

**NOTES ON THE DAUNTE WRIGHT AND KOBE DIMOCK-HEISLER  
COMMUNITY SAFETY AND VIOLENCE PREVENTION ACT**

Resolution No. 2021-73  
Adopted May 15, 2021  
Troy Gilchrist, City Attorney

The following provides a summary of the City Council resolution that has become known as the Safety Act. The summary is organized in sections with the hope of making it easier to understand the different components of the Safety Act. This is just a summary, the language of the resolution is controlling.

1. **Departments.** Provides for the establishment of three new departments, including the department of community safety and violence prevention that is to be an umbrella department that oversees the operations of the police department, fire department, the new traffic enforcement department, and the new community response department.
  - a) Establishment. Directs the establishment of three new city departments:
    - 1) Community Response Department
    - 2) Traffic Enforcement Department
    - 3) Department of Community Safety and Violence Prevention
  - b) Community Response Department. Unarmed medical, mental health, social workers, and other professionals who are directly dispatched to medical, mental health, disability-related, and other behavior and social needs calls in place of the armed police. Changes will be made to ordinances, practices, and policies to support this approach.
  - c) Traffic Enforcement Department. Unarmed civilian force deployed to enforce all “non-moving traffic violations.” The city will restrict or eliminate responses to such violations by armed police.
  - d) Department of Community Safety and Violence Prevention. Responsible for “overseeing all city agencies and city efforts regarding community health and public safety” to ensure well-coordinated and balanced response to public safety needs. This department oversees the police department, fire department, traffic enforcement department, and the community response department.
    - 1) Director. The director of the department of community safety and violence is to have appropriate credentials and experience including public health expertise.
2. **Implementation Committee.** Provides for the establishment of the community safety and violation prevention implementation committee.
  - a) Duties. The duties and powers of the committee include:

- 1) Propose amendments, ordinances, resolutions, policies, guidelines or other recommendations directly to the city council to fully implement the will and intent of the council as expressed in the safety act;
  - 2) Make progress reports to the council at least monthly, or more often if requested by the council;
  - 3) Empowered to explore external sources of funding to implement the act;
  - 4) The committee must present its recommendations to the council for initial consideration not later than 180 days from the date of the act;
  - 5) Make recommendations on the citation and summons policy implemented by the city manager to make them permanent or to modify them, including changes in ordinances, practices, or policies; and
  - 6) All recommendations are to be made directly to the city council.
- b) Eligible Members. City residents and other local, state, and national experts in public health-oriented approaches to community safety.
- c) Appointment of Members. The mayor is the chair of the committee. The other members are recommended by the mayor and confirmed by the city council. City staff may be appointed to serve as liaisons to the committee, but shall not have a vote.
- d) Community Involvement. The committee must ensure the community has the opportunity to review and comment on all implementation plans.
- e) Staff Support. The city may hire additional counsel, temporary staff, and consultants to assist the committee in its work.
3. **Community Safety and Violence Prevention Committee**. Provides for the creation of a permanent community safety and violence prevention committee.
- a) Duties. The duties and powers of the committee include:
- 1) Review and make recommendations regarding policing response to recent protests;
  - 2) Review current collective bargaining agreements with police department and make recommendations prior to renegotiating the agreements;
  - 3) Recommend creation of a separate and permanent civilian oversight committee for the department of community safety and violence prevention;
  - 4) Review chapter 19 of the city code and make recommendations regarding repealing or amending provisions or penalties therein, including fines and fees; and

- 5) Make other recommendations to the council related to initiating programs or policies to improve community health in the city.
- b) Eligible Members. A majority of the members must be city residents with direct experience being arrested, detained, or having other similar contact with the city's police department.
- c) Appointment of Members. The director of the department of community safety and violence prevention provides the mayor with a list of candidates. The mayor then recommends members for appointment by the council. City staff may be appointed to serve as liaisons to the committee, but shall not have a vote.

#### 4. **Policies and Practices.**

- a) Use of Force. City will review and update its policies, practices, and training to more appropriately regulate the use of force by its armed police officers. The review and update is to include the required use of de-escalation, exhaustion of reasonable alternatives before using deadly force, prohibitions on using deadly force in certain situations including firing upon a moving vehicle, prohibit the use of force or other policing tactics during First Amendment protests and assemblies, and additional revisions as needed.
- b) Citation and Summons Policy. 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 required by law.

#### 5. **Implementation.**

- a) Legal Compliance. The directives in the act are to be carried out in accordance with law and the city charter.
- b) Staff Support. The city attorney, city manager, chief of police, and other city personnel are authorized and directed to provide all necessary assistance and support to the committees established by the act. The support includes supplying the committees with all data necessary to perform their duties, including confidential or private data as requested with appropriate protections, and budgetary, staffing or other information, and assist with crafting amendments, ordinances, or policies as requested by the implementation committee.
- c) Self-Executing. The act authorizes, to the greatest extent possible, the implementation of the measures without further policy approvals from the council. To the extent additional approvals are needed or legal barriers are identified, the city manager or city attorney are directed to bring those issues to the council for further direction or action as needed.