

VERMONT DEPARTMENT OF PUBLIC SAFETY
LAW ENFORCEMENT ADVISORY BOARD



SUMMARY REPORT 2005

ADVISING THE COMMISSIONER OF PUBLIC SAFETY, THE GOVERNOR, THE GENERAL ASSEMBLY ON ISSUES THAT AFFECT THE COOPERATION AND COORDINATION OF MORE THAN ONE LAW ENFORCEMENT AGENCY.

Prepared by: DPS Law Enforcement Advisory Board
Francis X. Aumand III, Chair
Capt. Scott Tucker, Vice-Chair

Date: January 15, 2006

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SUMMARY REPORT 2005

INTRODUCTION

The 2004 Vermont General Assembly passed, as part of the appropriations act, language that authorized the creation of a law enforcement advisory board with the Department of Public Safety. Its purpose is to advise the Commissioner of Public Safety, the Governor, and the General Assembly on issues involving the cooperation and coordination of all agencies which exercise law enforcement responsibilities. The members of this board are stipulated by the legislation and are listed in appendix A.

The law enforcement advisory board of the Department of Public Safety met on April 6th, September 7th, October 5th, November 3rd, December 7th of 2005 and January 4th, 2006.

All statutory change in the board's make up was made by the legislature in 2005. The General Assembly added one new member to the board. This member was one employee-representative of the Vermont state police, appointed by the director of the Vermont state employees' association. Also, the board was given the following tasks to work on during 2005.

(f) In order to achieve better coordination of all law enforcement resources in the state, the law enforcement advisory board created pursuant to 24 V.S.A. § 1939 shall study the relationship between the state police and local coverage to ensure effective coverage in a cost-effective manner for Vermonters. Specifically it shall:

(1) Develop a list of the duties of the department of public safety that cover the entire state such as the crime lab, special investigations, and the mission and duties of the state police;

(2) Review the state police coverage and state and local public safety relationships in other states such as New Hampshire and Connecticut, including a review of models that require communities with over 3,500 in population to provide or pay for their law enforcement;

(3) Develop ideas for several pilot projects that use local law enforcement to enhance day-to-day coverage and free the state police to focus on its mission and statewide responsibilities;

(4) Submit recommendations to the house and senate committees on judiciary and appropriations as part of its annual budget submission to the general assembly in January 2006.

(b) The department of public safety shall submit a plan for development of a statewide public safety communications system to the house and senate committees on appropriations and government operations and the joint fiscal committee. No funds are to be expended for design, acquisition, or

implementation of a new statewide public safety communications system pending review by the aforementioned committees and approval by the joint fiscal committee.

(c) The law enforcement advisory board is requested to include comments and recommendations on the proposed statewide public safety communications system in its next report to the governor and the general assembly.

Therefore the following topics were identified from the above legislation along with some left over from 2004 and discussed by the Board during their meetings in 2005.

1. Rural law enforcement
2. Public Safety Communications System
3. Police officer recruitment, retention and retirement.
4. Bias Policing Policy
5. Loss of Federal Funding and its impact on law enforcement.
6. law Enforcement Information Technology Needs Assessment.

This report will focus on the above issues. A continued discussion on these matters and others will be the focus of the Boards work in 2006.

RURAL LAW ENFORCEMENT

The board has been asked to address several issues that might improve rural policing. The board's statutory responsibilities surrounding this issue are to:

- Develop a list of the duties of the department of public safety that cover the entire state such as the crime lab, special investigations, and the mission and duties of the state police;
- Review the state police coverage and state and local public safety relationships in other states such as New Hampshire and Connecticut, including a review of models that require communities with over 3,500 in population to provide or pay for their law enforcement;
- Develop ideas for several pilot projects that use local law enforcement to enhance day-to-day coverage and free the state police to focus on its mission and statewide responsibilities;
- Submit recommendations to the house and senate committees on judiciary and appropriations as part of its annual budget submission to the general assembly in January 2006

This report section will follow the bulleted format from above.

