

**Civilian Review and Accountability Board**  
**Meeting Summary**  
**Wednesday, July 27, 2022**

**Members Present:** Kellie Watson, Chair; Turney Berry, Vice-Chair; Charles Keyes; Marianna Michael; Guillermo Sollano; Antonio Taylor; Denise Sears; and Jennifer Green.

**Staff:** Edward Harness, Ambra Hunter, Kattie Snow, Erin Spalding, and Tracy Carter.

**I. Welcome and Call to Order**

Kellie Watson, Chair, called the meeting to order and welcomed those in attendance.

**II. Approval of the Agenda**

Vice-Chair Berry made a motion to approve the July Agenda. Charles Keyes seconded the motion.

**III. Review and Approval of Minutes from June 22,**

Charles Keyes made a motion to accept the June 22<sup>nd</sup>, 2022 minutes, Jennifer Green seconded the motion.

**IV. Public Comment**

- a. **Connie Marshall** – Stated that LMPD had been sent to murder her; she had video evidence and she had sent it to the OIG. She said LMPD has been fabricating and forging documents in her name including forging a death threat to an LG&E employee. She complained that an M.I.W had been served against her. Charles Keyes wanted to clarify that she had submitted a complaint, Ed Harness confirmed she had, and it was on the agenda.
- b. **Mike Kapfhammer** – Stated that 4 years ago LMPD violently attacked him during a minor traffic violation. 5 cars pulled up in 3 officers pointed guns at him in front of his daughter who filmed 75% of the interaction. They searched his 22 y/o niece who was with him. Said he was threatened by an officer with a gun pointed at him who said, “It could get worse.” He went to P.I.U. and was challenged about his account and told to change his narrative. Chair Watson notified him when he ran out of time and encouraged him to speak with an investigator to file a complaint. He became angry and left.

- c. **Chaunda Lee** – Read complaint she had submitted to PSU in 2020. She was approached by officers for an illegally parked van. She asked if she could retrieve her personal items and was denied. She said the car was not illegally parked and was never given an opportunity to move the van. Her 12 y/o was in the van and LMPD grabbed him and pulled him out. She said it was a common occurrence that protestors were mistreated. She said she followed up with LMPD today and was told no one was familiar with it. Kellie Watson encouraged her to file a complaint. Ambra Hunter gave Ms. Lee her contact information.
- d. **Beverly Truce** - Stated incident occurred 10/28/19 in a hit and run, the officer failed to cite the driver of the car that hit her. The officer introduced the driver to Ms. Truce and Ms. Truce asked why the driver had hit her, the driver said she hadn't noticed. Ms. Truce asked for the other driver to be cited and was told by the officer that she was family, and nothing was going to happen. When Ms. Truce got the police report, much of the important information was not included. She has had complications due to the wreck and insurance wouldn't pay as the police report didn't assign fault. When she spoke with the officer, he declined to update it. She said she had video evidence that the officer had not done his duty. Ambra Hunter gave Ms. Truce her contact information so Ms. Truce could file a complaint with the OIG.

## V. Discussion and Possible Action

- a. Hillard Heintze Report (Chair Watson)

Chair Watson opened the floor to the board members for comment. Charles Keyes said it had been so long he wasn't sure he remembered enough. Chair Watson suggested breaking it down and speaking on a section at a time. Marianna Michaels asked if we could get access to the original policies to compare them to the revised copies. Ed Harness reported that the OIG's office was in the process of getting that information.

- b. Board Workshop (Chair Watson)

Chair Watson said she was still in the process of working out availability and that it would be a four-hour session on a Saturday. She will update board members and the OIG's office as she gets more information.

- c. Ride Along Reports (Carter, Hunter, & Spalding)

Carter – Completed over 40 hours with Divisions 1, 2, 4, 5, and 6. She said in Division 2 the officers operated with less efficient equipment. The officer she

was with had to turn his vehicle off so his transmission could catch up. In Division 4 people would walk up to the cruiser and verbally harass the police and it was essential community trust be rebuilt. Most of the officers had 10 or less years of experience. In Division 6 she said the officers seemed to have a better rapport with the community. Mr. Taylor asked how her reception from the officers was. Carter stated that people were unaware of our office and our duties.

