

State of Vermont
Criminal Justice Training Council
Vermont Police Academy
317 Academy Road
Pittsford, VT 05763
www.vejtc.state.vt.us

Office of Executive Director

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VERMONT CRIMINAL JUSTICE TRAINING COUNCIL

MEETING AGENDA

6/28/11

VERMONT POLICE ACADEMY

PITTSFORD, VT.

10:00AM

1. Call to Order
2. Approval of Prior Minutes
3. Committee Reports
 - Canine
 - TAC
 - Use of Force
 - Waiver
 - Youth Services
4. Training Report
5. Executive Director's Report
6. Fire Range Incident
7. New Business
 - Committee Assignments
8. Old Business
9. Executive Session (Personnel Issues/Contract)



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Vermont Criminal Justice Training Council
Meeting Minutes
June 28, 2011

Present:

Sheriff Stephen Benard, Chair
Director Glen Button, Vice-Chair
Executive Director Richard Gauthier, Vermont Police Academy
Captain William Elovirta
Chief Steve McQueen
Major Dennis Reinhardt
Commissioner Keith Flynn, Department of Public Safety
Commissioner Andrew Pallito, Department of Corrections
Joe Damiata, Vermont League of Cities & Towns
Cindy Maguire, Vermont Attorney General's Office
Emily Leinoff, Administrative Services Coordinator
James Baker
Michael Donahue, Burlington Free Press

10:08: Meeting is called to order by Chair, Sheriff Stephen Benard.

10:09: Meeting minutes from the Council Meeting on March 8, 2011 are approved on motion by Chief McQueen, second by Cindy Maguire.

10:09: Canine Committee Report was reviewed.

10:09: Training Advisory Committee report was reviewed.

10:11: Use of Force Committee Report was reviewed. There was discussion from Director Button about any updates on the progress of the firearms range. Director Gauthier added that there were no updates. Director Button expressed that many officers were impressed with the trailer that has been there for the interim. Cindy Maguire asked if the MOU had been signed and Sheriff Benard relayed that it had not been signed. No further discussion.

10:14: Waiver Committee Report was reviewed.

Blish, Robbie – Woodstock Police Department – Director Gauthier presented a waiver that had just been submitted by the Town Manager of Woodstock. The waiver is for full-time certification for Blish. Blish had been full-time certified in Vermont and left in 1995 when he moved to Florida and has since been working full-time as a police officer. Woodstock is requesting that Blish be allowed to work in a law enforcement capacity while he waits to attend Phase I of the Part-Time Certification Process. Legal counsel had given Director Gauthier the approval to allow this. The Council decided to put the waiver decision on hold until they can consult legal counsel.
WAIVER TABLED.



Discussion: The Council requests the Academy Staff to draft a letter to go to agencies that explains the difference between a decertification process and a waiver process. The Council would also like to find a way to track who is using the waiver process and what it is currently being used for. A possibility would be to obtain an intern to go through past minutes of meetings to gather this information.

Lambert, Albert – Orleans County Sheriff's Department – Cindy Maguire made a motion to approve the Waiver Committee's recommendation that Lambert complete 36 hours of training and become first aid certified by September 30, 2011. After discussion by Commissioner Flynn it is noted that Lambert had been out of work on medical leave which is why he was unable to complete the required training. Motion was second by Chief McQueen. WAIVER APPROVED.

Norton, Christopher – Springfield Police Department – Director Button made a motion to approve the Waiver Committee's recommendation that Norton complete 11 hours of training and become first aid certified by September 30, 2011. Motion was second by Joe Damiata. WAIVER APPROVED.

Smith, Reginald – Orleans County Sheriff's Department – Director Button made a motion to deny the Waiver Committee's recommendation that Smith complete one firearms qualification and become first aid certified and to apply 2010 training hours to missed hours from 2008. Smith needs to go through the decertification process if he wishes to gain compliance. Motion to deny the waiver second by Captain Elovirta. WAIVER DENIED.

Raymond, Matthew – Office of Attorney General – Chief McQueen made a motion to approve an amended version of the Waiver Committee's recommendation that Raymond complete Phase I of the Part-Time Certification Process and make-up training hours from 2006 to be re-certified. The amended recommendation is that Raymond complete Phase I of the Part-Time Certification Process and also completes the required training for 2011 by December 31, 2011 to become re-certified. WAIVER APPROVED.

Noted that Cindy Maguire abstained from the discussion of this waiver as a member of the Council due to a conflict of interest.

10:50: Youth Services Report – No report was given.

10:50: Domestic Violence Report was reviewed.

10:51: Homeland Security Report was reviewed.

10:51: James Baker speaks to the Council on his Report on Findings and Recommendations. Baker went through the report with the Council and addressed several topics in which he noted as reasons the Academy had gotten to the place it was in. Appreciation of the staff members that had stayed and helped the Academy was expressed and in the report there were suggestions as to how to keep the Academy growing in a positive way.

11:31: Break

10:42: Resume



10:42: Cindy Maguire spoke with Director Gauthier about legal questions that had surfaced in regards to the waiver submitted for Robbie Blish. Emails to and from Director Gauthier and Legal Counsel about allowing Robbie to work on an administrative waiver until Phase I is completed were reviewed by Council Members. Concerns were raised from Chief McQueen because a time span of 16 years that Blish was out of Vermont law enforcement is too long to allow him to work in a law enforcement capacity without having to complete the minimum standards first. Concerns were also raised by VLCT representative Joe Damiata because the laws have changed significantly in the past 16 years. Motion was made by Chief McQueen to deny this request to allow Blish to work in a law enforcement capacity before completing Phase I. Blish will need to complete Phase I before an administrative waiver can be given. Motion to deny second by Commissioner Flynn. WAIVER DENIED.

10:56: Training Advisory Committee Report was reviewed.

10:56: Executive Director Gauthier gave his report to the Council. Director Gauthier distributed the strategic plan to staff members and advised them to look over the plan and the overarching goals. He advised staff that they needed to focus on the low hanging fruit before trying to tackle the bigger issues. Director Gauthier encouraged staff to look at their individual positions and try to develop improvement. Director Gauthier also spoke on the topic of the re-classification of employees and trying to work on the entrance testing project to find out if it is bias in any way. The Champlain College Part-Time school program was discussed and discussion of a Certification/Decertification sub-committee was discussed.

12:15: Fire Range Incident was discussed by Sheriff Benard and a synopsis of what occurred on the range and the issue that had been brought forth was discussed and the report of John Gonyea was reviewed.

12:27: New Business – strategic plan was discussed and the engagement of the Council and staff was discussed. It was proposed that the Council starts spending less time reviewing waivers and more time reviewing the strategic plan for future meetings. Sub-Committee formation was discussed to implement a certification/decertification, budget, and capital plans sub-committees. The Council would like to see the strategic plan posted to the website as well.

12:32: Old Business – None.

12:32: No executive session needed.

12:34: Motion to adjourn the meeting was made by Chief McQueen and second by Cindy Maguire.



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VCJTC Minutes
3/8/2011

1000 AM the meeting is called to order by Chair Sheriff Steve Benard

1005 the meeting minutes are approved on motion by Chief McQueen and second by Joe Damiaata

1005 Sec. of Administration Spaulding joins the meeting. He voices his support for VCJTC and the work done at VPA. He is looking in his role to support needed short term and long term changes that need to be made. His view is that there are very challenging financial times ahead but sees the quality of police training as critical.

1020 Sec. Spaulding finishes and remains at the meeting

1020 Committee reports made, except Waiver Committee

1025-1045 Executive directors report. Director reported on status of 91st Basic Class, Range Project start up, PT program for basic class, reclassification of positions at VPA, the domestic violence training and new Merit award policy at the VPA. The Council voiced support for the Merit Policy.

