

VERMONT CRIMINAL JUSTICE TRAINING COUNCIL

March 24, 2020

PITTSFORD, VERMONT

10:00 AM phone conference

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

Jason Batchelder, Proxy for Commissioner Louis Porter, VT Dept of Fish &
Wildlife

Sergeant Timothy Gould, Vermont Trooper's Association

Michael Major, Vermont Police Association

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

Commissioner Michael Schirling, Vermont Dept of Public Safety – by phone

Erica Marthage, Bennington County State's Attorney

Gary Moore, Public Seat

Mark Anderson, Vermont Sheriff's Association

Absent

Silas Loomis, VT Constables Association

Other Attendance

Major Ingrid Jonas, Vermont State Police – by phone

Executive Director Richard Gauthier, Vermont Criminal Justice Training Council

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

Jacob Hansell – Vermont Police Academy

Sheriff Roger Marcoux – Lamoille County Sheriff's Dept

1. Chief Brickell: Called the meeting to order at 10:02.

2. Discussion of waivers of current training standards: Rick gave an update on the Level II and Level III classes.

- Level II students have a couple remote trainings and will be returning to the Academy in groups of six for two-hour increments to take their final exam on Friday.

- Level III students have been doing on-line trainings. There are enough trainings up to April 6th, after that it becomes problematic.
- Use of Force (UOF) cannot be provided at this time due to hands on trainings required for scenarios and skills testing.
- We have the ability for firearms training if recruits come in in blocks of six. The instructors would be observational only in order to keep their distance. This would be problematic if a recruit needs help or guidance.
- Cindy has daily contact with the agency heads of the recruits and has been trying to finalize motor vehicle law, criminal law, and crash. Small blocks of training are falling by the wayside. Continues to provide as much training as possible. Skills based training and final scenarios will also fall by the wayside.

Topics discussed by Council Members include:

- The need to plan on this class and next class needing on-line and special accommodations.
- Suggestion of assigning a specialist in on-line training as quick as possible to help.
- Suggestion of giving a conditional/provisional certification until the full-time can complete skills training and hands on trainings.
- The need for a long-term plan.
- A waiver to allow certified instructors at the home agency to instruct on certain topics. Jacob Humbert is going to work with Director Gauthier on this topic.
- Talk of proficiency testing off site at each agency using the Academy materials then testing out with an Academy instructor. Similar to UOF and firearms. The agency would have to assume the risks.
- Ways to get people to the firing range who need it for certification.
- Ways for recruits to get missing UOF trainings.
- Making sure Agencies know what trainings the recruits have/have not completed.\
- Trevor Whipple will be speaking with the head of VLCT but believes a provisional certification will not be a problem if the recruits are functioning with transparency to their best ability.
- Future planning with instructors to do on-line training.
- The need for clarity in who is proficient in what categories.
- Concern of who would be signing off for training at the agencies and making sure there is not a conflict of interest when testing their own recruits.
- The need for VSP field training officers to get guidance on the scope of practice of a Level II officer.
- Concern of the recruits being in close confined spaces while doing their FTO and working with the public.

Cindy Taylor-Patch informed the Council the recruits did three days of on-line training last week, have more this week and next week on the major blocks. She said the recruits are struggling but are getting the training done. So far 20 hours of post-basic have been completed and 14 hours of regular scheduled classes (report writing, criminal law, police liability, etc.). They will be getting police driving instruction and the last of the UOF instruction on-line today.

Drew Bloom informed the Council the recruits have had all but one block of instruction, one scenario, and their finals. Proficiency testing takes approximately 2-3 hours per student, done in pairs and cannot be done alone such as handcuffing, counter measures, take downs, prisoner transport, etc.

Jake Hansell talked of the time needed for the firearms written exam and range use. It can be done but will take extra time.

Chief Brickell asked Cindy and Drew to provide any proficiency testing the recruits could do and what they would need to return to the Academy to do. He suggested continuing with on-line instruction of the major blocks, take final exam for provisional certification until the recruit is able to come back to complete the hands on trainings need for certification.

Motion was made by Chief Brickell to continue with Level III training as much as possible for them to receive a Level III provisional certification, at which time the recruits would need to go back to the Academy within one year for the hands on trainings for full certification. Until that time the recruits will be able to do Level II scope of practice. Second by David Scherr.

In favor of the motion: Chief Christopher Brickell, Heather Simons, Jason Batchelder, Sergeant Timothy Gould, Michael Major, David Scherr, Colonel William Elovirta, Major Ingrid Jonas, Erica Marthage, Gary Moore, and Mark Anderson.

Motion passed.

Amendment to the motion was made by Sheriff Anderson to append and waive the requirement that an provisionally certified officer be under the direct supervision of a certified officer once the FTO has been complete. No second was made.

The Council will revisit these topics as needed.

Council Meeting for tomorrow March 25th has been cancelled.

Sheriff Anderson is concerned about the demand on personnel and feels traffic control will be an issue. He asked about Level I and Level II provisional certification officers the ability to do prisoner transport and traffic control so certified law enforcement officers will not be pulled from where they are needed. Director Gauthier is going to take a look at Statue.

Cindy Taylor-Patch feels the June level II class will be pretty feasible.

Motion to adjourn was made by Gary Moore, second by Sheriff Anderson.

Meeting adjourned 11:31.