April 6, 2022

10:00 AM

Teams Meeting

**Members in Attendance:**

William Sorrell, Chair – Governor Appointed

Xusana Davis, Vice-Chair – E.D. Racial Equity

Glen Boyde – Proxy for Nicholas Deml, Dept of Corrections

Sadie Donovan – Proxy for Jennifer Poehlmann, Center for Crime Victim Services

Erin Hodges - Vermont Troopers Association

Trevor Whipple – Vermont Leagues of Cities and Towns

Michael Major – VT Police Association

Chris Herrick, Commissioner, VT Fish & Wildlife

Justin Stedman - Proxy for Commissioner Chris Herrick, VT Fish & Wildlife

Jason Batchelder - Proxy for Commissioner Chris Herrick, VT Fish & Wildlife

Cassandra Burdyshaw – VT Human Rights Commission

Karen Tronsgard Scott – E.D. VT Network DOMV/Sexual Violence

Brian Searles – Governor Appointed

Christopher Louras – Governor Appointed

Jennifer Frank – VT Chief’s Association

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

Anthony Facos – Proxy for Commissioner Wanda Minoli, Public Motor Vehicles

Mark Anderson, Vice-Chair, VT Sheriff’s Association

John Federico – VT State Employee Association

**Other Attendees:**

Heather Simons –Vermont Police Academy

Christopher Brickell – Vermont Police Academy

Lindsay Thivierge – Vermont Police Academy

Andrew Graham – Vermont Police Academy

Ken Hawkins – Vermont Police Academy

Jacob Humbert – Assistant Attorney General

Jon Murad – Chief, Burlington Police Department

Teresa Randall – Captain, Vermont State Police

Thomas Mozzer – Lieutenant, Vermont State Police

802-342-2468 – Member of the public

Doug Allen – Chief, Colchester Police Department

Michael Donoghue – Member of the public

Jason Covey – Sergeant, Middlebury Police Department

Casey Covey – Member of the public

Barb Kessler – Captain, Vermont State Police

Jenn Firpo – Vermont Police Academy

Gail – Member of the public

Guest – Member of the public

Wade Lebrecque – Deputy Chief, Burlington Police Department

Derrick Tienken – Chief, Winhall Police Department

**Call to Order:**  Vermont Criminal Justice Council Chair, William Sorrell 10:02

**Changes to Agenda:** There are no proposed changes to the agenda.

**Approval of prior minutes**: Motion to accept minutes, Christopher Louras, second by Mike Major. All in favor.

**Vermont Criminal Justice Council Chair Updates:** *Vermont Criminal Justice Council Chair, William Sorrell*

* Crossover has come and gone. On the budget side, we got approval from the House for 100K for one-time money for a new simulator. This was money that was requested last year (100K for the simulator and 50K for an entrance test expert) The simulator was approved and the money for the entrance test expert was not. It will now go over to the Senate to review the requests for 100K and 50K. We made an additional request for one-time money for a comprehensive review of our training curriculum but because of so many other demands we didn’t get that in front of the Department of Finance and Management back in December and the Administration did not support that ask. The Governor did recommend the 150K
* The Agency of Public Safety concept did not get out of Senate Government Operations. It had been discussed in a previous meeting that with redistricting it was unlikely that major operations of the Council would be approved and put into effect.
* We just got a request from House Institutions and Corrections to weigh in on the Corrections Act56 bill leftover from last year. Requires the joint report from VCJC and Corrections on a separate professional regulation group. The Council had previously decided that this bill is of interest for future consideration, there is ultimately too much to take up on the law enforcement side before we consider taking on additional responsibilities as it relates to Corrections employees.

