



Mayor Weinberger's Next Steps for Advancing Burlington Public Safety Priorities

Priority #1: End the Recent Spike in Gun Violence and Prevent Future Gun Violence

The BPD has now resolved 81% of shootings since 2020, and 100% of homicides. Many serious offenders have been charged and incarcerated, and there have been no new shootings and only one gunfire incident since October 2. However, all of the different issues and forces that resulted in the gun violence of the last three years are not fully understood, a number of gunfire incidents, as distinct from shootings, remain unresolved, and the possibility of a resurgence in gunfire is not remote.

To help end the recent spike in violence and prevent a future resurgence, the Mayor is:

1. Appointing a Mayor's Task Force to prevent gun violence. The Task Force will be chaired by REIB Director Kim Carson and is charged with 1) analyzing and operationally defining the violence problem we are facing, 2) working with community partners and subject matter experts to produce evidence-based best-practice solutions for Burlington, and 3) developing an implementation plan for community engagement and collective impact initiatives.

The Task Force will include community leaders, the school district, youth-serving organizations, social service organizations, and the business community. Director Carson will also lead an internal City team that includes representatives from the Burlington Police Department, CEDO, and other departments as needed that will support the work of the Task Force. Internal work by the city team is underway, and the Task Force will be convened for the first time in March.

To help reduce future gun violence, the Administration is seeking legislative action that:

2. Requires the reporting to law enforcement of all stolen guns and safe storage of handguns in Vermont. Of the last 17 guns associated with gunfire incidents that were retrieved by Burlington police, six were stolen from unsecured locations including vehicles. All other New England states have safe storage legislation, and in 2014, 61% of Burlington voters backed a safe storage charter change proposed by Mayor Weinberger.
3. Prohibits guns in bars in Vermont. Burlington has experienced bar-related gun violence for years. During the spike in gunfire incidents over the past two years, approximately 25% (ten incidents) involved late-night, bar-related violence. Numerous other states, including rural states and states with strong cultures of recreational and subsistent gun ownership, including Alaska, Kentucky, and North Dakota prohibit guns in bars, and the United States Supreme Court has ruled that prohibiting guns in sensitive areas is constitutional. In 2014, 68% of Burlington voters backed a safe storage charter change proposed by Mayor Weinberger.

4. Makes it a felony to commit reckless endangerment by discharging a firearm in Vermont. The BPD's ability to identify, arrest, and incarcerate suspects accused of gunfire, as distinct from shootings, has been complicated over the last two years on multiple occasions by the absence of this charge from Vermont law. More serious consequences for some of the gunfire incidents we experienced in 2020 and 2021 may have prevented the violence we experienced in 2022. Several states have felony charges for reckless conduct that specifically endangers the lives of others. In New Hampshire, reckless conduct using a deadly weapon is a Class B felony, and all other reckless conduct is a misdemeanor. In New York, there are two reckless endangerment offenses that prosecutors may charge, First Degree (which creates a grave risk of death to another person) is a class D felony, while Second Degree (which creates a substantial risk of injury) is a class A misdemeanor.
5. Funds a program to research gun violence. States with strong, evidence-based gun laws generally have lower rates of gun violence than states that have not updated and strengthened their laws. With very limited gun violence research being conducted at the federal level, a number of states are grounding their legislative action in the research of state-funded research efforts, such as the Firearm Violence Research Center at the University of California, Davis. Vermont should fund a similar program that would be responsible for collecting and analyzing statewide data to propose policies and prevention strategies to reduce gun violence here in Vermont.

Priority #2: Improve Downtown Climate

The climate of the downtown is, at times, undermining the broad public enjoyment of Church Street, City Hall Park, and other public spaces, and threatens the success of our beloved restaurants and retailers. Our diminished public safety presence in the downtown contributes to this and negatively impacts our ability to prevent, respond to, and de-escalate problematic downtown incidents. The Administration intends to address this by:

6. Creating a new BPD Assistant Director for Crisis, Advocacy and Intervention Programs (CAIP). This new, senior-level civilian position at the BPD will increase department's ability to coordinate and effectively manage the new and expanded social service/public safety resources that the City and partner agencies have or are in the process of creating.
7. Increasing the presence of uniformed officers from the Vermont State Police and other Chittenden County police agencies. The Administration seeks the City Council and Police Commission's explicit support for partnering with these agencies to expand the presence of uniformed officers in the downtown, especially on weekend nights around bar closings, until we have rebuilt the department sufficiently to have a more consistent presence of uniformed BPD officers.
8. Modernizing theft laws to provide meaningful, appropriate accountability for repeat shoplifting offenses. Our merchants are experiencing huge losses from repeat shoplifting incidents that jeopardize our small, local retailers and our ability to support a thriving local economy and a safe, vibrant downtown. Vermont's current statute for the crimes of petit larceny and grand larceny are antiquated and do not reflect the modern realities of retail environments, or our values of restorative and alternative justice. The maximum penalties are too high and the range of property value that qualifies a petit larceny or grand larceny charge is too broad (over or under \$900). Many states have taken action to modernize their laws around theft in a way that provides appropriate accountability for low-level and first-

time offenses while allowing prosecutors and courts to consider aggregate larceny charges to increase penalties for repeat offenders and perpetrators who conduct shoplifting schemes. The Administration will advocate that the legislature take action to update Vermont's theft laws in a way that reflects the values of good, 21st century policing and protects local merchants.

