

AN ORDINANCE ESTABLISHING AN INDEPENDENT CITIZEN'S OVERSIGHT COMMITTEE

Independent Citizens' Police Oversight . This ordinance creates an Independent Citizens' Police Oversight Committee for Bennington. Historically, across the nation, policing has been used as a mechanism for social control by means including racial bias, disparities in police use of force, and the impacts of officer-involved shootings and other violent encounters with law enforcement officers. This fact, combined with ongoing racial discrimination in America today, creates distrust and tension between marginalized populations and law enforcement.

The Town of Bennington and the Bennington Police are committed to building trust and positive relationships with all segments of the community. The Town cannot achieve this end without addressing our national history of using the police as a tool to reinforce systems of racial inequity. The formation of the Independent Community Police Oversight Committee is a necessary step in reframing the relationship that the residents of Bennington have with the police and an investment in the smart, equitable, community-oriented policing that the Bennington Police strives for and that our community deserves.

I. Definitions. For purposes of this Ordinance, the following terms shall have the following defined meanings:

- (1) ICPOC means the Independent Citizens' Police Oversight Committee ("ICPOC")
- (2) BPD means the Town of Bennington Police Department.
- (3) Ordinance means the Town ordinance that creates the ICPOC.
- (4) Police-related Policy means any policy or practice of the BPD and any other policy or practice of the Town of Bennington ("TB") or any of its agencies to the extent that it governs or otherwise bears on the work of the BPD..
- (5) Community means everyone who lives, works, studies in, or visits Bennington,

II. Purpose. The ICPOC ("ICPOC") has all of the following purposes:

- (1) To improve and strengthen police-community relations.

(2) To create an environment which allows for better communication, understanding, and relations between BPD and the community.

(3) To provide the community with a role and voice in recommending policies and practices that ensure: (a) high quality of police services; (b) protection for the community; and (c) a community voice in influencing the selection of leadership for the BPD.

(4) To provide oversight of the BPD with regard to the methods, practices and training of BPD services, to achieve the goal that each individual in our community may live safely and experience equitable treatment in any interactions with the police.

(5) To work with the BPD to encourage the respectful treatment of all persons without undue use of force. This concern is of special significance with respect to segments of the community that are vulnerable and have been marginalized, such as persons of color, immigrants, low-income people, victims of domestic violence, people with disabilities, people with mental illness, people with substance use disorders, and LGBTQ persons.

(6) To provide a process for outside review of a particular incident to evaluate the police response in the incident as well as the sufficiency of any police investigation and investigative materials related to the incident and to recommend any changes in police policies or practices.

III. Nature of the ICPOC.

The ICPOC is created by the TB by virtue of its Town Charter as stated in Sec. 303(c). The members of the ICPOC will exercise authority and judgment independent of Town administration under the Ordinance. The ICPOC shall provide advice, through reports and recommendations, to the Police Chief, Bennington Town Manager, and the Selectboard with respect to matters concerning the BPD consistent Sec. 303(e). The ICPOC shall take any and all other actions which may, from time to time, be authorized by the Selectboard pursuant to that same Section. The creation and operation of the ICPOC shall not impair the authority or responsibility of the Police Chief, the Town Manager, or the Selectboard, as may be provided in the Town Charter. Reports, recommendations, conclusions, and findings produced by or for the ICPOC are not binding, factually or legally, on the Town or any part thereof, including the BPD, the Town Manager, the Town Attorney, and the Selectboard.

IV Composition of the ICPOC

(1) Membership. The ICPOC shall consist of 7 voting members, at least 5 of whom are from Bennington, and one of whom shall be a youth member. These members will be appointed by the Selectboard, or by liaisons to the ICPOC with the approval of the Selectboard. In making appointments of members to the ICPOC those appointed as members, shall be, insofar as possible, representative of populations who: (a) are marginalized; and (b) tend to have significant negative interactions with the police; and (c) are committed to improving police and community relations. Persons who are current employees of the Town or who have been employed by the Town, including active or former Police officers, within five years of nomination shall not be eligible for appointment.

(2) Initial Recruitment Process. To recruit applications community-wide for initial membership on the ICPOC, the Selectboard will publicly publish the position, and appoint an outreach coordinator who is a non-Selectboard member and who will perform outreach to organizations representing diverse populations. The Selectboard, in conjunction with diverse representatives of the community, will plan multiple ways to inform the community about the ICPOC and the role and expectations of ICPOC members and its advisors. An application form shall be posted online and hard copies shall be made available at Town Offices and other public locations. Translation services shall be made available to applicants as necessary. Applicants may also choose to apply by interview completed by Selectboard. Failure to apply shall not disqualify a person from being eligible for appointment. The Town Manager, Selectboard, and other community organizations may also solicit recommendations for nominations from the community.