There was discussion about the need for a new structure/TO at VPA. Director Baker presented a draft of a TO. There was no formal action, but voice of support for continued exploration of structure.

Director briefed Council on current FY 11 budget status. There is anticipated aprox. 53,000 surplus in General Funds. There is a monthly meeting planned with budget analyst this coming week to update latest financials.

FY12 Budget is proceeding through legislative process. There are no major draw backs. There is the shift to all General Funds in FY12.

The FY 12 Capital Budget contains money for site, planning and permitting for a new Administrative building. There has been some confusion at the Legislative level re the need and understanding history. The Council agreed Director Baker will meet with BGS and legislative leaders to explain the need.



2. Rule 8 (Basic Training Standards for FT LEOs - 6 Month Rule)

Neil Mogerley; Vergennes Police Department: Chief Merkel requests an extension for Mogerley to work on a full-time basis until June of 2011 with a part time certification. Waiver approved.

Rule 8 (Basic Training Standards for FT LEOs - Out of State LEOs)

Keith Schaffer; Colchester Police Department: Chief Charles Kirker requests a waiver for Schaffer based on his approximately 20 years experience as a crime scene detective and training in policing in Schenectady, NY.

Standard prescription to include the following courses; Part-time Class (Phase I), Criminal Law, Motor Vehicle Law, Domestic Violence, VIN, Fingerprint, DUI, and Doppler radar. He has already completed the Criminal and Motor Vehicle Law Waiver School in January 2011. To be completed by the end of 92nd Basic Class. Waiver approved.

Matthew Stains; Vernon Police Department: Chief Mary Beth Hebert requests a waiver for Stains based on his training and three years of experience as a police officer in Massachusetts. Standard prescription to include the following courses; Part-time Class (Phase I), Criminal Law, Motor Vehicle Law, Domestic Violence, VIN, Fingerprint, DUI, and Doppler radar to be completed by the end of 92nd Basic Class. Waiver approved.

Patrick Carr; Essex County Sheriff's Department: Sheriff Trevor Colby requests a waiver for Carr based on his training and experience as a police officer in New Hampshire. Standard prescription to include the following courses; Part-time Class (Phase I), Criminal Law, Motor Vehicle Law, Domestic Violence, VIN, Fingerprint, DUI, and Doppler radar; PLUS additional classes in Report Writing & Basic Crash Investigation and FTO (Part-time Phase III) to be completed the completion of the 92nd Basic Full-Time Course. Waiver approved.

Floyd A. Morey, Jr.; Town of Hubbardton: – Office of Constable. Margaret Vittum, Town of Hubbardton requests a waiver for Morey to extend his Rule 8 waiver. Morey advised that he was unable to attend classes offered in the fall of 2010 due to working at Castleton State College as a public safety officer. Morey also advised that he was in the hospital earlier in the year. He was previously prescribed to complete Basic Training for Part-Time, Criminal Law, Motor Vehicle Law, Domestic Violence, Fingerprint, VIN, DUI, Radar, Basic Crash Investigation, and NIMS/ICS. Morey has completed the Part-time course and domestic violence. Waiver Committee recommended DENYING the request. The Council **DENIED** the waiver request.

Rule 13 (Annual Mandatory In-Service Training for LEOs)

James Downing; Town of Groton: Select board Chair David Spencer requests waiver for missing training requirements from 2010. Constable Downing is missing 14 hours of training which includes first aid and firearms. He has completed CPR certification on 1/26/2011 for the year 2011. 14 hours and one firearms qualification must be made up in 2011. He will need to complete a total of 44 hours and 2 firearms qualifications. The 2nd firearms qualification needs to be completed on a separate day. Waiver approved.

Steven DePalma; Ludlow Police Department: Chief Jeffrey Billings requests waiver for missing hours from 2007, 2008, and 2010 for DePalma. DePalma had left law enforcement on 7/1/2008 and was hired by Ludlow Police Dept. on 12/4/2010. DePalma is missing his firearms and first aid requirements for 2007, 2008, and 2010. DePalma is also missing a total of 50 hours of training from 2008 and 2010. DePalma had been on active duty with the military in 2010, and had returned prior to being hired by Ludlow Police Dept. Chief Billings requests that some of his military training can be used to make up past trainings missed.

DePalma needs to make up a total of 50 hours, first aid, and 3 firearms qualifications on top of his 2011 requirements.

Waiver Committee recommended that a total of 75 hours of training, first aid, and 4 firearms qualification need to be completed by 12/31/2011. Council approved waiver.

Christopher Norton; Springfield Police Department: Chief Douglas Johnston requests a waiver for missing training hours from 2010. Norton completed 14 of the 25 hours needed for 2010. Norton was out on injury since August 2010 and had back surgery in January of 2011. Norton should be returning to duty by June of 2011. Norton needs to make up 11 hours of training to include first aid.

Waiver Committee recommended tabling until he returns to duty. Council voted to **TABLE** request.

Kimberly Edwards; Burlington Police Department: Lt. Kathy Stubbing requests in-service training waiver for Edwards due to pregnancy and waiting on firearms training requirement. Her waiver had been previously tabled because she had not yet returned to duty. Edwards has returned to duty and has completed a total of 5 firearms qualifications in 2011. Waiver approved by Council.

Amos Colby; Essex County Sheriff's Department: Sheriff Trevor Colby requests waiver for missing training hours from 2007. Colby retired in January of 2007 and is now returning to work. He needs to make up 30 hours from 2007 to include first aid and firearms. He will also need to complete 2011 requirements. He has completed in 2010 the 8 hours of Domestic Violence, CPR, and Firearms which he would like applied to missing 2007 requirements, since he was not employed in 2010.

Waiver Committee recommended that 22 hours of training need to be completed by May 1, 2011 for 2007. Additional 2011 requirements will need to be completed by 12/31/2011. Waiver approved by Council.

Stewart Walling; Essex County Sheriff's Department: Sheriff Trevor Colby requests waiver for missing training hours from 2007. Walling left in January of 2007 and is now returning to work. Walling had gone to work for Lancaster, NH PD from 2007-2010. Records show from that time period he completed a total of 34 hours of training for NH Police. Walling is missing 30 hours of training from 2007 which includes firearms and first aid.

The Waiver Committee recommended 30 hours of training, first aid, and firearms need to be completed by May 1, 2011. Council to decide if NH training can be applied. Council approved waiver and will allow NH training hours to be applied to needed training.

Laurna Noyes; Essex County Sheriff's Department: Sheriff Trevor Colby requests waiver for missing training hours from 2009 and 2010. Noyes completed 4 hours of training in 2009, which included firearms. She also completed 2 hours of training in 2010. Noyes needs 26 hours to include first aid for 2009 and 28 hours to include firearms and first aid for 2010. Noyes needs a total of 54 hours and 1 firearms qualification. Waiver recommended 54 hours of training and 1 firearms qualification be completed by May 1, 2011. Council approved waiver.

William Dixon; Essex County Sheriff's Department: Sheriff Trevor Colby requests waiver for missing training hours from 2004, 2005, 2006, 2007, and 2008. Dixon is missing what appears to be a total of 78 hours of training and firearms qualifications for those years. He was let go from the department in 2008 after failing to complete a waiver of training hours for 2007. Sheriff Colby is looking to hire Dixon back and would like a waiver to get him back to certification status. Dixon is planning on completing Taser, Monadnock NLUOF, firearms, hazcom, first aid, and CPR.

The Waiver Committee recommended **DENYING** the waiver with a strong recommendation that Dixon complete the entire part-time process over or lose his certification.

The Council **DENIED** the waiver.

