

RESOLUTION NO. 080, SERIES 2023

**A RESOLUTION OF THE LOUISVILLE METRO COUNCIL APPROVING
THE REMOVAL OF CHARLES KEYES FROM THE CIVILIAN REVIEW
AND ACCOUNTABILITY BOARD.**

SPONSORED BY: PRESIDENT MARKUS WINKLER

WHEREAS, Charles Keyes was appointed to the Civilian Review and Accountability Board on March 25, 2021; and

WHEREAS, Mr. Keyes has failed to attend meetings of the Civilian Review and Accountability Board since July of 2022; and

WHEREAS, Inspector General Edward Harness confirmed that he had not had contact with Mr. Keyes since July of 2022 despite multiple attempts to reach out to him to confirm if he still had interest in serving on the Civilian Review and Accountability Board; and

WHEREAS, Louisville Metro Code of Ordinances ("LMCO") 36.73(G) allows for the removal of Civilian Review and Accountability Board Members if the member misses more than three Board meetings within a 12-month period; and

WHEREAS, the Civilian Review and Accountability Board unanimously voted to approve the removal of Mr. Keyes at the April 26, 2023 meeting of the Board (Exhibit A); and

WHEREAS, pursuant to the requirements for removal of members in LMCO 36.73, Mayor Craig Greenberg has concurred in the removal of Mr. Keyes from the Civilian Review and Accountability Board (Exhibit B); and

WHEREAS, pursuant to the requirements for removal of members in LMCO 36.73, the Louisville Metro Council approves the removal of Mr. Keyes from the Civilian Review and Accountability Board.

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

SECTION I: Metro Council hereby approves the removal of Charles Keyes from the Civilian Review and Accountability Board.

SECTION II: This Resolution shall take effect upon its passage and approval.



Sonya Harward
Metro Council Clerk

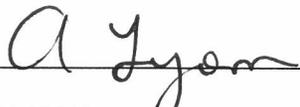


Markus Winkler
President of the Council

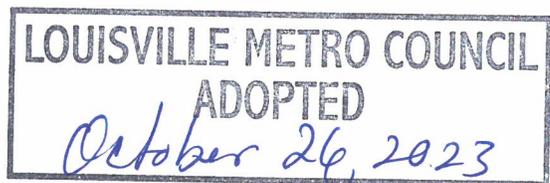
October 26, 2023
Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: 

R-130-23 CR&AB Removal Keyes KDM 10-4-23



Civilian Review and Accountability Board
Meeting Summary
Wednesday, April 26th, 2023

Exhibit A

Members Present: Kellie Watson, Chair; Turney Berry, Vice-Chair; Scott Dickens; Jennifer Green; Marianna Michaels; Denise Sears; Guillermo Sollano; Antonio Taylor; and Barbara Haigler.

Staff: Edward Harness; Ambra Hunter; Kattie Snow; Stella Dorsey; and Dr. Thomas Whetstone.

I. Welcome and call to order

Kellie Watson, Chair, called the meeting to order and welcomed those in attendance. She invited everyone to observe a moment of silence in observation of the two mass shootings in Louisville since the last meeting.

II. Approval of the Agenda

IG Harness requested to add 08-IG-2023. Scott Dickens made a motion to approve the April Agenda. Marianna Michael seconded the motion. Unanimously passed.

III. Review and Approval of Minutes from March 22, 2023

Turney Berry made a motion to accept, Denise Sears seconded the motion.

IV. Public Comment

Juanisha Jamison – Spoke about the death of her son at the hands of US Marshals and LMPD in serving a warrant against him. She said that they did not follow protocol and have not worked with the family or community to provide answers. She said she thought it was suspicious that the firewall blocked her complaints to the OIG. She said she hoped that the board would do a thorough investigation.

Ede Warner – Spoke said that he had his life ruined by LMPD, the very people that are sworn to protect him.

