

**Joe Phelps**  
JustJoePhelps@gmail.com  
502-802-3228

June 25, 2020

Dear Mayor Fischer,

Thank you for responding to EmpowerWest's June 15 letter regarding the City and LMPD's responses in the aftermath of the deaths of Breonna Taylor and David McAtee. We are grateful that you have responded to our concerns as religious leaders focused on justice for Black citizens in Louisville.

Please receive these follow-up questions in the same spirit as our first letter—voiced on behalf of a confused city awaiting reasonable and just outcomes for the events that led to Taylor and McAtee's killings.

Your response suggests you are waiting for the completion of external investigations before you and/or Interim Chief Schroeder take disciplinary actions for violation of LMPD procedures.

We understand that completion of the Attorney General's investigation is necessary before the AG concludes whether to file criminal charges. However, the work of the AG's office does not preclude or absolve you or the interim Chief from making a determination about officer discipline, including possible termination of officers found in violation of procedures.

Breonna Taylor investigation:

You have not been forthcoming about the status of the internal (PIU) investigation into Breonna Taylor's death. We call on you to take or demand decisive disciplinary action based on what you now know from the PIU investigation. Specifically, discipline of the officer(s) who fired at least 12 rounds under the same circumstances as the 10 rounds for which Officer Brett Hankison was terminated; and discipline of the officer(s) who obtained the search warrant with false information.

David McAtee investigation:

We understand that the investigation into David McAtee's death is still ongoing since he was killed only three weeks ago. But given the distrust and grief in our community, the silence from LMPD and your office is damaging and damning.

You have reported that neither of the two officers who shot at David McAtee had their body cameras activated, and that LMPD does not have other LMPD recordings of the event. We asked you how many

LMPD officers were at 26th and Broadway that night, and you responded that LMPD is investigating the incident “with oversight by the Kentucky State Police and FBI.”

We support a full and thorough investigation by more than the LMPD’s Public Integrity Unit. However, we call on you as Mayor to tell our community whether it is as it appears: that not one LMPD officer of the dozens that were dispatched to 26th & Broadway has been able to provide a recording of the event.

If that is indeed the case, then what are we to conclude? That the officers were instructed by superiors not to activate their body cams? Or that the officers agreed as a group to violate the requirement to activate their body cams? Or that LMPD officers *routinely* flaunt the requirement to activate body cams?

Certainly the officers’ failure to activate body cams has complicated the investigations. We need to know what happened that night, and we call on you as our Mayor to require disciplinary action in every case of an officer’s failure to activate their body cam.

Mayor Fischer, we appreciate fact-finding and thoroughness before acting. However, LMPD cannot delay taking action against specific bad police officers until completion of a top-to-bottom systems review. Nor should you wait for the outcome of the AG’s or the FBI’s criminal investigations before taking disciplinary action any officers who have violated LMPD’s Standard Operating Procedures.

Joe Phelps,  
EmpowerWest Louisville