February 2, 2022

10:00 AM

Teams Meeting

**Members in Attendance:**

William Sorrell, Chair – Governor Appointed

Mark Anderson, VT Sheriff’s Association

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

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

Cassandra Burdyshaw – VT Human Rights Commission

Shawn Pratt – Governor Appointed

John Federico – VT State Employee Association

Anthony Facos- Proxy for Wanda Minoli, Commissioner of Public Motor Vehicles

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

Brian Searles – Governor Appointed

Christopher Louras – Governor Appointed

Jennifer Frank – VT Chief’s Association

**Other Attendees:**

Heather Simons –Vermont Police Academy

Christopher Brickell – Vermont Police Academy

Lindsay Thivierge – Vermont Police Academy

Cindy Taylor-Patch – Vermont Police Academy

Jennifer Firpo – Vermont Police Academy

Kenneth Hawkins – Vermont Police Academy

Andrew Graham – Vermont Police Academy

Ann Schroeder – Windham NAACP Member

Joan – Member of the public

Jacob Humbert – Assistant Attorney General

Jason Covey – Sergeant, Middlebury Police Department, Chair of T.A.C.

**Call to Order:**  Vermont Criminal Justice Council Chair, William Sorrell 10:01

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

**Approval of prior minutes**: Sheriff Mark Anderson moved to accept the minutes from January 12th as written. Second by Mike Major. All in favor. Motion passed. Brian Searles abstained from voting due to being absent from the January 12th meeting.

**Vermont Criminal Justice Council Chair Updates:**

* Official welcome to the newest member of the Council and member of the Vermont Chiefs of Police Association representative, Jennifer Frank (Windsor Police Chief), who was also appointed to the Professional Regulation Subcommittee. Chief Frank gave an introduction of her history in law enforcement.
* Legislative Updates – The Governor recommended this year in his budget the inclusion of the Federal Covid one-time monies of $150,000 that was approved in concept by Senate Appropriations but ultimately did not result in approval of the funding. We have a few budgetary requests in addition to this. Maida Townsend is our representative.
* *Director Simons* - *budget update*– There are opportunities in regard to one time funding. Working on strategic developments on how we can connect Rules Committee, TAC, statutory requirements from S124 and transformation in general. Covid continues to interrupt trainings, technology is needed. We need more money in transforming these trainings and making the Academy more accessible.
  + Focus is on the mission of providing learning and incorporating inclusivity and diversity in demographics of law enforcement during a crisis. We will be asking for quite a bit and balancing what that looks like.
  + Goal to establish and endorse Council policies, without steady policy we can’t guide best practices.
  + Curriculum development needs full academy ‘training needs assessment’ that is connected to best practices and competencies of law enforcement. We can’t develop training until we decide what we want law enforcement to do.
  + Professional Regulation allows for the identification and adjustment of training such as more support with mid-level supervisory and upper-level leadership training.
  + We don’t make impactful changes one position at a time; we need subject matter experts and a full team that can assess requirements and enable us to get moving quickly. We have been given time to present a plan on what we could do if we had the resources.
  + Academy would like to be more supportive to recruitment goals. Staff at VPA have wanted to do more and are ready to do more but are only a staff of 12 serving roughly 1500 officers.

Question asked around trauma informed training - is this outward training or inward training?

*Clarity around question:* Two ways of trauma informed training – how we are trained to respond to marginalized communities and historical trauma and biases but also how we can work with the wellness commission so that law enforcement officers have the proper resources to deal with chronic trauma exposure and acute trauma exposure. During a TAC meeting it was discussed how this is available in Level III training, but this is not available in a Level II training, and these are things that should not be taught in the moment. Data and evidence are clear, lack of de-escalation training, those that are not “unpacking” are more likely to react in a negative way.

*Discussion ensued* – Who’s responsibility is this type of training? Huge ask for Academy staff and trainers, should this be an agency issue? VPA does a great job of planting the seed. This is a culture and leadership issue for agencies that should be focusing on 21st century policing, 6th pillar, and peer support that are all vital. The Academy can only do so much. Next question, where do leaders get continuing education to focus on this?

*Chair Sorrell:* This is the year that legislative boundaries change. Redistricting is a huge priority this year, so they probably won’t have time to focus on law enforcement legislation. One law enforcement related bill that has been filed by Senator Ram and it would significantly increase Council responsibility in investigating deadly force around the State.

