

## Use of Force Committee Meeting 16 July, 2014

Prepared by: Jason Williams, Training Coordinator

**Members Present:** Sheriff Donald Keeler, Captain Drew Bloom, Corporal Michael Akerlind, Chief Lianne Tuomey, Officer Scott Fisher, Sergeant George Crowe, Lieutenant Michael Henry, Chief Chris Brickell, Sergeant John Young, Sergeant Matthew Murano

**Other persons present:** None

**Academy Representatives:** Director of Training Cindy Taylor-Patch, Training Coordinator Jason Williams

**Members Absent:** Warden Russell Shopland, Lieutenant Robin Hollwedel

**Meeting called to order:** 10:06

### Old Business

#### **ISSUE 1: Acceptance of previous meeting's minutes**

- TC Williams asked the Committee to vote to accept or reject the previous meeting's minutes from 16 April, 2014. A copy of the minutes were passed around the table for members to review.

Officer Fisher entered a motion to accept the minutes from the previous meeting as written.

Motion seconded by Chief Tuomey.



## **Motion passed unanimously**

### **ISSUE 2: Less lethal definition**

- T.C. Williams asked the Committee to discuss and submit a recommendation on a definition for less lethal weapons. A discussion ensued around whether the Committee should define less lethal weapon or less lethal munitions, and a definition for less lethal munitions was settled upon.

Captain Bloom entered a motion to recommend the following definition, “Less lethal munition means a projectile designed to incapacitate, immobilize or stun a human being through the infliction of impairment of physical condition, function, or senses, including physical pain or discomfort. It is not necessary that a munition leave any lasting or permanent incapacitation, discomfort, pain, or other injury or disability in order to qualify.”

Motion seconded by Chief Brickell.

## **Motion passed unanimously**

### **New Business**

#### **ISSUE 1: Necessity standard**

- Approximately 2 years ago the Committee voted to remove the label “Necessity Standard” from the concept which defined an identification of the presence of imminent danger and an absence of reasonable alternatives to the use of deadly force from the Academy’s Deadly Force training program. This concept was subsequently included in the “Reasonableness Standard” portion of the curriculum. TC Williams reported that he has had a difficult time getting basic training students to understand the difference between this former “Necessity Standard” and other portions of the reasonableness standard. TC Williams asked the Committee if there was another label that could be associated with this concept in order to differentiate between the two. A discussion ensued where Chief Tuomey indicated that she believes what was known formerly as the Necessity Standard has evolved into something else and is no longer being used, but that there is a similar concept that is currently being taught.

Chief Tuomey entered a motion to designate a sub-committee to further explore what current curriculum includes and will report back to the academy by 23 July, 2014 with findings.

Sergeant Young seconded the motion.

**Motion passed unanimously**

Subcommittee: Chief Tuomey  
Sergeant Young  
Corporal Akerlind

**ISSUE 2: Refreshers for the 2013 Firearms Instructor Course members**

- T.C. Williams asked for a recommendation for course curriculum for the graduates of the 2013 Firearms Instructor Course to meet the Rule 12 requirements for recertification. A short discussion ensued and Sheriff Keller suggested each graduate return to provide assistance with a day of firearms basic training, under the supervision of the core group of instructors.

Officer Fisher entered a motion to have each graduate of the 2013 Firearms Instructor Course sign up for one day of basic training range instruction where they will provide coaching assistance under the supervision of the core instructor group.

Sergeant Crowe seconded the motion.

**Motion passed unanimously**

**ISSUE 3: Review of Shotgun Familiarization Course manual and power point**

- T.C. Williams submitted a new manual and an updated power point presentation for the Shotgun Familiarization Course which is held at the Vermont Police Academy for content review by the Committee.
  - In reference to the manual, short discussion ensued where Sergeant Young suggested that instruction on the unloading of a shotgun should include unloading the gun by moving the shell stop out of the way with a closed bolt rather than working the action. The Committee agreed that this should be taught as best practice, and that the method currently shown in the manual be taught as a secondary method.

Chief Tuomey entered a motion to accept the manual with the above amendments.

Officer Fisher seconded the motion.

**Motion passed unanimously**

- TC Williams asked the Committee for a recommendation on the Shotgun Familiarization power point presentation.

Chief Tuomey entered a motion to accept the power point subject to the amendments described above for the corresponding manual.

Sergeant Crowe seconded the motion.

**Motion passed unanimously**

**ISSUE 4: Patrol Rifle power point presentation**

- TC Williams submitted a power point presentation to accompany the new patrol rifle course for review. A short discussion ensued. Sergeant Young asked as to whether this would be a course that departments would be required to conduct for their people. The power point presentation would be for Academy use at Academy trainings, but would be available to other departments if they chose to use it for their own training programs.

Officer Fisher entered a motion to accept the Patrol Rifle power point as presented.

Chief Brickell seconded the motion.

**Motion passed unanimously**

**ISSUE 5: Shotgun qualification course recommendation request**

- TC Williams mentioned to the Committee that with the induction of the new shotgun qualification course by the Council, it would now be reasonable for officers to attend the Academy's shotgun familiarization course and complete the course with a qualification with that weapon. TC Williams asked the Committee their thoughts on lengthening the course to two days instead of the traditional one day course, and their recommendation would go to the Training Advisory Committee for review. Several members of the Committee expressed concern that two days of shotgun training might render a student incapable of completing the qualification course at the conclusion to the amount of recoil they would endure for the two days.

Sergeant Crowe entered a motion to continue with the one day course as we have been doing, but offer a qualification course at the conclusion under the new Council standard. Those students who were not successful in qualifying at the conclusion of the course would be qualified by their department.

Officer Fisher seconded the motion.

**Motion passed unanimously**

#### **ISSUE 6: Amended part time syllabus**

- TC Williams noted that during the last part time firearms training he noticed that there was no instruction or practice drills for the five yard string. TC Williams submitted a draft of an amendment to the syllabus which would cover this. There was no discussion on this matter.

Chief Tuomey entered a motion to accept the amendment to the syllabus as written.

Sergeant Young seconded the motion.

**Motion passed unanimously**

#### **ISSUE 7: Firearms Instructor Course updated power point presentations**

- TC Williams submitted new power point presentations to the Committee for review on the subjects of creating courses of fire, coaching techniques, liability for the law enforcement trainer and Council rules/instructor responsibilities. There was no discussion on this matter.

Sergeant Young entered a motion to accept the power point presentations as written.

Lieutenant Henry seconded the motion.

**Motion passed unanimously**

#### **ISSUE 8: Recommendation for annual training requirements for recertification**

- The Executive Director and the Director of Training have asked the Committee for their recommendation on how many hours of instruction a Firearms or Use of Force

and Tactics instructor should be required to provide and report annually for recertification in their field(s) of certification. Current rules require the instructors to report any hours that they teach; however it does not require the instructor to teach. A discussion ensued.

Officer Fisher entered a motion to recommend that an instructor teach and report no less than 12 hours per two year certification period in order to be recertified as an instructor, and any instructor who does not meet this 12 hour requirement could apply for a remedial plan at the discretion of the Executive Director for recertification of their instructor status.

Sergeant Young seconded the motion.

**Motion passed unanimously**

**Meeting Adjourned: 11:55**

Respectfully submitted,

Jason Williams  
Training Coordinator  
Vermont Police Academy