

**TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA**

ORDINANCE NO. 20-09-01

**PRESENTED:
ADOPTED:**

September 8, 2020

AN ORDINANCE: RETITLING ARTICLE IV (“BOARDS AND COMMISSIONS”) OF CHAPTER 2 (“ADMINISTRATION”) FROM “BOARDS AND COMMISSIONS” TO, “COMMITTEES, COMMISSIONS, AND BOARDS;”

ESTABLISHING A COMMUNITY POLICING ADVISORY COMMITTEE, INCLUDING ITS PURPOSE, DUTIES, MEMBERSHIP, AND AUTHORITY, BY ADDING TO CHAPTER 2 (“ADMINISTRATION”) OF ARTICLE IV (“COMMITTEES, COMMISSIONS, AND BOARDS”) A NEW “DIVISION 11” ENTITLED, “COMMUNITY POLICING ADVISORY COMMITTEE;”

RELOCATING THE ENTIRETY OF CHAPTER 26 (“COMMUNITY DEVELOPMENT”), ARTICLE I (“IN GENERAL”), ARTICLE II (“ECONOMIC DEVELOPMENT ADVISORY COMMITTEE”), ARTICLE III (“PARKS AND RECREATION ADVISORY BOARD”), ARTICLE IV (“COUNCIL STANDING COMMITTEES”), ARTICLE V (“TREE AND BEAUTIFICATION COMMISSION”), ARTICLE VI (“PURCELLVILLE TRAIN STATION STEERING AND OVERSIGHT COMMITTEE”), ARTICLE VII (“COMMUNITY DEVELOPMENT AUTHORITIES”), ARTICLE VIII (“PURCELLVILLE ARTS COUNCIL”), TO ARTICLE IV (“COMMITTEES, COMMISSIONS, AND BOARDS”) OF CHAPTER 2 (“ADMINISTRATION”) BY ADDING DIVISIONS 3 THROUGH 10

WHEREAS, the Town Council desires to establish a new standing advisory committee for the purpose of advising the Town Council on policing matters, to be called the “Community Policing Advisory Committee;” and

WHEREAS, the original scope of the committee was proposed by citizens at a Town Council meeting on July 14, 2020, after which Town Council directed staff to review and comment on the proposed scope, and report back to Town Council; and

WHEREAS, staff reviewed and commented on the citizen-proposed policy and submitted those comments to the Town Council for its meeting on July 28, 2020; and

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WHEREAS, at its meeting on July 28, 2020, Town Council adopted Resolution 20-07-02, stating its desire to establish a Community Policing Advisory Committee for the purpose of: (a) advising the Town Council, Town Manager, and Town Police on matters related to police-community relations, police training, and police protocols; (b) improving public trust of police by increasing communication and transparency, (c) raising awareness about racial injustices in policing, (d) promoting public education on policing matters, and (e) promoting the fair and equal treatment of all citizens by the police; and

WHEREAS, Resolution 20-07-02 directed staff to prepare, in collaboration with interested citizens, an ordinance creating the Community Policing Advisory Committee, describing its purpose, its membership, and its scope of authority, and further directed staff to advertise said ordinance for public hearing on September 8, 2020, or as soon thereafter as practicable; and

WHEREAS, in accordance with Council's direction, Town staff reached out through a press release to interested citizens and received expressions of interest from 36 community members, all of whom received a written copy of the proposed purpose, mission, powers, and duties of the committee; and

WHEREAS, four community members provided written comment to the proposed document, and Town staff revised the document to accommodate both council and citizen comments, and to ensure orderly governance and compliance with state law; and

WHEREAS, Town staff provided legally required notice in the August 21, 2020 and August 28, 2020 editions of the *Loudoun Times Mirror* that the Town Council would hold a public hearing on September 8, 2020, to receive public comment on this ordinance; and

WHEREAS, for Town Code organizational purposes only, this Ordinance relocates regulations governing all of the Town Council's existing advisory committees, commissions, and boards from the "Community Development" chapter, to the "Administration" chapter.