Ken Richardson; Orleans County Sheriff's Department: Chief Deputy Philip Brooks requested waiver for missing training hours from 2007. Richardson completed 13 hours of training in 2007, which included a firearms qualification. Richardson left Newport PD and attended a Federal Academy for US CBP in 2007, where he also received CPR certification. Request was made to have extra hours from 2008 and 2009 be applied to 2007 training.

The Waiver Committee recommended approval of this waiver and allow 2008 and 2009 hours be applied to missing 2007 hours.

However, the Council decided **NO ACTION** would be applied until hours of training for US CBP in 2007 have been received.

James Baker; Manchester Police Department: Town Manager John O'Keefe requests waiver for missing training requirements from 2009. Baker retired in 2009 from VSP and

completed 25.30 hours of training for 2009, but did not complete a firearms qualification. Needs to make-up 1 firearms qualification for 2009.

Action:

The Waiver Committee recommended that firearms qualification is to be completed in 2011 to be applied to 2009. This is made with the assumption that 2010 training hours have been completed. Baker will need to complete a second firearms qualification by December 31, 2011 to be applied to 2011 requirements.

The Council voted to APPROVE this waiver.

5. Rule 14 (Re-certification of LEOs)

Paul Poynter; Bristol Police Department: Chief Kevin Gibbs requests a waiver for Poynter in order to re-certify. Poynter had left VT on 12/1/2005 to work as a police officer in South Carolina. Poynter was hired by the Bristol PD on 12/16, 2010.

The Waiver Committee recommends Poynter complete the Part-Time Basic Training (Phase I) to be recertified.

The Council APPROVED the waiver.

Elaina Noblet; Bennington County Sheriff's Dept: Lieutenant Andrew Hurley requests a waiver for Noblet in order to re-certify as a part time officer. Noblet had left VT on 1/1/2007. Noblet did not complete her Rule 13 requirements for 2006. Noblet needs to complete 30 hours of training for 2006 to include firearms and first aid. Lt. Hurley proposes that Noblet has until 4/30/11 to make up her missing hours for 2006, which will include first aid and firearms.

The Waiver Committee recommended DENYING the waiver and recommended that Noblet complete Phase I of the Part-Time certification process.

The Council voted to approve this DENIAL of the waiver. If she wishes to become a law enforcement officer she must **complete Phase I of the Part-Time certification process.**

Conversation was started by Cindy Maguire re the need to be clear on a waiver and decertification process. The Council discussed in the future identifying what is acceptable for not complying with Rule 13.

There was more conversation about formalizing a better process for Rule 13 and decertification processes. Direction for VPA staff is to continue to vet and work on process internally.

Sheriff Benard covered the summer study report re H. 578.

1150 Executive Session to review a personnel issue. Motion by Cindy Maguire and second by Chief McQueen

1220 Out of Executive Session

1225 A motion by Cindy Maguire to adjourn. Second by Director Button.

VCJTC Quarterly Report June, 2011

We are EXTREMELY EXCITED to have Chris Burnett and Ken Hawkins return to the Academy as Training Coordinators. They will both have large roles with the Basic Class, as well as in-service and other responsibilities. Permanency of the staff will allow us to make huge gains over the next year and beyond, in addition to providing stability to all those we serve.

The 91st Basic Class graduated on May 27, 2011. Forty-two of the original forty-six individuals, representing twenty-one police agencies and four tuition students completed the program. Two individuals started the program as tuition students but were hired by police agencies before graduation. Range construction, bathroom construction and sheer numbers, caused a variety of logistical issues that had to be overcome. Scenario-based training sessions were challenging with so many students! However, thanks to many dedicated officers and community members, we were able to pull it off. I advocate for capping the class between 35-38 students in the future. Beyond that, we will inevitably reach a tipping point where quality of training is sacrificed.

As mentioned last quarter, we implemented many changes to the PT program based on new trends/research in physical fitness training. For example, dynamic stretching (e.g. arm circles, leg swings), instead of the more traditional static stretching (e.g. holding positions for 30 seconds) was implemented as part of our plan for injury prevention. We will continue to work with professionals in the area, as well as develop a plan to train Chris in current PT best practices and overall wellness; a project he is very enthusiastic about!

We are partnering with the Northeast Counterdrug Training Center to bring courses in Money Laundering and Cannabis Indoor Grow Operations to Vermont in the second half of this year. Both classes will be held at Camp Johnson.

In July, we are offering an opportunity for officers to receive some excellent, FREE training. The DEA is returning to the Academy to deliver "Hidden Assets in Vehicles," a three-day course that includes an entire day of hands-on work where students get their hands dirty searching vans, crawling under box trucks, and much more. We hosted the class in 2010 as well and it received great reviews. The DEA pays for a bulk of the program. The Vermont State Police have graciously agreed to fund the balance (about \$2000) with available grant monies.

Review of the full-time curriculum continues. I anticipate being able to jump head first into this project, now that staffing is no longer at a critically low level. I am also carefully analyzing costs related to the full-time program to ensure we are budgeting appropriately for it. An important piece of that is establishing an equipment replacement/repair plan. At times in the past, we've found ourselves

searching for large sums of money to replace worn out gear and failing equipment and have been typically out of luck because it wasn't budgeted for. Having an ongoing replacement plan, with an amount built into our budget, will make certain that we avoid these crises in the future.

In-service course offerings continue to be offered both here and regionally but have been significantly scaled back due to lack of staff.

Sincerely,

Cindy Taylor-Patch
Training Coordinator

CANINE TRAINING REPORT

SCHOOLS: The Vermont State Police are putting one new handler through the six week drug detection school. This started the first week of June.

The Vermont Fish and Wildlife Department has two new handlers attending the four week tracking school that starts July 18th along with an officer from the St. Johnsbury Police Department.

The Vermont State Police, and the Montpelier Police Department both have one canine team that will be attending the sixteen week patrol school that also starts July 18th.

The Pittsford Police Department and St. Albans Police Department have canine teams that were trained through a vendor will be attending the eighty hour detection program starting June 13th. If they are successful they will be certified in drug detection and then begin training at the academy.

VERMONT POLICE K-9 PROGRAM

2011 HIGHLIGHTS (33rd year)

1st QUARTER

January 14

Burlington Cpl. Wade Labrecque and K-9 Andre

During a search warrant on a residence K-9 Andre's alerts resulted in the confiscation of 20 ounces of marijuana, a half ounce of cocaine and \$1523 in suspected drug money.

January 16

Burlington Cpl. Wade Labrecque and K-9 Andre

During a short track from a burglary scene K-9 Andre located the suspect hiding underneath a vehicle in a nearby parking lot. He then alerted to a fire safe that was stolen and 4.75 ounces of marijuana was located inside.

January 20

Burlington Cpl. Trent Martin and K-9 Capone

Tracking find in snow and hard surfaces about 1\2 mile long of a suspect who stole a vehicle and was being detained by officers. K-9 Capone tracked from the car directly to suspect and alerted with 3 barks at the suspect's feet. The suspect then admitted stealing the car.

January 21

VSP Trooper Justin Busby and K-9 Vinny

K-9 Vinny alerted on a vehicle and a search warrant was obtained and a 1\4 ounce of marijuana, 4.5 oxycodone pills and 1 oxycontin pill was confiscated.

January 24

Colchester Ofc. Dave Dewey and K-9 Tazor

Approximately 1.5 mile tracking assist of a wanted subject who had fled from a traffic stop. K-9 Tazor tracked through snow, frozen swamps, woods and hard surfaces in 4 degree temperatures. The suspect was located just ahead of the track and taken into custody.

January 27

Burlington Cpl. Wade Labrecque and K-9 Andre

K-9 Andre alerted on \$6181 in suspected drug money.

