



DRAFT RESOLUTION

COMMENTS MUST BE SUBMITTED BY FRIDAY, MARCH 26 AT 11AM

Submit comments by voice message or email

Phone: 716-851-5348

Email: PRC_COBCommission@buffalony.gov

By:

Re: New York State Police Reform and Reinvention Collaborative

WHEREAS, much of the country was shocked and appalled by the deaths of George Floyd in Minneapolis, Minnesota, Breonna Taylor in Louisville, Kentucky, and the Black and other people of color who have been killed or injured by police; and

WHEREAS, despite the current COVID-19 pandemic, citizens throughout the country, including many residents of the City of Buffalo, protested the deaths of people of color at the hands of police officers, and have demanded systemic reforms in communities across the country; and

WHEREAS, the City of Buffalo officials acted immediately after the death of George Floyd, meeting with members of the community, implementing several executive orders which prohibited chokeholds, increased police training, banned no-knock warrants, provided for the issuance of stop receipts, and reserved custodial arrests for only the most serious crimes, among other reforms; and

WHEREAS, the City now requires an officer who witnesses another officer not following proper departmental procedure to intervene under the recently passed duty to intervene law. The law also provides protections for officers who report policy and procedure violations of a fellow officer; and

WHEREAS, the City also repealed various fees and fines imposed for various traffic infractions, while also instituting a Parking Amnesty program; and

WHEREAS, after the City implemented many of its reforms, Governor Andrew Cuomo established, through Executive Order 203, the New York State Police Reform and Reinvention Collaborative; and

WHEREAS, pursuant to Executive Order 203, Mayor Byron W. Brown created a Commission to Recommend Police Policy and Advance Social Reconstruction, consisting of representatives from various community groups, interested stakeholders, and members of the Buffalo Common Council; and

WHEREAS, the Commission met over the course of several months, and discussed various ideas on reforming the Buffalo Police Department and creating a more equitable, inclusive, and just City of Buffalo for every resident; and

WHEREAS, the recommendations from the Commission were presented to the Mayor and have been posted on the City of Buffalo website for public review; and

WHEREAS, the City of Buffalo remains committed to comprehensive Police Reform and the ideals of advancing social reconstruction to build a more equitable, inclusive and just Buffalo for every resident; and

NOW, THEREFORE BE IT RESOLVED THAT:

- (1) The City of Buffalo continues to be committed to sensitive Police Reform and improving the lives of the residents of the City of Buffalo.
- (2) The City of Buffalo commits to the expansion of the Buffalo Reform Agenda, which is a living document that will change with time to suit the needs of the residents of the City of Buffalo, especially those who are underserved and under-represented.
- (3) The Buffalo Police Department will ensure all police officers are compliant with current policies and practices. The Buffalo Police Department will send regular communication to all police officers reinforcing compliance with polices such as the duty to intervene, ban on chokeholds and carotids holds, the utilization of the Behavioral Health Team, de-escalation techniques, and community engagement priorities.
- (4) The City will include, in any collective bargaining agreement negotiation with the Buffalo Police Benevolent Association, a proposal requiring career residency for all new Buffalo Police recruits. In 2015 the City successfully negotiated the first-ever contractual residency requirement and will continue to negotiate for a career residency requirement for all newly hired officers. A residency requirement would require the police to live in the communities they serve, allowing officers to build relationships with community members. This would also ensure that police recruits come directly from the community they serve.
- (5) The City will also include in any collective bargaining agreement negotiation with the Buffalo Police Benevolent Association a performance evaluation program for Buffalo Police Officers.

