



Vermont Criminal Justice Council

Council Meeting Minutes

June 30, 2021

10:00 AM

Teams Meeting and 317 Academy Drive Classroom 2

Members in Attendance:

William Sorrell, Chair – Governor Appointed

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

Trevor Whipple – Vermont League of Cities and Towns

Erin Hodges – Vermont Troopers Association

Tammy Boudah – Governor Appointed

Major Kevin Lane – Proxy for Commissioner Michael Schirling, Public Safety

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

Alan Cormier –Interim Commissioner Corrections

Chief Christopher Brickell – Vermont Chiefs' Association

Christopher Louras – Governor Appointed

Xusana Davis – E.D. Racial Equity

Brian Searles – Governor Appointed

Karim Chapman – Governor Appointed

Shawn Pratt – Governor Appointed

Michael Schirling – Commissioner of Public Safety

Michael Major – VT Police Association

Mark Anderson – VT Sheriff's Association

Cassandra Burdyshaw – VT Human Rights Commission

Karen Tronsgard-Scott – ED VT Network DOMV Sexual Violence

Other Attendees:

Heather Simons – Executive Director Vermont Police Academy

Jennifer Firpo – Vermont Police Academy

Andrew Graham – Vermont Police Academy

Christopher Conway – Vermont Police Academy

Gina Yalicki – Center for Crime Victim Services

Sadie Donovan – Center for Crime Victim Services

Daniel Trudeau – Vermont State Police

Marcia Daoudi - Guest

Teresa Randall – Vermont State Police

Julie Scribner – Vermont State Police

Ian Louras - Guest

Gwynn Zakov – VT League of Cities and Towns

James Whitcomb – Vermont State Police



Vermont Criminal Justice Council Council Meeting Minutes

Call to Order: VCJC Chair Bill Sorrell 10:01

Chair Sorrell explained the new Open Meeting Law requirements post-Covid.

Trevor Whipple made a motion to accept the minutes from the May 19th meeting. Second by Chief Chris Brickell. All in favor. Motion passed.

Legislative Update: Chair Sorrell:

- The two newly approved positions for Staff Investigator and Staff Attorney were ultimately approved by both chambers and signed into law by the governor.
- At the May meeting, it was indicated that the Senate agreed to add \$150,000 of new one-time funding from the Covid relief money. This included \$100,000 for a new simulator for training purposes and \$50,000 for an expert to assist the group that is working on a new entrance exam. We were told that the Senate had included this one-time funding request. At the close of the Legislative session, the money was not there. We received apologies but we do not have those one-time funds. The legislature will revisit that, and we will do better in terms of ensuring our needs are retained in bills.
- July meeting date in person at the Academy in Pittsford.
- All members please evaluate where we are and offer any thoughts on how we could improve what we are trying to do.
- The Council has many tasks from our Legislature with timelines. We should be doing some consulting, hearing, and making recommendations on things such as:
 - What military equipment should be made available to Vermont Law Enforcement Officers and what should be accepted.
 - Recommend a policy on Model Body Worn Cameras.
 - Recommend a policy for Facial Recognition Software, if it is being used more predominantly then the council should make a policy around the use of that technology.
 - We need a timeline that we will have posted on the council website that has these charges and responsibilities and the timelines for getting there. This will be a scorecard for progress.

Acting Commissioner Department of Corrections: Alan Cormier:

- Bill 435 which is now called Act 56 for the Department of Corrections will create a Corrections monitoring commission much like VSP Advisory Committee. This commission will be created on January 1, 2022 and will create an investigation unit inside Corrections. In the past, it was law enforcement and/or the Department of Human Resources (DHR) that handled misconduct, contraband, or inmate death. This new



Vermont Criminal Justice Council Council Meeting Minutes

Commission creates a liaison between agencies that will create stronger investigative packets to provide to DHR and Law Enforcement when those situations occur.

- Act 56 now includes language that works with the Council on the certification process to determine the scope of investigative authority for the Department of Corrections (DOC) that will be added to the work of the Council as we move forward.
- The certification process of correctional officers outlined in 28VSA (3) includes correctional officers, community correctional officers, and probation and parole officers.
- The DOC has a broad range of staff with 600 correctional officers, 45 community correctional officers, and 120 probation and parole officers.
- The language in Act 56 says that the DOC will collaborate with the Council on developing a proposal related to the minimum training standards, how complaint investigations are handled, and the certification and decertification for correctional officers. That report is due to the Joint Justice oversight committee on December 1, 2021. Rose Webber will take the lead on this as Director of Compliance and Standards for DOC.
- It is believed that the intent behind 435 Act56 is to model the Council in the area of law enforcement professional conduct. This will require looking deeply into what additional responsibilities and resources are needed. Academy training would not be a resource impact, but the Council would play a role in approving and advising the training curriculum for Corrections personnel in the move towards certification.
- The Council has an advocacy role towards supporting the funding that is needed from the legislature.
- There was clarification provided around Act 56. There are two different acts with the same number. The law enforcement Act 56 is from the 2018 session H22 and the DOC Act56 is from 435 on the 2021 session. Similar in nature but different in legislation.