**Law Enforcement Standards Letter:** *Vermont Criminal Justice Council Chair, William Sorrell*

* A letter was written to the Council, by an active training assistant with the Academy. The Training Assistant has current issues with:
  + Class size of 38 historically but more recently the class has been increased to up to 50 and he has suggested that by increasing the student-instructor ratio we are putting more stress on instructors and compromising the effectiveness of some aspects of our training. He understands that there are shortages in law enforcement but does not want to compromise standards.
  + The length of the basic academy - our number of hours is about equal to the national average, but we may want to extend the length of the basic academy. If we are going to reduce our hours, then there should be an overall evaluation of what is required.
  + We have suspended the Cooper standards – We are now using the Concept 2 rower which is based on the 70th percentile this should be the 40th or 50th percentile. Health is a lifetime pursuit and should be considered.
  + Academy training style – one is academic and the second favors the paramilitary model contrary to what some have said they are not separate. The Academy is a mixture of both.
* The Officer does not believe the Council wants to diminish standards and believes that the controversial issues addressed have been brought forth by a vocal minority instead of a silent majority. He is hoping that everyone will consider, research, and discuss all issues before deciding as a Council. Please speak up when you disagree with changes being made.
* *Discussion over law enforcement standards letter ensued:*
  + Chair Bill Sorrell is happy that this letter was written and is concerned to hear that there may be a quiet majority who is not speaking up when they disagree. S124 doubled the size of the Council, the legislature wanted more voices to be in the discussion, we want those voices to be heard.
  + Erin Hodges fully supports the letter from a training perspective. Sgt Hodges wanted to add clarity to the academic and paramilitary models of training. The academic model is similar to Level II Academy, M-F class time with no stress introduced. The paramilitary model helps introduce stress to these recruits so they know how to conduct themselves in stressful situations at times when they may or may not be expecting it. Officers are being asked to do more than they have ever been asked before and they need to be prepared for all of these situations. These recruits have to think back on their training and control their emotions. The Academy does a very good job with the hybrid model.
  + Chair Bill Sorrell has not been a part of any conversation regarding a move away from the current academic model.
  + Michael Major – His graduating class at the Academy was the largest in 1990 with 50 men for 16 weeks. Having that many people was difficult, scenarios took forever, and they were always struggling to fit things into the schedule.
  + Chair Sorrell – The TA did acknowledge the need to fill the vacancies on the road and the need to balance vacancies in departments with increased numbers in the Academy.
  + Mark Anderson – Are we seeing those same problems with the current class of extending class time and staying up late or lack of resources for training staff?
  + Heather Simons – Day one went late because they were trying to figure out how to move everyone through. There are a number of ways to get creative when you get high numbers and it’s still not easy. How we divide classes, and TA/instructor ratios increasing. We do need to acknowledge it is more challenging and we adjust as we go.
  + Chris Louras –What do we do with the letter? 1. Move these points to the TAC. 2. Discuss one or four of those points here. 3. Move to receive and file (I don’t agree with that, but others may). 4. Keep at full council and continue the discussion. One issue regarding the training model. I think we should move away from the warrior model and move back towards a guardian model. Communities want the aptitude, attitude, and behaviors of guardian officers.
  + Karen Tronsgard Scott –I feel confident in the law enforcement members of this body and their ability to address issues, speak their minds, and offer their expertise. I am troubled that this officer sent this letter to the full council. Maybe it means we need to have an explicit pathway for law enforcement to express their concerns or ask questions directly to our leadership instead of going to the full body. It feels out of protocol in a profession that counts on protocol. My encouragement around this letter would be to make it an information document to Director Simons and would like to hear what she sees for its impact on their work at the Academy.
  + Major Lane – There were some assumptions in the letter that didn’t seem accurate. This is a great Council with many different voices, and everyone has always seemed to speak their mind. We have had open meetings where everyone feels free to share. I like Karen’s idea for a process or protocol for law enforcement to be able to voice concerns to Academy staff I think that was a missed opportunity. *On standards:* I think what is really missing are the standards that departments and agency heads provide for new members coming into this profession. *Hiring and PT standards*: We did vote on PT standards, and I think that was a smart and responsible vote, there is a lot of science backing up that decision. The staffing crisis in law enforcement is a real crisis. We are all working hard to address it and the academy is working hard to find that balance. I have not been a part of the conversation around paramilitary to academic. *Warrior vs guardian mentality* I don’t see it as either-or (if it’s military it’s warrior if it’s academic it’s guardian) all of the training professionals here work towards the guardian model and not a warrior mentality.
  + Brian Searles – Would like to comment on each issue in a letter from a historical perspective. The class size is not unprecedented. In the mid to late 80’s law enforcement numbers were low, people had job options and the vacancy rates were 15-20%. The length of the basic academy will hopefully shift moving from time investing to learning outcomes. The first basic class was three weeks. Physical fitness standards are changing because the Cooper standards are no longer relevant – it is about making the standards relevant not diminished. Paramilitary to Academic model this conversation has been going on for a very long time and the Council has never favored one way or another which is why we have the blended option.
  + Chief Jennifer Frank –Training has changed to focus on the mastery of subject matter and not hours being taught. We discussed at our last chiefs meeting, that this (the Academy) is introductory training and if we are wanting it to be the end all be all of the training in a short period of time then we are asking an awful lot. As Chiefs, we support the Academy and think they are doing a tremendous job.
