

**October 17, 2022 - Motion on the floor:**

**MOTION:** To refer the matter of the incident occurring on July 5th involving two police officers and 9 youths to the CSSJC (Community Safety and Social Justice Committee), HRC (Human Rights Commission), and the AHRA (African Heritage Reparation Assembly) to collaboratively review the incident with the input of the DEI department and other appropriate staff, and in consultation with the town attorney, for the purposes of making a recommendation to the Town Council to repair the harm and reconcile the incident by November 21, 2022.

## Substitute motion 1

### **MOTION:**

Move to substitute the following motion with a motion to create the Ad Hoc Committee to Develop a Proposal for Repair as presented.

*To refer the matter of the incident occurring on July 5th involving two police officers and 9 youths to the CSSJC (Community Safety and Social Justice Committee), HRC (Human Rights Commission), and the AHRA (African Heritage Reparation Assembly) to collaboratively review the incident with the input of the DEI department and other appropriate staff, and in consultation with the town attorney, for the purposes of making a recommendation to the Town Council to repair the harm and reconcile the incident by November 21, 2022.*

The Ad Hoc Committee shall consist of nine (9) voting members, appointed by the President of the Town Council, and one non-voting member of the APD, as follows:

- Three (3) Councilors
- Two (2) Members from the Community Safety and Social Justice Committee (CSSJC); Two (2) Members of the Human Rights Commission (HRC); Two (2) Members of the African Heritage Reparations Assembly (AHRA) \*
- One (1) non-voting community liaison member of the APD

The purpose of the committee is to Develop a Proposal for Repair and Reconciliation with a focus on the incident occurring on July 5, 2022, between two police officers and nine youths. The proposal shall be in accordance with Massachusetts General Law and other laws, regulations, and policies.

The Committee shall:

- Clarify definitions and establish a shared language
- Establish consensus on the factual record of what transpired during the incident on July 5 between the police and 9 youths
- Establish consensus on the factual record of follow-up regarding the incident on July 5, through the present

- Identify and recognize specific harms caused from the incident, through the present
- Research and explore models for repair including procedural, policy, and compensatory options
- Develop a proposed plan for repair, including a concrete process for handling future similar incidents, for consideration by the Town Council
- Town Manager, APD, and the DEI and CRESS Director to participate in relevant discussions as needed
- If needed, obtain legal review by the Town Attorney
- Report back to the Town Council no later than the February 6, 2023 Council Meeting

Reports:

The Ad Hoc group shall provide a proposed plan including actions, definitions, a timeline, and item(s) requiring funds to the Town Council. The Chair of the Ad Hoc group shall be prepared to present the Plan to the Town Council for consideration at the Council February 6, 2023 meeting.

\* CSSJC, HRC, and AHRA Committee Chairs shall recommend representatives to the Council President

**Committee Charge – as part of substitute motion 1**

TOWN OF AMHERST

Name: Ad Hoc Committee to Develop a Proposal for Repair

Type: Ad Hoc Committee

Legal Reference: Town Council Rules of Procedure

Appointing Authority: Town Council

Number of Voting Members: 9

Number of Non-Voting Members: 1

Number of Liaisons: None

Term of Appointment: 3 months

Special Municipal Employees: TBD

Staff Support: Director of Diversity, Equity, and Inclusion

Composition:

Nine (9) Voting members.

- Three (3) Councilors
- Two (2) Members from the Community Safety and Social Justice Committee (CSSJC); Two (2) Members of the Human Rights Commission (HRC); Two (2) Members of the African Heritage Reparations Assembly (AHRA) \*
- One (1) non-voting community liaison member of the APD

Purpose:

Develop a Proposal for Repair with a focus on the incident occurring on July 5, 2022, between two police officers and nine youths. The proposal shall be in accordance with Massachusetts General Law and other laws, regulations, and policies.

Charge:

The Repair Ad Hoc group will:

- Clarify definitions and establish a shared language
- Establish consensus on the factual record of what transpired during the incident on July 5 between the police and 9 youths
- Establish consensus on the factual record of follow-up regarding the incident on July 5, through the present
- Identify and recognize specific harms caused from the incident, through the present
- Research and explore models for repair including procedural, policy, and compensatory options
- Develop a proposed plan for repair, including a concrete process for handling future similar incidents, for consideration by the Town Council

- Town Manager, APD, and the DEI and CRESS Director to participate in relevant discussions as needed
- If needed, obtain legal review by the Town Attorney
- Report back to the Town Council no later than the February 6, 2023 Council Meeting

Reports:

The Ad Hoc group shall provide a proposed plan including actions, definitions, a timeline, and item(s) requiring funds to the Town Council. The Chair of the Ad Hoc group shall be prepared to present the Plan to the Town Council for consideration at the Council February 6, 2023 meeting.

