

FINAL



MINUTES
FAIR & IMPARTIAL POLICING TASK FORCE
TUESDAY, AUGUST 18, 2020 – 7:00PM
REMOTE VIA MICROSOFT TEAMS
[LebanonNH.gov/LIVE](https://lebanonnh.gov/LIVE)

1. CALL TO ORDER: The Fair & Impartial Policing Task Force Meeting met on August 18, 2020 remote via Microsoft Teams. The following Task Force members were present: Karen Liot Hill (Co-Chair), Diane Root, Devin Wilkie, Kathleen Beckett, Keiselim Montas, and Barry Schuster. Also present were City Manager Shaun Mulholland and City Attorney Bernie Waugh. Suzanne Prentiss (Co-Chair) arrived at approximately 8pm.

2. ACCEPTANCE OF MINUTES:

- The Task Force reviewed the minutes of June 23, 2020. Kathleen Beckett's name was misspelled. Motion to accept by Schuster, seconded by Wilkie. The minutes passed unanimously by roll call vote.
- The Task Force reviewed the minutes of July 7, 2020. Kathleen Beckett's name and Sarah Wraight's name were misspelled. Motion to accept by Root, seconded by Wilkie. The minutes passed unanimously by roll call vote.
- The Task Force reviewed the minutes of July 21, 2020. The names of Kathleen Beckett, Keiselim Montas, and Diane Root were misspelled. Motion to accept by Wilkie, seconded by Montas. The minutes passed unanimously by roll call vote.

3. DISCUSSION ITEMS:

- Provisions 1, 2, 3, 4, 5
 - Root introduced the work she had done on these provisions. She affirmed that the ordinance is not just about immigration and policing but has a strong non-discrimination intention, especially in Provision 1. She pointed out the clear non-discrimination statement at the beginning of the section. Waugh pointed out that Provision 1 now also includes the phrase "real or perceived" for all categories. Other work done was Incorporating language around economic and housing status and removing reference to just US citizenship. The language about questioning, collecting, and retaining information was moved to the new proposed Provision 2.
 - The new Provision 5 gathers language about exclusions into one place. Paragraph D talks includes a specific exception for economic and housing data, which the City Attorney stated allows for those categories to be included in the non-discrimination categories of Provision 1.
 - There was consensus among members of the Task Force that the proposed Provisions 1-5 reflected the previous discussion of the Task Force and were nearly in final form.

- The original Provision 1 included “informants,” and the group agreed that “informants” should be incorporated into definition of “Agent.”
- Definitions
 - Wilkie introduced the work that he had done, explaining that he had started with a version of definitions that had been prepared by the City of Chicago for their ordinance, and he modified this for the City of Lebanon.
 - Based on the recommendation from the City Attorney, the group agreed that “T Visa” did not need to be specifically defined in the Definitions of the Lebanon Ordinance.
 - The Task Force addressed the issue of informants and whether they were already covered by the definition for “Agent.” Beckett will follow up with Attorney Kira Kelly and bring back thoughts for the group to consider.
- Provision 6 (now Provision 8)
 - The group agreed that this topic would be the focus of the next meeting. Schuster previewed the discussion saying that a general warning statement about some activity expected to take place in the city that could impede traffic be less problematic from a legal perspective. Waugh stated that he does not believe that he will be able to provide a favorable legal opinion for any version of Provision 6. Prentiss pointed out that Waugh’s recent memo on this topic had indicated he had a 50/50 comfort level and that while Waugh might not be able to provide a favorable opinion, the Task Force could still make improvements so that Waugh’s confidence level could be closer to 70/30 or 75/25 before making a recommendation to the City Council.

4. PUBLIC TESTIMONY:

- There was no public testimony.

5. OTHER BUSINESS:

- Beckett will work on a draft of Enforcement provision.
- City Manager raised a question about Paragraph 6 of the new Provision 5, which could implicate a current police department practice of running names through a federal database, which may result in passive sharing of information. The Task Force will take up this issue at a future meeting.
- Schuster will create a working draft of the ordinance that includes all provisions and work done to date.

6. ADJOURNMENT. Motion made by Root, Seconded by Schuster. Passed Unanimously by Roll Call vote.

Minutes submitted 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 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 for full details.

THE AGENDA, IN ITS ENTIRETY IS AVAILABLE ON THE CITY 'S WEBSITE AT LEBANONNH.GOV