Develop a list of the duties of the department of public safety that cover the entire state such as the crime lab, special investigations, and the mission and duties of the state police.

The Department of Public Safety has prepared a list of duties which are included within attachment F of this report. The reader should note that one of the duties of the Vermont State Police is to act as the primary law enforcement response to all communities that do not have a local police agency or services from a sheriff's office. Further, the mission of the Field force division of the Vermont State Police is to investigate, detect, and apprehend individual that have violated the laws of the State of

Vermont and to advance community policing concepts through the use of community advisory boards.

Review the state police coverage and state and local public safety relationships in other states such as New Hampshire and Connecticut, including a review of models that require communities with over 3,500 in population to provide or pay for their law enforcement.

The Vermont was asked to review how state police in New Hampshire and Connecticut interact with local communities to provide coverage. The LEAB heard from the Lt. Kevin Anderson, VSP, regarding the approach to policing in New Hampshire and from Lt. Tim Oliver, VSP, regarding Connecticut's approach to policing. Information from each of them is contained in appendix D (Connecticut) and appendix E (New Hampshire).

The Connecticut State Police started the Resident Trooper Program in 1947. Connecticut has 169 towns. In 81 of these towns, the primary law enforcement responsibility falls on the CSP. Of these 81 towns, the CSP has Resident Troopers in 59 towns. The remainder of these towns is covered by local Police Departments, (88 towns).. The towns in Connecticut pay for 70% of the cost of the program, to include car, insurance, equipment, etc. The state picks up the remaining 30%. It should be noted that there is no county government in Connecticut, and thus there are no Sheriffs, except in some circumstances they assist in court. This program works very well because of the subsidy that is offered to communities that are not large enough to afford law enforcement coverage but also because there is only a two tier law enforcement system in Connecticut. Connecticut has only State Police and local/city police agencies.

The following is a summary of information received about current policing practices in the State of New Hampshire.

- * Population Statute – Any town having a population less than 3,000 will be covered by the New Hampshire State Police.
- * Towns with population under 3,000 can hire a Police Chief. Said Chief has the option of taking police calls or referring them to the State Police.
- * County Sheriff can sign contract with town to be Police Chief and can also refer cases to the State Police if town population is fewer than 3,000.
- * Police Officers only have arrest powers in town of employment.
- * New Hampshire is seeing a trend towards regionalizing police services.
Example – Cheshire County is trying to put together a county run tactical support team and has recently gone to regional law enforcement dispatching. This is currently run by Cheshire County Sheriff's Department.
- * Local departments handle dog complaints. New Hampshire State Police does not handle dog complaints.
- * If a New Hampshire town hires the Sheriff's Department for services and deputy is not available, the State Police must handle the call.

* There is a New Hampshire statute that requires State Police to assist local departments if requested to.

* In towns with a population over 3000 the State Police must get permission from local Government or Police Chief to start investigations.

Develop ideas for several pilot projects that use local law enforcement to enhance day-to-day coverage and free the state police to focus on its mission and statewide responsibilities.

The law enforcement advisory board discussed several suggestions for pilot projects. They included:

- Regional Policing

The concept of regional policing seemed to develop some interest among board members. An idea developed that focused on the state offering a subsidy for the startup of a regional approach. It was felt that if the State was offered a subsidy then the State should establish some standards that communities needed to adhere to. The board members felt that they should not establish the exact standards but could offer guidance as to what the standards should entail. It was felt the Criminal Justice Training Council might be the body that set the standards and the Department of Public Safety would be the granting authority. This approach might offer a shared state responsibility for implementing a new policing approach. This idea was also a product of the Windham Foundation report on Public Safety 2000. Some of the standards that were discussed include;

- Police *coverage would need to be 24 hours,*
- *officers involved would have to meet minimum training standards* which are to be determined,
- the police coverage should be *full service coverage,*
- the policing concept should be accomplished *regional,*
- the communities should commit to sustaining the seeded police coverage. sustainability would be an issue,
- A period of time should be determined for the project to be subsidized and then an evaluation should be conducted to determine the effectiveness of the pilot project.