- (6) The City shall solicit community input regarding proposals during collective bargaining negotiations with the Buffalo Police Benevolent Association. This will ensure that the community is represented during the collective bargaining process.
- (7) The Commission on Citizen Rights and Community Relations will be utilized to empower residents and provide oversight of police interactions in the community. The Commission on Citizen Rights and Community Relations will undergo a community planning process that engages all neighborhoods, especially neighborhoods with the most police presence, to enhance and improve police/community interactions. The community planning process will review the composition of the Commission and make recommendations about amending members; provide an analysis of current powers and recommended powers; demonstrate the necessary tools to improve communications between police and the community; and determine if current State statutory authority allows for oversight of police by its members. The Commission on Citizen Rights and Community Relations will provide a survey on its website and for City of Buffalo residents to complete any time they have an interaction with Buffalo Police Officers. This survey will compile positive and constructive feedback on police/community relations. This survey will also be distributed during Clean Sweeps, ensuring everyone has access to the survey.

This information will be used to understand what, if any, differences in police interactions there are between neighborhoods. The Commission will be able to identify neighborhoods that receive disparate treatment and officers that receive multiple complaints. The Commissioner of the Buffalo Police Department will receive bi-annual reports from the Commission, or more as requested, which will be made public on the City of Buffalo's Open Data Portal.

- (8) The City of Buffalo is committed to implementing Law Enforcement Assisted Diversion (LEAD) as a pilot program in B District. LEAD responds to low-level offenses, such as drug possession, sales, and prostitution, to divert individuals to a community-based, harm-reduction intervention for law violations driven by unmet behavioral health needs.
- (9) The City will work to reimagine police presence in the Buffalo Public Schools – Working with Buffalo Public Schools, the Buffalo Police Department will reimagine police presence in the district's school buildings. Police presence in schools will reflect the Community Police Officer program—officers will build relationships with students and parents and serve as guides and mentors.
- (10) Data Transparency. Working with the Buffalo Common Council, Mayor Brown secured a partnership with SAS, a data analytics software and solutions company. With SAS's state-of-the-art analytics, the Buffalo Police Department is well-situated to become one of the most data-driven and transparent police departments in the nation. To ensure accountability and transparency, the City of Buffalo is committed to joining the Police Data Initiative (PDI) for ease of access to this data.

PDI is a law enforcement community of practice that includes leading law enforcement agencies, technologists, and researchers committed to engaging their communities in a partnership to improve public safety that is built on a foundation of trust, accountability, and innovation. PDI represents the great work and leadership of more than 130 law enforcement agencies that have released more than 200 datasets to date, and originated as a result of several

recommendations in the Task Force on 21st Century Policing that focused on technology and transparency. The agencies participating in this community of practice have chosen to release their data to the public, therefore anyone can collect the data. However, it is important to note that neither this initiative, the U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office), nor the Police Foundation are collecting this data at the national level. The PDI website only provides an index to these agency's webpages where the data can be downloaded by the public.

The Buffalo Police Department will also issue a Departmental Report to the Community and an Internal Affairs Report to the Community, annually.

- (11) Increased community interactions. Effective immediately, the Buffalo Police Department will reinstate monthly District meetings, publicly. Additionally, the Commissioner will reinstate the Taking it to the Streets mobile command, and executive command staff will respond and assist patrol officers once, monthly. All public activities will be in accordance with social distance and COVID-19 protocols.
- (12) The City supports proposed changes in, and additions to, State Law that reverse and repair systemic injustices to overpoliced communities and communities of color. The City will work with the local State Delegation to pass the following proposed State bills:
 - a. A.2359: Amending the Civil Service Law to establish a racial equity, social justice, and implicit bias training program for all civil service employees.
 - b. A.2358/S.3468: Establish an office of Racial Equity and Social Justice for the State of New York.
 - c. A.2277/S.2836: Humane Alternatives to Long-Term Solitary Confinement (HALT) limits the time an inmate can spend in segregated confinement, ends the segregated confinement of vulnerable people, restricts the criteria that can result in such confinement, improves the conditions of confinement, and creates more humane and effective alternatives to such confinement.
 - d. S.15/A.2475: Parole eligibility for certain inmates age fifty-five. This bill permits the Board of Parole to evaluate all inmates over the age of 55 who have served at least 15 years in prison for possible parole release.

Council Member's Name
Council Member District