

ROB Bylaws Feedback

Section One: ESTABLISHMENT AND PURPOSE

This section may be very close to completed, based on your conversations at the last two meetings. Two things I would like to flag for you:

1/ There have been conversations about ***whether this should apply just to the ADP or to all public safety agencies***. Many people agree on the latter-one person expressed concern about it. As a protocol matter, it seems that without Fire and the EMT's at your table now it would be hard to have this cover them, but with Camille at the table for CRESS, (who has agreed to be covered) that could certainly work. ***Most of the document uses the phrase public safety agencies, and that may have to be edited to comply with whatever you decide on this question.***

Recommendation: Initially limit scope to APD and CRESS

Rationale:

- Fire/EMT face different challenges than police with respect to residents' trust and fears and were not the basis of creating a ROB
- Including Fire/EMT without their input could create resistance
- Can expand scope later through bylaw amendment after proving effectiveness
- More manageable for a new board with limited resources

2/ There have been conversations about ***whether the ROB would report to the Town Council and the Town Manager*** (which is true for at least some Amherst Committees) or just the Town Council. It is clear that there is no agreement to have it report just to the Town Manager. I've asked Pamela and Philip to research who all of the Amherst Boards, Committees and Commissions report to so we can have the data in the room about what has been done to date. Since the goal is to have a document that the Town Council will approve, if there are no current entities that report only to the Town Council, you can draw your own conclusions. I have also asked them to research the definitions of each of those bodies (Board, Commission, Committee) per our conversation at the last meeting.

Suggested changes to Section 1: Establishment and Purpose to clarify purpose and move operational details to powers/responsibilities:

A. There shall be established a Resident Oversight Board (ROB) accountable to the Town Council and Town Manager. The ROB shall report to the Town Council regarding policy recommendations, systemic issues, and annual reporting, while coordinating with the Town Manager on administrative and operational matters, including budget, staffing, and day-to-day functions.

The ROB's purpose is to strengthen trust, safety, and accountability between Amherst residents and the Amherst Police Department and CRESS, with particular focus on building positive relationships with historically marginalized communities, including Black, Indigenous, and People of Color residents.

B. The ROB serves to ensure that public safety services in Amherst align with the town's vision of being a welcoming, engaged, inclusive, and resilient community where everyone shares in the Town's vitality and benefits from an outstanding quality of life. Through civilian oversight, the ROB works to build community confidence in fair and equitable public safety practices.

C. The ROB aims to bridge gaps between community perceptions and departmental practices through transparency, meaningful dialogue, and evidence-based oversight.

Section Two: COMPOSITION AND APPOINTMENT

This section is purely administrative. We went with the 9 people that the group discussed a couple of meetings ago. Hopefully it is not too controversial, but of course please share your views on it.

Is 9 too many positions to fill. Could we have language that says minimum 7 and up to 9 members?

Comparing Bennington's bylaws with Amherst's draft, here are key elements we could consider adopting:

1. Member Expectations Add specific expectations clause:
ROB members are expected to demonstrate (having clear guidelines would help the appointment committee draft questions for interviews and set criteria for appointment:
 - High level of objectivity and integrity
 - Collaborative working style
 - Strong commitment to strengthening community policing efforts
 - Willingness to listen and participate in continuous learning
 - Ability to maintain confidentiality
 - Readiness to attend APD-sponsored events

2. Diversity and Representation Strengthen with specific categories:

The ROB shall strive for diversity in:

- Age
- Gender identity
- Ethnicity
- Socio-economic status
- Disability status
- Professional background including: non-profits, faith community, business, education, youth advocacy

Should we consider certain payments to offset some of the costs to volunteers, for example:

- Per-meeting stipends (\$25-50)
- Reimbursement for training expenses
- Coverage for required travel

- Childcare support during meetings

Section Three: POWERS AND RESPONSIBILITIES

Based on conversations to date, the *paragraphs that do not have consensus are B and C*. Please read everything carefully, of course, but I wanted to make sure you BOTH honed in on that text AND evaluated the rest of this section for your agreement. If we can find what is agreeable and narrow the scope of what is not agreeable, it will help us move forward.

