



CITY COUNCIL PUBLIC SAFETY COMMITTEE

6/22/2017

Public Safety Committee

June 22, 2017

Minutes

Committee Members: Councilors Sara Moore (SG) (chair); Adam Roof (AR)

Others Present: Richard Haesler (RH), City Attorney's Office (Committee Staff); City Attorney Eileen Blackwood (EB); Eric Kratochvil (EK), BPD; Jessica Radbord (JR), Vermont Legal Aid; Sarah Russell (SR); Burlington Housing Authority; Stephen Marshall (StM), Homeless Advocate

At 5:34 p.m. Chair Moore commenced the meeting.

1. **Agenda:** motion by AR

second by SM – passes unanimously.

1. **Approval of minutes of 3/20/17:**

Motion by AR to table to July meeting; Second by SM – passes 2-0

Approval of minutes of 5/2/17:

Motion by AR to approve; Second by SM – passes 2-0

1. **Public Forum:**

None



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1. Committee Discussion – Police Commission Models

SM: intending to look at proposal from the Mayor's Office – possibly look and compare w other models.

EB: Recommends adoption of the SPAC model presented

- Spoke with Nancy Sheehan – Chair of SPAC
- Question who investigates ; we do not have internal affairs
- Instead other methods – example: low level problem can be dealt w internally – see superior officer vs extreme misconduct we will retain outside consultant to conduct investigation
- Also HR matters – see complaint against superior
- Can utilize HR and the City Attorney's Office plus outside consultants – some or all depending on the situation
- Option choices are at the discretion of the Chief; can be in consultation with the Mayor
- Can incorporate some of this into the proposal if desired.

SMarshall: Policy should be that the person(s) making decisions should have no interest or attachment re the outcome

EK: transparency and demonstration of fairness is accomplished through providing the record to the Police Commission

EB: See # 2 in the proposal – there is written record of the complaint – codified the record requirements

See # 5 – references "repeated minor complaints" – addresses the individual who becomes a constant problem as included here despite the fact never egregious.

SM: Is there a way to inspect for trends; i.e. identifying repeat offenders of repeat types of problems? Can this be documented without violating confidentiality

AR: Is there any risk for the City – what if the record became public





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EB: Confidentiality must be maintained – confidential records cannot be made public or there is the basis for a claim – that is always the case; needs to be understood.

AR: Do all commissions have ability to go go into Executive Session?

EB: Yes

Note – Criminal prosecution may subject material disclosure to limitation by the prosecution – otherwise disclosure of full record to the commission.

Every complaint follows a prescribed protocol.

Note: e.g. verbal reprimand – victim not informed of outcome but provided outreach per protocol. – may include where appropriate closing the loop with disclosure

See mediation example.

JR: I might recommend a written follow-up to a complaint – sometimes helpful – provides PR component with individuals whose police contacts have been characterized as negative

AR: Would request if possible: total number of complaints annually; public versus internal

EB: See # 6 – recommendation from Council

Training for commissions is something we are looking into generally.

Perhaps with enlarged role for Police Commission it would be helpful.

Implicit Bias Training?





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EB: We offer Boards/Commission/All City Departments

AR: Thinks Implicit Bias Training for Police Commission – given the selection process/vetting largely political – this seems like a minimum threshold.

EB: See # 7 - the Chief may follow the recommendation or decline the recommendation but provide rationale.

SM: Can this process be referred to the Police Commission for a trial run?

AR: Generally in agreement

AR: Motion to refer – Role of Burlington Police Commission in Review of Complaints Against Police Officers – to be referred to the Police Commission – both the draft resolution and the attached policy – for their review and consideration with all materials included and to respond by January 2018;

SM second; Passes unanimously.

AR: And furthermore – move that Public Safety Committee makes a request to the Chief and to the Police Commission to attempt in good faith to trial run the set out herein during that time period.

SM second; Passes unanimously.

1. **Other Business**



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AR: Motion to approve the acceptance of the Subcommittee on Eviction Crisis Planning & Protocols Report – and for the Committee to forward to the full Council as a Communication with a request that it be accepted and placed on file.

SM second; Passes unanimously.

1. **Other Business**

AR: Motion to adjourn.

SM second; Passes unanimously.

MEETING ADJOURNED at 6:42 p.m.