

**ORDINANCE 20-20**

**TO AMEND TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE  
BLOOMINGTON MUNICIPAL CODE  
(To Establish a Community Advisory on Public Safety Commission)**

WHEREAS, the City of Bloomington’s Comprehensive Plan lists as two of its core principles to “Fortify our strong commitment to equality, acceptance, openness and public engagement” and “Fortify our progress toward improving public safety and civility;” and

WHEREAS, on May 6, 2020, the Bloomington Common Council unanimously adopted Resolution 20-06, entitled “Denouncing and Condemning White Nationalism and White Supremacy,” in which it pledged “to continue pursuing policies and directing appropriate resources to ensure civil and human rights are protected and afforded to all individuals;” and

WHEREAS, law enforcement in particular and public safety in general are areas where the City of Bloomington must ensure that civil and human rights are protected for all residents and visitors; and

WHEREAS, public safety is a concept with broad meaning across community demographics; and

WHEREAS, the voices of marginalized community members are often unheard, minimized, or dismissed; and

WHEREAS, some members of our community do not feel safe, related to:

- Race;
- Gender;
- Disability;
- Mental health challenges;
- Sexual orientation;
- Sexual identity;
- Housing status;
- Experiencing domestic violence;
- Experiencing addiction;
- Previous incarceration;
- Or the intersectionality of some or all of these factors; and

WHEREAS, Bloomington law enforcement officers are overburdened with matters outside the scope of traditional law enforcement training and expertise (e.g. homelessness, substance abuse, mental health crises, etc.); and

WHEREAS, data-driven research about, and real-life examples of, improving public safety by means other than traditional policing exist and are available for study and possible application in Bloomington; and

WHEREAS, the only existing citizen commission that works in the field of public safety is the Board of Public Safety, with all five members appointed by the Mayor, as per Indiana state code. The Board of Public Safety “shall have control and oversee the police and fire department of the city pursuant to statute, and shall have the authority to allow and approve claims” (BMC 2.17.030) but it is not specifically charged with investigating new approaches to public safety; and

WHEREAS, the City has set a Comprehensive Plan Goal 1.2, Health & Safety, to “Support programs and strategies that sustain and enhance the health and safety of residents and visitors.”

WHEREAS, there is a need to gather public input and recommendations on public safety in the City; and

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

**SECTION 1. Establishment of the Community Advisory on Public Safety Commission.**

There is hereby established a Community Advisory on Public Safety Commission in the Common Council Office.

**SECTION 2. Goal.** The goal of the Community Advisory on Public Safety Commission is to increase the safety of all Bloomington community members, especially those often marginalized due to race, disability, gender, sexual identity, or sexual orientation.

**SECTION 3. Code changes.** A new section of the Bloomington Municipal Code, Section 2.12.120 “Community Advisory on Public Safety Commission” shall be added to the table of contents and the text of Title 2 and shall read as follows:

Section 2.12.120 “Community Advisory on Public Safety Commission”

- (a) **Establishment and Purpose.** There shall be established a Community Advisory on Public Safety Commission (“Commission”), which shall:
  - (1) perform research and gather data on the perceptions and preferences about public safety from community members, with specific focus on perceptions and preference data gathered from minority community members, individuals who are disabled, and other often marginalized community members; and
  - (2) research evidence-based alternatives to traditional policing; and
  - (3) identify best practices in public safety globally and evaluate the efficacy of such practices for implementation in Bloomington.
  - (4) make recommendations to the Common Council, the Board of Public Safety, and/or the Mayor or the Mayor’s designee on policies and programs that enhance public safety for all community members.
- (b) **General.** This Commission is subject to the general provisions of Section 2.08.020 of the Bloomington Municipal Code.
- (c) **Appointments.** The Commission shall be composed of eleven (11) voting members appointed by the Common Council. Each member shall have one (1) vote and shall serve without compensation.
- (d) **Qualifications.** Citizen appointments to the Commission must be at least eighteen years of age and reside within the City of Bloomington. Strongly encouraged to apply are residents who are historically underrepresented in local government. Such groups may include, but are not limited to residents:
  - (1) who are Black;
  - (2) who are Latinx;
  - (3) who are people of color;
  - (4) with disabilities;
  - (5) who are experiencing or who have experienced mental health challenges;