- Resident Police Officer

The idea of a resident trooper or other law enforcement officer received attention from the LEAB members. The resident trooper idea is one that was recommended in a 1979 study entitled “A study of the services and practices of the Vermont Department of Public Safety”, Management Summary. This idea should be expanded to suggest that any community or communities could look towards available law enforcement agencies for support in creating a resident police officer. Communities should be allowed the flexibility to hire whom they wish within their area. This may be a trooper, a deputy sheriff or band together to hire a police officer. While our charge was to look towards local law enforcement to free up state police we found that qualifications of available police vary from region to region within

Vermont. Therefore we feel that communities should be encouraged to hire whom ever they feel will meet the needs of that community.

- o Increased cooperation between law enforcement

The LEAB felt that having someone in a geographical area, such as a station commander, troop commander or sheriff, ensure there is coordination and awareness of law enforcement schedules and coverage within this area. Agreements would also be entered into outlining who would respond to what calls. A program of this type is being initiated with Troop B of the Vermont State Police, see appendix H.

[Insert detailed information from VLCT memo about what communities want]

Submit recommendations to the house and senate committees on judiciary and appropriations as part of its annual budget submission to the general assembly in January 2006.

The Law Enforcement Advisory Board offers the following recommendations.

Recommendation:

1. Continued support for jurisdictional cooperation as is modeled by the activities in the Derby, St. Johnsbury and Essex County area.
2. The professionalism of Sheriff's Departments should be increased. This will require the State to fund parts of the Sherrif's programs that provide statewide service and law enforcement duties. In-service training funds should be provided to enhance the quality of law enforcement services provided by Sheriff's. Also training to enhance the office of Sheriff should be mandated/
3. Communities should be encouraged to provide for enhanced quality of live policing that they require. A solution for them should be to hire or contract with an agency to provide a resident police officer..
4. The role of the State Police and Sheriff's should be defined. The role of the State Police is the primary definition that should be sought. The law enforcement duties of the Department of Public Safety have not changed since the inception of the department in 1947.

Action Needed:

The legislature should work to define the roles of law enforcement in Vermont, specifically the role of the Department of Public Safety as it pertains to law enforcement.

The legislature should provide training funding for sheriff's and work toward improving the level of professionalism of the office of Sheriff.

The law enforcement ~~advisory~~ advisory board should continue to develop its publication on the "status quo" of law enforcement options available to communities and distribute this publication to communities. They should offer to work with communities to educate them on what policing options are available to them.

The law enforcement advisory board should continue the work started on this issue by further looking into how police services is provided for in other states. They should also work on providing draft recommendation for the legislature on defining the role of State Police and Sheriff's.

LOSS OF FEDERAL FUNDING AND ITS IMPACT ON LAW ENFORCEMENT.

Recommendation:

Action needed:

BIAS FREE POLICING POLICY

Recommendation:

Action Needed:

LAW ENFORCMENT INFORMATION NEEDS ASSESMENT

Recommendation:

Action Needed:

RECRUITMENT, RETENTION AND RETIREMENT

Recommendation:

Action Needed:

