

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-\_\_\_\_

RESOLUTION ADOPTING THE DAUNTE WRIGHT AND KOBE DIMOCK-HEISLER COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT

WHEREAS, the City of Brooklyn Center (“City”) can create a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community’s safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, many approaches have proven to be safe and effective for responding to non-moving traffic offenses, low-level violations, to people with mental health needs or disabilities, and to other similar situations that do not involve armed law enforcement officers; and

WHEREAS, creating alternative responses in these situations will allow our law enforcement officers to focus their time, training, and expertise on serious threats to the immediate safety of our residents; and

WHEREAS, relying on our armed law enforcement officers as first responders in these situations has in some circumstances resulted in escalation, harm, and the tragic and potentially avoidable loss of life for our residents, including Daunte Wright and Kobe Dimock-Heisler; and

WHEREAS, a diversity of approaches will improve overall public safety, better address the root causes of many systemic issues, promote racial justice, better protect vulnerable members of our community, and more efficiently allocate public resources while recognizing there is still work to be done to address policing mindset and culture; and

WHEREAS, the residents of Brooklyn Center have demanded change in our City and will help co-create new approaches to health and safety in our community, and this Act affirms our commitment to an intentional, inclusive and collaborative process that involves City leadership and the community working together to fully implement the intent this Act; and

WHEREAS, the City Council will be drawing upon the best aspects of many different existing models and polices from all across the country in order to adapt them for our City with the help of residents, experts and data analysis, and the City is committing to all of these measures in a single, unified Act to deliver true transformational change for our community; and

WHEREAS, the City Council is committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others, and that additional work remains to be done to create a healthier and more equitable community even beyond this Act.

NOW, THEREFORE, the City Council of the City of Brooklyn Center, Minnesota, resolves as follows:

1. Act Adopted. The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act (“Act”) is hereby adopted for the City.
2. Community Response Department. The City will create an unarmed Community Response Department to respond to all incidents where a City resident is primarily experiencing a medical, mental health, disability-related, or other behavioral or social need, including by the creation of a Community Response Department consisting of trained medical and mental health professionals, social workers, or other staff and volunteers, and by a dispatch system routing appropriate calls to the Community Response Department and not to the Police Department; and by any other appropriate changes in ordinance, practices or policies.
3. Traffic Enforcement Department. The City will create an unarmed civilian Traffic Enforcement Department to enforce all non-moving traffic violations in the City, including by creating the civilian Traffic Enforcement Department and by any other appropriate changes in ordinance, practices or policies, including restricting or eliminating the types of traffic offenses enforced by the City’s armed law enforcement patrol officers.
4. Department of Community Safety and Violence Prevention. The City will create a new Department of Community Safety and Violence Prevention (the “Department”) that will be responsible for overseeing all city agencies and city efforts regarding community health and public safety, and ensuring a well-coordinated, public health-oriented approach throughout our city that relies upon a diversity of evidence-based approaches to public safety, and with a Director who has appropriate credentials and experience including public health expertise, and that at minimum the following existing and to-be-created City agencies will all report directly to the Department and be subject to the authority of its Director: the Police Department, the Fire Department, the Traffic Enforcement Department, and the Community Response Department.
5. Community Safety and Violation Prevention Committee. The City will create a permanent Community Safety and Violence Prevention Committee. The Director will provide the Mayor with a list of candidates to serve on the committee and the Mayor will recommend candidates to the City Council for appointment. A majority of the committee members must be City residents with direct experience being arrested, detained, or having other similar contact with Brooklyn Center Police, or have had direct contact with one or more of the other services to be provided by the new Department. The City Council may appoint City staff to serve as liaisons to the committee, but no City staff member will have a vote on the committee. The committee will: review and make recommendations regarding the policing response to recent protests; review the current collective bargaining agreement between the City and the Police Department and make recommendations prior to the renegotiation of the agreement and before its final approval; recommend the City Council create a separate and permanent civilian oversight committee for the new Department; review Chapter 19 of the City Code and make recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees; and periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health in the City.

6. Use of Force. The City will review and update its policies, practices and training to more appropriately regulate the use of force by its armed law enforcement officers including, for example, by requiring de-escalation, exhaustion of reasonable alternatives before using deadly force, prohibitions on using deadly force in certain situations including firing upon moving vehicles, prohibiting certain uses of force or other policing tactics during First Amendment protests and assemblies, and additional revisions as needed.
7. Citation and Summons for Low Level Offenses. To immediately prevent any further harm and to better protect the peace and safety of all City residents while this Act is being fully implemented, the City Council directs the City Manager to implement forthwith a citywide “citation and summons” policy requiring officers to issue citations only, and prohibiting custodial arrests or consent searches of persons or vehicles, for any non-moving traffic infraction, non-felony offense, or non-felony warrant, unless otherwise required by law, and the Implementation Committee will make recommendations regarding making these policy changes permanent and/or modifying them as needed, including by appropriate changes in ordinance, practices or policies.
8. Implementation Committee. The City will create a Community Safety and Violence Prevention Implementation Committee (“Implementation Committee”), including residents from the City and other local, state and national experts in public health-oriented approaches to community safety, to be chaired by the Mayor, and with members recommended by the Mayor and confirmed by the City Council, that will propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption and/or implementation by City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in this Act. The City Council may appoint City staff to serve as liaisons to the Implementation Committee, but City staff shall not have a vote on the committee. The Implementation Committee shall provide its recommendations directly to the City Council.
9. Community Involvement. The Implementation Committee will ensure the community has the opportunity to review and comment upon the all implementation plans, including by making periodic progress reports in open City Council meetings monthly, or more frequently upon the Council’s request; that the Implementation Committee is empowered to explore external sources of funding to implement the Act and that the City may retain additional counsel, temporary staff, and consultants as reasonable and necessary to enable the Implementation Committee to complete its work; and the Implementation Committee will present recommendations to City Council for initial consideration not later than 180 days from the date of this Act.
10. Implementation and Staff Support. The directives contained in this Act shall be carried out in compliance with the law and the City Charter. The City Attorney, City Manager, Chief of Police and other City personnel are authorized and directed to provide all necessary assistance and support to all committees created pursuant to this Act, including by supplying the committees with any and all data necessary to perform their duties, including confidential or private data as requested with appropriate protections, and budgetary, staffing or other

information, and assisting with the crafting of amendments, ordinances, or policies as requested by the Implementation Committee. This Act authorizes, to the greatest extent possible, the implementation of the measures identified herein without further policy approvals from the City Council. To the extent additional approvals are needed, or legal barriers are identified, in the implementation of these measures or the recommendations of the Implementation Committee, the City Manager or City Attorney are directed to bring those issues to the City Council's attention for further direction or action as needed.

\_\_\_\_\_  
May 15, 2021

Date

\_\_\_\_\_  
Mike Elliott, Mayor

ATTEST: \_\_\_\_\_  
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member and upon vote being taken thereon, the following voted in favor thereof:  
and the following voted against the same:  
whereupon said resolution was declared duly passed and adopted.