improve Policies Related to Protests and Demonstrations.** LMPD should revise its policy on responding to civil disturbances and disorderly conduct to improve planning for protests demonstrations; emphasize First Amendment freedoms; including the rights of journalists; define rules of engagement; ensure compliance with force and reporting policies; and provide daily after-action reports about use of force, officer wellness, and overall effectiveness.
17. **Improve Ordinance Regarding Permits for Protests and Demonstrations.** Louisville Metro should revise its ordinance on issuing permits for assemblies. It should create new procedures to cabin LMPD discretion to define security needs, pass costs of security onto applicants, and deny permits for First Amendment-protected activity.
18. **Improve Training on Protests and Demonstrations.** LMPD should develop and provide new training on responding to protests and demonstrations that emphasizes policy, includes de-escalation and avoidance strategies, addresses how to protect the rights of journalists, and incorporates community voices. The training should address the particular challenges of protecting public safety and First Amendment rights during demonstrations and protests critical of law enforcement.
19. **Expand the Mobile Crisis Team Pilot.** Louisville Metro should expand the reach and capacity of its Mobile Crisis Team pilot program and transition to a behavioral health-led response to people experiencing a behavioral health crisis. In particular, Louisville Metro should deploy mobile crisis teams to behavioral health-related calls where police response is not necessary.
20. **Ensure that MetroSafe Deploys Mobile Crisis and Co-Responder Teams.** Louisville Metro Government should modify MetroSafe's policies, procedures, and training program and monitor MetroSafe to ensure that MetroSafe staff deploy mobile crisis and co-responder teams when appropriate.
21. **Improve Coordination Between MetroSafe and the Crisis Hotline.** Louisville Metro should improve coordination between MetroSafe and Louisville Metro's crisis hotline to facilitate mobile crisis response when people call the hotline. Louisville Metro should also improve coordination between MetroSafe, LMPD, and other community-based behavioral health services in Louisville.

22. **Create a True Crisis Intervention Team at LMPD.** LMPD should ensure that its CIT program deploys officers who are equipped to respond to behavioral health-related issues that need a police response. LMPD and Louisville Metro should monitor its CIT program for effectiveness and adherence to the CIT model and should conduct quality assurance on LMPD's response to incidents related to behavioral health.
23. **Improve Training Across the Department.** LMPD should ensure trainings are delivered by qualified instructors, use best practices in adult learning, and incorporate outside experts and community-based instructors.
24. **Improve Training for Supervisors.** LMPD should provide training to all supervisors on promoting effective and constitutional police practices by leading and coaching subordinates, monitoring and assessing their performance, evaluating written reports, investigating officer uses of force, building community partnerships, and de-escalating conflicts.
25. **Accept All Civilian Complaints.** LMPD should take steps, consistent with state law, to ensure that anyone who wishes to submit a complaint about an officer's conduct is able to do so.
26. **Facilitate Civilians' Access to the Complaint Process.** LMPD should ensure that whenever any officer encounters a person who wants to make a complaint, the officer helps the person do so by putting them in contact with a supervisor, internal affairs, or other appropriate means. LMPD should provide training to all officers on the appropriate procedures to follow and on reasons for facilitating civilian complaints, including the importance of learning about any misconduct that may have taken place.
27. **Improve Civilian Complaint Investigations.** LMPD should ensure that whenever any person makes any allegation of misconduct to any member of LMPD, the allegation is documented and reviewed, the allegation is fully investigated by internal affairs when appropriate under state law, and that the person making the allegation is kept up to date on the status of their complaint.
28. **Improve Training for Internal Affairs Investigators.** LMPD should require all internal affairs investigators to undergo training on basic investigative practices and the particular challenges of internal law enforcement investigations.
29. **Fully Staff Internal Affairs Units.** LMPD should ensure that internal affairs units are fully staffed with enough qualified, well-trained investigators to complete all investigations in a timely manner. Internal affairs leadership should ensure that investigations are thorough, interviews of officers and civilians are conducted appropriately, all evidence is appropriately weighed, and sound credibility determinations of all witnesses are made where there is conflicting evidence.
30. **Improve the Review Process for Internal Affairs Investigations.** LMPD should streamline the review process for administrative investigations to facilitate the timely resolution of all misconduct allegations. The chief should set time limits for each stage of

review, and should oversee and delegate tasks as necessary to ensure the process moves forward expeditiously. LMPD should document all decisions in the review process.

31. **Improve Civilian Oversight.** To help build trust with the community, LMPD should cooperate with the Inspector General and Civilian Review and Accountability Board to promote robust and even-handed civilian oversight. It should also prioritize transparency in its internal affairs practices, including reporting to the public about the nature of complaints received, misconduct findings made, and discipline imposed.
32. **Develop and Implement a Strategic Plan for Improving Facilities.** Louisville Metro and LMPD should develop a long-term plan for improving police facilities to ensure that officers have a safe, professional environment to work in.
33. **Improve Officer Health and Wellness Programs.** LMPD should continue to ensure that officers have access to confidential counseling services and continue developing its early warning system to enhance support for officers.
34. **Improve Policies, Training, and Internal Investigations Related to Officer Sexual Misconduct and Domestic Violence.** We recommend that LMPD develop, implement, and train on policies prohibiting officers from engaging in domestic violence and all forms of sexual misconduct. We also recommend that LMPD train internal affairs investigators on sexual assault and domestic violence investigations.
35. **Improve Policies and Training on Responding to Allegations of Sexual Assault and Domestic Violence.** We recommend that LMPD develop, implement, and train on revised policies and manuals governing the response to sexual assaults and domestic violence. We recommend that the policies clearly delineate the roles and responsibilities of patrol officers, detectives, and supervisors, including specific instructions for the identification, preservation, and analysis of all evidence. We also recommend that the policies require LMPD to securely maintain and preserve all investigative case files for sexual assaults and domestic violence. Further, we recommend that the policies specify what information must be included in case files and require that all materials related to a case must be contained in the case file.
36. **Establish an External Review Panel.** We recommend that LMPD and Louisville Metro establish a group of qualified representatives, including experienced sexual assault investigators, advocates, and medical practitioners to serve as an external review group for sexual assault investigations.

CONCLUSION

The Department of Justice has reasonable cause to believe that Louisville Metro and LMPD engage in a pattern or practice of conduct that deprives people of their rights under the Constitution and federal law. Louisville Metro's and LMPD's unlawful practices harm community members and undermine public safety. The remedies described in this report provide a starting point for ending Louisville Metro's and LMPD's pattern or practice of unlawful conduct. We look forward to working with city and police leaders, officers, and the broader Louisville community to stop the unlawful practices, build trust, and ensure that Louisville Metro and LMPD serve and protect the people of Louisville.