(3) Diversity of Membership. The ICPOC, community organizations, and Selectboard shall endeavor to ensure that all forms of diversity be taken into account, including the overall membership of the ICPOC is reflective of those from diverse background including: educational background, disability, primary language, income level, race, ethnicity, age, gender, sexual orientation, and life experience. Segments of the community that are vulnerable and marginalized, who tend to have significant negative interactions with the police, must be represented. Applicants' skills, expertise, and life experiences bearing on the work of the ICPOC will be considered; including those with applicable experience in: mediation, conflict resolution, mental health, housing, homelessness, anti-racist and equity reform, transformative justice, contact with the police, law enforcement, and the criminal justice system.

(4) Terms of Appointment for members of ICPOC. Terms for voting members shall be three years, except that a youth member's term shall be one year. Terms shall be staggered so that approximately one third of the voting members' terms expire each year.

(5) Term Limit. No person who has served a consecutive six (6) years shall be eligible for reappointment, until the lapse of three years.

(6) Selectboard Liaisons. The Selectboard will designate two of its members to serve as liaisons to the ICPOC. They will be non-voting members of the ICPOC. They will, however, fully participate in meetings.

(7) BPD Liaisons. The BPD will designate one or two of its members to serve as liaisons to the ICPOC.

(8) Community Groups. Community groups are encouraged to send their own liaisons to each meeting. They may fully participate as non-voting members.

(9) Vacancies before expiration of term. If a seat on the ICPOC becomes vacant, it shall be filled in accordance with the procedure outlined above in this ordinance. The appointee who fills the vacancy will serve the remainder of the term of the person whose seat they are filling,

(10) Compensation. Members of the ICPOC shall be compensated at the same rate as Selectboard members.

V. Incident Review

(1) Actions of BPD. The ICPOC shall have the authority to review and examine the actions of the BPD with respect to individual incidents and/or internal affairs issues after the BPD has acted. The ICPOC's review and examination shall not precede or be concurrent with BPD actions, but shall occur after the BPD and Town have completed all proceedings related to the incident or action under review, including investigative, criminal, disciplinary, complaint, and other proceedings.

(2) Filing a Complaint.

(a) Any individual, whether or not involved in the incident in question and without respect to citizenship or residence, may file a complaint with the ICPOC or the BPD. The ICPOC shall not inquire about any complainant's immigration status or gender identity.

(b) The complaint may be filed in person, by telephone, by email, or by mail. The complaint should contain information about the alleged incident, including location, date and involved police officers, if known. Any complaints received by a Town official that are addressed to the ICPOC, should be promptly forwarded to the ICPOC.

(c) The complainant may choose to file the complaint anonymously. If filed anonymously, the ICPOC shall not attempt to determine the identity of the complainant, and shall attempt to communicate with the complainant only if it can do so without learning the complainant's identity. If a complaint is made without revealing the identity of the complainant, the ICPOC shall treat the complaint as being filed anonymously. A complainant who files anonymously may decide at a later time to reveal their own identity. The fact that a complainant's identity is known to a ICPOC member shall not prevent the complainant from filing the complaint anonymously.

(d) The ICPOC may also initiate its own review of the BPD's complaint disposition, particular incident, or the BPD's response to an incident.

(e) There is no time limit for filing a complaint or for initiation of review of an incident. The ICPOC will exercise appropriate caution in reviewing an incident that is not recent, but it shall act on the recognition that no matter how old an incident is it may hold lessons for the future.

(f) A person who wishes to transmit information to the ICPOC or Town of Bennington, but does not wish to file a complaint or contact either entity directly, may contact a community liaison designated by the ICPOC under the Ordinance.

(3) *Complaint Procedure.*

(a) Upon receipt of a complaint, the ICPOC will review the complaint and provide a timely copy of the complaint to the Police Chief and Town Manager. To the extent the complaint or inquiry concerns the conduct of the Police Chief, the matter shall be referred to the Town Manager. If a complaint does not allege officer misconduct, but relates only to Police-related policy, the ICPOC may review the complaint without immediate referral to the BPD.

