

POSITION STATEMENT

March 10, 2023

Louisville Urban League's Statement on the Department of Justice Announcement

LOUISVILLE, KY—On March 8, 2023, the United States Attorney General Merrick Garland, US Assistant Attorney General Vanita Gupta, and US Assistant Attorney General Kristen Clarke visited Louisville to announce the findings of the Department of Justice's nearly two-year-long investigation into the Louisville Metro Police Department (LMPD). The report concluded that Louisville Metro and LMPD engaged in a pattern or practice of conduct that deprived people of their rights under the Constitution and federal law. While their scathing review of department behavior is unsurprising to many, it is still a painful validation of the unconstitutional indignity and inhumanity so many Louisvillians, particularly Black people, women, and children, have faced for many years. The Louisville Urban League appreciates the thorough and intentional investigation the DOJ has conducted. We respect the fact that changes through a consent decree will take time to co-create and implement. However, it is critical that we also acknowledge how incredibly patient this community has been in waiting for change to come. The idea that we will have to wait even longer for these changes feels like more injustice.

We've waited for nearly three years. The DOJ submitted its report just five days shy of the 3rd anniversary of the day Breonna Taylor was killed by police. David McAtee was killed a few months later. In the time since, and decades prior, Louisvillians have been subjected to countless attacks on their constitutional rights and humanity by agents of our very own government—as confirmed by the Attorney General's statements. The need for change—wholesale change—is urgent and long overdue. There are opportunities the city can capitalize on right now.

First, the city can make all future FOP contract negotiations public. The League, and many other community organizations, are on record calling for public contract negotiations. Mayor Greenberg has refused that request for the first round of negotiations this year, but in yesterday's press conference, he said he hoped that LMPD would eventually become the "most trusted, trained, and transparent police force in America." We wonder if the mayor will be willing to move beyond words toward that goal. What he can do to reach it is to appoint impacted members of the community and thoughtful advocates to the team that will sit in on negotiations. Those individuals will not only voice community concerns but will also provide accountability for a system in desperate need of sound, public oversight.

This lack of oversight has led us to this point. The DOJ report confirms what we already know—frivolous traffic stops, or "broken taillight policing" is a regular source of police misconduct, harassment, and abuse across the county. The DOJ investigation affirmed abuses we'd previously stated: "For years, LMPD has practiced an aggressive style of policing that it deploys selectively, especially against Black people, but also against vulnerable people throughout the city." Furthermore, the report affirmed that the LMPD "disproportionately targets Black

residents whether they are in a majority Black neighborhood or not.” In our December 5, 2022, [Courier Journal](#) opinion piece, we called for a civilian staff to do traffic control to limit the interactions between the police and the community because officers cannot seem to conduct lawful traffic stops without violating the constitutional rights, bodily sovereignty, and human dignity of residents.

The DOJ Report states clearly on the very first page that “[f]ailures of leadership and accountability have allowed unlawful conduct to continue unchecked. Even when city and police leaders announced solutions, they failed to follow through. In LMPD, officer misconduct too often goes unnoticed and unaddressed.” LUL and other organizations have consistently offered solutions that go unheard. Either the administration is afraid of the police or they agree with their practices because none of the efforts of community organizations seemed to make an impact on city leadership’s policies.

As Dr. Price said in her interview with Leo, “So much has been done to create a culture of mistrust. In order to even begin to try to rebuild trust, leadership must start with listening to the community and then responding to what the community is sharing.” By closing off the FOP negotiations to the community, Mayor Greenberg rejects this opportunity to rebuild, to ultimately become the “trusted, trained, and transparent” police force Mayor Greenberg prophesied.

The other issue that affects policing in Louisville is the recalcitrant nature of the Fraternal Order of Police (FOP). As evidenced by the recent statement about the report, they continue to use emotional manipulation to minimize the problems within LMPD. There are ample examples in the report that police officers treated people unconstitutionally and inhumanely and received no discipline, retraining, or consequences. The FOP would have us believe that “there are protocols in place to address those transgressions and officers have been held accountable,” but the facts of this report clearly dispute that assertion. In the FOP’s haste to slam the DOJ report, it claims city leadership and poor training is the cause for poor policing in Louisville. The DOJ report agrees with this assessment. Even though the FOP claims that training is an issue, police officers refuse to follow training that requires them to request search warrants be reviewed by the judge on call and, instead, just go to approximately 6 of the 30 judges on the Jefferson County bench. If police officers (rank and file and supervisors alike) do not agree with a policy they seem to be resistant to following it. Assistant AG Kristen Clarke even stated, “in some instances, there were no policies to prevent the misconduct that we saw.”

The League has encouraged city leaders to invest in non-police strategies. As we wrote in a December op-ed, “In [A Path Forward for Louisville](#), we demanded investments in the education, health, and safety of Black people, instead of investments in the criminalizing, caging, and harming of Black people¹. We have also united with the business community in calling for investments in group violence intervention strategies, like No More Red Dots, a program run by Dr. Eddie Woods².”

We demand a speedy implementation of the DOJ's recommendations since many of the 36 recommended remedial measures are policies and procedures that have already been suggested by the Louisville Urban League and other organizations: “improve community engagement in violent crime reduction measures;” “improve policies related to protests and demonstrating;” and “improve coordination between MetroSafe and the Crisis

¹ Pryor, Lyndon. “Invest/Divest.” A Path Forward for Louisville, 4 Aug. 2020.

² WLKY Digital Team. “Louisville Urban League on JCPD Police Suggestion: ‘We Cannot Police Our Way out of This’.” WLKY, WLKY, 28 Sep. 2021.

Line” are just a few of the examples. These remedial measures are simply changes in policy, training, and accountability. There is no accountability without transparency.

This blistering report has rendered Louisville and the LMPD temporarily transparent, exposing to the world the pretend shock of city administrators to complaints that community members, activists, and organizations have made for decades. In this deep dive, the DOJ has provided city leadership with the needed evidence to force LMPD to change its patterns and practices. For decades, Black people living in Louisville have been under a segregated and inequitable system of justice. Our calls for human rights and dignity have been acknowledged and affirmed. Now, the real work begins– the pursuit of equal justice under the law for everyone.

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About the Louisville Urban League

The Louisville Urban League assists African Americans and those at the margins in attaining social and economic equality and stability through direct services and advocacy. For more information, go to lul.org or follow us on [Facebook](#), Twitter ([@louisvilleUL](https://twitter.com/louisvilleUL)), or Instagram ([@louisville_ul](https://www.instagram.com/louisville_ul)).