

VERMONT CRIMINAL JUSTICE TRAINING COUNCIL
SEPTEMBER 13, 2016
PITTSFORD, VERMONT
9:00 AM

Members in Attendance

Chief Christopher Brickell, Chair, Vermont Association of Chiefs of Police
Major William Sheets, Vice Chair, Proxy for DPS Commissioner, Vermont State Police
Executive Director Richard Gauthier, Vermont Criminal Justice Training Council
Director William Elovirta, Proxy for Commissioner Robert Ide, Vermont Dept of Motor Vehicles
John Treadwell, Vermont Attorney General's Office
David Fenster, Vermont State's Attorney & Sheriffs' Office
Heather Simons, Proxy for Commissioner Lisa Menard, Vermont Department of Corrections
Gary Moore, Public Seat
Justin Stedman, Proxy for Colonel Jason Batchelder, Vermont Department
of Fish & Wildlife
Captain Mike Major, Vermont Police Association
Sheriff Steven Benard, Vermont Sheriff's Association

Other Attendance

Cindy Taylor-Patch, Vermont Police Academy
John Gonyea, Vermont Police Academy
Gail Williams, Vermont Police Academy
Ingrid Jonas, Vermont State Police
James Whitcomb, Vermont State Police
Bill Sorrell, Vermont Attorney General's Office

Chief Brickell: Called the meeting to order at 9:06.

Approval of Prior Minutes: A motion was made by Gary Moore, second by Captain Major, to approve the June 14, 2016, meeting minutes. There was no discussion, motion passed.

Guest Speakers:

Ingrid Jonas was introduced to the Council. She spoke to the Council about the Fair and Impartial Policing data that has been collected since 2010, by State Police. VSP, along with North East University and UVM, have been reviewing the data. The data has been used to identify disparities and has shown that VSP has been more successful than other states with the research from the collection of this data. The results of the data are used to point VSP in which direction to take a closer look. They will continue to collect the data and keep track of the data in house. Ingrid explained the creation of a subcommittee made up of law enforcement leaders, citizens, activists, educators, and legislators that will help guide VSP with the community outreach that is needed, as well as the creation of a subcommittee to help provide

guidance for recruitment. VSP has mandated a one-day training dedicated to Fair and Partial Policing for all members.

Major Sheets stated that he thought the Academy was being unfairly targeted by agencies concerning fair and impartial policing training, among other training. He pointed out an article in VT Digger and explained that when there are disparity issues within an agency it is easy to say there is a lack of training. In this case the assertion from the agency head was that there was a lack of training by the Academy related to Fair and Impartial Policing. Major Sheets said the individual that was quoted in the article had never been to a Council meeting, has not tried to contact the Chair, Vice Chair, or Executive Director.

Bill Sorrell also spoke to the Council about 21st Century Policing, the transparency on law enforcement, and involvement from citizens of the community on training for law enforcement. Due to the perception of law enforcement being a closed group it has been decided that creating an informal group with law enforcement participation, that is not dominated by law enforcement, to meet to address the issues related to Fair and Impartial Policing and unconscious bias. There are commitments from Rep. Morris, Sen. Tim Ash, Head of Human Rights Karen Richards, ACLU representative, Curtis Reed, Michael Schirling, US Attorney Eric Miller, BPD, and VSP to participate in this group. The group will meet and report to the Council at the Dec meeting. The group provides an opportunity for citizen input, but law enforcement will also have an opportunity to speak at the meeting. This is a chance for public discussion, conversations, and recommendations on trainings and opportunities. Chief Brickell suggested if Burlington PD and VSP were on the committee, the Chiefs and Sheriffs should have representation as well. Discussion around the make-up of the committee ensued. Major Sheets suggested the group eliminate VSP and Burlington PD so as to leave law enforcement off the committee. Bill and the council agreed to the make-up of the committee, and to have active participation from Director Gauthier. There were questions about the name of the group. It was decided the Council email suggestions for the name to John Treadwell.

Break 1045-11:00

ARIDE Requirement: Director Gauthier did not have enough info at this point to discuss this topic. Cindy mentioned that the officers should have a little experience before taking the ARIDE training.

Canine Training Report: Motion was made by Director. Elovirta to accept as is, second by Sheriff Benard.

Training Report: Cindy reported to the Council that resources and staffing is still an issue for the Academy. Hartford PD's officers who have attended Crisis Intervention Team Response are not required to also take the Act 80 training. Chief Brickell asked for ball park hours for FTO training, Sheriff Benard said it is usually an average of 80-100 hours, Cindy is going to look it up to find the average for all agencies. The Academy has hired a Training Coordinator to fill Sara's position but she cannot start until December. Domestic Violence training is all set and has been sent, at this point if there are any problems it is a technical problem. Motion was made by Gary Moore to accept, second by Sheriff Benard.