(b) Upon referral, if a complainant expresses to the ICPOC that the complainant is not seeking discipline of the police officer, that information shall be communicated to the BPD's Professional Standards Section Lieutenant. The BPD should consider the complainant's request when taking any remedial action.

(c) The Police Chief will provide status updates regarding the investigation to the ICPOC. The ICPOC may serve as a point of contact for the complainant

throughout the investigation and review process, and provide the complainant updates as to the progress.

(d) Complainant may be accompanied or assisted throughout the investigation or review process by an advocate, attorney, or other representative of the complainant's choosing.

(e) Upon closure of its internal investigation of a complaint referred by the ICPOC, the Police Chief shall issue a report to the ICPOC in accordance with the Ordinance.

(f) A complainant and any involved police officer will have the option of appearing before the ICPOC, or the members of the ICPOC designated to act on the complaint, during the ICPOC's review of the incident.

(g) Relevant to the complaint, the ICPOC may review the actions of the BPD and any involved police officer and take appropriate action, including, but not limited to:

i. Gathering information from the complainant, willing third parties, and publicly available sources;

ii. Questioning the Police Chief, Deputy Police Chief, or Professional Standards Section Lieutenant about the investigation;

iii. Informally mediating the matter by facilitating sessions in which persons involved in the incident and others with an interest in it (including representatives of the BPD) can participate on a voluntary basis, the aim being to achieve fuller mutual understanding without recrimination. Upon mutual agreement of all necessary parties, the Town of Bennington and ICPOC may establish a dispute resolution process where complaints are resolved without going through the BPD's disciplinary process; and,

iv. Using information learned to make policy recommendations to the BPD and Town of Bennington.

(h) The ICPOC shall develop a system for classifying complaints received by the ICPOC by the type of misconduct alleged, and in its Annual Report, the ICPOC shall state the number of complaints received by the ICPOC in the past reporting period alleging each type of misconduct.

i) Should the Police Chief and/or Town Manager fail to respond, the Selectboard shall compel response.

j) The ICPOC may, during the course of its investigation, request additional information from any source, the response to which shall be compelled by this ordinance and enforced by the Selectboard.

(4) Prohibition Against Retaliation and Intimidation.

Retaliation, threatened retaliation, and intimidation of a complainant or witness, or any other person involved in a review by a Town employee against anyone for their involvement in the complaint or incident review process is strictly prohibited.

(a) Violation of Town policy prohibiting retaliation and intimidation shall be regarded as a separate and distinct incident, regardless of any action taken with respect to the underlying incident.

(b) Violation of this policy may result in discipline, up to and including termination of employment. When the BPD informs a police officer of a complaint in accordance with the collective bargaining agreement, the BPD shall reference these provisions regarding retaliation and intimidation.

(5) Report by Police Chief.

(a) Upon closure of an internal investigation referred by the ICPOC, the Police Chief will report to the ICPOC in writing, stating the Police Chief's determinations as to:

(i) the facts of the incident;

(ii) whether there was any inappropriate conduct by the BPD;

(iii) any discipline that has been or will be imposed; and

(iv) any changes in BPD policies or procedures that ought to be made as a result of the incident.

(b) The Police Chief shall make the report within 30 days of the complaint disposition, provided that if ongoing disciplinary or criminal proceedings or investigations preclude the Police Chief from making the report in that time, then the Police Chief shall make the report within 14 days after conclusion of those proceedings. In extenuating circumstances, explained in writing by the Police Chief, these time limits may be extended, but only for a reasonable time.

(6) Access to Complaint Files.

Except to the extent provided for by federal or state law, the Town Charter, a collective bargaining agreement, or a legally recognized privilege, the BPD will make available to the ICPOC or those ICPOC members designated to act on complaints, all documents

related to the incident, including statements by the police officers involved, all video evidence, and descriptions of any tangible evidence. If, however, the Police Chief believes that some information or materials related to the incident should not be produced due to the preceding circumstances, the Police Chief shall describe the information and materials withheld and state with particularity the reason why they should not be produced. Documents and other materials shall be redacted only to the extent justifiable in the particular case.

(7) Disputes Concerning Production.

Any disputes concerning the production of information and materials may be resolved through a request to the Town Manager or via mutually agreed upon alternative dispute resolution process.

(8) *Information Gathering by the ICPOC.*

(a) Right to Meet with the ICPOC.

The ICPOC will give any person (including the complainant, assuming the complaint has not been filed anonymously, and any police officer(s) involved in the incident) who has information bearing on the incident, an opportunity to provide that information in person in a meeting with the ICPOC or its members or representatives. The ICPOC shall be sensitive to the needs of the complainant as to when the complainant shall have the opportunity of having this meeting.

