



BURLINGTON CITY COUNCIL AD HOC COMMITTEE RE THE WELCOMING CITY RESOLUTION 12/13/2016

Minutes of Ad Hoc Committee re: Welcoming City Resolution

December 13, 2016

Present: Jane Knodell (JK); Joan Shannon (JS); David Hartnett

Staff: Justin St. James (JSJ) and Eileen Blackwood (EB), City Attorney's Office

Others Present: Sara Giannoni, Will Lambek (Migrant Justice), Erik Monsen, Jess Aloe (BFP)

The meeting was called to order by President Knodell at 5:38 pm.

1.01 Agenda—JS moved, JK seconded. Unanimous.

2.01 Presentation by City Attorney's Office—EB and JSJ gave some general information about the topic. She handed out copies of 8 USC 1373 and discussed the JAG grant. There is no uniform definition of sanctuary city. There are many bills pending in Congress. The State's model policing policy needs to be reviewed with Burlington's existing policy for consistency.

3.01 Public Forum—Erik Monsen—Feels it's important to have a general sense of compassion, but wants to be sure that we don't treat undocumented folks better than those who have gone through the process. His wife came from Germany, and they know how hard it is.

Will Lambek—Works with Migrant Justice. Been very involved with Fair and Impartial Policing, getting the laws passed and then writing the policy. It was crafted with 1373 in mind and very carefully. He explained that statute said departments would adopt essential elements, and most departments have adopted the policy in its entirety, including the non-mandatory sections: Milton, Williston, Hinesburg, Montpelier, Barre Town, St. Albans, Dept. of Liquor Control. Only Colchester, Rutland, and a few others have not adopted the non-mandatory sections. They were surprised to see email on Friday from BPD in which they wrote that their policy contains all the essential elements of the state policy. The BPD Departmental Directive has 3 times when it will report—the person is suspected of conduct that is criminal in nature—is one that Migrant Justice believes is not in compliance with the state law. BPD says they recognize the state law supervenes. Burlington's policy is insufficient, doesn't meet minimum state law, and Migrant Justice want them to follow most of the municipalities in the state.



BURLINGTON CITY COUNCIL AD HOC COMMITTEE RE THE WELCOMING CITY RESOLUTION 12/13/2016

4.01 Next steps and next meeting—JK said the Committee would start by having some people in:

- BPD;
- Immigration lawyer—JS wants to understand what are the options for people and to understand the process people go through to become citizens; legal definitions.
- Legal Aid—experiences people are having on the ground;
- Superintendent—JK spoke to him—what is their current practice (they don't ask), their federal funds;
- People who have become citizens—families who have stories—reach out to AALV, Asian communities—maybe invite the leaders of those communities—where are we with the fear factor of why people are being deported, what are the obstacles to legal status. What is the experience of people coming from different countries?

There was some discussion about whether the Committee should get into the issue of why people have difficulty becoming citizens, but clarified that their goal is not to solve the problem of why there are undocumented folks, but to get information about the process.

The conclusion is two meetings.

One meeting will focus on BPD. The Committee wants to see the current policy and model policing document. Ask the Chief to come prepared to discuss where the city policy stands and their recommendations about changes. If the model policy changes go beyond undocumented immigrants, then maybe Public Safety Committee should look at. JS would also like to hear department's version of why their policy is in compliance. The Committee would also like to hear the BPD's history of past arrests or cooperation with DHS—concrete examples of cases where we did inform or where did we not.

One meeting is immigration policy. This would be hearing from an immigration lawyer and perhaps others who have gone through the process.

City Attorney will ask the schools for a communication consistent with the resolution.

City Attorney will also send a general communication to all department heads and ask if they want to share any perspective on the issue, that would be great. Fire, lead program, and Code particularly.

The two meetings will be: Tues., Jan. 10 at 5:30 pm. Tues. Jan. 24 at 5:30 pm.



BURLINGTON CITY COUNCIL AD HOC COMMITTEE RE THE WELCOMING CITY RESOLUTION 12/13/2016

Adjourned at 6:30 pm.