Priority #3: Continue Making Progress on 21st Century Policing Reforms

The Burlington Police Department has a long history of being one of the most progressive police departments in the country, and since President Obama released his landmark report on 21st Century Policing in 2015, Burlington has implemented numerous impactful reforms. Over the last decade, Burlington has been a leading agency in reform efforts such as adopting officer body camera technology, severing ties with the military, focusing narcotics efforts on harm reduction, training officers in de-escalation tactics and equipping them with non-lethal equipment, collecting and publicly releasing police data, including information about every use of force, and dramatically reducing car stops. The department is committed to continuing this record of progressive reform as it rebuilds through efforts including:

9. Increasing department capacity for implementing reforms and new policies including CNA recommendations. The BPD will create a new civilian Project Manager position to assist the Chief on advancing a range of initiatives and directives. In the first year, much of this new capacity will be dedicated to implementing the work plan that has been agreed upon between Chief Murad, the Police Commission and the City Council Public Safety Committee for implementing outstanding items from the CNA report.
10. Implementing the BPD's recently adopted body camera policy to release footage of uses of force. The BPD will proactively release body-worn camera footage within 30 days on an incident, unless a criminal inquiry would prevent release, for certain types of incidents and uses of force. The BPD agreed to this new policy with the Police Commission in 2021, and now has the appropriate personnel in the Department to meet this requirement.
11. Partnering with the Center for Policing Equity to deliver a training to the Burlington Police Department on institutional and structural racism. The Center for Policing Equity uses data and accountability to address the nation's biggest social challenges and promote policing equity. Chief Murad has worked collaboratively with CPE to develop a training for police officers, which includes a facilitated discussion of systemic racism, systems of oppression, how our history is relevant to current issues faced by communities and police departments, and pathways to mutual understanding and respect.
12. Increasing funding of the Crime Victims Fund. Most states, including Vermont, have funds through the Attorney General that support victims of crime. However, the State's fund does not cover property crimes and there are high barriers for restitution. The State should expand the parameters of the Victims Compensation Fund and allocate funds to municipalities to establish or expand local funds. Further, the City will increase funding to the local Crime Victims Fund through the Community Justice Center.

Priority #4: Rebuild Police Department

After a precipitous loss of officers in 2020 and 2021, in 2022 the BPD stabilized the number of officers in the department and laid out a clear plan for rebuilding the ranks of sworn officers by mid-2025. As of January, 2023, the BPD is on generally on track with the Rebuilding Plan presented to the City Council and public as part of the FY23 budget.

We must succeed with the Rebuilding Plan to restore the level of public safety that Burlingtonians have long-enjoyed. To support the Rebuilding Plan, the Mayor is:

13. Encouraging eligible officers to delay retirement beyond the end of the rebuilding period by implementing a time-limited Deferred Retirement Option Plan (DROP). To meet the goals of the Rebuilding Plan, we must improve our officer retention by 50% from historical trends of the last decade. This goal is threatened by the fact that 20% of our remaining officers (twelve in total) will reach retirement age before 2026. Many cities have used DROPs to increase senior officer retention by allowing officers to remain on active duty without forgoing any of the retirement benefits they have earned.
14. Urging the Public to Reject the ballot initiative that seeks to create a “Community Control Board” for the BPD. By Charter, oversight of the Burlington Police Department is the responsibility of the Mayor, City Council, Police Commission, and Police Chief. The proposed Charter Change that petitioners have placed on the 2023 Town Meeting Day ballot will, if successful, give exclusive authority over the department to a board of unelected officials, exclude the Chief from all discipline of department personnel, and prohibit anyone with current or past professional law enforcement experience from serving on it. Doing so would undoubtedly undermine our efforts to rebuild the department and accelerate the departure of current officers. Since 2016, Mayor Weinberger, the City Council, and the Police Commission have worked together to make substantial improvements for police oversight and accountability. Following the rejection of the ballot item, the Administration is committed to continuing that work.

Burlington, like municipalities around Vermont, need help from the state to succeed with its officer recruitment and retention goals. The Administration is seeking state action that:

15. Creates a non-residential, alternative path to certification as a Level III Officer. In a period of historic police officer shortages and at a time when 21st Century Policing goals demand that we diversify officer ranks, we must remove unnecessary barriers to certification. Requiring prospective officers to spend approximately 16 weeks at a remote campus precludes many candidates from underrepresented communities from pursuing a career as an officer. Creating a program in Chittenden County that prospective officers could attend without leaving home would substantially expand the pool of recruits for Chittenden County agencies and the Vermont State Police. The Legislature and the Governor should provide resources, oversight, and accountability to the Vermont Criminal Justice Council as needed regarding the Council’s existing plan to study and advance these changes.
16. Call for state action to create financial incentives and marketing efforts to attract new recruits and current officers to Vermont. At a time of statewide police officer shortage, total recruiting efforts would be enhanced by complimentary state action.