APPENDIX A

List of Advisory Board Members

Name	Department	Address	State, City, Zip
Kerry L. Sleeper Commissioner	Department of Public Safety	103 South Main Street	Waterbury, Vermont 05671-2101
Colonel Thomas A. Powlovich	Vermont State Police	103 South Main Street	Waterbury, Vermont 05671-2101
Francis X. Aumand, III Director CHAIR	Criminal Justice Services	103 South Main Street	Waterbury, Vermont 05671-2101
Matt Valerio, Defender General	Office of Defender General	14-16- Baldwin Street	Montpelier, Vermont 05602-3301
US Attorney David Kirby James Leene, alternate	Office of the US Attorney	P. O. Box 570	Burlington, Vermont 05402
John Treadwell Assist A.G.	Office of the Attorney General	109 State Street	Montpelier, Vermont 05609-1001
Sheriff Kevin McLaughlin Vermont Sheriff's Association	Chittenden county Sheriff's Office	PO Box 1426	Burlington, Vermont 05402
Capt Scott Tucker Vermont Police Association VICE-CHAIR	Rutland Police Department	108 Wales Street	Rutland, Vermont 05701
Karen Horn	Vermont League of Cities & Towns	89 Main St, Suite 4	Montpelier, Vermont 05602-2948
Bob Simpson, Esq. Dept of State's Attorney & Sheriffs	Chittenden County State's Attorney	32 Cherry Street, Suite 305	Burlington VT 05401
Chief Rick Gauthier Chief of Police Assoc.	Bennington Police Department	P. O. Box 1563	Bennington, Vermont 05201
R. J. Elrick, Exec. Director	Vt Criminal Justice Training Council	317 Sanitorium Road	Pittsford, Vermont 05763
Sgt. William Harkness VSPU	Vermont State Police - Bethel	RR 1 Box 186	Bethel, Vermont 05032

APPENDIX B

**Vermont Department of Public Safety
Law Enforcement Advisory Board
Business Plan
2005**

PURPOSE – What is our purpose?

As defined in the 24 V.S.A. § 1939 and by the members of the Law Enforcement Advisory Board the mission of the group is as follows;

To advise and report to the Commissioner of Public Safety, the Governor, the General Assembly on issues that affect the cooperation and coordination of more than one law enforcement agency.

GOAL – What are we working towards?

Given monies available, the Board shall review *policies* and *practices* in an effort of developing a *comprehensive approach* to providing the best policing services to Vermonters.

The Board shall also provide *educational resources* to Vermonters about public safety challenges in the state.

The Board shall develop *policies and recommendations* for law enforcement priority needs.

TASKS – What should the Board review?

Statutorily mentioned tasks include;

- Retirement benefits,
- Recruitment of officers,
- training needs,
- homeland security issues,
- dispatching, and
- Comprehensive drug enforcement.

Other tasks deemed important by the Board should also be reviewed. It is expected that issues or tasks may arise at any time and may be brought before the Board for resolution.

OUTCOMES – What are we going to produce?

The Board shall hold a formal review process to meet the above goals and tasks. A *report* shall be produced in brief summary to the General Assembly and Governor annually by January 15th. A *formal review process* shall include testimony from interested parties, if deemed necessary by the Board, or a thorough discussion of the issues/tasks followed by a recommendation made and voted on by the Board.

ORGANIZATION– What is the make up of the Board and how does it operate?

The Board is made up of the following;

- Commissioner of the Department of Public Safety (DPS)
- Director of the Vermont State Police (VSP)

- Director of the DPS/ Division of Criminal Justice Services (CJS)
- A member of the Vermont Association of Chiefs of Police appointed by the president.
- A member of the Vermont Sheriffs' Association appointed by the president
- A representative from the Vermont Leagues of Cities and Towns (VLCT) appointed by the Executive Director.
- A member of the Vermont Police Association appointed by the president.
- The Attorney General or his/her designee.
- A state's attorney appointed by the Executive Director of the Department of State's Attorneys and Sheriffs.
- The U.S. Attorney or his/her designee.
- The Executive Director of the Vermont Criminal Justice Training Council (VCJTC).
- The Defender General or his/her designee.
- One employee-representative of the Vermont state police, appointed by the director of the Vermont state employees' association.

The Board shall elect a chair and vice-chair who will serve for two years.

A quorum shall consist of 6 members.

Decisions of the Board shall require a majority vote.

Action Plan for 2005-2006

The Board shall meet minimum of six (6) times in 2005.

The Board shall begin discussing the following issues with the outcome being to document the issue and offer recommendations to help solve the problem. These issues are in priority order.