January 29

VSP Sr. Trooper Dave White and K-9 Rolf

K-9 Rolf alerted on the exterior of a vehicle and a warrant was obtained. Over 2 ounces of marijuana and \$5,000 in drug money was confiscated.

February 17

Vergennes Chief George Merkel and K-9 Akido

An alert on a vehicle resulted in a search warrant being obtained. In a condom inside a backpack that was inside the vehicle was located 115 hits of ecstasy.

February 23

Burlington Cpl. Wade Labrecque and K-9 Andre

During a car stop K-9 Andre alerted on a backpack. A warrant was obtained and 10.8 ounces of marijuana was located inside.

February 27

VSP Trooper Jeff Trudeau and K-9 Gally

K-9 Gally alerted on the exterior of a vehicle and a search warrant was obtained. A coffee cup was located inside the vehicle that had a thick liquid inside. The liquid was tested and came up positive for cocaine. The suspects had dumped the drugs inside the coffee for a chargeable weight of 15 ounces of cocaine.

February 27

VSP Trooper Justin Busby and K-9 Vinny

Over four mile and forty five minute old tracking find in deep snow in cold weather of a juvenile who had stolen a vehicle with three other suspects and then abandoned it in a foot and a half of snow. K-9 Vinny did a sit watch at the end of the track, and the suspect confessed doing the crime and who the other criminals were.

March 4

VSP Trooper Jeff Trudeau and K-9 Gally

K-9 Gally alerted on the trunk of a suspicious vehicle. A search warrant was obtained and 138 bags of heroin and over 1\4 ounce of cocaine was located in a duffel bag in the trunk. Additionally 43 bags of heroin were located on the driver.

March 8

VSP Sr. Trooper Michelle Leblanc and K-9 Casco

Tracking assist of a mentally challenged missing person. K-9 Casco tracked the 10 hour old track for a few miles until called off. The subject was located the next day after walking into the town offices. He confirmed that K-9 Casco had tracked the same route he had walked.

March 9

VSP Sr. Trooper Dave White and K-9 Rolf

Short tracking find of a suspect who was intoxicated and rolled his vehicle and fled across a field.

March 10

VSP Sr. Trooper Dan Trottier and K-9 Dasha

An alert on a package resulted in 3 lbs. of marijuana being confiscated.

March 12

VSP Trooper Justin Busby and K-9 Vinny

Short track that ended in a sit watch and the suspect, involved in a vehicle pursuit, taken into custody while K-9 Vinny was barking at him.

March 12

Colchester Ofc. Dave Dewey and K-9 Tazor

An alert during a residential search led to a hidden lock box being located. Inside was \$3000 in suspected drug money and a small amount of marijuana.

March 16

VSP Trooper Jeff Trudeau and K-9 Gally

On an exterior sweep of a vehicle K-9 Gally alerted on the passenger side front door. Consent was given and 21 grams of cocaine was located on the floor and front pocket of passenger door.

March 17

Burlington Cpl. Trent Martin and K-9 Capone

After an exterior door alert at a hotel room a search warrant was granted and \$1490 in suspected drug money and drug residue was located.

March 20

S. Burlington Ofc. Mark Redmond and K-9 Kaiser

Located an escapee from juvenile detention center and took him into custody with K-9 Kaiser providing deterrence with a sit watch. The cover officer was fellow k-9 handler Bob Bailey from UVM.

March 20

VSP Sr. Trooper Michelle Leblanc and K-9 Casco

2.43 mile tracking find of an LSA suspect who had a suspended license and fled after severely crashing on I-89. The track included hard surfaces on the edge of the highway and into deep woods and steep grades. The suspect was located in the median hiding next to a rock and group of trees almost 2 hours later.

March 22

VSP Trooper Wayne Godfrey and K-9 Tarawa

On consent search of a vehicle K-9 Tarawa alerted on the center console and a felony amount of crack (2.4 grams) was located.

March 23

Chester Sgt. Mark Phelps and K-9 Riggs

K-9 Riggs alerted on the exterior of a vehicle during a stop. Inside the vehicle a vacuumed packed bag was found containing 119 Percocets and 86 Oxycodones illegally possessed.

March 23

Vergennes Chief George Merkel and K-9 Akido

K-9 Akido conducted a short track of a burglary suspect. Along the way he located evidence, and tracked to the suspect's residence where an arrest was made and four other charges for possession of stolen property are pending.

March 23

VSP Sr. Trooper Michelle Leblanc and K-9 Casko

K-9 Casko alerted on a package that was packed with coffee. A search warrant was obtained and 1\8 ounce of marijuana was located.

March 25

Vergennes Chief George Merkel and K-9 Akido

An alert on a vehicle led to a consent search and a 1\2 pound of marijuana was located.

VT. POLICE K-9 PROGRAM 2010 HIGHLIGHT TOTALS (1st Quarter)

The following totals only include those that were reported to TC Ryan. There are many additional lower level drug finds and tracking finds that are not included in the program highlights so the following statistics are the minimal totals recorded.

- \$17, 194 in suspected drug money
- 2 1\2 pounds of marijuana
- 1 pound of cocaine

- 181 bags of heroin
- 115 hits of ecstasy
- 325 prescription pills
- 2 grams of crack cocaine
- 7 criminal tracking finds
- 2 sit watches

2nd QUARTER

April 17

VSP Sr. Trooper Michelle Leblanc and K-9 Casco

An alert on a vehicle resulted in 1 1\2 ounces of marijuana being seized.

April 17

VSP Sr. Trooper Michelle Leblanc and K-9 Casco

Another vehicle alert on the same day resulted in 1\3 of an ounce of marijuana being seized.

April 18

VSP Sr. Trooper Michelle Leblanc and K-9 Casco

K-9 Casco alerted on the exterior of a house. A search warrant was granted and a grow operation was located and over 6 lbs. of marijuana was confiscated.

April 21

VSP Trooper Chris Hunt and K-9 Reiko

A warrant was obtained after K-9 Reiko alerted on a vehicle and almost a 1\4 ounce of cocaine, a few grams of heroin and stolen property was confiscated. The operator admitted he was a drug runner and the \$45,000 vehicle was seized by the DEA.

May 3

Burlington Cpl. Trent Martin and K-9 Capone

K-9 Capone alerted on the back seat of a vehicle in an agency assist. A hidden compartment was located. Approximately 3400 Oxycodone pills were located inside the hidden compartment.

May 5

VSP Sgt. Eugene Duplissis and K-9 Argus

K-9 Argus performed a sit watch on a suspicious vehicle, which led to consent given to search the vehicle and 8.9 grams of crack and 500 dollars in suspected drug money being confiscated.

May 8

VSP Sr. Trooper Michelle Leblanc and K-9 Casco

Positive assist track of a missing suicidal female. K-9 Casco tracked over a half mile up a steep mountain side and then into a swamp area of the over 5 hour track. The female was located at home by officers as Casco was a few minutes behind previous to getting the find

May 8

VSP Sr. Trooper Michelle Leblanc and K-9 Casco

Building search find of a suspect wanted for breaking into his ex-girlfriend's residence and assaulting her and then fleeing from the scene. K-9 Casco alerted on the suspect by barking and then was recalled previous to getting a bite. The suspect surrendered and was arrested.

May 17

VSP Sr. Trooper Michelle Leblanc and K-9 Casco

Tracking\area search find of over 1.5 miles of an intoxicated and suicidal female. The female was found hiding down a steep hill, curled up behind a tree with no shoes on.

May 31

Vt. Fish and Game Ofc. Stephen Majeski and K-9 Misty

Positive assist track of a missing 80 year old female. K-9 Misty started the 4 1\2 hour old track and tracked a mile up a dirt road and then another quarter mile into the woods where fresh footprints were located and then lost the track. A few hours later the female was located in this area and K-9 Misty was credited with leading the search teams into the correct area.

