



City of Bloomington

Community Advisory on Public Safety Commission

Meeting Packet

Regular Session

Thursday, 26 August 2021

At 12:00 pm

**NOTICE AND AGENDA
COMMUNITY ADVISORY ON PUBLIC SAFETY COMMISSION**

**COMMISSION MEETING
THURSDAY, 26 August 2021 AT 12:00 PM**

Per IC 5-14-1.5-3.7, this meeting will be conducted electronically.

The public may access the meeting at the following link:

<https://bloomington.zoom.us/j/98448883364?pwd=S3FmZFNwc0pNdXFKdEZ6aGpWaUwydz09>

- I. Introduction and Roll Call
- II. Select a member to keep minutes
- III. Update on the legal definition of a quorum
- IV. Approval of minutes
 - a. 29 July 2021
- V. Establishment of a regular meeting schedule
- VI. Guest Speaker – Alex Vitale – Author of “The End of Policing” (12:30pm)
- VII. Clarification of Bylaws and Officer roles (Council Staff)
- VIII. Bylaws discussion focused on officer positions and how commission meetings will be run
 - a. Alternative 1 – Elect permanent positions (chair, vice-chair and secretary)
 - b. Alternative 2 – Establish schedule for rotating officer positions
- IX. Adjournment

STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY

Under Indiana Code 5-14-1.5-3.7, during a declared public health emergency, the Council and its committees may meet by electronic means. The public may simultaneously attend and observe this meeting at the link provided above. Please check <https://bloomington.in.gov/council> for the most up-to-date information on how the public can access Council meetings during the public health emergency.



Rebekka Boustani <rebekka.boustani@bloomington.in.gov>

Re: Quorum rules

Stephen Lucas <lucass@bloomington.in.gov>

Mon, Aug 23, 2021 at 12:14 PM

To: Nejla Routsong <nejlaroutsong@gmail.com>

Cc: Kamala Brown-Sparks <kamalabrownsparks@gmail.com>, Rebekka Boustani <rebekka.boustani@bloomington.in.gov>

Hi Nejla,

We've had several conversations with the Legal Department (and one with the state Public Access Counselor), and here's where it's left us -

I think our code (BMC 2.08.020(7)) has some ambiguity that probably needs to be clarified one way or another. As written, I believe our code requires at least a majority of the members appointed and serving on the commission to be present to have a quorum. This differs from what I last communicated to the Commission, and is informed by input from the PAC, who, I believe, would consider a gathering of a majority of the *servng* commissioners to constitute a meeting for purposes of the Open Door Law. As I understand it, this also differs from past guidance given by the Legal Department to the city's other boards/commissions.

At the moment, I believe there are 8 members appointed to the commission, meaning at least 5 need to be present to have a quorum. Please note our local code (BMC 2.08.020(6)) also states that majority vote means a majority of the members of a board, commission or council who are present and voting. From this, it follows that a vote of 3-2 could be sufficient for the commission to act. A word of caution though - even if it's possible to act with only five members present (with possibly only 3 in support), it might be advisable, depending on the item up for a vote, to wait until more members are present and can weigh in. Quorum requirements are in place to protect against a totally unrepresentative action in the name of the commission by an unduly small number of people. This might not be a pressing concern for most of the actions the commission might take, but should be kept in mind.

I hope this addresses your questions/concerns. Let me know if I can assist further.

Stephen

[Quoted text hidden]

MEMORANDUM
Community Advisory on Public Safety (CAPS) Commission
Thursday, July 29th, 2021

Per IC 5-14-1.5-3.7, this meeting was conducted electronically via Zoom.

This meeting called to order: 12:04 p.m.

Commission members present via Zoom: Nejla Routsong, Kamala Brown-Sparks, Alex Mann, Renee Miller, Arvind Jagdish

Commission members absent: Derek House, Matthew Diaz, Jon Wunrow, Nicole Johnson, Heather Lake

City staff and officials present: Stephen Lucas, Rebekka Boustani

INTRODUCTION AND ROLL CALL

ACKNOWLEDGEMENT OF NO QUORUM AT THIS MEETING

Agreement among commissioners present to move ahead with today's agenda and presentation without any official motions or actions.

INFORMAL APPROVAL OF MINUTES FROM 6/24 MEETING AND 7/22 WORK SESSION

DISCUSSION: commissioners who have now communicated their resignations (Lake, House, and Diaz), and of how to best advertise the resulting open seats we need to fill.