7. Police officer recruitment, retention and retirement.

- *Conduct a comprehensive statewide study of police officer retention.*
A contractor will be hired to conduct the study which will include a follow up of the 1990 study, a study of all levels of law enforcement in the state.

TASKS

Develop and RFP and execute a contract with a consultant for the study.

Work, as necessary, with the consultant to meet the objectives and scope of work outlined in the contract.

8. Rural Law Enforcement issues

- *Review the state police coverage and state and local public safety relationships in other states such as New Hampshire and Connecticut, including a review of models that require communities with over 3,500 in population to provide or pay for their law enforcement.*
- *Develop ideas for several pilot projects that use local law enforcement to enhance day-to-day coverage and free the state police to focus on its mission and statewide responsibilities.*
- *Recommendation shall be submitted to the House and Senate committees on Judiciary and Appropriations as part of the Department of Public Safety's annual budget submission.*
40 *These recommendations will be made to the Commissioner who will include them in the FY 07 budget.*

TASKS

A white paper or other easily read document will be produced that can be distributed to municipalities illustrating the available options they have to increase police coverage in the jurisdiction.

DPS will develop a list a list of the duties of the department of public safety that cover the entire state such as the crime lab, special investigations, and the mission and duties of the state police and present it to the LEAB for comment.

The Vermont State Police will be asked to review the state police coverage and state and local public safety relationships in other states such as New Hampshire and Connecticut, including a review of models that require communities with over 3,500 in population to provide or pay for their law enforcement and present their findings to the LEAB. The LEAB will determine what other information will be needed to further the study mentioned above.

The LEAB will take testimony from interested parties in an effort to develop ideas for several pilot projects that use local law enforcement to enhance day-to-day coverage and free the state police to focus on its mission and statewide responsibilities and submit these recommendations to the Commissioner of Public Safety.

9. Statewide public safety communications system

- *Review study and include comments and recommendations in the 2005 annual report.*

10. Dispatching Issues and costs

- *Review the communications study being conducted and include comments in the 2005 annual report.*

TASKS

Ensure the LEAB receives copies of the study being conducted for both a new statewide communications system and dispatching and that the LEAB offers comments regarding the report and the project.

Review the E 9-1-1 experience.

11. Law Enforcement Information sharing – bringing disparate systems together and general IT issues.

- *Participate in the DPS/CJS IT needs assessment and include comments on the outcome in the 2005 annual report.*

TASKS

The Chair will assign two members to participate in the development of the IT needs assessment process. LEAB shall be briefed as necessary to ensure that the group has input and offers guidance on the future of information technology in statewide law enforcement.

The final needs assessment shall be vetted through the LEAB for comment and inclusion in the boards annual report.

12. Racial Profiling/Bias in Policing policy development and recommendation.

13. Loss of Federal Funding and its impact on law enforcement.

14. Criminal Justice Integration System (CJIS) – Development

15. Vermont Forensic Lab – the need to maintain accreditation.

16. Datamaster Replacement Program.

17. Other issues of importance that are brought to our attention

APPENDIX C

Statutory Language as passed in the legislative session of 2004

Sec. 85e. 24 V.S.A. § 1939 is added to read:

§ 1939. LAW ENFORCEMENT ADVISORY BOARD

(a) A law enforcement advisory board is created within the department of public safety to advise the commissioner of public safety, the governor, and the general assembly on issues involving the cooperation and coordination of all agencies which exercise law enforcement responsibilities. The board shall review any matter which affects more than one law enforcement agency. The board shall comprise the following members:

- (1) the commissioner of the department of public safety;
- (2) the director of the Vermont state police;
- (3) the director of the Vermont criminal justice support division;
- (4) a member of the Vermont association of chiefs of police appointed by the president of the association;
- (5) a member of the Vermont sheriffs' association appointed by the president of the association;
- (6) a representative appointed by the Vermont league of cities and towns appointed by the executive director;
- (7) a member of the Vermont police association appointed by the president of the association;
- (8) the attorney general or his or her designee;
- (9) a state's attorney appointed by the executive director of the department of state's attorneys and sheriffs;
- (10) the U.S. attorney or his or her designee;
- (11) the executive director of the Vermont criminal justice training council; and
- (12) the defender general or his or her designee.

