



CITY OF SOUTH BEND
MAYOR JAMES MUELLER
OFFICE OF THE MAYOR

September 25, 2020

Dear President White and Chairwoman Hamann:

As you know, reforming our public safety systems continues to be a top priority for the administration and the Common Council. We all share the desire to establish a resident review board that can help foster trust between our community and our police department.

As discussed previously, the same legal, operational and policy issues throughout bill 12-20 persist in the latest draft. There are many cases throughout the proposed ordinance that seem to be in violation with state law. For example, how the board would use the Common Council's subpoena power is far from clear. The administration's legal team has discussed these concerns with your legal counsel throughout this process, but many of those concerns remain unaddressed in the latest version.

I hope that the Council would work with the Council Attorney to address, at a minimum, the remaining legal issues, even if the sponsors are unwilling to compromise on operational and policy issues.

Would the bill sponsors be willing to meet with the Council attorney, the administration, and its legal counsel to make sure all the legal questions on this bill are fully addressed and resolved as best as possible?

While we were disappointed that we did not have an opportunity to see the latest draft and provide input before filing, we appreciate the opportunity provided late this week and are working as quickly as possible to provide meaningful feedback. Given the timeline and amount of work that needs to be done, I am concerned that we might not make the deadline for Monday. If we do not, I respectfully request that Council table this measure until we're able to sort out all the details.

It's important we get this right, so the review board can be trusted and will be able to withstand any legal challenges brought against it. I believe that we share the same end goals and that we can accomplish those best by working together. I trust you share that view as well.

Sincerely,

James Mueller, Mayor

cc: Common Council and City Clerk