

Law Enforcement Advisory Board Meeting
Minutes of Meeting
October 24, 2013

- Rick Gauthier called the meeting to order at 1:03 pm with Board members: Jim Leene, Glen Button, Tom L'Esperance, Cindy Maguire, Jim Hughes, Michael O'Neil and non-board members Drew Bloom, Evan Meenan, David LeCours, Mike Henry and Suellen Royea present.
- **Minutes from August 22, 2013 meeting:** Jim Hughes moved to accept the minutes as written. Motion seconded by Glen Button. Motion carried.
- **Old Business:**
 - Review of the Model ECD Policy: Rick Gauthier introduced the review of the model ECD policy and noted that Drew Bloom was here to help answer questions. Cindy Maguire updated the group that a draft has been developed, but more work is still needed before it is ready for a Board review. She noted that some additional discussions with municipal agencies are still needed and that Evan Meenan helped write the draft. She described that many of the current policies were reviewed and the best pieces were used to draft this policy. The sub-committee's goal is for a final draft before the end of the year and for the board to adopt/not adopt the policy. One question Cindy posed to the Board was about how and to whom we disseminate this before the board decides. Cindy displayed a copy of the draft on the Smart Board highlighting that deployment, special populations and special considerations were topics the sub-committee discussed at length; that there are five (5) sections in the Policy (Definitions, Use of Force in General, Use and Deployment Procedures, Post Deployment Procedures, and Training Requirements); the term "less-lethal law enforcement tools" was used in the Introduction; and that the Academy has agreed to have a spot on their website for agencies to report/view regarding the Accountability provision. There was some discussion regarding the impact and how this policy follows other policies. Drew, Mike and Evan shared their thoughts. It was noted that some additional discussion will occur at the sub-committee level. (Keith Clark arrived at 1:36 pm).

Some discussions were held about how best to get municipal agencies participation/input. Some suggestions included drafting key components along with a suggested policy, law enforcement agencies coming up with some real-life situations that occur, sharing the draft policy with Brattleboro, UVM, Burlington Police Departments and Vermont State Police for review, ask the ACLU to review and comment on the draft policy, and discuss the policy at the Sheriff/Chief's meeting in December. The timeline will be for the sub-committee to finalize the draft, hold a conference call with the LEAB Board, attend and review the draft at the Sheriff/Chief's

meeting, and then hold the next LEAB meeting. Colonel L'Esperance thanked the sub-committee for their work on this.

- Project Innocence/Eyewitness Identification: Rick Gauthier reviewed some history about some language Project Innocence was proposing, the Academy's summit, and the train-the-trainer event the Academy sponsored a couple years ago. He reported that Rebecca Brown called late last week and provided an eyewitness identification model policy that they would like all agencies to adopt by January 2015. The proposed legislation identified the categories and even went into the procedure for law enforcement to use. Rick reviewed some concerns and suggested that we review the LEAB's report from a couple of years ago and include it in our annual report. There was some discussion held regarding cases based solely on eyewitness identifications and live versus photo lineups.
- Annual Report: Rick Gauthier offered to start to pull together a draft annual report for submission for the December meeting. Cindy Maguire offered to put together a little report of the subcommittee to be included. There was a brief review of the timing and the next full LEAB meeting will be on Monday, December 23, 2013 from 1:00 – 3:00. Cindy Maguire offered to get the policy information to the Chiefs for their review. The conference call for the sub-committee was scheduled for Monday, October 28, 2013 at 10:00. Cindy will send out a draft and email.
- **New Business:**
 - Election of Chair/Vice-Chair for 2014-2015: Rick Gauthier noted that the Chair and Vice-Chair's terms expire the end of December 2013. Some suggestions were discussed along with reviewing the by-laws.
- **Adjournment**: Keith Clark moved to adjourn. Meeting adjourned at 2:15 pm.