

**VERMONT DEPARTMENT OF PUBLIC SAFETY LAW
ENFORCEMENT ADVISORY BOARD**

**SUMMARY REPORT
2017**

The Law Enforcement Advisory Board advises the commissioner of public safety, the governor, and the general assembly on issues involving the cooperation and coordination of all agencies and constables that exercise law enforcement responsibilities.

Prepared by: DPS Law Enforcement Advisory Board

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LEAB Members

2017

Chair: Richard Gauthier, Executive Director, Vermont Criminal Justice Training Council

Vice-Chair: Sheriff William Bohnyak, Orange County Sheriff, Vermont Sheriffs' Association

Commissioner Thomas D. Anderson, Commissioner of the Department of Public Safety

Colonel Matthew Birmingham, Director of the Vermont State Police

Chief Jennifer Morrison, Colchester Police Department, Vermont Association of Chiefs of Police

Gwynn Zakov, Vermont League of Cities and Towns

John Treadwell, Attorney General's Office

Executive Director, State's Attorney & Sheriff's Office

Kraig LaPorte, U. S. Attorney's Office

Chief George Merkel, Vergennes Police Department, Vermont Police Association Representative

Matthew Valerio, Defender General's Office

Michael O'Neil, Vermont Troopers Association Representative

Constable Nelson Tift, Vice-President, Vermont Constable Association

SUMMARY REPORT 2017

INTRODUCTION

In 2004, the Vermont General Assembly created a Law Enforcement Advisory Board (LEAB) of the Department of Public Safety with authorizing language contained in T.24 V.S.A. § 1939. The purpose of the Board is to advise the Commissioner of Public Safety, the Governor, and the General Assembly on issues involving the cooperation and coordination of all agencies that exercise law enforcement responsibilities. Membership of the Board is set by statute. The current members are listed in appendix A.

In general, 2017 was a transition year for the LEAB that resulted in a lower volume of work than we normally put out. Most of the meetings involved reviews of past reports, current projects underway in other organizations, board composition, and an overall dedication to refocusing the importance of the LEAB to the law enforcement community and to the Vermont legislature, and the fulfillment of its legislative mandate as stated in 24 V.S.A. 1939.

Involvement with the Legislature

There exists among the LEAB members a general sense that the legislature does not pay particular attention to the annual reports as a body of work, though committees review the work done by the LEAB on specific tasks they have assigned the board in legislation.

There was also a recognition that legislators are extremely busy individuals who must deal with demands for their time and attention coming from numerous directions. It's the opinion of the Board that the Board needs to be proactive and take responsibility for promoting our services to the general assembly, as well as be more proactive in taking up topics that the membership believes legislators are going to face in an upcoming session.

Recommendation: That LEAB members individually and collectively promote the value of the LEAB to legislators and committees.

Board Composition

Attendance from representatives of the various organizations statutorily assigned to the Board has been consistent, with one exception: the Defender General's Office, which has not only failed to attend regularly, but has not attended at all in recent memory. Representatives from two organizations—VT Department of Fish and Wildlife, and the VT Department of Motor Vehicles—attend every meeting and provide valuable input regardless of the fact that they have no voting privileges.

Recommendation: The LEAB would recommend that the Defender General membership be revoked and DFW and DMV be added to the statutory list of members.

Issues Reviewed

Law Enforcement Services: The Senate Committee on Government Operations (SGO) scheduled a series of public meetings designed to take input from residents on the delivery of law enforcement services to their communities. LEAB members agreed to attend the meetings in their communities in order to hear the public input and determine if the LEAB could be of assistance to SGO moving forward. Members did attend the hearings and believed that the LEAB was well situated to examine many of the issues raised and make a report back to SGO.

Recommendation: That the LEAB examine the issues raised by the public hearings, as identified by SGO, and report the findings back to SGO and the general assembly.

Gender Identification: DMV was getting ready to update their licensing system and had received a request to add the gender identification letter “X” as a third option in addition to “M” and “F”. The Board took testimony from individuals representing the transgender community and from law enforcement associations represented in the Board membership or in attendance. None of the associations were opposed, though several were neutral. There was some discussion regarding whether or not the designator should be “N” instead of “X”, but the DMV ultimately decided to use “X” because that’s the designator used on passports.

Recommendation: None. The LEAB collectively remains neutral on this issue and would defer to the DMV.

License Plate Readers: DMV reported that the feedback from law enforcement is that LPRs are a helpful tool and DMV is researching costs to install a server. Commissioner Anderson noted that he has to provide a report to the Legislature based on the alerts and the outcomes. The Chiefs’ Association will draft a position sheet on why LPRs are important. Fish and Wildlife reviewed a situation where they benefited from the use of LPRs but due to the financial cost, will not obtain them. There is not a good way of capturing the data in the databases currently used. There are vendors that offer additional software to track alerts but the primary software does not have that ability. Another question asked was if it was because the data does not exist or officers are not collecting it. The response was that the data currently is not available.

Recommendation: That the LEAB continue to examine these issues and propose solutions as part of its 2018 business plan.

Dispatching: Currently, DPS is providing, at its own cost, dispatch services to 171 entities/agencies and sees three options:

- Maintain the status quo and continue paying for the services. This does involve some inequity, given that DPS dispatch services are supported by tax dollars and jurisdictions that pay for their own dispatch are also subsidizing the service for the 171 entities.
- Begin charging the 171 entities for dispatch services, using a formula yet to be determined.
- Stop dispatching for local entities altogether.

Suggestions for consideration included:

- Drafting a document defining the issues and the pros and cons of each potential solution after holding a brainstorming session among Board members and guests.
- Add a fourth option of dismantling all current dispatching and rebuilding it from scratch with a fair share hierarchy.

Recommendation: That the LEAB examine this issue in depth as part of its 2018 business plan.

As always, LEAB members would welcome an opportunity to offer testimony and answer any questions regarding any subject in this report.

Respectfully submitted,

Richard Gauthier, Executive Director
Vermont Criminal Justice Training Council
2017 Chair, LEAB