



Vermont Criminal Justice Council

RULES COMMITTEE: Minutes

July 22, 2021

July 22, 2021
9:00 AM
Teams Meeting

Members in Attendance:

Sheriff Mark Anderson
Cassandra Burdyslaw
Evan Meenan
Bill Sorrell

Members Absent:

Brian Searles

Other Attendees:

Heather Simons – Executive Director Vermont Police Academy
Lindsay Thivierge – Vermont Police Academy
Jacob Humbert – Assistant Attorney General

Call to order:

Meenan called the meeting to order at 9:02 AM

Motion to Approve the Minutes:

Sorrell moved to approve the minutes. Burdyslaw seconded the motion. The motion passed unanimously.

Presentation from Humbert on what, by statute, the Council's rules are required to cover:

20 V.S.A. §§ 2354(b), 2355(a), 2355(f)(1), 2367(c), and 2359 set forth what the Council is required to include in its rules. Areas the Council may wish to consider include:

1. Updating Rule 4 to conform with the current composition of the Council.
2. Adopting rules that allow for alternate routes to certification aside from attending the police academy.
 - a. The Council is statutorily required to have such rules by 2023.
 - b. The requirement may contemplate something more extensive than the existing waiver process in Rule 18.
 - c. Champlain College previously proposed a possible alternative. Sorrell suggested inviting Champlain College to reengage with the Council on this topic.
 - d. Sheriff Anderson said that the Senate Government Operations Committee suggested a course challenge model like the one used at Northern Vermont University. Sorrell suggested that the Waiver Committee consider whether Rule 18 either could or should be used for this purpose. Meenan suggested the Training Advisory Committee consider



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this issue as well. Simons and Sorrell will consider which other Committees to assign additional work to on this topic.

3. Including more detail in Rule 14 to better meet the statutory requirement to address in rule the minimum training courses for criminal justice personnel.
4. Updating an existing rule or adopting a new rule regarding advanced training requirements.
5. Creating a definition of “criminal justice training.”
6. Specifically addressing in Rule 18, as the proposed draft update does, the Executive Director’s authority to grant 60-day training waivers.
7. Adopting rules specific to the use of electronic control devices.
 - a. Sorrell suggested looking at the report that the Attorney General’s Office issued when he was the Attorney General. Meenan suggested having the Training Advisory Committee also consider this issue. Humbert and Meenan flagged that the Law Enforcement Advisory Board has issued a model policy.
8. Adopting a procedure, not the same as a rule, to enforce the requirement that law enforcement agencies must have a policy on roadside data collection to send candidates to the Vermont Police Academy.
9. Enacting rules related to professional misconduct. The Council may enact such rules, but is not required to do so. It may be able to address this issue through a policy, procedure, or guidelines.

Discussion/review of the overall structure and content of the Council’s rules:

This turned into a discussion of how best to approach reviewing and updating the rules to accomplish Council staff’s priorities and ensure that all rules get revisited. Simon is going to revisit staff priorities before the next meeting. All committee members are going to review the general structure of the rules as a homework assignment before the next meeting.

Agenda for July 29 Meeting:

Update from Simon re staff priorities.

Review Committee members’ comments on the general structure of the rules.

Potential Future Agenda Items:

Presentation from Academy staff on Rule 13 with a specific focus on what is going well and what, if anything, could use some alterations and/or improvements.

Presentation from Humbert on the current professional regulation process.

Motion to Adjourn:

Sorrell moved to adjourn the meeting. Burdyslaw seconded the motion. The motion passed unanimously.

The meeting adjourned at 9:55 a.m.