\* CSSJC, HRC, and AHRA Committee Chairs shall recommend representatives to the Council President

Charge Adopted: [date]

Charge Revised: [date]

SME Status Voted: [date or N/A]

## Motion 2

### **Amendment or Substitute Motion:**

**MOVED:** that the Town Council establish an ad hoc working group on Repair and Reconciliation:

### **TOWN OF AMHERST**

**Name:** Work Group for Repair and Reconciliation

**Type:** Ad Hoc Work Group

**Legal Reference:** Town Council Rules of Procedure

**Appointing Authority:** Town Council

**Number of Voting Members:** 7

**Number of Non-Voting Members:** None

**Number of Liaisons:** None

**Term of Appointment:** 3 months

**Special Municipal Employees:** TBD

**Staff Support:** TBD

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### **Composition:**

Seven (7) Voting members.

- Three (3) Councilors
- One (1) Member from the Community Safety and Social Justice Committee (CSSJC); One (1) Member of the Human Rights Commission (HRC) One (1) Members of the African Heritage Reparations Assembly (AHRA)
- The Director of Diversity, Equity, and Inclusion

### **Purpose:**

Recommend to the Town Council a program of actions to promote repair and reconciliation in the Amherst Community.

### **Charge:**

The Work Group for Repair and Reconciliation will:

- Identify models and best practices for community repair and reconciliation efforts.
- Consider lessons learned in the Town's recent experience, including events of July 5, 2022 as described in reports from the Amherst Police Department and the Director of Diversity, Equity, and Inclusion.

- Proposed specific steps the Town Council can take within its existing legal and policy authority, with special emphasis on early opportunities to promote community engagements.

**Reports:**

The work group shall provide a proposed program of actions, a timeline, and item(s) requiring funds to the Town Council. The Chair of the Work Group shall be prepared to present the Plan to the Town Council for consideration at the Council January 9, 2023 meeting.

**Charge Adopted:** [date]

**Charge Revised:** [date]

**SME Status Voted:** [date or N/A]

### **Motion 3**

**MOTION:** To refer the matter of the incident occurring on July 5th involving two police officers and 9 youths to a committee to include three Councilors appointed by the Council President and two members from each of the following: the CSSJC (Community Safety and Social Justice Committee), HRC (Human Rights Commission), and the AHRA (African Heritage Reparation Assembly), to be appointed by the Chair or Co-chairs of each committee, to collaboratively review the incident with the input of the DEI department and other appropriate staff and make recommendations to the Town Council as it deems appropriate by November 21, 2022.



#### **Motions 4**

**MOTION:** To ask the Town Manager to undertake a review of public safety protocols for responding to and handling public safety calls involving minors, in order to recommend changes to those protocols, if appropriate.

**MOTION:** To ask the Town Manager to explore the options for instituting an independent (non-public safety personnel) oversight authority to respond to complaints received by the Town regarding responses to public safety calls, with a report to the Town Council describing the options, authority that would be vested in each option, the benefits and drawbacks of each option, and implementation plan of each option, and making a recommendation no later than May 1, 2023.

### **Motion 5**

**Motion:** to direct the Town Manager to hire a consultant to collaborate with the DEI department:

1. To review information concerning the July 5<sup>th</sup> incident to recommend potential procedural changes in the operation of the police department
2. To create the Resident Oversight Board informed by recent incidents
3. To give an interim report on each of these by date (to be suggested by Town Manager)

## Motion 6

**Move:** to recognize that the Town Council, as the Town's Legislative body that has sworn to uphold the Town's Charter, has a duty to provide leadership for the Town through the adoption of laws, resolutions, and policies and, further, that the recent incident, and the reactions to the incident, involving the nine youth and the Police Department has created emotions of sadness, disappointment, frustration, resentment, and anger over issues of racial injustice, accusations, innuendo, and inequity, and further that people, including members of this Council, have been so fragmented over how to properly address these issues that we remain mired in the past and have yet to help lead our community on a path toward reconciliation by supporting one another, through listening, learning, and healing; and, for all these reasons, to begin the process of healing by requesting that the Town Manager – working with the DEI Department - forthwith identify available resources both inside and outside of Town government to create and implement a reconciliation plan to include a proposal for community visioning; a schedule for racial equity training and support to employees and members of the public; additional "know your rights" trainings; a proposal for a Resident Oversight Board; research into a justice compensation fund; options for a Youth Empowerment Center as part of the Capital Improvement Plan; development of protocols for active engagement by community responders (CRESS); options for additional educational opportunities for and raising awareness in the community about these efforts and to further emphasize the Council's support for the important progress the Town is making and for the Town Manager to report on the progress on this reconciliation plan to the Council no later than two months from the date of this vote.