

VERMONT CRIMINAL JUSTICE TRAINING COUNCIL

October 30, 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

Jason Batchelder, 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

Erica Marthage, Bennington County State's Attorney

David Scherr, Proxy for Attorney General TJ Donovan, Vermont Attorney General's Office

Absent

Colonel William Elovirta, Proxy for Interim Commissioner Wanda Minoli, Vermont Dept of Motor Vehicles

Other Attendance

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

Capt. Julie Scribner, Vermont State Police

Chief Brickell: Called the meeting to order at 9:08.

Addition to or Subtraction from agenda: Addition 6a Elections and 6b level II to level III certifications.

Approval of Prior Minutes: Michael Major made a motion to accept prior minutes, second by Constable Loomis. All in favor, motion passed.

November 20, 2019 meeting date has been cancelled

2020 Meeting Dates: These dates have been set for 2020 at the Fire Academy in Pittsford, with the understanding that the location may be updated as needed. January 22, February 19, March 25, April 22, May 27, June 17, July 22, August 19, September 23, October 21, November 18, and December 16.

Executive Directors Report:

- **Training Coordinator Position update:** The Academy ended up with one applicant who has been offered employment, his personal history questionnaire has just been received. He is currently attending training out of state and is a use of force instructor.
- **DRE Status update:** The RFP had been posted, one person applied, the contract with this person is being finalized, it is anticipated it will be another 2-4 weeks.
- **Entry Standards Committee update:** The committee has decided to recommend going through the RFI process. Heather suggested a working group help her write the RFI. Major Jonas offered to help.
- **Budget Presentation update:** Attended the initial meeting with Finance. There were some adjustments to the line items. They talked about the expansion of the Academy and costs associated with it. Jason Pinard will get the final draft before the house appropriation meeting in Jan. or Feb. Rick explained the process. Heather attended the initial meeting and feels the Council should take more initiative in the budget process. It was agreed the Council should take more ownership, need more knowledge on the budget and process and should put the budget together for Director Gauthier to present at Finance. Director Gauthier said participation from the Council members at the Appropriations Committee meetings would have a big impact. It was suggested Director Gauthier send an email to the Council Members to let them know when the hearings are so any members able to go can attend.
- **IADLEST Report and Recommendation update:** Director Gauthier said the report is seen as not hurting the Academy. There were a few recommendations in the report such as scripted scenarios, recording scenarios, and being clear of the ability to stop if something happens in a scenario. Director Gauthier informed the Council the Academy is already doing what the sample scenario sheet template suggested, for the Academy it is a matter of memorializing with is already being done. The exercise sheets will be rewritten to reflect these changes. The Academy is looking into the suggestion of recording scenarios and has contacted Secretary of State regarding the retention of videos and was told it was up to the Academy's discretion. A policy has been written and the Academy is looking into equipment. There was discussion among the Council and the members were split on their opinion of recording scenarios. Chief Brickell asked that the policy be sent to the Council Members for their input. The final recommendation from the analysis was on the Hitchhiker scenario. The scenario has been modified. The deliberate swat to the head has been removed and the name has been changed. Positive input has been received from past recruits on the necessity of this scenario. Regarding the job task analysis Director Gauthier says it is owned by the Council and the Academy. Chief Brickell and Heather say the ownership needs to be sent out to the Agencies.
- **Negligent Discharge discussion:** Director Gauthier informed the Council of a recruit accidentally firing his firearm when removing it from the holster. Consensus from the instructors is that the recruit needs to be immediately released. The recruit did resign and will be returning to the next class. Director Gauthier polled his counter parts and received a variety of opinions. The Academy's range policy has been since modified around accidental firing of a firearms. The Council went on to discuss what happens with a recruit's Level II certification if the recruit fails out of the Level III Basic
- **First Responder Wellness Conference:** Met with Jim Baker about his project on first responders. There will be a conference Dec 9th, the registration is through VLCT.
 - Nov 8th is a Below 100 conference which is free to Council Members.
- **3rd Alternate Academy:** After the proposal from Champlain College Director Gauthier was contacted by a Vermont State College who is interested in drafting their own proposal. Director Gauthier asked if the Council is going to entertain looking into an alternate academy and if so, what does an organization need to do to meet Council standards. The Council talked about their thoughts and concerns. Chief Brickell feels the base criteria needs to be set, they would need to stick to a police discipline model, it needs to be overseen by the Academy, the Academy not lose instructors, he has budgetary concerns, and questions on the polygraph. Heather thinks this should be done through an RFP and let them come to the Council to show who has the best proposal. There was concern about the costs and number of man hours it would take for the Council and Academy to put this together. Director Gauthier will draft an outline with talking points for the Council to focus further discussion.

Elections of Officers: Election for Chair and Vice Chair will be during the December meeting. Chief Brickell wanted to give members time to promote discussion if anyone is interested in these positions. Heather told members to keep in mind these positions require a lot of work as there is a lot to do. Both Chief Brickell and

Heather are willing to continue in their positions if the members vote to keep them but understand that change is sometimes good if anyone else is interested.

Alternate Path from Level II to Level III: Chief Brickell asked Director Gauthier if there was any movement on the alternate path. Director Gauthier stated there was concerns form the staff about the process but has not had time to meet with the staff but hopes to have something for the December meeting.

Break 11:18 – 11:30

Heather made a motion to go into Executive Session to discuss mediation and to consider specific findings that are premature general public knowledge that would clearly place a public body or person such as the Council as well as discussion regarding pending and probable civil litigation. Jacob Humbert added to the motion the desire to discuss the content of confidential attorney client communications that were delivered to you [the Council] in the context of the mediation. Executive Session will include all members currently present except for Gail. Motion second by Constable Loomis.

- Executive session from 11:20 – 11:45
 - No action taken

Heather made a motion to go into Executive Session to discuss evaluation as it relates to personnel of a government official, to include Executive Director and general council Jacob.

- Executive Session from 11:50 – 12:30
- Executive Director and Jacob participated in the beginning of the Executive Session. The remaining Executive Session was only the Council Members.
 - No action taken.

Sheriff Benard made a motion to adjourn, second by Gary Moore. All in favor

Meeting adjourned at 12:40