



# Vermont Criminal Justice Council

## Council Meeting Minutes

April 21, 2021, 2021

10:00 AM

Zoom Meeting

### **Members in Attendance:**

William Sorrell, Chair – Governor Appointed

Tammy Boudah – Governor Appointed

Maira Tungatarova - Governor Appointed

Glenn Boyde – proxy for Interim Commissioner James Baker, Dept of Corrections

Anthony Facos – proxy for Commissioner Wanda Minoli, Dept of Motor Vehicles

Xusana Davis – Executive Director Racial Equity

Sgt. Erin Hodges - Vermont Troopers Association

Chief Christopher Brickell – Vermont Chiefs' Association

Sheriff Mark Anderson – Vermont Sheriffs' Association

Trevor Whipple – Vermont League of Cities and Towns

Elaine Boyce – proxy for E.D. Chris Fenno, Center for Crime Victims Services

Karen Tronsgard-Scott – Executive Director Network DOMV/Sexual Violence

Cassandra Burdyslaw - Vermont Human Rights Commission

Michael Major - Vermont Police Association

Karim Chapman - Governor Appointed

John Federico – Vermont State Employee Association

Mourning Fox – proxy for Commissioner Sarah Squirrel, Mental Health

Christopher Louras – Governor Appointed

Shawn Pratt – Governor Appointed

Michael Schirling – Commissioner of Public Safety

Major Justin Stedman – proxy for Commissioner Louis Porter, VT Fish & Wildlife

### **Other Attendees:**

Major Ingrid Jonas - proxy for Commissioner Michael Schirling, Dept of Public Safety

Jacob Humbert - Assistant Attorney General

William Sheets - Vermont Police Academy

Gail Williams - Vermont Police Academy

Cindy Taylor-Patch - Vermont Police Academy

Lindsay Thivierge - Vermont Police Academy

Heather Simons – Executive Director Vermont Police Academy

Kevin Lane – Vermont State Police

Jennifer Firpo – Vermont Police Academy

Sheriff Kevin McLaughlin –Chittenden County Sheriff's Dept

Ann Schroeder – Public member



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## Council Meeting Minutes

**Call to Order:** VCJC Chair Bill Sorrell 10:01

### **Review of March 17, 2021 VCJC minutes**

#### **Approval of minutes:**

Christopher Louras made a motion to accept the meeting minutes from the March 17, 2021 meeting, second by Trevor Whipple. All in favor. Motion passed.

Chair Sorrell opened the floor up to Executive Director Heather Simons.

**Executive Director Update:** Executive Director Heather Simons introduced herself to the Council, thanked everyone for their role on the Council, and talked of her background and hopes while being Executive Director, and apologized if she has not responded to any emails or phone calls as hers are not working at this time.

**Introduction of Glenn Boyde to the VCJC:** Glenn Boyde was introduced and gave his brief background. Glenn is the Interim District Manager at the Dept of Corrections, has worked in Corrections for over 35 years, and has been looking at the Council subcommittees to determine his preferences.

**Major Jonas retirement:** Chair Sorrell announced Major Jonas' retirement, thanked her for all that she has done, wished her well, and welcomed her to continue serving on sub-committees if she desires.

#### **Director of Training updates by Cindy Taylor-Patch:**

- 111<sup>th</sup> Basic class starts on May 3<sup>rd</sup> with a total of 26 recruits. 11 VSP, 11 municipal, 1 sheriff departments, 2 UVM, and 1 fish and wildlife. There was no one left on the waiting list. Continues working with the Health Dept and is looking good for this class. All the incoming recruits have been vaccinated. The smaller class size helps with available space, trainings, meals, and housing.
- Level II classes have continued
- Firearms Instructor School is currently happening.
- Planning of in-service classes are in the works.
- The Academy has two open positions. One is for a Law Enforcement Training Coordinator for which the interviews will begin next week. The second one is a temporary part-time Program Services Clerk to help the training side with administrative duties.



## Vermont Criminal Justice Council Council Meeting Minutes

### **Director of Administration updates by Lindsay Thivierge:**

- Working on developing a new records system.
- Waiting on the IT side for the updated website.
- Will be reaching out to the organizations represented by Council members.
- Security plan is being developed for the Academy facility.
- Will be sending out an email with a list of the sub-committees and their descriptions.