(b) ICPOC Requests to Third Persons or Investigators.

If the ICPOC believes that third persons, such as bystanders, have information material to its review, the ICPOC may request that such persons provide that information. The ICPOC may use the services of an investigator in conducting its review.

(c) Information Managers.

Except as listed in Sec.V(6) above, the BPD will make available to two or three designated ICPOC members (called "Information Managers"), all records, data, and other requested information relevant to the complaint. The Information Managers shall not disclose confidential information or records and shall be subject to the same penalties as the legal custodian of the information or records for any unlawful or unauthorized disclosure. The Information Managers will work with the Police Chief, Town Attorney, Town Manager, Town Information Technology Managers, and others to set up a process that offers a secure way for records to be accessed.

(9) Incident Reports by the ICPOC.

(a) Issuance of Reports.

When the ICPOC has completed its review of an incident, it shall issue a report to the Police Chief, the Town Manager, and the Town Attorney. Except in cases filed anonymously, the ICPOC shall also issue its report to the complainant, and, in most cases, it shall issue its report to the public. The ICPOC may also issue an interim report at any time it deems appropriate, provided that the ICPOC shall not issue any report to the complainant or to the public before completion of all investigative, criminal, disciplinary, complaint and other proceedings related to the incident.

(b) Contents of Report.

The ICPOC's final report with respect to an incident shall state its conclusions, including (a) whether under the facts and circumstances there was any inappropriate conduct by the police; (b) what the response of the BPD and, if appropriate, of the Town, should be or should have been; (c) any items discovered in the Information Materials that would add an additional ground for complaint to what had originally been filed; and (d) any changes in policies or procedures that ought to be made as a result of the incident.

(c) Confidential Information

The ICPOC shall take care not to disclose confidential information (including, where applicable, the name of the complainant) in a report. The ICPOC's reports shall ordinarily avoid identifying police officers by name.

(d) Response to Report.

If the ICPOC's final report recommends action by the Police Chief or the Town Manager, the person to whom the recommendation is directed shall respond to the ICPOC in writing, and shall endeavor to respond within 30 days or a reasonable time frame. The response shall state with particularity (a) the extent to which the Town accepts the recommendations; (b) the actions, if any, that the Town has taken or will take in acting on the recommendations; and (c) to the extent that the Town does not accept the recommendations, the reasons why.

(e) Discussion of Report.

If a complainant so requests it, the ICPOC shall afford the complainant an opportunity to discuss the report with the ICPOC in an open meeting, or with members of the ICPOC, within 30 days of the time the report is issued to the complainant. Similarly, if an involved police officer wishes, the officer shall have

an opportunity to discuss the ICPOC's report with the ICPOC in an open meeting or with members of the ICPOC. Following these meetings, the ICPOC may, if it deems it appropriate, issue a supplemental report.

The ICPOC may also question the Police Chief, Deputy Police Chief, or Professional Standards Section Lieutenant about the ICPOC's final report and the Town Manager or Police Chief's response.

VI. Reports and Recommendations Concerning Policies, Practices, and Compliance.

(1) General.

The ICPOC is charged with the responsibility to examine and assess, according to such priorities as it may determine, all BPD-related policies; compliance or non-compliance with those policies. ICPOC may issue reports with recommendations for improvements, including new policies or revisions to existing policies. Such reports and recommendations may concern any matter related to the ICPOC's purposes, including but not limited to:

- (a) Recruitment, hiring, promotion, and union relations;
- (b) Training (including both initial training of new personnel and retraining) and education of police personnel, including without limitation on matters such as de-escalation, implicit bias, multicultural respect, and the use of force;
- (c) Procedures for handling complaints and determining discipline;
- (d) Public education, communications, and outreach efforts by the BPD;
- (e) Non-law enforcement approaches that may reduce the demand and need for police interventions;
- (f) Mental health crises, experience of domestic violence, substance abuse and/or trauma;
- (g) Use-of-force policy;
- (h) Arrest procedures;
- (i) Data collection and usages;
- (j) Surveillance;

- (k) Response to protests;
- (l) Budget needs and allocation; and
- (m) Strategic planning.

(2) Access to Information and Materials.

(a) General. To enable the ICPOC to perform its functions under this ordinance, the ICPOC must have broad access to relevant information and materials that state or reflect Police-related Policies.