June 6

Burlington Cpl. Trent Martin and K-9 Capone

K-9 Capone tracked and found a missing suicidal subject who was found with still a pulse but died shortly after CPR by back up officers was unsuccessful. The track started from an abandoned vehicle, and K-9 Capone tracked through trails next to a river down to heavy brush in the dark and located the subject.

Warden Majeski June 07,2001

Misty and I got called to Springfield for a guy who had threatened to kill his parents, then broke into their house. He took off into the woods and the PD set up a perimeter. Misty tracked from the side of the house, down through the woods and about 3/4 of a mile up the road. Temps were approaching 90, and the dog started looking really smoked, and was barely tracking; I took her off track and let her jump in a pond.

A little while later, a resident about a mile further down the road that Misty had been tracking on, called to say the suspect had walked past her house. We responded to her house and I put the dog back on track, about a quarter mile away we tracked up behind him and arrested him. From the time he left the house, he had been passed by at least five cop cars (mine included), but he was listening for vehicles and jumping in the woods. He didn't expect the dog on foot approach, and was taken completely by surprise.

Respectfully submitted

Robert Ryan

Canine Training Coordinator

Training Advisory Committee Meeting 17 May 2011

Prepared by: John Gonyea, Acting Asst. Director

Members Present: Sheriff Kevin McLaughlin, LT Paul Gaudreau, Sgt. Jamie Tarbell, Chief Chris Brickell, Mr. Wade Johnson, Chief Doug Johnston, LT Kathy Stubbing, LT Mary McIntyre and John Gonyea.

Members Absent: LT David Notte, LT Andy Thibault, and Sheriff Keith Clark (military deployment)

Observers/Presenters Present: Executive Director Gauthier, Acting Sr. TC Taylor-Patch

Meeting called to order: 1007

ISSUE 1 – Full-time review:

Gonyea spoke to the full-time review process that the committee has been discussing. Gonyea shared that in consideration of both the recent changes as well as the staffing shortages the staff was not ready to proceed with more in depth discussion/action on this issue. Gonyea continued to share with the members that it was expected this was soon to change. Gonyea informed the members that the staff was conducting TC interviews tomorrow (Wednesday May 18th) and that there was hope considering the applicants the Academy might be able to fill the two open positions.

Informational – no formal action required.

ISSUE 2 – Leadership Institute/LPO:

Gonyea provided an overview of the “Leadership Institute” that the Academy was discussing with the capstone being the LPO program from IACP. Gonyea outlined the general theme of leadership development would flow something like; full-time basic training leadership, FTO and/or TA and/or Academy Instructor, 1st Line Supervisor, specific 1-2 blocks on focus topics taught by organizations such as Roger Williams University and the capstone being LPO. Gonyea shared that the Roger Williams 1st Line Leadership school could be substituted for the



Academy's version and that The FBI NA and LPO were inter-changeable. Gonyea also shared that the Academy had received support from both the VT Department of Labor and VLCT to fund the first LPO program scheduled for the Fall 2011.

Informational – no formal action required.

ISSUE 3 – Comments from Director Gauthier:

Director Gauthier addressed the members to provide some general guidelines related to his expectations of committees as well as upcoming changes for the Academy. Director Gauthier spoke to his excitement over the strategic plan that the Council had recently developed. Director Gauthier informed the members that the Council was about to receive copies of the strategic plan for their review. The next step in the process of rolling out the strategic plan will be to share it with the Academy Staff. Director Gauthier spoke to the importance of the staff seeing this and being involved with developing the work plans to accomplish the strategic plan. Director Gauthier informed the members that the intent was to share the strategic plan with agency heads at the upcoming joint Chief's – Sheriff's conference in early June. Director Gauthier told the members that the committee members were welcome to view the plan once these groups were notified.

Director Gauthier then spoke to the full-time basic review process, outlining the critical role the committee members will play in ensuring the process works within the strategic plan. Director Gauthier continued to speak of the importance of identifying learning objectives, discussing the length of the program and many other issues.

Director Gauthier answered several random questions posed by members of the committee. Director Gauthier concluded his comments by reminding the committee that it would be time to get to work in the very near future.

Informational – no formal action required.

No further business.

Meeting adjourned: 1047

Respectfully Submitted,

John A. Gonyea
Acting Asst. Director

Use of Force Committee Meeting 19 May 2011

Prepared by: John Gonyea, Acting Assistant Director

Members Present: LT Robin Hollwedel, LT Robert Stebbins, CPT Drew Bloom, LT Michael Henry, 1SGT Don Keeler, Warden Russ Shopland, Officer Scott Fisher, S/Trp. Steven Coote, Chief Lianne Tuomey, and John Gonyea.

Members Absent: Chief Tom Hanley, Sgt. Bart Chamberlain, Officer William Sullivan (medical leave), and Cpl. Phil Call

Observers/Presenters Present: Director Gauthier

Meeting called to order: 1006

ISSUE 1 – Comments from Director Gauthier:

Director Gauthier addressed the members to provide some general guidelines related to his expectations of committees as well as upcoming changes for the Academy. Director Gauthier spoke to his excitement over the strategic plan that the Council had recently developed. Director Gauthier informed the members that the Council was about to receive copies of the strategic plan for their review. The next step in the process of rolling out the strategic plan will be to share it with the Academy Staff. Director Gauthier spoke to the importance of the staff seeing this and being involved with developing the work plans to accomplish the strategic plan. Director Gauthier informed the members that the intent was to share the strategic plan with agency heads at the upcoming joint Chief's – Sheriff's conference in early June. Director Gauthier told the members that the committee members were welcome to view the plan once these groups were notified.

Director Gauthier answered several random questions posed by members of the committee. Director Gauthier concluded his comments by reminding the committee that it would be time to get to work in the very near future.

Informational – no formal action taken.



ISSUE 2 – International Instructor Trainer (CPT Bloom):

Gonyea turned the meeting over to CPT Bloom. CPT Bloom spoke to the issue that Vermont has typically had two International Level instructors capable of recertifying the instructor trainers in MDTS topics. Since the retirement of Evan Eastman Vermont has been operating with one international instructor – Paul McManus from ICE. CPT Bloom strongly encourages that the Academy pursue seeking certification for a second International Instructor. Gonyea shared with the members that based upon performance, skill sets and dedication over many years he would strongly urge the members to limit their choices to either CPT Bloom or LT Henry. LT Henry advised that Vermont was limited to two for the state. After a brief discussion CPT Bloom was identified as the primary choice for this second position. The next available training is November 2 – 5, 2011 in New Orleans. Gonyea advised the members he would present this to the Director with a recommendation that the Academy identify funding to sponsor CPT Bloom to attend the training.

Shopland motioned that CPT Bloom or LT Henry be chosen and the Academy fund their participation to attend the International Instructor certification program. Seconded by Hollwedel. No further discussion. Motion passed 9-0.

ISSUE 3 – UOF review by AG's office:

Gonyea reminded the members of previous discussions to request the AG review UOF curriculum to ensure the content was current and supported with legal review. Gonyea recapped previous discussions on this topic by reminding the members that any significant use of force involvement would likely involve AG review – particularly if it were a deadly force application, vehicle pursuit and/or less lethal application that resulted in injury. Gonyea advised the members that in the best interest of all involved; officers, Academy, agencies and instructors it made sense to have the curriculum used approved by the AG from the outset. Gonyea also informed the members that the Academy has recently entered into an MOU to obtain legal support from the AG for these types of issues. After a brief discussion the members agreed it was time to request such a review. One point of note was a request to have a lead instructor available to answer questions as part of the review to relay the real world application of the content against the sterile legal review.