Spalding - Divisions 1, 2, 4, 6, 7, and 8. She did 4 hours shifts so she could ride with more officers. Noted that there was a severe officer shortage. Division 4 was the busiest and she responded to 17 calls during her 4 hours. She heard concerns from officers that cadet ride along hours have been cut and that it is the most essential part of their training. Spalding's best community policing was in Division 8. Divisions 1, 2, and 4 were the busiest. She also only rode with officers who had 10 or less years of experience. Most of the officers didn't live in Louisville. Antonio Taylor asked if she had the chance to ride with minorities, she said only one woman and one Black officer. Chair Watson asked about the kinds of calls for service, Spalding responded CIT, domestic violence, shot spotter, and a stolen vehicle. She said that officers were concerned that there weren't the appropriate supports for juvenile offenders and that the process took the officer off the street for hours. She said there were only 3 officers on the beat during that her shift in the Division 4 despite how busy they were. Denise Sears asked if Spalding had a specific number of how short they were on officers, Spalding said she did not. Jennifer Green said it was interesting that the short staffing is affecting things like the drag racing that was recently reported in the news.

Hunter – Hunter did 3 12-hour shifts in Divisions 1, 4, and 6. Hunter said that she too had concerns about the LMPD budget as there were a lot of problems with vehicles, equipment, and supplies. Hunter explained that her experience echoed the investigators in terms of officer experience and reception. Hunter expressed concern that the officers mostly lived outside of Louisville and were uninterested in living here due to things like being recognized or crime. Most of the officers Hunter encountered had 10 or less years of experience. Hunter said that when she arrived at the Divisions both for her ride alongs and to distribute complaint forms that it was very hard to access the building, and no one seemed to know why she was there despite having clearance from the Division Commanders. Hunter, Antonio Taylor, and Denise Sears expressed concern about community members not being able to make contact with officers. Chair Watson asked about the reception Hunter got. Hunter stated that it was mixed,

the officers Hunter rode with were very informative and professional but that she had received some pushback, especially in Division 4 where an officer refused to be in the room with Hunter and left. Hunter also said she was concerned that the amnesty laws protecting people who report an overdose were being abused as when responding to one, the 5 officers waited outside of the apartment to catch the reporter when they left the building. They didn't leave until there was another call for service.

Guillermo Sollano asked if we could present our collective experiences to LMPD. Chair Watson recommended compiling our experiences. Vice-Chair Berry suggested to continue our ride alongs to build rapport and community involvement. Denise Sears said that their ride along was more a tour and they didn't respond to calls. The investigators and Hunter said they also had that experience. Watson asked for a motion to compile our experiences. Vice-Chair Berry made it; Marianna Michael seconded. It was unanimously passed.

## VI. **OIG Investigations**

Ed Harness referenced 36.8.3 and outlined the 6 categories of complaint the office is tasked to investigate.

- a. **01-IG-2022** – Incident occurred 4/12/22 received by OIG office 5/31/22 Domestic dispute between complainant and her child. Ed Harness recommended that there be no further investigation. Denise Sears asked where LMPD was involved. Ed Harness clarified that the complainant felt she had been treated differently than her daughter. Ed Harness said she would be referred to the ombudsman.
- b. **04-IG-2022** – Incident occurred 7/14/16 Illegal detention, falsification of documents. Received 8/6/22. This case has been previously heard by the ombudsman, PSU and PIU. Mr. Harness recommended that there be no further investigation. From the audience, Ms. Marshall stated that they had not properly investigated her complaint and she had more evidence to present and that the Department of Justice was still involved. Jennifer Green asked Chair Watson to not allow public commentary. Chair Watson clarified that there will be no further investigation. Ms. Marshall said she would let the DOJ know about our refusal to help.
- c. **05-IG-2022** - Incident occurred 7/10/22 Received 7/14/22 said it was regarding use of deadly force that resulted in injury. Antonio Taylor asked if it was Shawnee Park shooting. Ed Harness confirmed and recommended a full investigation. Charles Keyes asked how we would proceed as it was an ongoing investigation; he was concerned that there were criminal charges

