

Resolution Relating to

APPROVAL OF SEPARATION AGREEMENT FOR JASON
BELLAVANCE

RESOLUTION

Sponsor(s): Hanson, Paulino

Introduced: _____

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty

Resolved by the City Council of the City of Burlington, as follows:

- 1 That WHEREAS, in September 2018, Sergeant Jason Bellavance used force in an incident involving
2 Jérémie Meli; AND
- 3 WHEREAS, in September 2018, Officer Joseph Corrow used force in an incident involving Mabior
4 Jok; and
- 5 WHEREAS, in March 2019, Officer Cory Campbell used force in an incident involving Douglas
6 Kilburn; and
- 7 WHEREAS, since August 25, 2020, a group of Burlingtonians have protested in Battery Park calling
8 for a number of changes with respect to racial justice and policing in Burlington, including that the City fire or
9 otherwise separate with these three officers; and
- 10 WHEREAS, all three cases were investigated; no criminal charges were recommended against any of
11 the officers; the results of each investigation were reviewed with the Police Commission before a final
12 decision was made; and all three officers were exonerated of using excessive force; and
- 13 WHEREAS, as a result of the investigation, Sgt. Bellavance was suspended for not using available de-
14 escalation methods and using more force than necessary, but the other two officers were not: Officer Corrow
15 was counseled for a minor policy violation and Officer Campbell was reprimanded for swearing; and
- 16 WHEREAS, because employees need to know that decisions about their employment will be made
17 through processes that are fair, deliberate, and clear at the time, the City cannot exercise further discipline
18 against or fire these three officers; and
- 19 WHEREAS, though firing the officers now would violate important principles of employment law and
20 employee fairness, in recent weeks the City has examined the question of pursuing a voluntary separation
21 agreement; and
- 22 WHEREAS, though three incidents in which the three officers were involved have been grouped
23 together in public discussions, each is distinct and must be considered individually; and
- 24 WHEREAS, the case of Sergeant Bellavance differs in that his actions did not follow expectations that
25 were in place at the time; he received discipline at the time; he was in a leadership position as the sergeant in

26 charge on the night in question; and we must apply a higher standard to our leaders and look to our leadership
27 to establish a culture in the Police Department that is in line with Burlington's values; and

28 NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes the Mayor to execute a
29 separation agreement with Sergeant Jason Bellavance containing substantially the following terms and
30 conditions, subject to the approval of the Burlington Employee Retirement System board of the retirement
31 benefit and final review by the City Attorney:

32 - Resignation effective October 5,
33 - Separation pay of approximately three years' salary (\$300,000),
34 - Health insurance for 18 months (COBRA),
35 - Three years' service credit towards retirement;
36 - Legal fees for review of the agreement;
37 - Releases of claims; and

38 BE IT FURTHER RESOLVED that the City Council recommits to the work that the City has
39 undertaken to make progress on eradicating systemic racism and transforming policing in our community.