Qualified Immunity- there was a request for the Council to sign on to a letter objecting on changes to qualified immunity which was not signed. The full Council has not had a chance to learn about the process or speak on views at length, without this opportunity no position was taken. Contact Heather if you would like to take a position or act in a different way.

**Subcommittees:**

*Entrance Testing Working Group* *(ETWG)* – Lindsay Thivierge, Director of Administration - Written Entrance Test – In the process of finding a vendor. By next month we should have more information to bring to the Council. The physical entrance test changed over to the rower, 13 came and utilized the test with only one failure. The transition went well, and we look forward to creating a database to reflect access availability to equipment. The current discussion is on the psychological component of entry standards.

*Training Advisory Committee (TAC)* – Sgt. Jason Covey, Chair of TAC,

The survey around Level II has gone out to agencies. When results are compiled, they will be able to make a comprehensive recommendation to the council that will address the disparities between Level II and Level III. Conversations are also focused on instructor development. Recommendation for Level II will be available by April.

*Fair and Impartial Policing Committee (FIP)* – Jennifer Firpo, Training Coordinator –

2021 FIP update – Training began in Nov 2021 and to date contractor has had 34 trainings with approximately 583 officers. Dr Avila has 12 upcoming trainings scheduled and there are more planned and currently they are both in the classroom and zoom.

Committee – former chair Major Stedman will be Vice Chair – Vice Chair has resigned from position and Committee– currently the committee is in a rebuilding phase. Amanda Garces from the Human Rights commission has volunteered to step in for now.

* Concerns were raised around the reorganization.
* Could trainings be scheduled for council members to watch the FIP trainings? Yes, contact Jenn directly to ensure seats are reserved for officers. There is also the opportunity to invite Dr. Avila to the Council for a presentation and training
* LEO’s expressed appreciation of the availability of the zoom option even outside the zoom option.
* DV 2022 training will be available entirely online

*Professional Regulation Subcommittee* – Trevor Whipple, VLCT, Chair PRS –

The Subcommittee is all caught up with reviewing completed pending cases. There are 14 cases that could have potential hearings in the council setting. Currently Jacob is developing stipulation agreements for more egregious cases. The subcommittee has a new Council member Chief Frank, and she has a valuable voice

Each step we take it is a new venture. Jacob Humbert is helping us build a system to move forward. As these systems become stronger, we will be moving faster.

*Questions arose on when hearing dates may be scheduled*. No definite date, VCJC needs more lawyer work to be done on the process for hearings.

**Executive Director Updates:**

* Welcome Deputy Director Brickell – Operational changes have been made and the organization chart looks different. We are paying close attention to job descriptions, strengths, and focus.
* Trying to mitigate covid and operations – in order to deliver skills and competencies that requires proximity, interfacing, use of force, the VPA staff are doing everything they can.
* The NPF up and running in the work around traffic race data looking for recommendations for subject matter experts for guiding the work. Contract ends in September of 2022.
* Posted an RFP for an investigator because we are still backed up on some investigations, we got at least one bid – agenda item under professional regulation – until we get one hired.
* Staff attorney position closes mid-February with a fair amount of interest. Interviews end around the end of February to the beginning of March.
* Graduation – We aren’t going to be having a graduation ceremony in the way it usually happens. This is the third class without a graduation. We would like to host an event recognizing new officers.
* Update on audit – focusing on training tracking and attendance. Have started audit on agencies. Planning on a report in less than two months. They will attend a meeting in the spring, and they have assured us they will share a draft report.
* Thank you to VSP for all of their continued support

Sorrell – coming back up in legislature the possibility of an Agency of Public Safety. Council had decided previously that they wanted the council to remain autonomous. The difference for the council would be a Member of Director of Police Services under agency of public safety would be a new member of the Council.

**Open Discussion:** *Concerns were expressed over the transition in the FIP committee.*

* Concerns within that committee on lack of direction. Would like to make sure there is focus on the important work of diversifying the workforce and responding to BIPOC members of the community. Communicate concerns to Directors Simons and Brickell. Chair Sorrell will be communicating with them to make sure this issue doesn’t fall by the wayside.
* Director Simons would like to help facilitate and assist in direction but not get in the way of change. Her hope is that the committee is just changing.
* The policy may have been a catalyst for confusion.
* FIP committee report back on our next meeting for a timeline.

Motion to adjourn moved by Mike Major, second by Chris Louras, no contested hearing on the immediate horizon. All in favor.

Meeting adjourned