These 2 paragraphs reflect a board that has review power, not investigatory power.

One may be inclined to see this disagreement as based on 'sides', the APD vs. the community, but in both of the last meetings there were community representatives who also supported a review approach. I am not saying anything about the relative merits of each view--just describing what was said in the room.

Sec 3 (D) Since volunteer members are unlikely to have professional training in this field, it is challenging for them to recommend trainings to the police. Instead, they can review community concerns and **feedback to identify areas where additional training** may be needed from the community perspective, and share these observations with police leadership.

Additional Feedback:

1. Scope and Scale: The current draft assigns too many operational responsibilities to a volunteer board in a small town. For example, developing databases and conducting detailed training reviews are complex tasks that require professional expertise and significant time commitment.
2. Role Clarity: Some responsibilities currently overlap with existing town departments. For instance, data collection, training oversight, and community education are already handled by various police and town units. The ROB's unique civilian oversight role needs clearer distinction.
3. Resource Reality: The draft doesn't acknowledge resource limitations. Tasks like database development, regular forums, and extensive policy review require staff support and budget that may not be available.

Specific Recommendations:

1. Focus on Core Functions: Clearly prioritize the ROB's essential functions:
 - Reviewing civilian complaints
 - Providing community perspective on policies
 - Monitoring trends in police-community relations
 - Facilitating community feedback
2. Simplify Data Requirements: Replace complex data management tasks with simpler tracking requirements:
 - Basic complaint statistics
 - Resolution outcomes
 - Key patterns identified

- Recommendations made and adopted
3. Define Realistic Community Engagement: Specify manageable community engagement:
 - Quarterly public forums
 - Annual report to Town Council
 - Regular updates to community
 - Clear process for receiving public input
 4. Clarify Advisory Role: Make it clear ROB provides community perspective rather than technical expertise. For example, instead of directing training priorities, ROB should share community feedback that might inform training needs.
 5. Strengthen Core Oversight Function: Enhance sections on complaint review process or clarify that these will go in the regulations:
 - Clear timeline requirements
 - Specific documentation needed
 - Process for disagreement resolution
 - Confidentiality protections

Section Four: PROCEDURES

As with section 2, this is pretty much administrative, but of course share your views on it!

Section Five: INDEPENDENCE AND LIMITATIONS

We know that B does not have agreement in the room, but in conversations to do it is the majority opinion and has agreement from some community reps.

Feedback:

1. Vague language: The current language about operating 'independently' while 'in collaboration' is ambiguous and could lead to confusion about actual authority and relationships.
2. Limited Scope: The section doesn't adequately address key operational boundaries and limitations that are typically included in oversight board bylaws.
3. Access Parameters: While it specifies access to completed investigations, it doesn't detail the process, timing, or handling of confidential information.

Recommendations:

- I. Clarify Independence Parameters
 - A. The ROB shall:
 1. Operate as an independent advisory body to the Town Council and Town Manager
 2. Maintain operational separation from public safety departments while fostering constructive working relationships
 3. Have authority to make public recommendations, but not to direct department operations
 4. Conduct its review functions without interference from town departments

II. Expand Access and Limitations

B. The ROB's authority shall be limited as follows:

1. May review completed internal investigations but cannot conduct independent investigations
2. Shall have timely access to investigation materials, subject to legal and privacy restrictions
3. May not interfere with ongoing investigations
4. Cannot access personnel records beyond those directly relevant to specific complaints
5. Must maintain confidentiality of sensitive information as required by law

III. Add Conflict Resolution

C. When disagreements arise between the ROB and departments:

1. Issues shall first be addressed through direct discussion
2. Unresolved matters shall be elevated to the Town Manager
3. The Town Council shall be notified of significant unresolved concerns

Section Six: IMPLEMENTATION AND REVIEW

As with sections 2 and 4, this is pretty much administrative, but of course share your views on it!

It would be helpful to get feedback from town manager about resources that can/will be dedicated to this board.