

RESOLUTION 2021-001

September 2021

(A) Resolution on the contributions of peace officers and ensuring community trust in public safety and law enforcement.

(B) We, the members of the Utah League of Cities and Towns, find:

Whereas, the Utah League of Cities and Towns (ULCT) acknowledges and expresses gratitude toward peace officers, and their families, for their public safety and community service.

Whereas, the Utah League of Cities and Towns (ULCT) acknowledges that the law enforcement profession is fraught with risks, physical, mental, emotional, and financial, and that society, through the enactment of laws has empowered law enforcement officers to act on their behalf to ensure, where possible, the safety, welfare, and protection of the civil rights of all persons.

Whereas, the Utah League of Cities and Towns (ULCT) acknowledges that performance of law enforcement duties and responsibilities requires the exercise of appropriate judgment with good legal, moral, and ethical intentions.

Whereas, the Utah League of Cities and Towns (ULCT) acknowledges that law enforcement, in general, attempts to foster community trust, and that additional resources to enhancing peace officer skills will further strengthen community trust.

Whereas, ULCT wants everyone, especially law enforcement to know that it values peace officers as respected members of our communities, together with their families, and as important contributors to the social fabric of our cities and towns.

Whereas the members of ULCT recognize that ensuring the safety of the public is critical to maintaining a high quality of life in our communities.

Whereas the Utah State Constitution and state law task municipalities with providing for the health, safety, and welfare of the general public.

Whereas, in the Summer of 2020, ULCT and the Utah Chiefs of Police Association (UCOPA) made a commitment to both public safety and the general public by creating Love, Listen, Lead, a task force of police chiefs, elected officials, attorneys, and managers from Utah municipalities of all sizes and geographic regions to deliberate on potential policy proposals that impact public safety in our communities.

Whereas, the objective of Love, Listen, Lead was to find the space where ULCT and UCOPA both supported Utah peace officers and identified areas to improve community trust in policing, particularly among Black, Indigenous, and people of color (BIPOC).

Whereas, Love, Listen, Lead worked with state legislators to create SB 196 and SB 13 to enhance accountability and transparency around alleged peace officer misconduct. SB 196 provides protection and obligations for law enforcement agencies to disclose information to other agencies regarding peace officers. SB13 requires an employing law enforcement agency or training academy to provide peace officer information to a prospective employer upon request and requires agencies to report certain investigations to Peace Officer Standards and Training (POST).

Whereas, ULCT supported legislation that authorizes discipline against peace officers for proven dishonesty and authorizes criminal penalties for misuse of evidence by peace officers during police investigations. See HB62 and HB59 (2021 General Session).

Whereas, ULCT supported legislation that created a framework for law enforcement data collection, including requiring law enforcement agencies to report statistics about peace officer use of force and requiring peace officers to file reports after pointing firearms or tasers at individuals. See SB159, HB84, and HB264 (2021 General Session).

Whereas, ULCT supported HB162 in the 2021 General Session, which requires at least 16 hours of a peace officer's annual 40 training hours to include mental health or other crisis intervention responses, arrest control, and de-escalation.

Whereas, ULCT supported legislation which requires training for handling domestic violence, lethality assessment, autism spectrum disorder, and enhanced training for school resource officers. See HB301, HB334, and HB345 (2021 General Session).

Whereas, ULCT believes that this enhanced peace officer training will enhance both peace officer professionalism and community trust in law enforcement.

Whereas, ULCT supported SB38 in the 2021 General Session, which ensures that agencies with canines have specific policies and certifications.

Whereas, ULCT supported SB102 in the 2021 General Session, which permits lawful residents who have been in the country for five years to become police officers and dispatchers, and ULCT believes that this change will enhance the diversity of our peace officer ranks.

Whereas, ULCT supported SB106 in the 2021 General Session, which establishes statewide use of force standards for Utah peace officers.

Whereas, ULCT supported HB237 in the 2021 General Session, which modifies how peace officers interact with individuals who are posing a danger to themselves only, but not to the officers or other member of the public.

Whereas, ULCT supported HB248 in the 2021 General Session, which created a grant program to provide mental health resources for first responders to help our peace officers handle the pressures that come from their important work.

Whereas, ULCT supported SB155 in the 2021 General Session, which created the State framework for the operation, funding, and interoperability of the 988 telephone line for behavioral health crisis response.

Whereas, ULCT anticipates legislation in future Utah legislative sessions and Federal Congressional sessions around police policy and practices, peace officer recruitment and retention, and community trust in policing [or] law enforcement, and looks forward to contributing public policy solutions to challenges involving both public safety effectiveness and the general public interest, including through Love, Listen, Lead.

(C) Now, therefore, we the members of the Utah League of Cities and Towns resolve that:

1. Utah's state and municipal leaders and law enforcement agencies should continue to strive to foster communities in which every member feels safe, supported, and respected.
2. Utah's state and municipal leaders and police departments should establish opportunities to recruit and retain police officers who will serve their communities with honor and valor while enhancing the dignity and equality of community members.
3. Public safety legislation should find the balance between supporting peace officers and recognizing areas of improvement that will enhance community trust in police.
4. Utah's cities and towns acknowledge the trust gaps regarding public safety between residents who are white and residents who are Black, Indigenous, and people of color (BIPOC). ULCT research, conducted by Y2 Analytics, identified that white residents and BIPOC residents have different perspectives about policing and different levels of trust.
5. Utah's cities and towns acknowledge that similar trust gaps about policing exist between millennials and older generations.
6. Any review of current public safety policies, programs, tools, and practices will be most successful if government leaders sincerely listen to the perspectives of all of their residents, including residents who are BIPOC and millennial or younger.
7. Utah's cities and towns support the following at the local, state, and federal levels:
 - a) Policy proposals to ensure sufficient resources to recruit and retain peace officers so that they can fulfill their duties to keep our communities safe;
 - b) Policy proposals to balance the transparency, accountability, and authority of local governments and law enforcement agencies;
 - c) Policy proposals to improve our opportunities to listen to and understand all community members to enhance trust in public safety and law enforcement;

- d) Policy proposals to improve the process for how and when peace officers use force;
- e) Policy proposals to invest in resources to address the mental health challenges of people who commit crimes, and alternatives to criminal prosecution and incarceration, when appropriate;
- f) Policy proposals to ensure that collected law enforcement data is meaningful to policy makers, peace officers, and the public as policy makers formulate and implement policies that improve public safety.
- g) Policy proposals that respect the due process rights of peace officers, including ensuring legal protection for records created after being issued a warning based on *Garrity v. New Jersey*, 385 U.S. 493 (1967).
- h) Policy proposals that respect the due process rights of the general public
- i) Policy proposals that respect the different financial challenges and priorities of Utah municipalities.

(D) We, the members of the League of Cities and Towns, further resolve that:

1. Utah's cities and towns will oppose legislative and policy efforts that preclude the ability of police departments to respond responsibly to a public safety or medical crisis.
2. Utah's cities and towns will oppose legislative and policy efforts that unduly restrict the personal privacy and/or due process of peace officers.
3. Utah's cities and towns will oppose legislative and policy efforts that result in unfunded mandates or unsustainable financial burdens on municipalities and communities, without significant benefits.

Submitted by

The ULCT Board-authorized Love, Listen, Lead Task Force