

Resolution Relating to

**RACIAL JUSTICE THROUGH ECONOMIC AND
CRIMINAL JUSTICE**

****revised version****

RESOLUTION 5.12

Sponsors: Councilors Hightower,
Hanson, Stromberg, Tracy, Freeman,
Pine, Paul, Paulino, and Carpenter

Introduced: 06/29/20

Referred to: _____

Action: amended; adopted

Date: 06/29/20

Signed by Mayor: 07/13/20

CITY OF BURLINGTON

In the year Two Thousand Twenty

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

1 That WHEREAS, systemic racism is at the heart of our economy and continues to adversely impact BIPOC
2 people across all systems of society, including employment, housing, education, access to health services, the
3 justice system, economic development, and across all systems of government; and

4 WHEREAS, the median wealth of a black family is 1/13th the median wealth of a white family;
5 unemployment rates for African Americans have averaged twice those of whites since data has been recorded;
6 home ownership for black families is a fraction of that of whites; and a study by Vermont Legal Aid found
7 black New Americans may be discriminated against over fifty percent of the time they seek to rent; and

8 WHEREAS black individuals are on average more likely to see negative health outcomes such as
9 hypertension, heart disease, diabetes and asthma, and are less likely to have a primary care provider and less
10 likely to be insured; have been subjected to racist medical theories, unethical sanctioned research, and through
11 environmental racism are more exposed to polluted air, water, and soil; and

12 WHEREAS, COVID-19 has exacerbated the impacts of systemic racism BIPOC communities face as
13 they *disproportionally* have fewer cash reserves, have less access to COVID-19 relief funds, are more likely to
14 be employed as essential workers with limited ability to work from home, are more likely to face eviction or
15 foreclosure, experience barriers to remote education, and are less likely to receive timely COVID-targeted
16 testing or adequate care; and

17 WHEREAS, diverse approaches to public safety through the use of social workers, addiction and
18 recovery specialists, mental health professionals and others prepared and trained to respond to conflict
19 challenges in our community in a variety of ways rather than solely policing, have been shown to decrease
20 crime, increase public safety, and de-escalate potentially dangerous situations for community members and
21 police alike; and

22 WHEREAS, the above approaches can be particularly beneficial to the community when anti-
23 oppression and racial bias trainings and policies are incorporated consistently, as well as when paired with
24 economic justice initiatives; and

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I hereby certify that this resolution
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Adopted by the City Council

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..... Clerk

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

..... Mayor

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25 WHEREAS, the role of the City of Burlington’s public safety employees should be to serve the public,
26 build community trust, and ensure the safety of all community members; and

27 WHEREAS, policing in the United States has its roots in the Fugitive Slave Act and continues to
28 largely protect middle and upper class white communities and their property while over-policing BIPOC
29 communities through disproportionate stops, contact with youth in schools, and targeted community policing,
30 resulting in the disproportionate arrests, uses of force, and incarcerations of BIPOC individuals that have
31 created long-lasting physical, emotional, social and economic damage; and

32 WHEREAS, a significant number of members of the public have shared their experiences and
33 expressed their concern that the Burlington Police Department has failed to equally and safely serve the public
34 or provide sufficient accountability, causing a loss of trust and ultimately leaving BIPOC communities, in
35 particular, less safe; and

36 WHEREAS, significant members of the public have shared their concerns that officers Jason
37 Bellavance, Cory Campbell, and Joseph Corrow have inflicted significant physical harm on members of our
38 community and that these officers’ continued service on the Burlington Police Department makes them feel
39 unsafe; and

40 WHEREAS, Burlington’s number of police officers per capita is more than thirty percent above that of
41 the national average, as well as thirty percent above the median of a survey of university cities with
42 comparable demographic characteristics; and

43 WHEREAS, black students are disciplined at far higher rates in our schools and schools across the
44 country and are far more likely to come into contact with School Resource Officers; and

45 WHEREAS, data collected by the Burlington Police Department reflects racial disparities in policed
46 neighborhoods, contact with youth, traffic stops, search rates, use of force and arrest rates;

47 NOW, THEREFORE, BE IT RESOLVED that the City Council declares racism a citywide health
48 crisis; and

49 BE IT FURTHER RESOLVED that the City of Burlington shall prioritize the eradication of systemic
50 racism in the creation of the municipal budget; and