NOW, THEREFORE, the Council of the Town of Purcellville, Virginia hereby ordains:

Section 1. That Town Code Article IV ("Boards and Commissions") of Chapter 2 ("Administration"), is hereby retitled from "Boards and Commissions," to "Committees, Commissions, and Boards."

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Section 2. That the entirety of Town Code Chapter 26 (“Community Development”) is hereby relocated to Town Code Chapter 2 (“Administration”), Article IV (“Committees, Commissions, and Boards”), by adding Divisions 3 through 9, with the exception of Town Code Chapter 26, Article I (“In General”), which shall be deleted because it has no content and was merely reserved for future use, and is, with this amendment, a duplication of Chapter 2, Article IV, Division 1 (“In General”).

The following articles from Chapter 26 shall be relocated in their entirety to Town Code Chapter 2, Article IV, Divisions 3, through 9: Article II (“Economic Development Advisory Committee”), Article III (“Parks and Recreation Advisory Board”), Article IV (“Council Standing Committees”), Article V (“Tree and Beautification Commission”), Article VI (“Purcellville Train Station Steering and Oversight Committee”), Article VII (“Community Development Authorities”), and Article VIII (“Purcellville Arts Council”).

Section 3. That Town Code Chapter 2 (“Administration”), Article IV (“Committees, Commissions, and Boards”) is hereby amended to add a new “Division 10” entitled, “Community Policing Advisory Committee,” as follows, with section numbers to be assigned by the Town’s municipal code service upon publication:

Division 10 – Community Policing Advisory Committee

Section 10-1. Established; membership; terms; meetings; officers; minutes; bylaws; public records.

- (a) *Membership; removal; vacancy; voting.* The Community Policing Advisory Committee is hereby established. The committee shall consist of nine members, all of whom shall be appointed by the Town Council. The Town Council shall appoint members in a manner that achieves a diversity of viewpoint and experience with law enforcement. Any committee member may be removed by the Town Council for failing to fulfill the duties assigned to committee members hereunder. If a vacancy exists on the committee, the seat will be filled as promptly as possible. A vacancy that brings the membership to a number less than nine shall not cause the committee to cease to exist; a quorum shall consist of a majority of the seated members exclusive of vacancies, and any proposed action by the committee shall pass by a majority vote of those present and voting. Members shall be at least 18 years of age and shall be either a resident of the Town of Purcellville, or an owner or manager of a business located in the Town of Purcellville. Any member of Council appointed to serve as a liaison shall be a non-voting member, whose presence shall count toward a quorum. Committee members may participate in duly-called meetings electronically, as permitted under the Council’s adopted policy for remote participation.

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- (b) *Terms.* All members shall be appointed to the Committee for a two-year term. In order to stagger the expiration of terms, the last four members appointed to the committee for its inaugural term, shall have terms of one year.
- (c) *Meetings.* The committee is a “public body” under the Freedom of Information Act (FOIA) and shall schedule all of its meetings through the Town Clerk to ensure compliance with FOIA and other state law. The committee shall have at least four regular meetings each year. The committee chair may call special meetings as needed. All meetings, both regular and special, shall be called through the Town Clerk. All committee meetings shall be open to the public. At no time shall more than two members of the committee discuss the business of the committee outside of a public meeting called through the Town Clerk.
- (d) *Election of officers; minutes.* The committee shall elect a chairperson and secretary annually. The secretary shall prepare an official record of the proceedings (“minutes”) of each meeting, which shall be adopted by a majority of those present and voting at the meeting immediately following the meeting for which the minutes were prepared. Once adopted, the minutes shall be promptly sent by email from the committee chair to the Town Council, with a copy to the Town Manager, Town Attorney, and Chief of Police.
- (e) *Bylaws.* The committee shall be responsible for the preparation of by-laws for the conduct of meetings. The bylaws shall include a provision that the committee will spend any funds allocated to it by Town Council in accordance with the Town’s procurement policy. Once prepared and adopted by the committee, the by-laws shall be sent to the Town Council for approval.
- (f) *Public Records.* When related to the work of the committee, all webpages, electronic platforms, emails, notes, and other documents or recordings of the committee or its members are “public records” and shall be transmitted to the Town Clerk for compliance with Virginia public records laws.