V. Discussion and Possible Action:

- a. **Community Policing Councils (IG Harness)** – Introduced a series of meetings in conjunction with Metro government to increase engagement between the police department and the community. He hopes it will improve community policing. Antonio Taylor questioned how long it took to become established and effective in Albuquerque, IG Harness said it took about 3 years. Denise Sears asked what role the board should play; IG Harness welcomed the boards attendance. Chair Watson asked who would facilitate the meetings, IG Harness said that our office would initially but hoped that each community would set their own agendas. Scott Dickens asked if we would be recommending the community councils would follow, IG Harness said we would provide a framework but that they would retain their independence. He then asked if we were going to have press releases and other educational material to inform the public, IG Harness said the OIG did have materials and planned to have a press release next week. Chair Watson asked about informing Metro Council and IG Harness confirmed he was going through the process. Chair Watson asked for a motion, Scott Dickens made the motion, Antonio Taylor seconded, it was unanimously approved.

- b. **2023 1st Qtr. Report to Metro Council (IG Harness)** – IG Harness introduced the report and asked for the board’s acceptance. The members took a moment to review the report. Denise Sears commented that it seemed scarce, Chair Watson and IG Harness responded that it met our obligation to report and that if more information were requested, we would provide it. Chair Watson asked for a motion to approve as drafted. Turner Berry made the motion, Guillermo Sollano seconded, it was unanimously passed.
- c. **Charles Keyes Removal (IG Harness)** – IG Harness said we have had no contact since July of 2022 despite multiple attempts to contact him. Scott Dickens asked if we had the authority to remove him, IG Harness confirmed that we did and outlined the process. Antonio Taylor asked what the process of replacement was, IG Harness said that whoever’s designee he was, he thought it was Metro Council, would be able to appoint another member. Denise Sears wanted to confirm that all appointments be approved by Metro Council, Chair Watson confirmed. Antonio Taylor asked how long the process was, Char Watson asked when his term was due to expire. IG Harness thought it would be next year. Chair Watson said that no one else could be appointed and the board would be short a member if he were not removed. Scott Dickens made the motion, Guillermo Sollano seconded. Barbara Haigler said she wanted the record to reflect that multiple attempts had been made and it was in the best interest of the board to now take a vote. The vote to remove Member Keyes was unanimously approved.

VI. Investigations

- a. **20-IG-2022** – Date of incident, 1/13/2021. Received in office, 11/15/2022. Complaint alleges bias and retaliation by LMPD. IG Harness did not recommend a formal investigation as the complainant was non-cooperative. Member Watson wanted to know if the delay in LMPD cooperation was the cause, IG Harness said it was not, he had been in contact with them, they were ill and would be in contact if they wanted to refile. Board unanimously agreed that an investigation not take place.
- b. **23-IG-2022** – Date of incident, 11/29/2022. Received in office, 12/30/2022. Complaint alleges LMPD failed to investigate. IG Harness did not recommend a formal investigation because the Investigator assigned found that an investigation had been conducted and policy followed. Board unanimously agreed that an investigation not take place.
- c. **01-IG-2023** – Date of incident, 9/16/2021. Received in office, 1/31/2023. Complaint alleges LMPD officer was driving recklessly and struck complainants vehicle and then wrote a false report about the incident. IG Harness recommended a formal investigation as it satisfies the requirements of the ordinance, ss 36.83.A.3 Abuse of Authority. Board unanimously agreed that an investigation take place.
- d. **04-IG-2023** – Date of incident, 2/24/2023. Received in office, 2/27/2023. Complaint alleges LMPD harassed them. IG Harness did not recommend a formal investigation as the preliminary investigation found that officers responded appropriately to a shot spotter report as the complainant had fired a weapon. Board unanimously agreed that an investigation not take place.
- e. **05-IG-2023** – Date of incident, 2/15/2020. Received in office, 3/8/2023. Complaint alleges LMPD improperly stopped and then impounded their

vehicle. IG Harness did not recommend a formal investigation as the claims could not be minimally substantiated during the preliminary investigation and that the complainant would be referred to risk management. Board unanimously agreed that an investigation not take place.