DISCUSSION: creation of google doc to start compiling potential questions for local law enforcement agencies (BPD, Monroe County Sheriff, etc.), how to define eventual jurisdiction of CAPS commission, and how to address the killing of Malik Ali Malik.

DISCUSSION: Commissioner Routsong gave an overview of Alex Vitale's "The End of Policing" and confirmed his booking as the commission's next guest presenter, in August.

DISCUSSION: Commissioner Miller led the discussion on bylaws templates and potential edits, alternate terms for "officer," and how best to achieve balance between necessary structure and unnecessary hierarchy in the CAPS commission's eventual bylaws and office appointments. Members of the commission acknowledged the time and work that Commissioner Brown-Sparks has already put in as interim Chair. Commissioner Routsong offered Sociocracy as an example of a non-hierarchical approach to structures.

PRESENTATION: Chris Richardson of the Mental Health Center of Denver explained the history and function of Denver's STAR program (Support Team Assisted Response), which deploys emergency response teams to engage individuals experiencing crises related to mental health issues, poverty, homelessness, and substance abuse as an alternative to dispatching law enforcement.

Q&A SESSION WITH CHRIS RICHARDSON

AGREEMENT TO CONTINUE Q&A PAST 2PM

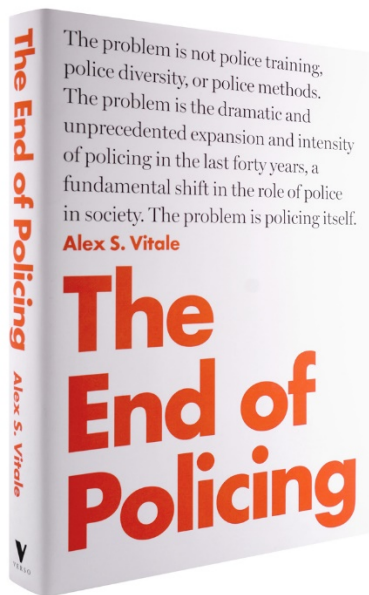
DISCUSSION: hybrid vs. zoom-only for future meetings.

ADJOURNMENT

Meeting ended: 2:15 p.m.

Memorandum prepared by:
Alex Mann, Commission member

Draft



The End of Policing by Alex S. Vitale

How the police endanger us and why we need to find an alternative

Recent years have seen an explosion of protest against police brutality and repression—most dramatically in Ferguson, Missouri, where longheld grievances erupted in violent demonstrations following the police killing of Michael Brown. Among activists, journalists, and politicians, the conversation about how to respond and improve policing has focused on accountability, diversity, training, and community relations. Unfortunately, these reforms will not produce results, either alone or in combination. The core of the problem must be addressed: the nature of modern policing itself. “Broken windows” practices, the militarization of law enforcement, and the dramatic expansion of the police’s role over the last forty years have created a mandate for officers that must be rolled back.

This book attempts to spark public discussion by revealing the tainted origins of modern policing as a tool of social control. It shows how the expansion of police authority is inconsistent with community empowerment, social justice—even public safety. Drawing on groundbreaking research from across the world, and covering virtually every area in the increasingly broad range of police work, Alex Vitale demonstrates how law enforcement has come to exacerbate the very problems it is supposed to solve.

In contrast, there are places where the robust implementation of policing alternatives—such as legalization, restorative justice, and harm reduction—has led to reductions in crime, spending, and injustice. The best solution to bad policing may be an end to policing.

Draft Bylaws - based on Bloomington Commission on the Status of Women
As discussed in on 7.22 and 7.29.2021

ARTICLE I.

Members.

Section 1. Appointment. The Community Advisory on Public Safety Commission (“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. Bloomington Municipal Code (BMC) Section 2.12.120 (c) or its successors specifies the appointment mechanism. BMC Section 2.08.020 (5) or its successors specifies filling of vacancies.

Section 2. Qualifications. Commission members must be at least eighteen years of age and reside within the City of Bloomington. In addition to the qualifications stated in BMC Section 2.12.120 (d) or its successors, members are *encouraged* to attend regular monthly meetings and contribute to programs and projects of the Commission.

Section 3. Attendance. BMC Section 2.08.020 (4) or its successors specify attendance requirements. Members shall give prior notice to the Chairperson or the Council Office Liaison if they are unable to attend a regular or special meeting.

Section 4. Removal of Members - A member may be removed for cause. Cause shall include, but not be limited to, failure to attend three consecutive regularly scheduled meetings of the Commission or four regularly scheduled meetings in any twelve-month period. If a member meets these criteria, the Commission shall add to the agenda of the next regular meeting, a removal review. ~~provided, that any member may submit in writing to the appointing authority any extenuating circumstances. Such written submission shall be made within five business days before the formal decision to remove is reached.~~ Acceptance of extenuating factors by the appointing body puts the member on notice that further excessive absenteeism shall result in removal.

