



BURLINGTON POLICE DEPARTMENT

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To: City Council
Bob Kiss, Mayor
From: Michael Schirling, Chief of Police
Re: Background on Park Trespass Concept
Date: November 16, 2010

As a follow-up to my appearance at the Ordinance Committee meeting on November 1, 2010 I offer the following information in support of the proposed ordinance pilot project.

1. For the past three years, each winter (January/February), we have empanelled a small work group made up of Department personnel, Parks Department, Marketplace Staff, business representatives, service agencies, and downtown residents. This group works to develop and implement strategies to improve safety and reduce crime and disorder in the downtown district. One of the items that consistently emerges from this work group is the need for an ordinance to address ongoing, repeat problems in City Hall Park, in the form of the capacity to issue trespass notices for persons engaged in repeat offenses.
2. We have received extensive feedback in the form of letters, e-mails, phone calls, and live conversations from citizens, businesses, and residents indicating that they are increasingly concerned with bad behavior on the part of some who frequent City Hall Park and the Marketplace – making addressing these issues a high priority for the Department. We believe that revised tools are necessary to adequately address the emergence of this bad behavior.
3. In 2010 (year to date) we have seen substantial increases in the number of calls for service, particularly in the downtown, related to trespasses, ordinance violations, and intoxicated persons. In the downtown district the following increases in complaints 2009 to 2010 (both compared as year to date November 10, 2010) are occurring:
 - a. Trespass complaint up from 302 to 545
 - b. Ordinance violations up from 391 to 614
 - c. Intoxicated persons up from 279 to 467
4. The Department currently expends extensive resources addressing bad behavior, violations of park rules, civil, and criminal violations *repeatedly* occurring as a result of a core group of service-resistant individuals.
5. Civil tickets, as the Council was briefed over the last few weeks, currently have little

current consequence and, for some, have no deterrent effect.

6. Creating a **pilot project** that allows repeat offenders to receive trespass notices, we believe, is a critically important tool in creating an atmosphere in which poor behavior in the form of violations of park rules, ordinances, and state laws are not tolerated.
7. We believe that, as drafted, this ordinance creates an exceptional balance achieving public safety and ensuring that individuals who choose to alter/improve their behavior have a mechanism (the Community Justice Center) to mitigate their trespass notice by participating in the restorative justice process.