Resolution Relating to

FORMATION OF A SPECIAL COMMITTEE TO REVIEW COMMUNITY POLICING PRACTICES THROUGH A ROBUST COMMUNITY ENGAGEMENT PROCESS

**revised version**

CITY OF BURLINGTON

In the year Two Thousand Nineteen .................................................................

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, the Burlington Police Department (BPD) is entrusted in this community to protect and
2 serve, ensuring that all residents feel safe and secure in their homes, in their neighborhood and in their daily
3 lives in this City; and
4
5 WHEREAS, officers of the BPD have been involved in highly publicized incidents involving the use
of force in recent months; and

6 WHEREAS, in response to these instances, the City Council and Administration has committed to a
7 robust and transparent public process to review policing policies and procedures and engage with the
8 community in genuine dialogue, and in particular, with historically marginalized communities; and
9
10 WHEREAS, at the City Council meeting on Monday May 13, 2019, the Chief of Police provided an
11 initial accounting of the policing polices related to use of force and conduct review, while also publically
12 supporting and committing to a thorough and transparent review of these polices and related data; and
13
14 WHEREAS, at the City Council meeting on Monday May 13, 2019, the Mayor, in a public statement
15 committed to “fully embrace and support, a focused and well-designed public engagement process” in line
16 with the a set of 4 principles: (1) the process should be led by a group that represents the whole community,
17 (2) the process should include the Police Department as an essential partner in this effort, (3) the process
18 should look broadly at our critical policing policies, and (4) this engagement process should be supported with
19 resources and expertise; and
20
21 WHEREAS, this City Council does not have unilateral authority over policing policies, the personnel
22 conduct review, or the discipline of police personnel; and
23
24 WHEREAS, BPD officers are members of a labor union, Burlington Police Officers’ Association
25 (BPOA), whose rights to collective bargaining agreement must be considered throughout this process; and
26
27 WHEREAS, this City Council has a responsibility to act both thoughtfully and swiftly when trust
28 between the government and community is eroded in order to ensure the policies governing our community,
29 including policing policies, are aligned with our shared values of respect and inclusion for each and every
30 Burlingtonian; and
DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

ORIGINAL

RESOLUTION RELATING TO


Adopted by the City Council

.............................., 20..................

.............................. Clerk

Approved........................., 20..........

.............................. Mayor

Vol. ......................... Page ..................
WHEREAS, there is no quick-fix to address these issues, and a thorough and transparent process to address them will require and deserves considerable discussion and coordination amongst a diverse range of community members, this City Council, and the Administration;

and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby creates a Special Committee to lead a community-wide, public review of Burlington’s policing policies and oversight practices to result in policy change recommendations, and is to include, but not be limited to, the following:

- civilian oversight structures;
- use of force policy;
- officer training;
- police information disclosure practices;
- disciplinary processes;
- officer wellness initiatives;
- data collection, data quality, data analysis, and related public availability practices; and

BE IT FURTHER RESOLVED, that with the goal of creating a Special Committee that is inclusive and representative, its membership will be as follows:

- 2 members from the City Council, to be appointed by the City Council President in Consultation with the Public Safety Committee Chair,
- 2 members from the Administration to be appointed by the Mayor,
- 2 members from the Police Commission, to be appointed by the Chair of the Police Commission,
- 2 members representing local communities of color, to be selected by a public application and selection process,
- 1 member representing a local mental health / substance abuse service provider, to be selected by a public application and selection process,
- 1 member representing a local domestic abuse service provider, to be selected by a public application and selection process,
- 1 member representing the local LGBT community, to be selected by a public application and selection process,
- 1 member from a local activist organization, to be selected by a public application and selection process,
DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

Resident Relating To

Adopted by the City Council

Approved: 20

Clerk

Mayor

Vol.

Page

Attest:
Resolution Relating to FORMATION OF A SPECIAL COMMITTEE TO REVIEW COMMUNITY POLICING PRACTICES THROUGH A ROBUST COMMUNITY ENGAGEMENT PROCESS

- 1 member from the Burlington Police Officers’ Association, to be appointed by the President of the BPOA,
- 1 sworn officer with a supervisory rank from the Burlington Police Department, to be appointed by the Chief of Police,
- 1 member of the Burlington community with a personal and professional background that would enrich the work of the committee, to be selected by a public application and selection process; and

BE IT FURTHER RESOLVED, for those committee members who shall be selected by a public application and selection process, the Council asks:
- that these positions be listed on the City website no later than June 10, 2019, with an invitation and application encouraging members of the community to apply,
- that local service provider organizations be notified of this opportunity and asked to share the application,
- that applications will be due on or before June 24, 2019,
- that the City Council Board and Commission Selection Committee review applications and offer a slate to the full Council for action on or before July 15, 2019,

BE IT FURTHER RESOLVED, that the Chair of the Special Committee will be selected by a vote of the members of the Special Committee; and

BE IT FURTHER RESOLVED, that the Special Committee shall conduct its work in a transparent manner and in accordance with Vermont Open Meeting Law; and

BE IT FURTHER RESOLVED, that the Special Committee shall have a budget of up to $50,000 made available to it for the purpose of securing a trusted and independent third-party to support its review and recommendation process if it so chooses; and

BE IT FURTHER RESOLVED, that the Burlington Police Department shall share publicly and provide for review by the Special Committee, in addition to other information that the Special Committee deems pertinent to its work, the following:
- Data related to traffic stops and use of force, and to include as part of this report any available data related to race,
- The number of reports issued pursuant to DD05 from 2009 until present;
I hereby certify that this resolution has been sent to the following department(s) on

---

RESOLUTION RELATING TO

---

Adopted by the City Council

Vol. ... Page ...

Attest:

---
Resolution Relating to FORMATION OF A SPECIAL COMMITTEE TO REVIEW COMMUNITY POLICING PRACTICES THROUGH A ROBUST COMMUNITY ENGAGEMENT PROCESS

- The number of lawsuits and relevant details that allege an excessive use of force by BPD officers from 2009 until present;
- Details on the current training of officers related to DD05, DD13.01, DD13.02, DD13.03, DD14, DD14.1 and on de-escalation training;
- Details on the Department’s internal review and disciplinary process, including relevant policies and the role of the Burlington Police Commission, as well as information related to discipline issued for conduct violations from 2009 to present; and

BE IT FURTHER RESOLVED that in addition to data collected pursuant to 20 V.S.A. § 2366, when reporting traffic stop outcomes, law enforcement officers include the type of force employed to effectuate the stop or during the stop, if any, and that this and all data collected pursuant to 20 V.S.A. § 2366, which should include data through June 30, 2019, be reported to the Police Commission on or before September 1, 2019, and then on an annual basis, be made available to the Council and the general public in a user-friendly manner; and

BE IT FURTHER RESOLVED, that the Special Committee will make a recommendation on how best to ensure that policies are reviewed on a regular basis so they remain in line with best practices and any regular budget allocation necessary to administer this schedule; and

BE IT FURTHER RESOLVED that the Special Committee shall provide its policy change recommendations to the City Council on or before its last meeting in November.
This document contains a resolution relating to the formation of a Special Committee to Review Community Policing Practices through a robust community engagement process. The resolution was adopted by the City Council on June 30, 2019. It was approved by the Clerk on the same date.

City Council President Wright
Public Safety Committee Chair Roof

Licensed, Voting, and Records Coordinator Vol.

* * * * *