

VERMONT CRIMINAL JUSTICE TRAINING COUNCIL
December 19, 2019
PITTSFORD, VERMONT
9:00 AM

Members in Attendance

Chief Christopher Brickell, Chair, Vermont Association of Chiefs of Police
Heather Simons, Vice Chair, Proxy for Commissioner Mike Touchette, Vermont
Department of Corrections – by phone
George Scribner, Proxy for Commissioner Louis Porter, VT Dept of Fish & Wildlife
Sergeant Timothy Gould, Vermont Trooper's Association
Michael Major, Vermont Police Association
Sheriff Stephen Benard, Vermont Sheriff's Association
Silas Loomis, VT Constables Association
Major Ingrid Jonas, Vermont State Police
Gary Moore, Public Seat
David Scherr, Proxy for Attorney General TJ Donovan, Vermont Attorney General's Office
Colonel William Elovirta, Proxy for Interim Commissioner Wanda Minoli, Vermont Dept of Motor Vehicles
Michael Schirling, Commissioner Vermont Dept of Public Safety – by phone

Absent

Erica Marthage, Bennington County State's Attorney

Other Attendance

Executive Director Richard Gauthier, Vermont Criminal Justice Training Council
Megan Campbell for Jacob Humbert, Assistant Attorney General
Trevor Whipple, Vermont Leagues of Cities and Towns
Gail Williams, Vermont Police Academy
Cynthia Taylor-Patch, Vermont Police Academy
Drew Bloom, Vermont Police Academy
Robert Ryan, Vermont Police Academy

Chief Brickell: Called the meeting to order at 9:02.

Addition to or Subtraction from agenda: none

Approval of Prior Minutes: Gary Moore made a motion to accept prior minutes for Oct and Nov, second by Sheriff Benard. All in favor, motion passed.

Election of Chair and Vice Chair:

- Gary Moore nominated Chief Brickell as Chair, second by Colonel Elovirta. All in favor, motion passed.
- Michael Major nominated Heather Simons as Vice Chair, second by Constable Loomis. All in favor, motion passed.

Fair and Impartial Policing Policy Discussion: Director Gauthier, Chief Brickell, Heather Simons, and David Scherr met with Human Rights, Migrants Justice, and Advocates as agreed had been agreed to meet with

them every two years to hear their concerns. The major concerns included the language for illegal border crossings and loopholes with officers collaborating with federal agents, along with concerns with some of the language. After Council discussion it was decided substantively no changes would need to be made, but there needed to be language clarification that would help officers. David Scherr, Major Jonas, and Colonel Elovirta volunteered to draft the language clarification. Chief Brickell asked for the draft prior to the legislative session.

ACT 56 Council Process Discussion: The report is due January 15th by Director Gauthier, to include the highlights over the last year and any suggested changes to ACT 56 law. The constant problematic subjects continue to be with the hiring standards and Category B conduct. The proposal will be made to make changes that a hiring agency “must” contact current agency or previous agency if the person is no longer employed and to change Use of Force Category B offenses so they are reviewed by the Council on the first offense.

DOC Update: Heather Simons: Heather reported that Commissioner Mike Touchette resigned, and she is unsure of his exact date of departure. She expressed that she and the DOC senior management team supports him and already misses his courageous leadership. He was additionally courageous to make a decision in favor of supporting his family, who have been under enormous pressure with the public perception and cruelty on social media. Commissioner Touchette was in the position eleven months and willingly stepped into a role with the understanding there were a number of areas in the system to address. Heather asked the council to not give up on the DOC, and to be cautious with the information from the media. She also advised that the department and the DOC Senior Management team is committed, diligent, and vigilant about the safety and sexual safety of the entire incarcerated population, as well as the safety of our employees. She further advised we are managing a department of approximately 1,200 employees who were notified of these leadership transitions through the media. This is unfortunate and difficult, and we’re managing. Heather asked the council to consider the scrutiny we’re all under as leaders from our perspective positions both in our agencies and on the council. Heather said we know and have known for some time that the system is not working, and her hope is that we address this together. She thanked the council for the vote as vice chair, and the vote of confidence. The interim Commissioner is Judy Henkin.

Executive Director Search: Sheriff Benard and Commissioner Schirling are collecting names and stakeholders to be part of the process in hopes to be moving forward in earnest in January. They will be working on putting a job description together and will be putting together two groups. One law enforcement and the other outside stakeholders once they come up with a scoring method that will work for each group. The hope is to have a new Executive Director in place 4-5 weeks before Director Gauthier retires.

Training Report: Cynthia Taylor-Patch went over the training report and highlighted the changes being looked at to help recruits succeed, the use of rowing machines for PT and collection of data, the pre-academy firearms process for the Level II officers, FTO class for 2020 is almost full, and impaired driving SFST refresher and ARIDE refresher class is now active.

TAC Meeting report: The TAC discussed the 2020-2021 training needs and three working groups were created to work on the training needs. TAC members had discussions on interviewing now that the PEACE model is being taught to recruits there is a need for FTO’s to get this same training. The plan is to get this training out in 2021. It was decided to move the tactical emergency medical training from post-basic into the full-time class. They will be and will be working on the need for some in-service trainings such as the tactical emergency medical training, report writing, digital evidence, mental health de-escalation, and drug recognition. One of the biggest discussions at the TAC meeting was the number of required hours for field training. Currently the required hours for Level II officers is only 60 hours and for Level III there is not requirement. They would like FTO to be mandatory for Level III and will be looking at a more involved process for Level II.

Proposed Canine Standards Change: TC Robert Ryan explained the standards had not been updated since 2011. Terri Fleck was hired to review them and suggested a few changes. TC Ryan went over the proposed changes and additions to the standards. Gary Moore made a motion to accept the changes and have TC Ryan

report on the canine standards at the December meetings, second by Sheriff Benard. All in favor, motion passed.

Executive Directors Report:

- DRE Status Update: Drew Bloom updated the Council that there had been no coordinator and the process to get one is now been completed and is a contractual position. John Flannigan is officially the State DRE Coordinator. He will also be working with Chris Conway on impaired driving classes. The only hold up now is the contract with SUNY for the DRE software.
- Alternate Path to Level III update: Director Gauthier has met with Academy staff. The feedback was a general consensus that at this time there are many other moving parts with the expansion of the full-time basic class, off site training, etc. The Directors recommendation since the work is done as requested would be to shelve this until the other parts are complete.
- First Responder Conference report: The conference was a success and was well attended. There were many topics and discussions on how trauma affects first responders and best practices in regard to services offered, and standardizing services for everybody.

Major Jonas made a motion to go into Executive Session to talk about the Burlington complaint. The motion was amended by Gary Moore to include the wording based on the Council finding of premature knowledge of the subject matter, with Director Gauthier and Megan Campbell participating in the Executive Session. Motion was second by Sheriff Benard.

Executive Session 11:00 – 11:10

No action taken in Executive Session

Gary Moore made a motion to adjourn, second by Sergeant Gould. All in favor

Meeting adjourned at 12:12