involved. Chair Watson stated we had the jurisdiction to investigate independently. Ed Harness said that we have done a preliminary investigation and there are facts that are there that fit the criteria for the OIG to investigate and that there is a duty to investigate. Vice-Chair Berry said it was just the thing the board was established for. Antonio Taylor said that he heard community desire for an OIG investigation. Charles Keyes said it would be interesting how LMPD would react to our investigation. Ed Harness said he would ensure that before any findings are released publicly, he will check with the charging authority that they don't have an issue with the publication of findings.

- d. **06-IG-2022** – Unknow incident date received by the OIG received 7/5/22. Involves the complainant being sexually assaulted by a member of the public and there were no complaints against an LMPD officer; as such Ed Harness recommended that it not be a full investigation. Chair Watson asked for clarification and Ed Harness explained that the complaint was against a private citizen and not an LMPD officer.
- e. Denise Sears asked about the missing numbers in the sequence of case files, Ed Harness said one was authorized last meeting and the other was not germane to our office. Denise Sears was concerned that the process seems like rubber stamping because the board has limited information about the complaints and that to get community confidence the board should get more information to support the OIG's recommendations. Chair Watson referenced the ordinance and stated this is just an initial screening and that it was to determine if it was one of the six mandates and that there was a simple majority vote, what should be considered if it falls within the mandate and to maintain the officers' rights. Charles Keyes wanted to know if discussion could be tabled, and more information requested; Chair Watson said yes. Antonio Taylor said Denise Sears's concerns were valid but that the process was followed as outlined in the ordinance. Vice-Chair Berry recommended the ability to come to the meeting earlier and looking at the file privately for discussion amongst the board. Charles Keyes said that we had to be safe about the open meeting requirements. Vice-Chair Berry clarified that it wouldn't require everyone review every file every time but that it was an offer for the board to get more information. Denise Sears said that she doesn't feel that it fulfills the obligation of the board to get limited information and simply approve or deny.
- f. **01-IG-2022** - Vote unanimous to accept recommendation to give the case to the ombudsman.
- g. **04-IG-2022** - Vote to accept recommendation 4, vote to reject recommendation 0, vote for tabling for further discussion 4. Chair Watson

said there would be more discussion on what more information is needed to vote for acceptance or denial. Charles Keyes said he understand Ms. Marshall was very emotional and wants to know if there is anything at the bottom of it and to be more thorough. Chair Watson asked to know with what we are looking at, which of the 6 would it fall under, if any. Ed Harness said based off what we have reviewed that it wouldn't fit under any of the criteria. The complainant has multiple videos on YouTube that do not meet the allegations of the complaint. Charles Keyes asked for clarification that it didn't meet the requirements. Antonio Taylor clarified that it's been since 2016. Jennifer Green asked if there was any documentation that she is in fact working with the DOJ. Harness said he trusts that like many members of the public have spoken with the DOJ, Ms. Marshall has spoken with them but that there is no formality to interactions between her and the DOJ. Jennifer Green said she felt that since the DOJ hasn't found anything she doesn't think that we would find more. Mr. Harness said he was being discreet about the complainant's history. Chair Watson asked for another vote. Unanimous to accept recommendation to not investigate.

- h. **05-IG-2022** Unanimous acceptance of recommendation to further investigate.
- i. **06-IG-2022** Unanimous acceptance of recommendation to not investigate.

## **VII. Other Business**

- a. NACOLE – Ed Harness let the board know that they needed to get in touch with Ambra Hunter if they wanted to attend virtually or in person as the conference was September 11<sup>th</sup>-15<sup>th</sup>.
- b. Charles Keyes asked if we could meet in a location with better acoustics.
- c. Chair Watson asked if everyone was comfortable with meeting in person.

## **VIII. Adjournment**

Members agreed to continue discussion at the next meeting and were reminded that the next meeting is scheduled for August 24<sup>th</sup>, 2022 at 3:00 in person in Rm 106 of the Mayor's Office.