  + Xusana Davis – I think there are a lot of great points in the conversation and in the letter. I take no issue with the way that it was submitted, this is a public body and often they will get letters from the public. I wonder who else does not feel welcome to come to the full body. I would like to see us do more with that public outreach so that we don’t get surprises. On the concept of lowering standards, there is an idea that if you are making a change, you are somehow worsening things. I think people want less from the police. But we want to take things off of the plate of law enforcement and therefore we are going to modernize and make relevant the training that we give officers at the offset. Who gets to have a say? I am not a law enforcement officer and I think that gives me a different perspective on this council, but I also have expectations of what I want to see in that profession. That diversity of perspective is important. This paramilitary vs academic model sounds like micro-dosing trauma. If we are re-evaluating what kind of officer, we want then we need to re-evaluate what level of stress is introduced at the Academy.
  + Justin Stedman – I would like to echo what Xusana said about how the information was received, anyone from the public or law enforcement should be able to express their opinions to us. I am a member of the entrance test working group and I still stand by the change to the rower. However, Texas DPS uses the 70th percentile, we use the 40th. They also use a 1.5-mile run, we got rid of the 1.5-mile run. I think we need to adjust that.
  + Mark Anderson - I appreciate the Officer engaging in this form of discourse I think it’s healthy for us to have these discussions because it gives us an opportunity to reflect. In researching our academy, I saw that we are not a paramilitary or collegiate we are a mixed stress hybrid academy. I don’t necessarily agree with the file method for this letter but without this being a conclusive letter I would not want to decide on anything. Maybe we should invite him and more people to the conversation.
  + Trevor Whipple – I know it’s a heavy lift at the academy and that they are severely under-resourced. In a show of goodwill, they are trying to be responsive in many different areas. The class size is large, but we need boots on the ground and if we cap those numbers then we lose the opportunity. We have an obligation as a Council to continue to look at the training environment and what outcomes we want. What we hear from communities is that they want policing to change so there is an obligation to examine different models. We are reevaluating standards, and some changes happen. Fitness standards should be supplied by the agency as well and they should send applicants who can successfully pass a fitness test. Everything that the Officer brought up is important and should be continually discussed. Communities have different expectations so what is delivered at the academy has to change as well.
  + Chief Murad – We need officers this is the biggest issue in the State. We also want quality officers because of the great responsibility. We are trying to determine what that quality looks like with the new wants from the community but for right now Police are all we have until something new is in place. We are still sending police to those things such as child safety in a mental health crisis. We have shootings, attempted murders, and dead bodies. These are things that officers deal with and how do we make sure they are ready to deal with them. Ultimately the Council does have to be concerned with that and the outcomes that are taught at the Academy. The Entrance Test Working Group (ETWG) is not about the outcomes it is about ensuring the people that get sent to the Academy can be successful in the Academy. Agencies can have additional requirements for employment. We altered what Texas DPS does and discussed it at length in the ETWG I believe it’s a changing of standards. We have the opportunity to bring in a wider group of people. This also requires that the VPA be resourced to help shape these recruits so that they are leaving with the same training at the same level as everyone else. I continue to send people to the Academy to help even when I do not have a recruit there because I believe in turning out the best police officers. These recruits aren’t necessarily coming out ready to be police officers it is the first stage in the totality of training for an officer. We can have a broader pool of applicants without diminishing the people that we have or who have already been through the process.
  + Heather Simons – I want to thank the Officer for the letter we have been able to have a hearty discussion and there are things we can work on and will. There are things we can do that are small changes that don’t up-end the apple cart and we can use learning styles in different ways. The 113th is a class full of dedicated participants and I don’t want anyone thinking that they got in because of a lower standard. What I hear Erin saying is that we are trying to build a model that builds strength and resilience so that when that time comes that decisions have to be made recruits are working off of practice to become comfortable with things that the rest of the world isn’t used to. I also disagree with some of them on how we get there. How do we make sure we deliver the content without losing the things that work in a residential academy like relationships or team building? Everyone in state government will say they are under-resourced that will not be my reason for saying no. We will try. The staff here is extraordinary and they have been making it happen. The focus and mission are to support the agency heads and the community in how we train and respond to things like S124. We have to model what we expect. I hope we don’t focus on the numbers but just on the fact that it can be done. We have to expand our pool and there are things we can do with the schedule that lines up with whatever model we are trying to manage.

**Executive Director Updates:** *Vermont Criminal Justice Council, Executive Director, Heather Simons*

* Expect that the Auditor report comes out later than anticipated but they are waiting on some information from a couple of folks that have resigned.
  + How can we start to get in front of the guidance or information from the auditor’s report?
    - Tracking – how we track training, and it will unfold in how we measure hours how do we make the distinction between trainings.
  + Do we want to have a working group or subcommittee to tackle the responses to the audit and policies at the Academy in general?
* Changes at the Academy we have had three resignations. Posting the positions quickly.
  + Lots of change very quickly
  + Kenneth Hawkins is the interim Director of Training; we will fill this position first.
  + Committee work may lessen until we are fully staffed.
  + Looking to change the Investigator position. Staff Attorney interview scheduling begins in the next couple of weeks.
* Chair Sorrell - Next meeting we will take up issues on Level II and Level III. Any materials that the Council should need to review should be sent out early so there is time to review them.
  + Happy one year anniversary to Heather as Executive Director.

**Motion to Adjourn:** Moved by Brian Searles, second by Mike Major, no discussion, all in favor. Meeting adjourned.