(b) The board shall elect a chair and a vice chair which shall rotate among the various member representatives. Each member shall serve a term of two years. The board shall meet at the call of the chair. A quorum shall consist of six members, and decisions of the board shall require the approval of a majority of those members present and voting.

(c) The board shall undertake an ongoing formal review process of law enforcement policies and practices with a goal of developing a comprehensive approach to providing the best services to Vermonters, given monies available. The board shall also provide educational resources to Vermonters about public safety challenges in the state.

(d) The board shall meet no fewer than six times a year to develop policies and recommendations for law enforcement priority needs, including retirement benefits, recruitment of officers, training needs, homeland security issues, dispatching, and comprehensive drug enforcement. The board shall present its findings and recommendations in brief summary to the general assembly and the governor annually by January 15.

Amendments to the Statutory Authority of the LEAB as passed in the 2005 legislative session

Sec. 81a. 24 V.S.A. § 1939(a) is amended to read:

(a) A law enforcement advisory board is created within the department of public safety to advise the commissioner of public safety, the governor, and the general assembly on issues involving the cooperation and coordination of all agencies which exercise law enforcement responsibilities. The board shall review any matter which affects more than one law enforcement agency. The board shall comprise the following members:

(1) the commissioner of the department of public safety;

* * *

(11) the executive director of the Vermont criminal justice training council; ~~and~~

(12) the defender general or his or her designee; and

(13) one employee-representative of the Vermont state police, appointed by the director of the Vermont state employees' association.

The following is session law and is contained in the appropriations Act for FY 06

(f) In order to achieve better coordination of all law enforcement resources in the state, the law enforcement advisory board created pursuant to 24 V.S.A. § 1939 shall study the relationship between the state police and local coverage to ensure effective coverage in a cost-effective manner for Vermonters. Specifically it shall:

(1) Develop a list of the duties of the department of public safety that cover the entire state such as the crime lab, special investigations, and the mission and duties of the state police;

(2) Review the state police coverage and state and local public safety relationships in other states such as New Hampshire and Connecticut, including a review of models that require communities with over 3,500 in population to provide or pay for their law enforcement;

(3) Develop ideas for several pilot projects that use local law enforcement to enhance day-to-day coverage and free the state police to focus on its mission and statewide responsibilities;

(5) Submit recommendations to the house and senate committees on judiciary and appropriations as part of its annual budget submission to the general assembly in January 2006.

(b) The department of public safety shall submit a plan for development of a statewide public safety communications system to the house and senate committees on appropriations and government operations and the joint fiscal committee. No funds are to be expended for design, acquisition, or implementation of a new statewide public safety communications system pending review by the aforementioned committees and approval by the joint fiscal committee.

(c) The law enforcement advisory board is requested to include comments and recommendations on the proposed statewide public safety communications system in its next report to the governor and the general assembly.

APPENDIX D

Law Enforcement Advisory Board Comparison CONNECTICUT

Det. /Lt. Tim Oliver

The purpose of this report is to document the policies and procedures utilized by Law Enforcement agencies in the state of Connecticut. This report will document the research done to determine what policies work and what policies may need improvement. Three agencies were visited during this research in Connecticut, to include five separate resident Troopers from the CT. State Police. Police Chiefs, Community Based Police Officers, Select Persons and other individuals were spoken to in order to gather this information.

The following information documents the conversations with these individuals.

**Anthony “Tony” Bondi-1st Selectman, Haddam, CT
(860) 345-8531**

Mr. Haddam advised me that he has been the 1st Selectman in the town of Haddam for the past 6 years. He advised me that the hardest hurdle his town faces with regards to law enforcement was appropriate funding for the Resident Trooper Program. He advised that Haddam has had a RT for the past 25 years and that he is immensely pleased with the results. He advised that he remembered when the town was covered by a Constable, and that there was nothing but trouble then.