Section 10-2. Purpose; Mission

- (a) *Purpose.* The committee is formed for the purpose of (i) enhancing communication and community engagement between the Town Council, the Town police, and the full diversity of Purcellville’s residents, businesses, and visitors, about matters relating to police-community relations, police training, and police protocols; (ii) promoting equal and fair treatment of all citizens by Town law enforcement officers; (iii) raising awareness about racial injustice in policing; and (iv) improving public trust of the Town police through increased communication and education.

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- (b) *Mission.* The mission of the committee is to: (i) dialogue with Purcellville's residents, businesses, police, and visitors, about public safety and policing; (ii) identify public safety issues in the Town and communicate those issues to the Town Council, (iii) recommend to the Town Council solutions to those public safety issues, which solutions shall be formulated by the committee in collaboration with community leaders, community organizations, and the full spectrum of stakeholders.

Section 10-3. Powers and Duties

- (a) The committee's powers are as follows:
- i. Gather information on, and transmit to Town Council reports describing: the community's perspective and recommendations concerning the procedures, programs, policies, training, use of technology, and effectiveness of Town police;
 - ii. Create, in collaboration with the Town staff, a webpage on the Town's website, and post educational policing information to that page, for the purpose of increasing public awareness of Purcellville's law enforcement services and programs;
 - iii. Hold public meetings to solicit public input regarding law enforcement services and programs, provided that all such meetings are scheduled through the Town Clerk;
 - iv. Create, in collaboration with the Town's Information Technology Department, easily accessible platforms through which suggestions, comments, questions, or complaints can be submitted to the committee by the community, provided that all such gathered input is treated as a "public record" under law;
 - v. Serve as a liaison between the full diversity of the Purcellville community and the Police Department;
 - vi. Review significant community policing issues, and make recommendations on potential solutions;
 - vii. Provide informed recommendations on the policies by which complaints about a police officer shall be handled, and by which "bias" and "deadly force" cases are investigated;
 - viii. Provide informed recommendations on Town policies that will prevent police bias and use of unnecessary deadly force, and that will strengthen police knowledge of de-escalation techniques;

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- ix. Provide informed recommendations on police programs and police administration, including internal investigations practices;
- x. Gather and distribute publicly-available data on Town police matters;
- xi. Produce public reports at least yearly on the committee's activities; and
- xii. Provide informed recommendations on the proposed police budget each year, including recommendations for the distribution of funds within the police department.

(b) It is the duty of each committee member to:

- i. Listen carefully and impartially to all community opinions, attitudes, and needs;
- ii. Report carefully and impartially the information gathered from the community to the Town Council;
- iii. Engage in regular dialogue with all levels of the police department to understand both the opportunities and constraints inherent to public policing; and
- iv. Become deeply informed, at its own expense, on best practices in policing programs and services.
- v. Become deeply informed on the policies, procedures, and practices of the Town police.
- vi. Refuse gifts or favors that may be offered in the course of work on the committee.
- vii. Conduct the work of the committee with an open and questioning mind, objectivity, and fairness, in a timely manner.
- viii. Present all information without regard to personal beliefs or concern for personal, professional, or political consequences.
- ix. Treat all individuals with dignity and respect, and without preference for or discrimination against: age, ethnicity, culture, race, disability, gender, religion, sexual orientation, socioeconomic status, professional affiliations, or political beliefs.

Section 4. That all prior ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be effective upon its adoption.

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PASSED THIS ____ DAY OF _____, 2020.

Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:

Diana Hays, Town Clerk