Informational – no formal action taken.

ISSUE 4 – Range Incident report:

Gonyea shared a copy of the investigative report from the range incident that occurred during the 91st Basic Class while using the Proctor-Pittsford firing range. Gonyea walked the members through the report providing them with a summary of the findings and lessons learned. There was discussion by the members expressing concern of the comments made by Pittsford, specifically Warfle that did not seem truthful as to the events of that day. There was also discussion by the members requesting the Academy take formal action to address these concerns.

Informational – no formal action taken.

ISSUE 5 – 2011 Firearms Update Topics:

Gonyea updated the members on the 2011 FA Updates that are required for instructors to maintain their certifications. (see below)

- Written test for competency (Gonyea sent to members after Aug meeting)
- Proficiency checklist (Gonyea sent to members after Aug meeting)
- Shooting skills assessment (see below with comments from meeting inserted in *italics*)
- Once finalized at the Council meeting Gonyea will construct the course announcement and provide notice to FA Instructors and agency heads of the need to successfully complete this training or risk being de-certified as a FA Instructor

Skill set #1 Test for smooth, fast and safe draw.

Target= steel gong at 5 yards

Shooter starts with hand on weapon

Shooter must draw and hit gong with 1 round in less then 1.5 seconds

No misses allowed!!

Skill set #2 Test for smooth, fast and safe draw and double tap

Target= steel gong at 5 yards

Shooter starts in "Interview Stance"

Shooter must draw and hit gong two times in less then 2.5 seconds

No misses allowed!!

Skill set #3 Test for one hand shooting, both hands

Target= steel gong at 5 yards

Shooter starts in "Interview Stance"

Shooter draws and fires 3 rounds, one hand, strong hand and then transitions to weak hand and fires 3 rounds one hand, weak hand

Shooter must hit gong with all six rounds in less then 10 seconds

Skill set #4 Test for good reloading skills

Target= B27 at 10 yards

Shooter starts in "Interview Stance"

Shooters starts with 3 magazines loaded with 2 rounds each

Shooter fires 2 rounds, reloads, fires 2 rounds, reloads, fires 2 rounds all in less then 15 seconds

All 6 rounds must hit in the "Incapacitation Zone"

Skill set #5 Test ability to shoot at maximum effective range of handgun

Target= steel gong at 50 yards

Shooter fires 6 rounds at gong

Shooter may stand, sit, kneel, or go prone. It is their choice

Must hit gong with at least 3 rounds

Asses Skill Set #6 Test ability to clear malfunctions using a mix of live and “dummy” ammo

Class participants to be provided with the topic they have to teach in the classroom prior to coming to the update.

Additional information should be included to accommodate the use of the new range being constructed at the Academy, lead abatement issues that BGS has brought forward as well as lessons learned from the incident at Proctor-Pittsford range during the 91st.

Informational – no formal action taken. (previously approved in prior meeting)

ISSUE 6 – 2011 FA Instructor School

Keeler asked if the 2011 FA Instructor school was going to be cancelled or proceed as scheduled. Gonyea responded by saying that the typical window is to make sure that at least two months notice is given to agency's in order to allow proper planning to send officers to training. As a result of the range construction Gonyea indicated he was hopeful the school would not have to be cancelled, but was well aware that time was running short to make that decision. Gonyea also advised the members that he was holding out to the last possible moment to make this decision in order to maximize the chances the range construction would be finished in time to allow it to proceed.

Informational – no formal action taken.

ISSUE 7 – Instructor Trainer certification:

Gonyea proposed to the members that it was time to raise the bar and expect that the instructor trainers for certain courses had a more formal credentialing than has been previously used. Gonyea cited the MDTS example previously described by CPT Bloom, the Michigan State Police driving program and the NRA Patrol Rifle instructor certifications as examples. There was much debate regarding the pro's and con's of implementing such a system among the members.

A side discussion was captured around the concept of making it easier for FA Instructors to know when their certifications expire by making all of them expire on the same day. Gonyea explained that this would take a change in the Council rules, however it would not only address the issue around what date instructor certifications expired but also allow for better planning to ensure instructors attended the required updates to remain certified.

Hollwedel motioned that the Academy explore seeking more formal credentialing of instructor trainers for all UOF courses. Seconded by LT Stebbins. No further discussion. Motion passed 9-0.

LT Stebbins motioned that the Council explore more efficient methods to re-certify Firearms Instructors such that all FA Instructor certifications expire on the last day of the calendar year and that the Academy can issue certification that is valid for up to two years. Seconded by Hollwedel. No further discussion. Motion passed 9-0.

No further business.

Meeting adjourned: 1156

Respectfully Submitted,

John A. Gonyea
Acting Assistant Director

Domestic Violence (TJ Anderson) Report, First Quarter

January – March, 2011

During This Quarter

Domestic Violence Related Activities

Mandated Domestic Violence (DV) Training:

There were quite a few mandatory DV trainings at the beginning of this year as agencies worked to meet the DV requirement. For example, Burlington Police Department and the Vermont Department of Motor Vehicles each scheduled multiple days of training within the first two months of the year to insure all their officers would meet the requirement. It is estimated that more than 90% of officers have now attended the mandatory training. The Police Academy is working on identifying officers who still need to meet this requirement.

It was agreed upon by major stakeholders this quarter that every other mandatory training can be done through some other means than a classroom setting. Thus the 2012 DV training will be more than likely done over the internet.

91st Full-Time Basic Academy:

- Coordinated the following training blocks:
 - Sexual Assault investigation/Child Abuse Investigation
 - Vulnerable Adult Abuse training block
 - Children of Arrested Persons
 - Victim Assistance
 - Interaction with Deaf and Hard of Hearing Persons
 - Death Investigation
 - Criminal Law
 - Juvenile Law
 - Collection and Preservation of Evidence
 - Police Photography
 - NCIC
- Taught Domestic Violence Response, Strangulation, and Stalking/Voyeurism Blocks.
- Taught an optional 2 hour human trafficking block one evening
- Based on attendance of the 90th Basic class' mock trial, the initial domestic violence scenario was improved.

State DV Related Organizations Participation:

- DV Council
- DV Fatality Review Board
- Protection Order Task Force
- Chittenden County DV Task Force
- Windsor County DV Task Force

Other:

- I continue to be asked to be an expert witness in Vermont district courts.
- I provided information and consulting services to various agencies (police and advocacy), legislature, and the media regarding domestic violence related topics.
- Taught two mandatory domestic violence classes to Burlington Police Department personnel (February 17 and February 18).
- Taught two mandatory domestic violence classes to Vermont Department of Motor Vehicles personnel (February 28 and March 2).
- Assisted in the development of an internet training around Vermont's model policy regarding police response to domestic violence incidents when children are present.
- Attended an information session on the Lethality Assessment Program in Washington County in hopes to learn more about it so to assist in its spread throughout Vermont.
- Working with the SBS/AHT Prevention Program in the development of a course on Shaken Baby.
- I was invited to the following high schools to teach teen dating abuse and how it relates to sexting and the use of social media. Each of these trainings included all students in grades 7 thru 12. The responses to the trainings were very favorable from faculty, and more importantly, students.
 - Vergennes Union High School
 - Northeastern Clinton Central School
 - Keene Central School

Non-Domestic Violence Activities**91st Full-Time Basic Academy:**

- Assisted in PT entrance tests.

