

**VERMONT CRIMINAL JUSTICE TRAINING COUNCIL**

**June 12, 2018**

**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 Lisa Menard, Vermont Department of Corrections  
Executive Director Richard Gauthier, Vermont Criminal Justice Training Council  
Sheriff Stephen Benard, Vermont Sheriff's Association  
Gary Moore, Public Seat  
Colonel Jason Batchelder, Proxy for Commissioner Louis Porter,  
Vermont Dept of Fish & Wildlife  
Sergeant Timothy Gould, Vermont Trooper's Association  
Captain Mike Major, Vermont Police Association  
Ingrid Jonas, Vermont State Police  
David Scherr, Proxy for Attorney General TJ Donovan, Vermont Attorney General's Office  
Silas Loomis, Vermont Constables Association

**Other Attendance**

Jacob Humbert, Attorney General's Office  
Gail Williams, Vermont Police Academy  
Glen Button, Governors Highway Safety  
John Gonyea, VCIC  
George Merkel, Vergennes Police Dept  
Cynthia Taylor-Patch, Vermont Police Academy

**Chief Brickell:** Called the meeting to order at 9:15.

**Approval of Prior Minutes:** Motion to accept prior minutes made by Gary Moore, second by Captain Major. No discussion, motion passed.

**Level II-E Ratification:** Chief Merkel spoke to the Council and gave the background history of Mark Stacey, who he believes deserves to be Level II-E officer. The Council discussed the process and how it was originally set up. After Council discussion the Council voted to deny the application for Mark Stacey to become Level II-E. Director Gauthier will contact Chief Merkel with the Council's decision later today.

**Glen Button:** Presented to the Council his request and the reasons there is a need to establish a subcommittee on highway safety. The subcommittee will need to be familiar with the strategic plan, evaluate training needs and best practices, along with helping to locate resources. Discussion ensued. Cindy along with staff from the Academy have had conversations on this matter and would like to open it

up for people to apply to be on the subcommittee. Sheriff Benard made a motion to establish a subcommittee, second by Gary Moore, motion passed.

Cindy was tasked with providing recommendations of members for this subcommittee.

**John Gonyea:** Spoke to the Council about the mandatory Less Than Full Service Terminal Operator training through VCIC and asked to have the training added as a requirement in Phase Two of the Level II training process. Sheriff Benard made a motion to make the training as out lined in CJIS Security Policy mandatory, make it a Phase Two requirement, and add it to the Phase Two paperwork, second by Capt Major, motion passed.

**Training Report:** Cindy went over the training report with the Council. Questions were asked why the 105<sup>th</sup> was a better class than the 104<sup>th</sup>. Cindy believes it had to do with the dynamics of the individuals, a change in the leadership process may have helped, the individuals took more responsibility working as a group, and issues were identified and addressed earlier in the process. The question was asked if applicants for Level II are required to shoot their firearms as a pre-requirement. Cindy explained we have added the requirement for applicants to shoot the qualification course as part of to the firearms pre-checklist which gives them some actual practice shooting. Another question was asked how the driving pad at the Academy limits the driver training. The limits include the driver pad is only tar, it is a flat surface, and the highest/safest speed limit used is 30 mph. The recruits do not get any experience to prepare them for dirt roads, hills, or high speeds. Chief Brickell commended Jenifer Firpo on her presentation of the DV training.

**Executive Director's Report:**

- Entrance Testing: The time limit has been extended from 90 minutes to 2 hours and recommended changes from Burlington PD to the written test have been implemented. These changes have been in place for the last three testing dates. Everyone has had time to finish the test with the new time limit, but the failure rate has stayed around the 25%.
- Legislative Update: S192 was not agreed upon in the House and Senate so it has died and gone away. S273 passed House and Senate but was vetoed by the Governor.
- Act 56 is in play, unmodified, and ready to go into effect for July 1. It requires the full Council to be present for hearings. Director Gauthier has sent an email to agencies explaining their reporting obligations and is working on adding it to the Academy's website as a resource for agencies.

**Change in number of annual meetings:** Due to the added responsibilities put upon the Council it has created the need for expanding the number of annual meetings to six per year. October 23rd and November 27th dates have been added as meeting dates to go along with the September and December dates already set for this year.

**Use of Force Scenarios:** Director Gauthier explained a concern he had received about research done by Chief del Pozo from Burlington PD and Vermont State Police on the "hitch hiker" scenario. The concern is about the number of concussions and loss of consciousness to the recruits. They want an investigation into this scenario by an outside agency. Director Gauthier has talked to Cindy and Drew regarding the scenario and these concerns. There were no reports of anyone having a loss of consciousness. There had been two reports of concussions, one of which was to a recruit who has had multiple concussions in the

past. Director Gauthier asked the Council for guidance on how to proceed. Constable Loomis made a motion to go into Executive Session for legal advice, second by Capt Major, all were in favor.

11:25 Executive Session began

12:35 Executive Session ended

Heather Simon made a motion to move forward with crafting an RFP for an outside source to complete a training assessment of the use of force scenarios, second by Capt Major. An amendment was made to cease purposeful strikes to the head pending the outcome of the assessment. A second amendment was made to include recommending implementation for best practice of the use of force scenario training. All in favor, motion passed.

12:40 break for lunch

1:00 meeting resumed

Chief Brickell gave a recap of the discussion before lunch. Heather Simons explained the RFP process. Director Gauthier will be getting to work on this process and will respond to Burlington PD, DPS Commissioner, and the governor's office.

Motion to adjourn was made by Capt Major, second by Sheriff Benard. Meeting adjourned 1:10.