### **VCJC Sub-Committee/Working Group Progress updates:**

- Jennifer Firpo:
  - Gave an update on the Domestic Violence sub-committee meeting from April 8<sup>th</sup>. They are working on preparing for the 2022 mandatory training and will be putting together a survey to send to all law enforcement agencies to share with all their officers to get input. Chief Blish will be donating a new flashlight to be given away by drawing to an officer that participates in the survey.
  - Gave an update on the Fair and Impartial Policing (FIP) sub-committee from April 9<sup>th</sup>. The sub-committee is working on where and how FIP is woven throughout the training curriculum, what it looks like, and what they would like to see.
  - The RFPs are out for the Traffic Stop Race Data Collection. The deadline April 28<sup>th</sup>.
- Chief Brickell:
  - Welcomed Heather, Glenn, and Kevin, thanked Ingrid for all of her work/help, and thanked Lindsay for her help with Act 56 complaints.
  - The Professional Regulation sub-committee consists of five members who have been working diligently. They meet every Monday for an hour and a half. Have been working on a back log of complaints and had voted this past Monday on eleven complaints of which one will be coming to the Council soon.
  - Act 56 statute is clear but leaves ambiguity. A memo is being worked on to push out to law enforcement agencies in the state as to what is required and what to look for. Will be getting clarity on a discrepancy in Category B where the law says first offence and the Governor says second offence.
  - Lindsay will be sending a reminder out to Council members for the May 5<sup>th</sup> hearing procedures training date from 8:00 – 10:00 and will be setting up meetings for the monthly hearing dates for July 7, Aug 4, and Sept 1 then for the fourth Wednesday of each month throughout the rest of this year.

Trevor Whipple made a motion the fourth Wednesday of every month be scheduled as a regular meeting for the sake of hearing professional conduct cases and to conduct other Council



## Vermont Criminal Justice Council Council Meeting Minutes

business that may come up. Second by Sheriff Anderson. No further discussion. All in favor. Motion passed.

### **Testimony Update by Chair Sorrell:**

- We have come a very long way since the Governors administration made a recommendation for the FY22 fiscal year appropriations for the operations of the council and the academy for level funding for our budget. There were no additional services/resources for academy business under jurisdiction of the council.
- We have appeared in front of appropriations committees in both chambers, underscoring the request first for additional personnel slots. Our highest priority, our own investigator (to conduct and review investigations on matters refer to council on allegations of unprofessional misconduct in law enforcement). The need for us to have our own in house is absolutely key. A second position related but extended beyond is the need for in house legal counsel. Jacob serves us well but there are many matters that we will not have to contract out for if we have our own inhouse counsel. Thank you largely to the House Government Operations committee and the very hard work from Representative Maida Townshend on our House Appropriations committee we came out with approval funding for those two positions. We have testified on the Senate side and we are optimistic that the positions will continue with funding.
- Senate side we also made requests for one time money under federal action. We requested \$150,000 for a scenario training simulator and money for entrance testing revisions. The Scenario simulator will give students more access to real-world scenarios and in the moment coaching from instructors. The money requested for entrance testing is going to be used to ensure the entrance testing process- written, psychological, PT (all in revision) - is all accessible, fair, and inclusive. A lot of work that will require a relationship with a vendor.
- Senator Kitchell - Chair of Senate Appropriations committee assigned Senator Dick Sears from that committee to look at one time only asks. We had a meeting with Senator Sears and are hopeful that he is supportive of our request for one time finding and that he can carry that successfully over to the House. We are way ahead of where we were in mid-December.
- The Agency of Public Safety: The Governor issued an Executive Order to create an Agency of Public Safety. The council was a part of that, we reported on the want for the independence of the council in that agency construct. The Legislature rejected the Governors executive order wanting to have its own footprint on whether there would be an Agency and what that would look like. The Senate side has taken that, and we have testified numerous times before the Senate Operations on that issue. Some council



## Vermont Criminal Justice Council Council Meeting Minutes

members want the independence of the council not only in reality, but also so the public perception should remain that the newly expanded council is in fact independent.

- There is another hearing and as of the last draft the council being under the Agency of Public Safety even for administrative services (IT contracting, grant applications, grant management) we have been removed. There is not a reference to the council in the current draft of the bill. There were concerns from some of the senators that the council would not be truly independent so thought it best if just took council out. We could benefit from administrative support which we can ask for if it gets out of the committees and is adopted by the Senate and taken up in the House. Unlikely that this will get through both chambers this session. But we will be in a position to continue weighing in and after operating for a full year we will have some specific recommendations on our operations. We can then engage on the House side, on things that we think will enhance the operations of the Council and the Academy.

**Open Discussion:** Chair Sorrell talked about an article from the NY Times and read part of a statement he received from the Dept of Global Public Health on the verdict in the George Floyd case. Much discussion ensued and many Council members voiced their opinion on the need to put out a statement from the Council and Academy. A meeting will be set up for 1:00 to include the Chair, both Vice Chairs, Executive Director Heather Simons, Director of Training Cindy Taylor-Patch, Director of Administration Lindsay Thivierge, Bill Sheets, and any other member that would like to attend to draft a statement. This draft will be sent to all Council members for input.

**Motion to Adjourn:** Chief Brickell made a motion to adjourn. Second by Major Jonas. All in favor. Motion carried.

Adjourned 11:58

Next meeting is May 5<sup>th</sup>.