- f. **06-IG-2023** – Date of incident, 2/9/2023. Received in office, 3/13/2023. Complaint alleges LMPD removed complainant from the LMPD Citizen’s Academy because he provided negative feedback. IG Harness did not recommend a formal investigation because it did not meet our jurisdictional requirements. Board unanimously agreed that an investigation not take place.
- g. **07-IG-2023** – Date of incident, 5/20/2022. Received in office, 3/15/2023. Complaint alleges complainant’s son was killed by LMPD and US Marshals. IG Harness recommend a formal investigation as it satisfies the requirements of the ordinance, ss 36.83.A.a Death of Individual Due to Police Action. Board unanimously agreed that an investigation take place.
- h. **09-IG-2023** – Date of incident, 3/9/2022. Received in office, 3/15/2023. Complaint alleges harassment because of arrest on an old warrant. IG Harness did not recommend a formal investigation as the allegations were not minimally substantiated in the preliminary investigation. Board unanimously agreed that an investigation not take place.
- i. **10-IG-2023** – Date of incident, 5/7/2020. Received in office, 3/17/2023. Complaint alleges invalid search warrant and excessive use of force during the service of the warrant. IG Harness recommend a formal investigation as it satisfies the requirements of the ordinance, ss 36.83.A.3-5 Abuse of Authority, Discrimination, Excessive Use of Force. Board unanimously agreed that an investigation take place.
- j. **13-IG2023** – Date of incident, 12/25/2020. Received in office, 3/21/2023. Complaint alleges LMPD false report led to an Albert Plea by the complainant. IG Harness recommend a formal investigation as it satisfies the requirements of the ordinance, ss 36.83.A.4 Discrimination. Board unanimously agreed that an investigation take place.
- k. **15-IG-2023** – Date of incident, 2/20/2023. Received in office, 3/22/2023. Complaint alleges LMPD failed to follow up with them after having filed a report. IG Harness did not recommend a formal investigation as the Investigator found that LMPD had appropriately followed up on the report. Board unanimously agreed that an investigation not take place.
- l. **16-IG-2023** – Date of incident, 7/27/2019. Received in office, 3/23/2023. Complaint alleges LMPD officer refused to take a report. IG Harness did not recommend a formal investigation. Board unanimously agreed that an investigation not take place.
- m. **18-IG-2023** – Date of incident, 7/27/2022. Received in office, 3/27/2023. Complaint alleges false arrest for DUI. IG Harness recommended a formal investigation as it satisfies the requirements of the ordinance, ss 36.83.A.3 Abuse of Authority. Board unanimously agreed that an investigation take place.
- n. **19-IG-2023** – Date of incident, 4/27/2022. Received in office, 4/4/2023. Complaint alleges LMPD verbally harassed them. IG Harness did not recommend a formal investigation. Board unanimously agreed that an investigation not take place.

- o. 08-IG-2023** – Date of incident, 12/27/2020. Received in office, 3/15/2023. Complaint alleges his home was burglarized because LMPD did not lock his door while he was detained. IG Harness did not recommend a formal investigation. Board unanimously agreed that an investigation not take place.

VII. Other Business:

- a. Member Sollano addresses the Board** – Guillermo Sollano said that he was being harassed by an individual and contacted the police. He is concerned that the neighbor’s statements may negatively reflect on him and the board so he wanted to update the board.
- b. Chief search update (IG Harness)** – IG Harness reported that he had been included in the preliminary meeting and that it went well.

VIII. Adjournment- *Next Regularly scheduled Civilian Review & Accountability Board meeting virtual on WebEx on May 24, 2023, at 3:00 p.m.*



OFFICE OF THE MAYOR
CRAIG GREENBERG

September 25, 2023

Mr. Markus Winkler, President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear President Winkler:

In accordance with the Civilian Review and Accountability Board ordinance, the board has voted by a 2/3 majority to remove current board member Charles Keyes pursuant to LMCO § 36.73(G). Based on the information that I have been provided, I concur with the recommendation of the Board members. Per the statute, the recommendation now goes before the Metro Council for approval by a majority vote.

If the Metro Council adopts the recommendation, you will need to fill the vacancy. The statute states that the vacancy appointments are filled by Mayor's Office under the same nomination process by which the vacated member was appointed. As Mr. Keyes is a Metro Council nominee, please send Althea Jackson two names of potential candidates from which I will choose one candidate.

Your prompt action is most appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Greenberg".

Craig Greenberg
Mayor

C: Althea Jackson