Coordination of other classes:

- VIN classes
 - Vermont Police Academy is now issuing VIN certification class attendance cards since DMV is no longer issuing VIN cards/numbers.
- Fingerprint Certification Classes
- Basic CSI class
- Part-time Academy
- Computer and Internet Crimes Investigation – Basic Level
- Illegal Animal Fighting – Class was cancelled due to not making the mandatory number of participants
- NCIC Full-Service Terminal Operator
- Ran Entrance Testing days (January 4 and March 8, 2011)

Taught/Coordinated:

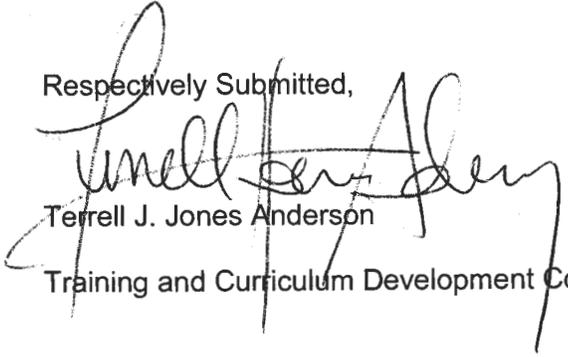
- Field Training Officer (FTO) Program
 - FTO Certification Course

- Four (4) FTO Updates
- Changed the process of FTO certification where all certs expire March 1 after a one year (the initial certification) or a two year period.

Review:

- Part-time officer paperwork
- FTO paperwork

Respectively Submitted,



Terrell J. Jones Anderson

Training and Curriculum Development Coordinator – Domestic Violence

VERMONT CRIMINAL JUSTICE TRAINING COUNCIL
Progress Report for Scott Carpenter
For the period of April through June 2011

This quarter has been the first full quarter in my capacity as Homeland Security Training Coordinator for the Vermont Criminal Justice Training Council (CJTC). The following synthesizes my progress and activities throughout this reporting quarter.

TRAINING CAPACITIES

Courses scheduled so far during this quarter include (courses in **BOLD** were canceled due to low enrollment):

ICS 402	West Dover Fire Department	April 6, 2011
ICS 100	Marlboro Fire Department	April 6, 2011
ICS 100	Chittenden County RPC	April 18, 2011
ICS 402	VSP Royalton	April 18, 2011
ICS 300	Lyndon	April 19, 2011
ICS 402	Hinesburg	April 20, 2011
ICS 100	Addison County RPC	April 23, 2011
ICS 100	Hartford Fire Department	May 7, 2011
ICS 100	91 st Basic Class (VPA)	May 9, 2011
ICS 400	Barre Civic Center	May 11, 2011
ICS 200	Chittenden County RPC	May 16, 2011
AWR 160	South Burlington PD	May 19, 2011
ICS 200	Addison County RPC	May 23, 2011
ICS 400	Shaftsbury Fire Department	June 6, 2011

Out of the 8 classes which were held so far this quarter, we were able to train 114 individuals from the following disciplines:

Town Administration	6
Clergy	1
Education	1
Emergency Management	4
EMS	2
Fire	22
Public Health	1
Meteorology	1
Planning Commission	1
Law Enforcement	60
Public Works	6
Resort	2
Town Selectboard Member	7

**ACTIVITIES BY HOMELAND SECURITY TRAINING COORDINATOR DURING THE
REPORTING PERIOD:**

April 2011

- Supported the scheduling of 7 ICS courses and delivery of 5.
- Participated in Vermont Yankee exercise at VEM.
- Participated in Training & Exercise Subgroup meeting in Pittsford.
- Outreach for summer courses.

May 2011

- Supported the scheduling of 6 ICS courses and delivery of 2.
- Participated in Vermont Yankee graded exercise at VEM.
- Participated in Emergency Planning Conference call.
- Continued outreach to LEPC, RPCs, and national training providers for summer courses.

June 2011

- Continued work on reconciling HS-07-01 grant and preparing for its sunset.
- Supported scheduling and delivery of 1 ICS course and 3 specialized trainings (out-of-state training providers – non-ICS courses)
- Participated in HS LE Working group meetings.

TRAINING GOALS, PLANS AND/OR CHALLENGES

The Vermont Criminal Justice Training Council will coordinate the following training throughout the current calendar year: What trainings do you have in the planning stages?

The following trainings are currently scheduled for the next calendar quarter:

ICS 300	Chittenden County RPC	July 6, 2011
AWR 206	Vermont Fire Academy	July 12, 2011
AWR 148	Vermont Police Academy	August 19, 2011
ICS 400	VT Dept of Health – Burlington	September 26, 2011

The following trainings are currently at various levels in the planning phase:

ICS 100	Windham County	September
ICS 300	Rutland County	September
ICS 200	Washington County	September
ICS 402	Rutland County	September
ICS 200	Orleans County	September
AWR 122	VPA	September
MGT 344	VPA	October

Waiver Committee – Meeting Agenda

June 1, 2011

Members: Donald Isabelle, Chief James Krakoweicki (Vice-Chair), Captain Don Patch (Chair) Sheriff Mike Chamberlain, and William Humphries; **Staff:** Emily Leinoff, Administrative Services Coordinator and Richard Gauthier, Executive Director

Meeting called to order at: 10:03 hrs.

1. Rule 7 (Basic Training Standards for PT LEOs):

Albert Willumitis; Town of Andover: **Constable Albert Willumitis** requests a waiver for himself for his part-time certification. Constable Willumitis was out of work on health issues and was unable to complete the full requirements of Phase II and III of the Part-Time Program. Constable Willumitis' provisional certification expired on March 19, 2011. He was given an administrative waiver to continue working until the waiver committee and Council meets to hear his waiver.

Recommendation: Motion made by Sheriff Chamberlain to recommend Extend provisional part-time certification to September 30, 2011. 2nd by Lieutenant Isabelle MOTION – PASSED.

2. Rule 8 (Basic Training Standards for FT LEOs - 6 Month Rule)

Eric Shepard; Williston Police Department: **Chief Roy Nelson** requests a waiver for Shepard to continue to work full-time on a part-time certification until he attends the 92nd Basic Training Course for Full-Time Officers. Shepard has been working full-time on a part-time certification since 11/09/10 due to staffing issues. Shepard was granted an administrative waiver to continue to work full-time until the waiver committee and council meets.

Recommendation: Motion made by Chief Humphries to recommend allow Shepard to work full-time on a part-time certification for 6 months. 2nd by Sheriff Chamberlain MOTION – PASSED

3. Rule 8 (Basic Training Standards for FT LEOs - Out of State LEOs)

Justin Bisconti; Brattleboro Police Department: **Chief Eugene Wrinn** requests a waiver for Bisconti. Bisconti attended the Full-Time Certification course at the Passaic County Police Academy from 7/28/08-1/13/09. He was never hired by an agency so he was not granted his certification in NJ, however did successfully complete the training course of roughly 944 hours.

Recommendation: Motion made by Lieutenant Isabelle to recommend Tabling of the waiver until information is given as to if Bisconti could be certified in New Jersey if he got hired by an agency or if the time limit given to become certified in New Jersey has lapsed. 2nd by Chief Humphries MOTION – TABLED

Motion by Lieutenant Isabelle to further discuss this waiver: Out of state tuition students should be held to the same standards as Vermont tuition students. Recommendation to the



Council would be to deny this waiver as Bisconti was never hired by an agency within a one-year time frame of completing the Full-Time Academy in New Jersey. Recommendation to the Council would be to review the rules on certification standards and clarify what the rule should be in cases such as this one. Further, the Council is asked to clarify points on Vermont Officers that are tuition students in the Full-Time Academy who are employed part-time by a Vermont Agency, should they receive their certification since they are employed or do they need to be hired full-time in order to receive their certification?

Recommendation: Motion made by Lieutenant Isabelle to recommend denial of the waiver based on not being certified in new Jersey after completing the Full-Time Class. 2nd by Chief Krakoweicki MOTION – PASSED – WAIVER DENIED.