- (6) who express non-binary gender identity or are non-cisgender;
  - (7) who are experiencing or who have experienced homelessness;
  - (8) who are experiencing or who have experienced domestic violence;
  - (9) who have a previous record of incarceration;
  - (10) with addictions; and
  - (11) who have a demonstrated background of empowering historically disadvantaged groups and working to further racial, social, and economic equity.
- (e) Officers. Officers shall be selected by a vote of the commission members annually.
- (f) Meetings. The Commission shall meet one time each month, every month of the year, unless it decides to cancel the meeting. At least four meetings shall be held each year.
- (g) Staffing. The Common Council staff shall provide general administrative support for the Commission.
- (h) Terms. The initial terms of five city resident appointments shall expire on January 31, 2022. The term of the remaining initial six city resident appointments shall expire on January 31, 2023. Thereafter, all terms of city resident appointments shall be for two years and expire on January 31.
- (i) Powers and Duties.
- (1) In its actions, the Commission shall seek to promote transparency, accountability, a collaborative spirit, long-term and strategic thinking, and effective risk management.
  - (2) The commission shall:
    - (A) gather data about perceptions and preferences regarding public safety, specifically from: racial minority; economically disadvantaged; and marginalized residents of Bloomington.
    - (B) research evidence-based approaches to public safety focusing on those approaches outside the scope of traditional policing, including, but not limited to:
      - i. the establishment of an alternate crisis response phone number;
      - ii. investments in mental health care, addiction treatment, community centers, and/or job training to mitigate the causes of crime; and
      - iii. all other innovative approaches.
    - (C) explore best practices in socially and racially just public safety measures in cities across the US and worldwide, and to examine which ideas may best be implemented in Bloomington;
    - (D) make recommendations to the Bloomington Common Council, the Board of Public Safety, and the Mayor's administration on policies and programs that enhance public safety for all community members;
    - (E) promote a broader view of public safety through education and outreach programs;
    - (F) provide an annual report of its activities to the Common Council, Mayor and the public.

SECTION 4. The need for and efficacy of the Community Advisory on Public Safety Commission shall be reviewed by the Common Council two years after the Commission's first meeting.

SECTION 5. If any section, sentence, or provision of this ordinance, or application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provision of this ordinance are declared to be severable.

SECTION 6. This ordinance shall be in effect after its passage by the Common Council and approval of the Mayor, any required publication or other promulgation in accordance with the law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 18<sup>th</sup> day of NOVEMBER, 2020.

  
STEPHEN VOLAN, President  
Bloomington Common Council

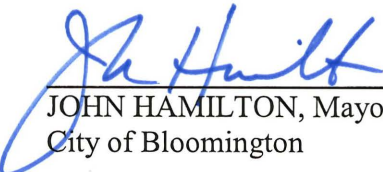
ATTEST:

  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20<sup>th</sup> day of November, 2020.

  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 25<sup>th</sup> day of November, 2020.

  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance is authored by Councilmembers Piedmont-Smith, Rosenbarger, and Flaherty and amends Title 2 of the Bloomington Municipal Code (Administration and Personnel) to create an 11-member Community Advisory on Public Safety Commission. This Commission would, among other duties, research and make recommendations to the Common Council and the Mayor on matters of public safety.

*Note: At the November 18<sup>th</sup> Regular Session, the Council adopted Amendment 01, which added Section 4 to the ordinance and renumbered subsequent sections.*

Distributed to: Clerk, Council Attorney, Legal, and Mayor.