He advised further that the Connecticut State provides a great service to all of the state, and specifically to towns covered by the RT program, but he felt that the CSP was severely hindered by state politicians who cut funding at the most inappropriate times. He said that funding needs to be more adequate or safety is at stake. He described the Government of Connecticut as “cheapskates”. He said it was no wonder that everyone complained about a lack of service. He did add the caveat that everyone realized it was not the CSP’s fault, but that it lay on the shoulders of the government.

He went on to say that he felt that without the RT program, his specific town would have severe issues with crime. He thoroughly endorsed this program.

**Chief Gary Tyler-South Windsor Police Department
Chief of Police
(860) 648-6202**

**Sergeant Richard Riggs-South Windsor Police Department
Community Based Police Officer
(860) 648-6256**

Chief Tyler has been the Chief of South Windsor, CT Police Department for the past 18 years. He advised me that he has a community of 22,900 people. Chief Tyler advised me that when he took over as chief, he realized that there were two ways in which police officers can work. These were Militaristic or Service Oriented. He advised me that he decided to go the service oriented way and that it has been overwhelmingly successful. He said that he felt a little resistance from his officers initially, but that now he has the support of his officers.

He advised that one of the biggest hurdles his department faces is staffing stabilization. He felt that every time he hired personnel to fill vacancies, new vacancies would be created. He then recommended that his department be allowed to hire more personnel than they were authorized to, in order to keep up with this effect. This suggestion is still in its infancy and no decision has been made.

Chief Tyler advised me that the single most important factor that he relied on to have a successful Police Department was being responsive to the needs and concerns of the citizens and community. He went into great detail on multiple programs and procedures describing this. Here are several of them;

1. A formal "Customer Complaint Procedure". The forms describing this policy are left in the lobby of the SWPD. They allow anyone who has a complaint against any member of the SWPD to voice their concern directly to Chief Tyler. Chief Tyler advised me that he addressed every single complaint personally.
2. A "Customer Evaluation Form". Chief Tyler used these forms to evaluate the representative of the SWPD, and to address training and service. He advised me that the department randomly selected one out of every five complaints, and that the victim/complainant was mailed one of these forms. Chief Tyler advised me that his department has a 95-98 % satisfaction rate.
3. Crime Prevention Hand-outs. These give several informative suggestions on how not to be a victim of crime.
4. A comprehensive "Harassment" hand-out describing how to proceed with a harassment complaint.
5. A hand out describing what a patrol officer does in a routine day, to include traffic enforcement, ticket writing, (and why they write tickets), and routine patrols to discourage burglaries, etc.
6. Hand-outs describing tips before going on vacation, home inventory records, Community and Police Interaction Program, car seat safety information, 911 procedures, and teen parties and the law.
7. A community Citizen Observer Ride Along Program.

Chief Tyler then took me around his town and showed me how several of these programs worked. The most impressive was when the town built a shopping mall; they built a police substation into the mall, (at no cost to the PD). This encouraged officers to visit and have a police presence near the mall. The building has a holding cell, fingerprint station, and other amenities. It was a state of the art building, with central air and a rest room.

Chief Tyler also advised me that he has entered into a mutually supportive agreement with two other neighboring towns in order to assist with major incidents, similar to Avon PD.

Chief Tyler advised me that he has the utmost support from his community and he owes this to the programs described above that he has initiated and ensured that they are successful.

Sgt. Riggs, who is the community based police officer fully concurred with the chief and also mirrored what Sgt. Whitty said about hiring good competent police officers. He felt that this was the single most important factor allowing these programs to be successful.

He also stated that his PD does not ever want to be reactive. He said that he encourages the patrol officers to be on the road for the entire shift and to really work.

