

Law Enforcement Advisory Board Meeting
DPS Headquarters, Lab Classroom, Waterbury VT
Minutes of Meeting
December 15, 2015

- Chairman Rick Gauthier called the meeting to order at 1:01 pm with Nelson Tift, Vermont Constable Association; Michael Major, VPA/Chittenden County Sheriff; George Scribner, F&W; Jennifer Morrison, VT Chiefs/Colchester PD (via conference call); Jim Leene, US Attorney office, Captain James Whitcomb, VSP; and Suellen Royea present. Rick noted that a quorum was present.
- **Review of Minutes from February 19, 2015; April 16, 2015; June 18, 2015; and October 15, 2015 Meetings:** Jim Leene made a motion to accept the February, April, June and October meeting minutes. The motion was seconded by Michael Major. The motion carried.
- **Old Business:**
 - **Review Annual Report:** Rick Gauthier noted the draft of the annual report was sent out for review. A question was asked about what the Legislature may ask the Board to review next year. No new topics were known at this time. A suggestion was made that this group be represented on the Governor's Substance Abuse Cabinet as they are tasked with dispensing asset forfeiture funds. Their next meeting is scheduled for December 21, 2015 at 1:30 pm. Chief Morrison offered to follow up. There was an inquiry about the CEW forms on the VPA's website and whether or not they needed to be completed when displayed and upon deployment. It was thought that the form would only have to be completed when deployed. Rick Gauthier will review the Board's final decision. It was noted that agencies may want the data on the number of times a CEW is displayed for in-house purposes and that the number of actual deployments would be for public transparency. (Michael O'Neil arrived at 1:13 pm.) **Michael Major made a motion to accept the annual report. Nelson Tift seconded the motion. The motion carried.**
 - **Carryover for 2016:** Rick Gauthier explained that he forwarded Connecticut's Body Camera model policy for informational purposes. The creation of subcommittees was left over from this year. The CEW policy is also something that we need to review each year. He felt that the only potential substantive change to the CEW policy would be if a CEW calibration station is purchased and received.

There was some discussion regarding the bias free policy. Rick Gauthier reviewed that there are three (3) policies (the Attorney General's, Vermont State Police, and Vermont League of Cities and Towns) with the essential elements and that the statute compels agencies to adopt a policy that meets the Council policy requirements. A meeting scheduled for Thursday hopefully will clarify the purpose of the Council's policy. A

couple of suggestions included: the council saying these 3 policies are acceptable or for the Academy to add some language about the academy and training.

Officer involved shooting project: Jim Leene recapped the project; NY City Police Department created a shooting review report and Paco suggested looking at a data set of possibly 5 years and draw some conclusions. We were going to look at NYCPD's report, methodology, and possibly the criteria used to establish if it was justifiable or not.

There was some discussion about the number of different groups looking at potential law enforcement issues, their membership, and our role. Jen Morrison gave an example of a meeting to review the number of folks incarcerated that she attended. A suggestion was made to re-education the legislature and law enforcement agencies on our mission. Suggestions of some ways to do this included: putting together a memo about the Board highlighting some of our work with a copy of the law establishing the Board and to meet with members of the Senate and House Government Ops and Judiciary committees. It was noted that if this group does not get utilized, maybe it should be disbanded.

- **Election of officers:** Rick Gauthier noted that there have been only two (2) chairs (Paco and Rick) that have been alternating the positions and feels that it is time for someone new. He noted that Michael Major has expressed some interest in Chairing the Board if Rick would stay on as Vice-Chair. **Michael O'Neil made a motion to elect Michael Major as Chair and Rick Gauthier as Vice-Chair. The motion was seconded by Jim Whitcomb/Nelson Tift. The motion carried.**
- Rick Gauthier noted that there is a proposed bill regarding professional conduct that includes adding Fish & Wildlife and the Motor Vehicles to this Board as voting members. **Michael Major made motion to adjourn. The motion seconded by Jim Whitcomb/Nelson Tift. Meeting adjourned at 1:41 pm.**