

FINAL



**Approved MINUTES**  
**FAIR & IMPARTIAL POLICING TASK FORCE**  
**TUESDAY, JULY 21, 2020 – 7:00PM**  
**REMOTE VIA MICROSOFT TEAMS**  
[LebanonNH.gov/LIVE](https://lebanonnh.gov/LIVE)

1. **CALL TO ORDER:** The July 21, 2020 Fair & Impartial Policing Task Force Meeting is hereby called to order at approximately 7pm. Present: Dianne Root, Barry Schuster, Kathleen Beckett, Keiselim Montas, Devin Wilkie. Not present: Suzanne Prentiss

**Also present:** City Manager Shaun Mulholland and Bernie Waugh, Attorney for the City of Lebanon

2. **ACCEPTANCE OF MINUTES:** Minutes for the June 23, 2020 and July 7, 2020 will be approved at a subsequent meeting.

3. **DISCUSSION ITEMS:**

- Provision 6 – The Task Force took up Provision 6, beginning with a review by Attorney Waugh of the memo he prepared. Waugh says it is a gray area of the law, and since he tends to take a conservative view when advising his municipal clients, he does not advise recommendation of this provision regarding notification. Schuster reminded the task force that Waugh’s recommendation is a caution but not an absolute prohibition. The goal of revised language of Provision 6 is to maintaining the spirit of the ordinance passed by the voters and to achieve public safety while not interfering with federal government. Waugh said there is no case law in this specific area (cities/towns adopting notifications re: checkpoints). After discussion between Task Force members and testimony from Attorney Kira Kelly, there was consensus that the group wanted to keep working on Provision 6 with the goal of keeping the notification provision in the final recommendation to the City Council, along the lines of the language that Prentiss had previously provided to the Task Force.
- Provision 1 – Root introduced the work that she did on Provision 1, which had been shared with the Task Force. She said her goal was three-fold: 1) Clarify that no agent can discriminate on a list of different things, 2) Consistency of language between 1-3 about protected groups, and 3) Address exclusions, e.g. regarding data collection efforts. The Task Force discussed these topics, including collecting or retaining information (current practices in the City), language about protected groups (“perceived race”), and the impact of the phrase “on the basis of.”

4. **PUBLIC TESTIMONY:** Amelia Sreen offered favorable testimony about using the term “perceived race.”

5. **OTHER BUSINESS:** Waugh indicated that the proposed new structure of Provision 1 addressed a number of his legal concerns. The Task Force continued discussing the topic of collecting or retaining data and agreed to invite the Police Chief to an upcoming meeting. There was clear consensus that while there is still work to do on Provision 1, the group shared the goal of Provision 1 prohibiting discrimination in the City. Waugh will work on another draft of Provision 1, incorporating the Task Force discussions. The next Task Force meeting will continue working on Provision 1 and include a discussion with the Police Chief if he is available. Provision 6 will be revisited at a subsequent meeting.
6. **ADJOURNMENT.** Schuster moved to adjourn the meeting, Diane seconded. Passed unanimously by Roll Call vote at approximately 8:30pm.

Minutes recorded by Karen Liot Hill.

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