



ETHICS COMMISSION  
LOUISVILLE, KENTUCKY

GREG FISCHER  
MAYOR

August 18, 2017

H. Stephen Ott  
Clerk for Louisville Metro Council  
601 W. Jefferson Street  
Louisville, Kentucky 40202

**RE: Request for Advisory Opinion**

Dear Mr. Ott:

On May 19, 2017, you asked for guidance about books that you received from a private citizen. Specifically, you asked the Louisville Metro Ethics Commission for an advisory opinion to determine whether Louisville Metro Council members may each receive a book delivered to the Louisville Metro Council Clerk's Office from a private citizen for distribution to each Metro Council member. The book, written by Norm Stamper, is titled *How to Fix America's Police* and has a list price of \$27.99. The citizen who delivered the books for the Metro Council members also asked to speak as a private citizen to the Metro Council at the Metro Council meeting on the same day, and had on May 8, 2017 provided to each Metro Council member a copy of a lawsuit filed by the citizen against Louisville Metro Government.

The Ethics Commission considered Section 21.02 (C)(1) of the Ethics Ordinance, which provides,

"No Metro Officer, members of his or her family, or business organization, nonprofit entity, or labor organization in which such officer has a financial interest or private interest, shall solicit or accept any gift, favor, loan, political contribution, service, economic opportunity, promise of future employment, or other thing of value based upon an understanding, or under circumstances from which it could reasonably be inferred, that the gift, favor, loan, contribution, service, promise, or other thing of value was given or

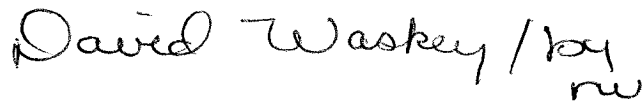
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offered, (1) For the purpose of influencing such officer, directly or indirectly, in the discharge of his/her official duties.”

The Ethics Commission determined that, pursuant to Section 21.01 of the Ethics Ordinance, Louisville Metro Council members are Metro Officers for purposes of the Ethics Ordinance. Further, the Ethics Commission determined that considering the facts relayed in the Request for Advisory Opinion and at the Ethics Commission meeting on June 15, 2017, it can reasonably be inferred that the intent of the private citizen in providing the gift of the book to the Metro Council members was to influence the Metro Council members in the discharge of their official duties. Accordingly, pursuant to Section 21.02 (C) and (1), the Ethics Commission determined that accepting the gift would be a violation of the Ethics Ordinance. The Metro Council Clerk should return the books to the private citizen.

Thank you for seeking the opinion of the Ethics Commission in this matter.

Sincerely,

A handwritten signature in black ink that reads "David Waskey / by" followed by a stylized signature that appears to be "rw".

David Waskey  
Chairman, Louisville  
Metro Ethics Commission