



MEMORANDUM

TO: Mayor Diane Wolfe Marlin and City Council Members
FROM: Carol Mitten, City Administrator and Bryant Seraphin, Chief of Police
DATE: February 10, 2021
SUBJECT: A Resolution Prioritizing Tactical De-Escalation in the Use of Force Policy and Police Transparency in Urbana

Introduction: Councilmember Wu has drafted the attached Resolution to provide broad policy guidance for the Urbana Police Department's (UPD's) Use of Force Policy that is currently being rewritten. The Resolution would prioritize tactical de-escalation as a police response when appropriate.

Discussion: As the Resolution points out, the Council adopted the Ten Shared Principles for Building Trust on June 22, 2020. The Ten Shared Principles were signed by the UPD, the Champaign County Branch of the NAACP, and the Illinois Association of Chiefs of Police (IL Chiefs) on September 17, 2020 at a workshop sponsored by the UPD, the Illinois NAACP's State Conference, and the IL Chiefs.

The spirit of the Resolution, to prioritize de-escalation over force, reflects the values of the City of Urbana and reflects the values of our police officers.

We are especially appreciative of the desire for more transparency in the data being promulgated regarding police use of force in Urbana by requiring an annual report. We are currently preparing a 3-year look-back on the type of data that is being requested for the annual report, which we think will serve as a valuable baseline moving forward. Much emphasis is being placed on the development of the Use of Force Policy itself and equal emphasis needs to be placed on the implementation of the policy.

More transparency will make our community safer. In the same 2018 report by the U.S. Commission on Civil Rights that is cited in the Resolution, there is recognition that police actions alone do not determine public safety:

Without accurate data on police use of force, allegations by community members and actions by law enforcement not only sow distrust among communities and police, making policing more dangerous, but also jeopardize public safety.

Everyone has a responsibility to try and build trust – and reliance on facts is one way to promote trust.

Recommendation: We recommend that City Council approve the attached Resolution.

Attachments: Draft Resolution

RESOLUTION NO. 2021-02-007R

A RESOLUTION PRIORITIZING TACTICAL DE-ESCALATION IN THE USE OF FORCE POLICY AND POLICE TRANSPARENCY IN URBANA

WHEREAS, the City of Urbana ("City") is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Resolution constitutes an exercise of the City's home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, it is the mission of the Urbana Police Department to enhance the quality of life in the City by working cooperatively with the community and within the framework of the Constitution to enforce the laws, preserve the peace, reduce the fear of crime, and provide a safe environment for all; and

WHEREAS, Urbana Police Officers have the limited authority under the Constitution and Federal and State law to use reasonable force when necessary; and

WHEREAS, the City Council adopted the Ten Shared Principles for Building Trust on June 22, 2020; and

WHEREAS, the Urbana Police Department hosted a workshop on the Ten Shared Principles on September 17, 2020, at which they adopted and signed the Principles; and

WHEREAS, a 2018 report by the U.S. Commission on Civil Rights (*Police Use of Force: An Examination of Modern Policing Practices*) found that when police officers use alternative tactics to de-escalate tensions (including warnings, verbal persuasion, or other non-lethal methods), these approaches result in fewer shootings while ensuring community safety; and

WHEREAS, it is in the best interest of public safety to be transparent and accurate about the frequency and type of force used by Urbana police officers; and

WHEREAS, the City Council recognizes the importance of community input in furthering police accountability; and

WHEREAS, Urbana residents want their police officers to prioritize de-escalation techniques when interacting with the public; and

WHEREAS, the City Council recognizes that City policies, including those of the Police Department are living documents that warrant changes from time-to-time, both in response to changing Federal and State laws and in response to changing social practices and sensibilities; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1. The Urbana Police Department shall prioritize de-escalation in the Use of Force Policy whenever feasible and in keeping with the Ten Shared Principles. Additionally, Urbana police officers will regularly practice, encourage, and train in tactical de-escalation techniques for the safety and protection of both citizens and officers.

Section 2. The Urbana Police Department shall include at least one Urbana civilian resident on the Use of Force Review Board and provide appropriate training to such appointee(s).

Section 3. The Urbana Police Department shall submit an annual report to the City Council which will include the use of force by its officers. At a minimum the report shall include in aggregated form: the number of use of force incidents, the findings of the Use of Force Review Board, and whether any disciplinary or training actions were taken as a result of the Board's review. Further, the data should be disaggregated by type of force used, as well as by the race, gender and age of the individuals involved. This report will be publicly available.

Section 4. For purposes of education, self-reflection and possible amendment, the Urbana Police Department shall review the Use of Force policy in collaboration with members of the public, its officers, City staff, and the City Council at least every five years. City Council may request this policy be updated earlier than five years based on community concerns.

Section 5. Prior to the adoption of any changes to the Use of Force Policy, the Police Chief or their designee shall present the changes to the City Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSENT:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Diane Wolfe Marlin, Mayor