

VERMONT CRIMINAL JUSTICE TRAINING COUNCIL
MEETING AGENDA
March 12, 2013
MONTPELIER POLICE DEPARTMENT
MONTPELIER, VT.
10:00AM

Members in Attendance:

Sheriff Stephen Benard, Chair, Rutland County Sheriff's Department
Executive Director Richard Gauthier, Vermont Police Academy
Chief Stephen McQueen, Winooski Police Department
David Fenster, Addison County State's Attorney
Major Dennis Reinhardt, Vermont Department of Fish & Wildlife
Joe Damiata, Vermont League of Cities & Towns
Captain William (Jake) Elovirta, Vermont Department of Motor Vehicles
Commissioner Robert Ide, Vermont Department of Motor Vehicles
Captain David Notte, Vermont State Police (Proxy for Commission Flynn)

Other Attendance:

Sheriff Trevor Colby, Essex County Sheriff's Department
Director Glen Button, Vice Chair, Vermont Department of Motor Vehicles
Captain Drew Bloom, Vermont Department of Motor Vehicles
Director of Administration John Gonyea, Vermont Police Academy
Administrative Services Coordinator Emily Leinoff, Vermont Police Academy

- Call to Order at 9:59 by Sheriff Benard.
- Approval of Prior Minutes
 - Mr. Fenster requested that his title be changed on the prior minutes to "Addison County State's Attorney"
 - Motion made by Commissioner Ide to approve the prior minutes. Second to the motion was made by Mr. Damiata. Motion passed.
- Committee Reports
 - Canine Report: no comments.
 - Domestic Violence Report:
 - Chief McQueen asked for clarification about how many difference 2012 domestic violence courses were being offered through JPMA. Executive Director Gauthier clarified and stated that there as just the one course. Discussion ensued about the grant not being renewed for JPMA, but that they would continue to offer this course through April.
 - Homeland Security: no comments.
 - Use of Force Committee Report:
 - Captain Bloom presented information about OC Instructor certification to the Council. Captain Bloom explained how he combined the MDTS and Baton instructor courses into one comprehensive course. New instructors would completed the MDTS section and then choose between which Baton course they want to take initially. New instructors could then later gain certification in the other Baton. Captain Bloom explained that there is an issue with OC in

that there is really not an OC instructor course. Captain Bloom would like to model Massachusetts where officers can come to the Academy and become certified in MDTS, Baton, and OC. Executive Director Gauthier explained that the transition would not be a big hurdle in order to implement this. One issue that was raised would be for the agencies that only want an officer certified in OC and not MDTS and Baton. Chief McQueen raised the point that this training should look at the larger picture. The Council would not have the issue about agencies that only want an OC instructor, because agencies could limit what their instructors teach. Discussion ensued. Motion made by Chief McQueen to allow Captain Bloom and the Committee to proceed in the direction in which they are going. Second to the motion was made by Captain Notte. Motion passed.

- Executive Director Gauthier explained that there was no statewide standard for firearms qualification. He asked the Use of Force Committee to write a proposal to bring to the Council, and to start that discussion through email. Chief McQueen explained that he had serious concerns that the Council just requires a firearms re-qualification with no standards attached to that qualification. Commissioner Ide explained that he felt this was an issue that has urgency and suggested that a phone conference be set-up once the Use of Force Committee finishes their proposal. Council members agreed.
- Youth Services:
 - Director Gauthier explained to the Council that the youth services program was going to be ended around August. The Academy is working on trying to transition the DARE and SRO program to another Training Coordinator.
- Waiver Committee:
 - Carr, Patrick:
 - Sheriff Colby from Essex County Sheriff's Department presented to the Council his request for a waiver extension for Mr. Carr's Full-Time waiver prescription. Sheriff Colby explained that Mr. Carr is working full-time in New Hampshire and has had a difficult time in attending all the training for his prescription. Sheriff Colby presented a number of concerns with the waiver process and felt that the process should be that an agency submits a waiver request and a prescription is given for that officer for both the part-time and full-time process. The other would then be certified as a part-time officer and would have an unlimited amount of time to complete the full-time prescription. A lengthy discussion ensued. Director Gauthier clarified some points that the Waiver Committee denied the waiver extension based on the request to extend the full-time prescription, but stated they would be open to support an extension to complete the part-time process. Sheriff Colby explained that he wanted Mr. Carr to complete the full-time prescription. Chief McQueen & Sheriff Benard both explained that one option that is available for agencies is to send the officer through the part-time process then have that officer attend trainings that would apply towards a waiver prescription. Once the courses are completed, the agency could then submit the waiver request for a full-time prescription. Motion was made by Chief McQueen to extend the full-time prescription by 6 months and that Mr. Carr still has to complete

the requirements from the original training prescription. Second to the motion was made by Commissioner Ide. Motion passed.

