



## Vermont Criminal Justice Council Council Meeting Minutes

November 3, 2021

10:00 AM

Teams Meeting

### **Members in Attendance:**

William Sorrell, Chair – Governor Appointed

Sheriff Mark Anderson, Vice-Chair – VT Sheriff's Association

Xusana Davis, Vice-Chair – E.D. Racial Equity

Anthony Facos – Proxy for Wanda Minoli, Dept of Motor Vehicles

Chief Christopher Brickell – Vermont Chiefs' Association

Christopher Louras – Governor Appointed

Glen Boyde – Proxy for Nicholas Deml, Dept of Corrections

Sadie Donovan – Proxy for Carol Brochu, Center for Crime Victim Services

Evan Meenan – Proxy for John Campbell, States Attorney & Sheriff's

Erin Hodges - Vermont Troopers Association

Maria Tungatarova – Governor Appointed

Trevor Whipple – Vermont Leagues of Cities and Towns

Michael Major – VT Police Association

Col. Jason Batchelder - Proxy for Commissioner Louis Porter, VT Fish & Wildlife

Major Justin Stedman - Proxy for Commissioner Louis Porter, VT Fish & Wildlife

Michael Schirling – Commissioner of Public Safety

Cassandra Burdyslaw – VT Human Rights Commission

Shawn Pratt – Governor Appointed

Karen Tronsgard-Scott – Vermont Network DOMV/Sexual Violence

Karim Chapman – Governor Appointed

### **Other Attendees:**

Heather Simons –Vermont Police Academy

Lindsay Thivierge – Vermont Police Academy

Cindy Taylor-Patch – Vermont Police Academy

Jacob Humbert – Assistant Attorney General

Keith Baranow – Department of Corrections

Alan Cormier – Department of Corrections

Ann Schroeder – Guest

Barbara Kessler – Vermont State Police

Lesa Trowt – Department of Corrections

Timothy Gould – Vermont State Police

Domenica Padula – Attorney General's Office



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**Call to Order:** Vermont Criminal Justice Council Chair, William Sorrell 10:01

**Changes to Agenda:** Addition to agenda. Make the Body-Worn Camera Policy a potential action item.

**Approval of prior minutes:** Sheriff Anderson made a motion to accept the minutes from October 20th. Second by Evan Meenan. All in favor. Motion passed.

### **Executive Director Updates:**

*Mission-focused:* The pace of things is aggressive, but Academy staff are mission-focused.

*Academy Training Updates:* We have back-to-back academies currently there are 37 in the class. The Written Entrance Test RFI is being extended due to lack of submissions, and it is yet to be determined how that will affect subsequent academy classes. We have extended the PT test to enter the Academy up until Day 1 to ensure we can get all potential applicants into the classes. Staff is also allowing recruits to stay overnights on the weekend if they have long drives to ensure safety and support.

*Administrative Updates:* The contract has been signed with Dr. Avila for FIP training.

We had a budget meeting that will be reported out on at the next meeting.

The boilers in the facility are not working, and the East Cottage is not yet completed.

Interviews have been completed for the Deputy Director.

Command staff at the Vermont State Police has temporarily offered up Captain Manley to assist in some projects.

Lieutenant Steve Coote moved from the Office of Professional Development (OPD) in Pittsford to the Shaftsbury Barracks and Lieutenant Moser is now filling that role at OPD.

The K9 committee is being reviewed for more modern approaches to best practices and standardization.

**H435/Act56** (Chief Cormier) Introduced overview of requirement for a joint legislative report that looks at changes to Corrections to include a Corrections monitoring division, investigations unit, and the feasibility for the certification/decertification of Corrections officers through the Council.

- Under Section 7 of H435, The VCJC and DOC shall develop a proposal governing minimum training standards, complaint investigations, and a process for certification and decertification of correctional officers. The proposal shall give the council the authority to investigate allegations of Correctional Officer misconduct and to certify/decertify correctional officers. On or before Dec 1st the Council and the Department of Corrections shall announce the proposal to the Justice Oversight Committee including any fiscal or programmatic impact.
- Many changes have happened in the past year in Corrections including the recent addition of a new Commissioner. The Department of Corrections has been working with



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the Moss Group to enhance training in the Corrections Academy. The Corrections Monitoring Commission is going into effect on January 1st and will provide oversight. The Moss Group is also working with the Bureau of Justice nationally for an overall standard and criteria for all Corrections Academies. Another consideration for Corrections is that the Department of Human Resources conducts all investigations. Until the Investigation unit is stood up, the Council would need to welcome DHR in to speak about how things would affect their investigative role with Corrections.

*Discussion ensued on the next steps for presenting to the Joint Justice Committee 12/1/21:*

- To comply with the Legislative request would take more time and resources.
- The current proposal does not include fiscal or programmatic impact as it would be difficult to develop in the time frame requested.
- This is important work that needs to be recognized and the public needs a greater voice in the criminal justice process including corrections but to try to do this lift will be very difficult.
- The Council is currently trying to meet the demands of S124 and everything that it has been asked to do in the Law Enforcement profession. There is a great deal of training that would have to happen to get the Council familiar with the commonalities between the two entities. If given time and resources, we could create a thoughtful approach on how to accomplish the goals outlined in H435. The Council should be more involved in devising this. This is necessary and our response should be what is it going to take to get it done.
- The first step would be to find a small team to start outlining the scope of work and a timeline that will include DOC. This group should be in communications with the Corrections Oversight Monitoring Commission to incorporate all stakeholders. If anyone is interested in this group, please contact Heather before the end of the day Monday 11/8/2021.

### **Body Worn Camera Model Policy: (Heather Simons)**

*Discussion commenced around the policy that was presented at the October 20, 2021, meeting.*

- A proposed language change was presented on clarity around the discretion of officers using Body Worn Cameras when performing residential searches.
- Additional consideration should be given to the use of wire warrants and how the two policies may overlap.
- The AGO's office asked for consideration on the flexibility of the language to be afforded for detectives vs. uniforms.
- Representatives from the Department of Public Safety, State's Attorney and Sheriff's, and the Attorney General's Office will agree on language that will be presented to the LEAB for approval at their next meeting.



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- Concerns around officer discretion of Body-Worn Camera use and increased Use of Force incidents were discussed. Jennifer Morrison has suggested that there may be concerns but that the policy could be adopted then revisited soon because in some instances until the policy is operational the effects will not be known. All reasonable efforts have been made but we will have to have a little professional faith that the team has thought over these issues.
- Concerns were discussed around if the policy does not go to vote by the deadline or if the Policy is not passed. The Council anticipates voting by the December deadline.

### **Meeting Schedule:**

Consideration for future discussion on meeting hours and additional days  
Council staff will continue to schedule the special meeting dates until there is a consensus.

No further questions, comments, or suggestions.

Motion to adjourn: Mark Anderson moved, second by Chris Louras. All in favor.

Meeting adjourned: 11:38

*Next Meeting Date Wednesday, November 17, 2021, at 10:00 AM*