51 BE IT FURTHER RESOLVED that the Burlington Police Department decrease through attrition,
52 allowing officers to elect of their own accord to retire or leave for other reasons, the maximum total number of
53 uniformed police officers by 30% from 105 to 74 uniformed officers; and

54 BE IT FURTHER RESOLVED that the general fund dollars freed up by reducing the number of
55 uniformed officers shall be used to reduce the demand for police services through a variety of social services,

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Attest:

56 as well as social justice, racial justice, and economic justice initiatives, including a community-based cultural
57 empowerment center, a minority-owned business municipal procurement program, and a capital access
58 program, as well as operational capacity for the Racial Equity, Inclusion and Belonging function as a City
59 Office with at least one staff person in addition to the director and funding for a baseline assessment; and

60 BE IT FURTHER RESOLVED that the City shall terminate the Memorandum of Understanding
61 between the Burlington School District and the Burlington Police Department by the end of spring semester
62 2021, ensuring that BPD officers not be used for wellness calls and ending the full-time use of BPD School
63 Resource Officers (SROs). The Council recommends the City and School District come together in the 2020
64 calendar year to identify the functions SROs have performed that do not require law enforcement officers;
65 define a new role that will perform as many of these functions as possible under a restorative practices
66 framework; and create procedures for a coordinated approach between the District, the Community Justice
67 Center, and the BPD to implement restorative practices for all of Burlington's school children, regardless of
68 the school they attend; and

69 BE IT FURTHER RESOLVED that a joint committee of the City Council Public Safety Committee
70 and Police Commission begin an inquiry by July 31 into the question of how to build a healthy and safe
71 community and what institutions we need to reach that goal, and that this inquiry include a full operational and
72 functional assessment of the Burlington Police Department that analyzes who, what, where, and how the
73 department polices and includes a review and analysis of the assessment with full community participation
74 and input, followed by the implementation of a methodical transition to a public safety apparatus that delivers
75 services aligned with the values and vision of the community with the first report to the full Council by the
76 first Council meeting in October 2020; and

77 BE IT FURTHER RESOLVED that the above assessment should include rigorous public process and
78 input and include local groups such as the Racial Justice Alliance, Howard Center, Boys and Girls Club, Anew
79 Place, Spectrum Youth and Family Services and others, and Burlington Police Department participation in this
80 process; and

81 BE IT FURTHER RESOLVED that trainings or events that explore the roots, impacts and solutions to
82 systemic oppression, including but not limited to systemic racism, are required for City staff at all levels at
83 least two times per year, and three times per year for members of our criminal justice system, for improved
84 awareness of how perceptions and behaviors can be managed from a culturally competent foundation.
85 Trainings and events should be greatly varied and be done in partnership with, as they are able, local racial or

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86 social justice groups to ensure mutual understanding and proactive confrontation of the role of systemic state-
87 sanctioned oppression; and

88 BE IT FURTHER RESOLVED that the City establish a task force to consider an apology or
89 reparations for the role that Burlington has played in Chattel Slavery; and

90 BE IT FURTHER RESOLVED that the citizen-led Police Commission be entrusted with access to all
91 complaints about sworn officers and the city-council based Public Safety Committee with all such public
92 complaints with the choice on which ones to follow-up on, and that the complaint form as well as the
93 complaint review process be updated to reflect this; and

94 BE IT FURTHER RESOLVED that the Police Commission will be entrusted with and may ask for the
95 collection of additional quarterly demographic-disaggregated data such as officer-citizen encounters; and

96 BE IT FURTHER RESOLVED that the Charter Change Committee review and propose amendments
97 to the City Charter that authorize the Police Commission to approve by simple majority any disciplinary
98 decision, including a decision of non-discipline, the Police Chief wishes to implement in a use-of-force case,
99 with such approval including the right to impose a new and different discipline as the Commission deems
100 appropriate; and

101 BE IT FURTHER RESOLVED that the City should negotiate for mandatory requirements to report
102 use of force, stronger disciplinary measures and full transparency of disciplinary proceedings in police
103 encounters involving brutal or excessive force, or in cases in which there was a failure to report use of force,
104 in the next contract with the Burlington Police Officer's Association.

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Racial Justice Through Economic And Criminal Justice

Linda Blanchard, City Attorney's Office

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Adopted by the City Council

June 29, 2020

[Signature]

Clerk

Approved July 13, 2020

[Signature]

Mayor

[Signature]
Lori Olberg
Licensing, Voting and Records Coordinator

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