- Weinisch, Richard
 - Motion made by Chief McQueen to approve as presented. Second to the motion was made by Joe Damiata. Motion passed.
- Aher, Christopher
 - Motion made by Commissioner Ide to approve as presented. Second to the motion was made by Captain Notte. Motion passed.
- Roberts, Leonard
 - Motion made by Chief McQueen to approve as presented. Second to the motion was made by Captain Elovirta. Motion passed.
- DeVincenzi, Roland
 - Discussion ensued regarding a request made by Executive Director Gauthier to urge the Waiver Committee to create a list of acceptable reasons for missing training.
 - Motion made by Chief McQueen to approve as presented. Second to the motion was made by Captain Notte. Motion passed.
- Kalinowski, Robert
 - Chief McQueen raised a question as to whether the Council needed to approve this request. Director Gonyea explained that he believed the Council does since it is mandatory training that was missed while he was not working.
 - Motion made by Captain Notte to approve as presented. Second to the motion was made by Captain Elovirta. Motion passed.
- Van Noordt, Robert
 - Motion made by Commissioner Ide to approve as presented. Second to the motion was made by Chief McQueen. Motion passed.
- Captain Elovirta asked if a decision was ever made about certifications of officers that no longer work for an agency. Chief McQueen explained that he read the rules to understand that there is no requirement to be employed to maintain certification. Executive Director Gauthier will write a proposed model for officers that wish to maintain their certification without being employed by an agency to present to the Council.
- Executive Director Gauthier's Report:
 - Personnel Request:
 - Executive Director Gauthier explained that he entered an application to the position pool for the State for a training coordinator position as well as moving the temporary program assistant position to full-time permanent. This position was denied. HR explained to him that he could have one of the positions. Executive Director Gauthier wanted the training coordinator position so he contacted the budget analyst and he was told to talk to Finance. Finance explained that there was no funding for the position. Executive Director Gauthier explained that since they had budgeted enough money he was able to tweak the application in the position pool to move the temporary program assistant position to permanent part-time. HR will be contacting him shortly regarding this.
 - Executive Director Gauthier explained that there is an issue with complying with the domestic violence training coordinator's position.

Statutorily speaking, the position is to focus solely on domestic violence training. The Attorney General's Office advised him that disputes between State entities are usually resolved through by the Secretary of Administration. Another option would be to find a Legislator that would propose a change to the statute from the work "solely" to "primarily".

- Budget
 - Had a 60K projected carryover, but Appropriations is looking at taking that carryover back. Executive Director Gauthier believes he can convince them to take only 40K due to some surprise expenses.
 - Next year's budget is funded basically at the same level.
- Strategic Plan
 - The strategic plan needs to be re-visited and update the goals that have been achieved.
- Licensing
 - Discussed LEAB report. Made the recommendation to the Legislature for more robust de-certification process, universal hiring standards, and transparency for officers that have been de-certified. Council had gone along with the decertification and hiring standards, but without having time to vet the rest of the report, that is what was represented while testifying.
- Polygraph & PT Standards
 - Executive Director Gauthier spoke about requiring a polygraph as a component to the background investigation the Council already requires.
 - In addition, Executive Director Gauthier also spoke about the entrance, mid-way, and final PT standards. Currently we had 3 recruits that did not pass the PT at the 50th percentile. They are on a remedial plan now. PT is considered part of the training curriculum. Asked the Council if we should have a system where recruits go on a remedial plan and if they fail to meet the standard after the plan, should they be suspended?
 - A suggestion was made to put an informational bulletin out to agencies indicating the Council's intent to require polygraphs as part of the background check as well as the PT standards.
 - Motion was made by Chief McQueen to adopt the standards for the 96th Basic and send an implementation plan to agencies. Second to the motion was made by Captain Notte.
- Full-Time vs. Part-Time
 - Recommendation is to put together a proposed tier certification system and submit it to the Council for review via email.
- DOC
 - The Academy is on track to get the Dept. of Corrections Academy back at our facility. Roughly 2 years to work on this.
- Entrance Testing Review
 - Director Gonyea spoke to the Council regarding the entrance exam. The test has been validated by Dr. Fleming. There were only a few pieces of terminology that should be updated. The next piece is going to be analyzing the data received through the informed consent to see if

there are any biases with the exam. This will take anywhere from 1-3 years. The long-term goal is to compare the entrance exam with final exam scores to use the grades as a predictor of academic successfulness.

- Motion was made by Chief McQueen to approve the committee reports that were not already voted on. Second to the motion was made by Joe Damiata. Motion passed.
- Job Task Analysis
 - The Academy has met with Val Lubens and we should have a report, goals, and lesson plans by the end of the month.
- Motion was made by Chief McQueen to adjourn into executive session at 12:08. Second to the motion was made by Captain Elovirta.
- Executive Session
- Adjournment