William O'Hare; Essex County Sheriff's Department: Sheriff Trevor Colby requests a waiver for O'Hare based on his approximately 11 years experience as police officer in NY, 10 years experience as a police officer in VT, and 447 hours of basic full-time training in NY. O'Hare was part-time certified in VT on 12/21/2001 and has completed a total of 1,203.5 hours of training in VT since 2001. O'Hare is requesting his Full-Time certification based on his Full-Time certification in NY and experience as a part-time officer in VT.

Recommendation: Motion made by Chief Humphries to recommend Approval of a Full-Time Certification from NY Certification and VT courses that would equate a standard prescription. 2nd by Lieutenant Isabelle MOTION – PASSED.

4. Rule 13 (Annual Mandatory In-Service Training for LEOs)

Mark Poulin; Washington County Sheriff's Department: Sheriff W. Samuel Hill requests waiver for Poulin for missing training hours from 2007-2008. Poulin is part-time certified and went out on medical injury leave in April of 2007. His employment was terminated in January of 2009 as he had not been cleared medically. Poulin completed Rule 13 hours in 2006 and previous years. Poulin completed 3 hours of training in 2008. He is back to work now and would like to catch up on training. Poulin also completed 8 hours of Domestic Violence training on 5/2/11. Sheriff Hill suggests Poulin complete the following training: DUI (June 2011), Phase I (June 2011), First Aid, Firearms, Fingerprint, and Laser Refresher (In house training spring of 2011).

Recommendation: Motion made by Lieutenant Isabelle to recommend 57 hours of training, first aid certification, and two separate firearms qualifications be completed by September 30, 2011, in addition to 2011 requirements that must be completed by the end of the year. 2nd by Chief Krakoweicki MOTION – PASSED.

Julien Stanwood; Orleans County Sheriff's Department: Chief Deputy Phil Brooks requests waiver for Stanwood for missing training hours from 2009-2010. Stanwood is part-time certified and was on extended medical leave from July 2010 – February 2011. Stanwood is missing 18 hours of training from 2010 which includes firearms and is also missing 13 hours of training from 2009.

Recommendation: Motion made by Sheriff Chamberlain to recommend 31 hours of training and one firearms qualification be completed by September 30, 2011, in addition to 2011 requirements that need to be completed by the end of the year. 2nd by Chief Humphries MOTION – PASSED.



5. Rule 14 (Re-certification of LEOs)

Matthew Raymond; Office of the Attorney General: Cindy Maguire requests a waiver for Raymond in order to re-certify. Raymond was certified as a Full-Time LEO on 06/07/94. Raymond left VSP and law enforcement on 07/23/06. He is just under the 5 year mark for recertification and requests that he be recertified as a full-time LEO. Records indicate that in 2006 he did not complete any training, but from 1994-2005 he has completed a total of 3,351 hours of training, consistently completing more than required every year.

Recommendation: Motion made by Chief Humphries to recommend Phase I of the Part-Time Certification Program to be recertified and make up hours from 2006. 2nd by Lieutenant Isabelle. MOTION – **PASSED.**

6. Rule 19 (Other waivers) - No requests this quarter.

7. Other Business:

- Next Waiver Committee Meeting planned for August 17, 2011 at 10 a.m.

8. Adjournment - Meeting adjourned at: 11:25 hrs.

Waiver student – standard prescription affirmed by VCJTC 12/8/09.

Standard prescription: i.e. Phase I Basic Training for Part-Time Officers Course, Criminal Law, Motor Vehicle Law, Juvenile Law Course, Domestic Violence Response Training Program, Basic Fingerprint Techniques Certification Course, VIN Verification Certification, DUI Enforcement Certification Course, and Doppler Radar Certification.

The Criminal and Motor Vehicle Law Courses can either be taken in full with the next Full-Time Basic Training Course for Police Professionals or the final examinations can be challenged (documentation received at the Academy) before the Basic Class begins, and, if successfully passed, the course work would be waived.

Any additional requirements outlined by the Council can either be taken in full with the next Full-Time Basic Training Course for Police Professionals or the final examinations, and/or final projects, and/or final practical assessments can be challenged (documentation received at the Academy) before the Basic Class begins, and, if successfully passed, the course work would be waived.

The proposed deadline for completion of recommended prescription is by September 30, 2011 (Conclusion of the ___th Basic Class)

- Note: Waiver Committee (at the 11-25-09 meeting) had a discussion of “case by case” review of applications with specific instructions as to what the criteria is for each applicant versus a “true standard prescription” that reflects all components to include what can or cannot be challenged, what the criteria to challenge are, as well as timelines to complete the challenge (i.e. can patrol procedures, crash, driver training, sexual assault, etc. be challenged and if so under what circumstances and timeline)
- Third paragraph was added to prescription to clarify this issue and was approved by the Council at their December 8, 2009 meeting.



Gauthier, Richard

From: Jacob Humbert [jhumbert@atg.state.vt.us]
Sent: Friday, June 24, 2011 12:38 PM
To: Gauthier, Richard
Subject: RE: Waiver Question; out-of-state full-time law enforcement officer; exercise of authority in VT

Sensitivity: Confidential

ATTORNEY-CLIENT COMMUNICATION
PRIVILEGED AND CONFIDENTIAL

Director Gauthier:

Mr. Blish would need to go through the waiver process established in VCJTC Rule No. 19, whereby the Council can waive any otherwise applicable requirement established within its Rules (such as re: recertification or training), upon a reasonable showing by Mr. Blish that whatever alternative he proposes will not substantially defeat the purpose of the Rules, the Council's enabling statute or any Council program. You, as Executive Director, may approve waiver requests on a temporary basis, pending review and approval of the Council at its next meeting. See VCJTC Rule No. 19(c). Moreover, your temporary approval, and the Council's final approval, of a waiver request can authorize the exercise of law enforcement authority prior to completion of all training required by such waiver approval. 20 V.S.A. § 2358(a).

My assumption is that the VCJTC has probably already faced a similar situation, where a certified full-time law enforcement officer from another state is seeking to waive into Vermont without completing the ordinarily required full-time basic training coursework (VCJTC Rule No. 8) or annual in-service training (VCJTC Rule No. 13). Prior practice should guide the Council's efforts in establishing the conditions of any such waiver in this instance.

Thank you.

Jacob A. Humbert
Assistant Attorney General
General Counsel and Administrative Law Division
Office of the Vermont Attorney General
109 State Street
Montpelier, VT 05609
T: (802) 828-3171
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From: Gauthier, Richard [mailto:Richard.Gauthier@state.vt.us]
Sent: Friday, June 24, 2011 8:59 AM
To: Jacob Humbert
Cc: 'jdamiata@vlct.org'
Subject: Waiver Question
Sensitivity: Confidential

Good morning,

I have an interesting scenario in front of me, and I'm looking for a little advice/opinion.

The town of Woodstock is hiring an individual as their new police chief. This person, Rob Blish, was full time certified in VT with Springfield PD until 1995, when he moved to Florida. Florida put him through their waiver process, and he became, and remains currently, full time certified in FL.

Our initial impression in-house is that he would have to complete Phase 1 of the waiver process and whatever trainings the committee deems necessary in addition; as ED, I can temporarily approve the waiver until the committee has a chance to look at the application. The question that Phillip Swanson, the TM in Woodstock, had was whether or not Blish could work as a law enforcement officer until he had the opportunity to attend the waiver class. The next class is scheduled in October, hence the rub. My initial impression was that he could, but I advised Swanson I wanted to get him an accurate response before they put anything in motion.

Thoughts?

Rick Gauthier

Richard Gauthier, MJA
Executive Director
Vermont Criminal Justice Training Council
317 Academy Road
Pittsford, VT 05763
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802-342-6310 (Cell)