



Vermont Criminal Justice Council

TRAINING ADVISORY COMMITTEE: Minutes

December 16, 2021

Location: Physical Location – VT Police Academy, Pittsford, VT and Online Meeting (via Teams)

Committee Members Present:

Chair: Sgt. Jason Covey, Middlebury Police
Sgt. Dan Delgado, Burlington Police
Lt. Robert Giolito, Vermont Department of Motor Vehicles
Christopher Louras, Governor Appointee to the CJC
Brian Searles, Governor Appointee to the CJC
Major Justin Stedman, Vermont Department of Fish & Wildlife
Chief Derrick Tienken, Winhall Police
Sgt. Fred Whitcomb, Stowe Police
Sgt. Andrew Bent, Washington CSD
Sheriff Jennifer Harlow, Orleans CSD
Maira Tungatarova, Governor Appointee to the CJC

Others Present:

Cindy Taylor-Patch, Director of Training
Ken Hawkins, Academy LECTC
Sgt. Vegar Boe, Middlebury Police
Sgt. Chris Bataille, South Burlington Police
Andrew Graham, Academy LECTC

Absent:

Vice-Chair: Chief George Merkel, Vergennes Police
Commissioner Michael Schirling, Vermont Department of Public Safety
Inspector John Federico, Vermont Department of Motor Vehicles/VSEA.
Chief Skyler Genest, Vermont Department of Liquor & Lottery
Sgt. Adam Murach, Brandon Police

Call to order: Due to difficulty securing a quorum, meeting was called to order at 12:43pm (instead of 12:30) by Chair Sgt. Jason Covey.

Approval of Prior Minutes: A motion was made by Council Member Searles, seconded by Sheriff Harlow, to accept the meeting minutes of December 2, 2021; All in favor. Motion passed.

Level II Basic Training: Discussion of Criminal Law training

Criminal Law Instructors Sgt. Vegar Boe and Sgt. Chris Bataille described the syllabi for both Level II & III certification levels. Sgt. Boe reported that there is twelve (12) hours for Level II versus well over 60 hours plus review session and scenarios for Level III students was presented. Level II students do not receive training on search warrants, non-testimonial orders, or applied skills scenarios. They primarily focus on Rule 3 and search & seizure as they are the most universal topics. Sgt. Bataille has graduated from both programs and noted that the discrepancy between the two programs was significant. Covey and Bataille noted that Middlebury and South Burlington Police Departments do not use Level II officers for working



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solo or over a long-term period. Bataille expressed an opinion that the Level II Basic Criminal Law program should be expanded if the officer is going to be assigned to working solo; Boe concurred. Sgt. Bent expressed concern that Level II officers are being relied upon quite heavily, especially during current times where agencies are struggling with shift coverage. Sgt. Whitcomb expressed concern over the change in statute that created the current Level structure. He reported that Stowe uses Level II officers to compliment specific details or as part of a plan to hire prior to Level III Academy attendance. LECTC Hawkins explained some history of the statute change. LT Giolito reported concerns about the liability surrounding the training, given that the job scopes are very similar, and especially given the current conversations occurring within the legislature regarding qualified immunity. **Informational only. No action taken.**

Level II Basic Training: Discussion of Patrol Procedures training:

Sgt. Dan Delgado, Committee member and instructor of Patrol Procedures at both Level II and Level III, along with LECTC Andrew Graham, discussed the syllabi for both programs. Level II students receive 8 hours that includes a small timeframe for the instructors to conduct some live demonstrations of concepts taught but not enough to do any scenarios.

Level III recruits receive 32 hours of classroom time with demonstrations, and then 20 hours or more of evening sessions and 24 hours of daytime sessions where they practice skills taught within live scenarios where they are evaluated and provided instant feedback. Prior to graduation, an additional 32 hours are spent doing final scenarios, where students are evaluated prior to becoming eligible for certification. This program also includes high-risk situations (searches and vehicle stops).

Discussion ensued regarding more time for Level II, especially to add scenario-based experience. Major Stedman proposed looking at FTOs addressing some of this need. Director Taylor-Patch asked the committee for feedback re: whether individual FTOs attempting this work at each agency versus standardized training as a group at the Academy was feasible or preferable. Sheriff Harlow expressed concern about the availability of FTOs to do this amount of work in addition to the training they would need to do it. Taylor-Patch summarized that the need in this area has been identified. Delivery methods can be discussed again after the committee gets closer to final recommendations.

Survey Draft Overview

The draft survey of agencies regarding their use of Level II officers created by LECTC Hawkins, Sgt. Delgado, and Sgt. Whitcomb was discussed. Members were given the opportunity to offer additional suggestions at the next meeting for a final draft.

Motion made by LT Giolito to adjourn at 2:00; seconded by Council Member Louras.

Next meeting is scheduled for December 30, 2021, at 12:30.