(b) On Request by the ICPOC, the BPD or the Town Manager shall, except to the extent provided for in Sec.V(6) above, provide the ICPOC with all relevant information and materials that the ICPOC requests. If the BPD or Town Manager believes that requested information or materials, though relevant, should not be produced under this subsection, they shall describe the information and materials withheld and state with particularity the reason why it should not be produced.

(c) Without Need for Request. The BPD shall report in writing to the ICPOC every three months as to:

(I) any developments bearing on the BPD's performance of its functions, including any significant changes in policies or procedures (including without limitation in training or discipline), staffing, or budgetary needs; and

(II) any external complaints filed with the BPD, including the substance of the complaint and the process and substance of the BPD's Response to it; and

(III) data on field operations broken out by race to the maximum extent feasible.

(3) For the purposes of an investigation under this ordinance, the ICPOC is authorized to require by written request the production of all information, documents, reports, answers, records, accounts, papers, and data not otherwise reasonably available to the ICPOC.

(4) For the purposes of conducting a hearing under this ordinance, the ICPOC may require the attendance and testimony of witnesses and the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence which the ICPOC considers relevant and material to the hearing.

(5) In the case of refusal to obey a written request issued pursuant to subsection (3) or (4) of this section, the Superior Court of Vermont, the County of Bennington shall have jurisdiction to issue an appropriate order for the enforcement of any such request. Any

failure to obey such order of the court is punishable by such court as contempt. In any case in which an authority seeks the enforcement of a request issued pursuant to subsection (3) or (4) of this section, the ICPOC shall request the Attorney General to petition the court in which a hearing under this chapter is being conducted, or in which the person receiving the request to appear resides or conducts business, to issue such an order.

(6) Issuance of Special Reports.

(a) Special Reports.

The ICPOC may issue a special report at any time it deems appropriate concerning any Police-related Policy, unless such report would interfere with an ongoing investigative, disciplinary, criminal, complaint, or other proceeding. Such a report may assess the degree of compliance with any Police-related Policy, and it may make recommendations for improvements. Such recommendations shall be addressed, as appropriate, to the BPD, the Town Manager, the Town Attorney, the head of any Town agency, or the Selectboard.

(b) Annual Report.

The ICPOC shall issue an annual report. This report shall:

- (i) summarize the ICPOC's activities over the past year;
- (ii) state aggregate data as to the number and types of complaints received and the geographic areas where complaint incidents occurred;
- (iii) state, to the extent known, aggregate demographic data on complainants;
- (iv) summarize recommendations made by the ICPOC and responses by the Town and officials, including the extent to which the recommendations were accepted and implemented, to its reports;
- (v) summarize the ICPOC's requests for information and the responses to such requests by the Town and any of its officials; and
- (vi) describe the ICPOC's goals for the following year.

The Annual Report may also make recommendations for improvements in Police-related Policies and compliance. If the ICPOC believes that amendments to the Ordinance would help make it more effective, it shall make appropriate recommendations. During its first two years, the ICPOC shall also issue a mid-year report, stating the same information as stated for annual reports. The

ICPOC shall adopt an annual work plan, which shall include a description of the basis for any funds that the ICPOC requests be included in the Town budget for ICPOC purposes. The work plan must be submitted to the Town Manager for consideration in accordance with the timelines for the Town's budgeting process. The work plan may be included as part of the ICPOC's annual report.

(d) Response to Recommendations. If a report issued which makes recommendations to the BPD or the Town Manager, the Police Chief or Town Manager respond to the ICPOC in writing, and shall endeavor to respond within 30 days or a reasonable time frame, stating with particularity the extent to which the Town expresses that necessity

VII. Community Relations.

(1) Building Community Relations. For the BPD to be able to perform its vital function in a way that is both effective and equitable to all segments of the community, especially those segments of the community that are vulnerable and marginalized, it is crucial that there be increased understanding of the needs of those particular community groups by the BPD. The ICPOC shall be proactive in discharging its responsibilities of fostering better communications and understanding between the BPD and community, and of ensuring that its complaint procedure is known to the community as open and accessible to the public. The ICPOC may take any action not prohibited by law that, in its discretion, it believes will help it do so. Such actions may include, without limitation, convening advisory boards, host listening sessions, discussion circles, and educational sessions with community groups and with the community at large, with or without police participation, based on the preferences of each community group. In conducting these actions, the ICPOC:

(a) shall seek input from a broad representation of the aforementioned community groups, including but not limited to youth of color; adults of color, particularly black men; persons living with mental illness or other disability; formerly incarcerated persons; persons who have had adverse interactions with the BPD; persons living with persistent economic hardship; people with substance use disorder, LGBTQ persons; and persons with immigrant status;

(b) shall consider whether information that it learns from these actions suggests that it should make any recommendations as to changes in practices and policies bearing on the Town's exercise of the policing function;

(c) shall, through a youth liaison, work with the youth committee member and either an existing or ICPOC-created youth council to incorporate a youth perspective into the ICPOC's decisions and recommendations, organize events

that are youth-oriented, and secure participation of youth in other events as appropriate;

(d) may coordinate with other councils that the ICPOC meets with to organize events oriented to the groups that such councils represent; and

(e) may secure such professional and expert assistance as it deems appropriate.

(2) Community Liaisons. The ICPOC may identify one or more persons in the community who may serve as a liaison for persons who wish to provide suggestions, concerns, complaints, or other information related to the ICPOC's purpose, but who do not wish to contact the ICPOC or Town directly, or participate in the complaint process set forth in the ordinance. In identifying community liaisons, the ICPOC shall take reasonable steps to ensure that the liaisons will:

(a) Be publicly available to any person wishing to provide information;

(b) Be available to provide the ICPOC with regular updates regarding all information received related to their role as a community liaison;

(c) To the best of their ability, accurately report the information received; and

(d) Understand that the information they provide to ICPOC is likely to be a public record, and therefore protect the identity or confidential information of a person who provides same, unless the person expressly authorizes otherwise. The ICPOC may evaluate whether and to what extent any of the information received from a community liaison warrants further review, discussion, or response by the ICPOC.

VIII. Consultation on Leadership. When there is a vacancy in the position of Police Chief, the Town Manager shall, early in the process of recruiting a new Police Chief, consult with, seek advice and obtain recommendations from the ICPOC as to both the recruitment process and the desired qualifications for the position. Finalists for the position shall meet with the ICPOC or its members and with the public. The Town Manager shall consult with the ICPOC before making a final recommendation to the Selectboard. The ICPOC may state to the Selectboard whether or not it agrees with the recommendation and give reasons why. The Town Manager may choose to use a similar procedure in hiring other senior leadership of the BPD.

IX. Operations and Support

(1) ICPOC and Assignments.

The ICPOC may create and form special purpose task forces and subcommittees to carry out the business of the ICPOC, provided that any report prepared by such subcommittee wishes to issue is first approved and adopted by the ICPOC as a whole.

(2) Facilities and Staff Support.

The Town shall provide the ICPOC with suitable facilities for the conduct of its meetings and other business. The Town shall also provide the ICPOC with the services of an administrative liaison consistent with other Town boards and committees. The Town Manager, Police Chief, and Town Attorney shall provide staff liaisons to the ICPOC with appropriate expertise to support the ICPOC. Within the ICPOC's designated budget, the ICPOC may seek additional professional services, to the extent the contract for those services is approved in accordance with Town procurement procedures. The ICPOC shall have the opportunity to provide input regarding selection of such contractors, including legal counsel, and to make recommendations regarding proposed contractors and legal counsel. The Town Manager shall ensure that such contracts are properly entered into, in compliance with the Town Charter and Town hiring and procurement policies, and maintained (with respect to such matters as payment, tax withholding and reporting, and record-keeping for freedom-of-information purposes). The Town Manager shall ensure that the committee has access to the contracted services in order to fulfill the purpose of the contract.

(3) Counsel.

The ICPOC may request outside counsel and the Selectboard may retain outside counsel to assist the ICPOC. The counsel, contract terms, and the scope of services to be performed must be approved in accordance with Town procurement procedures. The Scope of Services may provide that outside counsel provide advice on a specific matter or on an ongoing basis for matters within the scope of the contract and the approved contract amount.

(4) Training and Orientation Programs.

Within the ICPOC's approved budget, each member of the ICPOC shall be required to engage in training on topics as the ICPOC may prescribe such as implicit bias, trauma-informed care, history of policing, multicultural respect, power analysis, BPD policies and procedures, restorative practices, and social service resources.

(5) Confidentiality Statement.

Each member of the ICPOC, and every person who renders services to the ICPOC, shall sign a statement promising to maintain and protect the status of confidential information.

X. Dispute Resolution.

Any disputes concerning the ordinance may be resolved through a request to the Town Manager or via a third-party mediator hired by the Town Manager. If mediation fails to resolve the dispute, parties may petition the Superior Court of Vermont for judicial review.