Executive Director Update: Heather Simons:

- Heather wants everyone to come and see the training and how everything operates.
- There have been two (2) LIII resignations.
 - What comes into play when someone decides to resign?
- We are getting close to being ready to have a discussion around policy and exit interviews and how we connect all the HR work around that.
- LII Performance – Process for termination discussion.
- LII is a shorter training program than the LIII, LII is not affiliated with specific agencies, LII has a statutory scope of responsibility that limits them from investigating more serious crimes (i.e., homicide or sexual assault).
- De-escalation – we have added de-escalation modules into the training.
 - Training is working on a project that will allow for more predictable scheduling of de-escalation into the entirety of the curriculum.



Vermont Criminal Justice Council Council Meeting Minutes

- COPS grant could assist in building a de-escalation curriculum.
- Air Conditioners –BGS, especially Kevin Henderson has been helping us come up with solutions to change AC in recruit rooms.
- Difficult to find space for in-person meeting schedules post-Covid.
- Use of Force Policy – When officially ready it will have to be implemented by Oct 1st.
- Academy policies (suspension) – How do we do this going forward and are there more opportunities to do more such as remediation or coaching.

Administration Update: Lindsay Thivierge

- East Cottage is expected to be completed by the fall.
- BGS is currently working on the leach field, which is impacting driving training.
- Investigator Contract - unable to secure due to contractors backing out.
- Act 56 Administrative Updates - We are starting an RFI on case management software to help with the liability, security, and efficiency of case processing.
- Act 56 cases and the development of processes are taking considerable time which is why we have been unable to hold a hearing. We have not identified a potential date yet.
- Website development has been slow but small changes are being made to the overall organization and design of forms and resources.
 - Provide a walk-through of the site at a future meeting.
- SharePoint- We are beginning a transition of all Academy files from the Shared Drive at the end of the 110th class in the event there are any problems in the transition.

Sub-committees/Working group updates:

- *FIP Subcommittee: Jennifer Firpo*
The RFP for the FIP training is in process.
- *Waiver sub-committee, Lindsay Thivierge:*
 - The subcommittee will support the full VCJC by reviewing, with the assistance of staff, applications for Level III waivers of training requirements with a focus on out-of-state waiver requests. In addition, the committee is charged with all VCJC waiver appeals to include Rule 13 and Out of Jurisdiction.
 - To date in 2021 we have 138 waivers (this is to include unresolved waivers, medical, military, administrative, instructor, and rule 13). To date 77 are complete and we continue to audit the remaining 61.
- *Rules sub-committee, Chair Sorrell:*
- There is a lot to do in a 6-month timeframe. The working group will meet weekly.
- *Professional Regulation sub-committee, Chief Brickell:*
Total cases reviewed and sent back to agencies for clarity or more information: 18



Vermont Criminal Justice Council Council Meeting Minutes

Completed 35 cases and we have 39 pending. Five of those are community complaints. Working on a draft policy/procedure available for review at the next meeting. After the full Council has accepted these procedures, we will secure dates for hearings.

Modernization Plan: Commissioner Michael Schirling

With the current situation, the number of new certified LE personnel will not be able to keep up with staffing needs. Asking Council for review and evaluation in the following:

1. Entrance Test on Demand -immediate need.
2. Evaluate the necessity of the entrance exam-immediate need.
3. Abolish or change PT standards around the state (e.g., ergonomic rower).
4. Each Agency have their own PT standards based on their needs.
5. Enhance and modernize the pathways that we have to train and certify:
 - Contingent through VT colleges and certifications
 - Non-residential and commuter programs – more training over a longer time period.
 - Hybrid training - some distance learning and in-person
 - Accelerate streamline path – More streamlined way to move from LII to LIII.
- Any comments or questions can be sent to Heather, and she will get them to Commissioner Schirling.
6. Update the delivery strategy and then the order in which the curriculum is delivered to better match the way adults learn. An example:
 - First 2 weeks - prep you get baseline info – basic civics, etc.
 - 8-week residential that focuses on things seen daily
 - Field training – not applying things you have learned but experiencing them.
 - 2nd residential core curriculum with expanded topics and practical scenarios.
 - Back into the FTO program. Conditional certification after completion.
 - Gap in training - doing the work and learning the work.
 - Mentorship and some ongoing weekly training (one or two hours)
 - Return to learning for more advanced concepts. At the end they get full certification.
 - After that, continuing education for lifelong learning and advancement.

Discussion: Comments and suggestions around the training proposal.

Motion to adjourn – Commissioner Schirling moved, second by Mark Anderson.

Meeting adjourned: 12:01