Section. 4. Resignation. Resignation shall be communicated to the Chairperson and/or the Office of the Bloomington Common Council.

ARTICLE II.

Facilitators

Suggestion (rotating facilitator?)

Section 1. Positions. Facilitators of the Commission can include but not be limited to the Lead Facilitator, the Supporting Facilitator, the Recorder, and/or whatever the Commission determines best carries out the functioning of the Commission. The Common Council Office staff liaison to the Commission is not a member of the Commission.

----- **End of discussion on 7.21.2021** -----

Section 2. Eligibility. All officers shall be members of the Commission; no member shall hold more than one office at a time; and no member shall be eligible to serve more than two consecutive terms in the same office. The Chairperson shall have been a member for at least six months prior to becoming Chairperson.

Section 3. Election. All officers shall be elected at the annual meeting by a majority of the current membership of the Commission.

Section 4. Term. Officers shall be elected to serve for one year or until their successors are elected, and their term of office shall begin at the close of the annual meeting at which they are elected.

Officers shall deliver to their successors all accounts, papers, records, and other commission property within two weeks of their expired term.

Section 5. Removal. An officer may be removed for cause, provided a member or members of the commission submit(s) a signed statement outlining the charges to the Commission and, following the proper procedure, cause is established. Proper procedure includes distribution of the statement to all Commission members; a written response within ten days of receipt of the stated causes from the officer in question; decision as to removal will be made by majority vote at the next scheduled meeting. Removal from office is not a vote for dismissal from the Commission.

Section 6. Vacancies. If an office becomes vacant, the term shall be filled by election at the next regular meeting. If the officer resigns from the office giving advance notice, the election shall take place at the next regular meeting after the resignation is submitted.

Section 7. Chairperson duties. The Chairperson should prepare an agenda for all meetings, preside over all meetings (except when she/he designates another person, or the Vice Chair); the Chair shall appoint a nominating committee prior to the annual election of officers; the Chair should prepare and distribute an annual report of the previous year's activities.

Section 8. Vice Chairperson duties. The Vice Chairperson shall serve as the Chairperson in the absence of the Chairperson; shall perform all duties that may be delegated by the Chairperson; shall aid the Chairperson on request; and such other duties applicable to the office as prescribed by the parliamentary authority adopted by the Commission.

Section 9. Secretary duties. In addition to the duties stated in BMC Section 2.08.020 (10) or its successors, the elected Secretary shall be responsible for overseeing and maintaining the minutes of all meetings and handling correspondence of the Commission. The Secretary shall ensure that copies of all minutes, committee reports, etc. are kept on file in the Community and Family Resources Department of the City of Bloomington.

Section 10. Community and Family Resources Department staff duties. CFR staff will provide notice of all Commission meetings as required by IND. CODE 5-14-1.5-1 through 7 or its successors; and provide other support for Commission activities as agreed to by the Director of Community and Family Resources.

ARTICLE III.

Meetings.

(Suggestion - Round Robin style debate)

Section 1. Regular meetings. Regular meetings of the Commission shall be held monthly. (4th Thursday of each month?)

Section 2. Annual meetings. The regular meeting in April shall be known as the annual meeting and shall be to elect officers and for any other business that may arise.

Section 3. Special meetings. BMC Section 2.08.020 (II) or its successors specifies requirements for calling special meetings. Notice of special meetings must be given in advance and the purpose of a special meeting shall be set forth in the notice thereof.

Section 4. Notice. Notice of each regular meeting shall be conveyed to Commission members before each meeting and shall include the agenda.

Section 5. Quorum. BMC Section 2.08.020 (7) or its successors specify requirements for a quorum. (Specify?)

Section 6. Votes. Each member shall be entitled to one vote. All business of the Commission shall be conducted by majority vote of those present except where otherwise specified in these bylaws.

ARTICLE IV.

Parliamentary Authority.

BMC Section 2.08.020 (8) or its successors specifies requirements for Parliamentary Authority.

ARTICLE V.

Amendment of Bylaws.

BMC Section 2.23.060 (4) or its successors describes the procedure required to change these bylaws or any other rules of the Commission. In addition, amendments shall be discussed at the regular meeting immediately prior to the meeting in which the vote is taken on the proposed amendment. Notice of such a meeting shall be given to all members not less than 14 days before such meeting.