Executive Director's report:

Level II-E Ratification: Motion by Capt Major to accept the approval, second by Director Elovirta to approve Level II-E certification for Chief Montgomery.

Enabling public participation: Director Gauthier has had conversations with Bill Sorrell and John Treadwell in regards to public participation in curriculum review and development, and where that placement would be best. Director Gauthier talked with Kiah Morris and she agrees citizen participation should be at the subcommittee level, that citizen review works best when there is a certain level of understanding and knowledge of law enforcement, and to open up the Council meeting and invite the public in. By moving the December Council meeting to Montpelier we can broadcast the meeting is open for individuals to come and start the discussion of overall view of the curriculum. December was chosen to get ahead of legislation coming back in. Council agreed to move the December 13th meeting to Montpelier.

Lunch 11:15-11:45

Law Enforcement Working Group: The third meeting was a month ago. What used to be Category A, B, and C is now Category A and B. Category A are criminal offenses and gross professional misconduct. Category B are offenses that involve the Council process. The group defined what constitutes an internal investigation process. Agencies will do their own investigation for a first offense of Category A, Gross Professional Misconduct, and determine an appropriate sanction, but must report it to the Academy for the officer's records. The Council may determine a sanction for second and subsequent offenses. Investigators will need to be certified by the Council. There was questions and discussion among the Council on how it would be handled for smaller agencies that do not have their own certified investigators and who would be responsible for costs when an investigator has to be hired. The anticipated number of these cases should be low, but the agency would be responsible for the cost.

Governance Committee meeting: John Gonyea gave an update on the capital construction for the east cottage. It will be insulated for the coming winter months. The committee agreed it would be best used for dorm space. John and Mike Skaza have been tasked with creating the job description and pay grade for a facility manager. The Committee has agreed to create a part-time or temp position to start with. John informed the Council that Mike Skaza will be providing an update on the PFOS clean-up for the underground water storage tanks. The permit has been completed for the new burn building for fire service.

Discussion with VSC: Major Sheets informed the council on the meeting with VSC. Starting next year, they could offer space for VCJTC's usage. It could possibly be used for a third academy or for in-service classes. There is talk of dropping the maximum number in the full-time to 30, but having a third academy to accommodate all the need for agencies. This is an ongoing discussion with VSC. Challenges for adding a third academy will include additional staff, agency participation for instructors, role players, evaluators, and there is not a driving pad or firing range on site. There will be a tour of their complex coordinated. For anyone wishing to take the tour contact Director Gauthier.

Blue Courage: The Blue Courage training in August had 16-17 attendees and went well. The week long training that was scheduled for September has been moved to the 2nd or 3rd week in February. Blue Courage training may be up to five days long, depending on the agency head's decision regarding the officer becoming a trainer.

Entrance Exam Test Prep: There has been discussion on having a test preparation day once a month to help applicants prepare for the written test. Math is the area that is being criticized. It has a failure rate of 15%, which is the same average as the other areas on the test. The purpose of the math section is to assess problem solving. Major Sheets does not believe the test measures what it takes to get someone in the front door, and thinks there should be a better way. He feels it would be beneficial to create a subcommittee to what other options are available. The testing process varies in other states as to what they use. The question was asked about the failure rate of minority testers compared to white testers. The data, according to John Gonyea, does not show the test to be biased and that the average score for minority testers is 72-76, but the number of minority testers is low for getting enough data which has been challenge. The demographic questions on the test ask about gender, race, age, education, military experience, previous police experience, English as primary or secondary language, etc. The Executive Director was tasked with putting together a subcommittee to take a look at the test, testing options, and demographic data.

New Business:

Race data reporting: September 1st was the deadline for agencies to report their race data to the Council or vendor selected by the Council. Director Gauthier spoke with Karen Jeanette at Crime Research, who got approval of a grant to fund it and she is happy to accept the data. This will be free to agencies as long as there is the grant. It will take a couple weeks for the grant process to work through, but in the meantime Karen is happy to accept submissions from agencies and will be getting ready to make it public as required by legislature. Director Gauthier asked Council member to remind their respective agencies, and he will make sure there is a link posted as to where this needs to go. In the meantime, if it is easier data can be sent to him and he will pass it on until the process is firmed up better. There were discussions on the format, whether the info can be exported from Spillman or Valcour. According to Karen as long as she gets the info she can convert it. Director Gauthier is going to check with Karen to see if she will be extracting the information or if it has to be submitted.

Motion to adjourn was made by Gary Moore, seconded by Director Elovirta.

Meeting adjourned at 1:45.