

FINAL



Approved MINUTES
FAIR & IMPARTIAL POLICING TASK FORCE
TUESDAY, JUNE 23, 2020 – 7:00PM
REMOTE VIA MICROSOFT TEAMS
[LebanonNH.gov/LIVE](https://lebanonnh.gov/LIVE)

1. **CALL TO ORDER:** The Fair & Impartial Policing Task Force met remotely on June 23, 2020 via Microsoft Teams. The following task force members were present: Karen Liot Hill (Co-Chair), Suzanne Prentiss (Co-Chair), Diane Root, Devin Wilkie, Kathleen Beckett, Keiselim Montas, Barry Schuster.
2. **ACCEPTANCE OF MINUTES:** Motion to approve minutes of June 9, 2020 made by Prentiss, seconded by Beckett. Roll call vote was taken with unanimous approval.
3. **DISCUSSION ITEMS:**
 - A. Memo from Attorney Bernie Waugh
 - i. Attorney Waugh, Attorney for the City of Lebanon for the FIP Task Force, reviewed the memo that he prepared, emphasizing that he is not making policy recommendations
 - a. Recommendation that Provision 6 be removed from the Ordinance due to unenforceability and ambiguity.
 - b. Recommendation to clarify enforcement of the Ordinance, providing multiple pathways for people to complain about violations of the Ordinance. Hanover's ordinance language includes an internal and external complaint procedure. Chicago ordinance did not create private right of action.
 - c. Recommendation to talk to Police Chief regarding Provision 1 prohibiting retaining/collecting information and to separate Provision 1 into two sections.
 - d. Recommendation that "Council" be changed to "legal counsel" in keeping with original intent of Ordinance.
 - e. Recommendation regarding Provisions 2 and 3 to incorporate same language for list of exceptions/exclusions as he is recommending regarding Provision 1.
 - f. Recommendation to make clear that City "agents" are only subject to this Ordinance when they are acting in their official capacity, not during personal time.
 - ii. The Task Force discussed the memo and agreed to devote one meeting to each of the issues raised by Attorney Waugh. Task Force members agreed that task force members would volunteer to take the lead on working on individual provisions.

- iii. Motion to accept Attorney Waugh's suggestion regarding the mention of "City Council" be changed to "legal representative" made by Wilkie, seconded by Beckett. Roll call vote was taken with unanimous approval.
 - iv. Prentiss volunteered to work on Provision 6 for the next meeting.
 - v. Root volunteered to work on Provision 1.
 - vi. Wilkie volunteered to work on the issue of Agency.
 - vii. Beckett volunteered to address the topic of Enforcement.
- B. Task Force Charge & Scope of Work
- a. The Task Force discussed its charge and scope of work and affirmed a common desire to work within the confines of the Ordinance, to keep its intent, and to address narrowly on issues that require clarification.

4. PUBLIC TESTIMONY:

Public Testimony – The task force heard testimony from Angela Zhang, staffmember for Listen Community Services, about the challenges of working with individuals who may be undocumented and that confidentiality is crucial for the work that Listen Community Services does to provide support services to people in need who may be undocumented. The task force also heard testimony from Attorney Kira Kelly, who has been volunteering with the Welcoming Lebanon Ordinance citizen committee, about her perspective on municipal liability, qualified immunity, and resources that are available to municipalities who are enacting similar ordinances. She offered to submit a legal brief regarding Provision 6 to the Task Force for its consideration.

5. ADJOURNMENT. The meeting was adjourned at 8:38pm.

Minutes recorded by Karen Liot-Hill.

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Microsoft Teams. Members of the public are encouraged to attend by going to [LebanonNH.gov/Live](https://lebanonnh.gov/Live) where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the Microsoft Teams software or by phone. Please visit [LebanonNH.gov/Live](https://lebanonnh.gov/Live) for full details.

THE AGENDA, IN ITS ENTIRETY IS AVAILABLE ON THE CITY'S WEBSITE AT [LEBANONNH.GOV](https://lebanonnh.gov)