I was very impressed with this police department and the way they conduct “day to day” business. I feel that they put the citizen-complainant first and that it has paid off in spades. The PD has the best, newest equipment, two new Harley Davidson motorcycles, and excellent pay. This is all due to the support they get when it comes time to pass their budgets. I really got the impression that the town has the team concept in mind when it comes to law enforcement.

Chief Peter Agnesi-Avon, CT Police Department
Chief of Police
(860) 409-4231

Sergeant Robert Whitty-Avon, CT Police Department
Detective Division Commander
(860) 409-4231

Chief Agnesi has been a police officer at Avon, CT. for 28 years. He has been the Chief of Police for the past 4 years. He advised me that his current situation regarding law enforcement in his town is real promising and optimistic. He advised me that he has a very supportive community, and that anytime he needs anything, such as equipment, funds, etc., his selectmen are real responsive to his departments needs.

He described the town of Avon as real affluent and traditional. He advised that the reason he feels he has the communities support is that whenever the businesses people, citizens, or council members need anything, the Chief ensures that it is addressed. He was very adamant about accountability to complaints or any situations that need addressing. He did not allow any of these situations to get “put on the back burner”. He felt that this was a sure way to lose “customer satisfaction”. He described the relationship with his community as symbiotic. The Police Department does their job to the best of their ability and the community recognizes this and then supports them when they need something.

Chief Agnesi advised me that the hardest hurdle he faces right now is sprawl. West Hartford is very close and there is some bleed over into Avon. He felt that this added to an increase in accidents, traffic, speeding, larcenies, and even robberies and assaults. He said that the way he dealt with this is the same way that they always have, they address the problem and ensure that the victim/complainant is satisfied, even if the crime is not solved. He feels that in the recent future he will need additional officers and was confident that when presented to the council members, it would be approved.

Chief Agnesi also advised me that a way his PD has addressed certain situations that require more manpower than his PD can handle, is that they have entered into a mutual agreement with neighboring PD’s to assist each other. He advised me that his SAWT Team, Accident Reconstruction, Dive Team, and Narcotics Teams are all a Joint Task Force with 7 other towns. He said that this way if there is a situation requiring more manpower, that all he has do is initiate a mutual aid call and he has upwards of 30 other officers there in minutes.

Sgt. Whitty advised me that his department only hires highly competent people. He said that there is a waiting list to get on his PD and that the reason is that the pay and work conditions are excellent in Avon. Sgt. Whitty advised me that he feels that by offering good salaries and good working

conditions, it ensures that you get good people. He felt that this was a big problem faced by LE agencies today, having good, quality people.

Lieutenant Michael B. Darcy-CSP
Commanding Officer-"D" Troop Danielson
(860) 779-4920

Trooper John Aiello-CSP
Resident Trooper-Troop "D" Thompson
(860) 923-3716

Lt. Darcy, Trooper Aiello, and I had an in-depth conversation about law enforcement in Connecticut. Both of these officers felt that Connecticut and Vermont were very similar in regards to rural policing. They also felt that we faced similar hurdles with criminal investigations, public support, and man power.

Both officers thoroughly endorsed the Resident Trooper program for exactly the same reasons documented by the previous interviews. They both felt that you get quality control on all investigations as well as accountability. They both mentioned situations where the RT program was not in place and they felt that these towns were not getting the same service as similar RT towns. Lt. Darcy advised me that towns without the RT program may never see a Trooper for days. He explained this by saying that these towns without the program are only responded to when time allowed patrols to go through there, or when responding to an incident. He blamed manpower issues for this.

Both officers also mentioned the fact that most towns, when approached and offered the program, will take it, at least on a trial basis. Connecticut has a power point presentation, (Sgt. Heinssen's), and they felt that CSP sold their program well.

Both officers also felt that the main hurdle facing Connecticut Law Enforcement was that they needed to be more proactive and preventative in nature, instead of being reactive. They felt that the RT program allowed this to happen.

Martin Heft-1st Selectman, Town of Chester, CT
203 Middlesex Avenue
Chester, CT
(860) 526-0013, ext. 202

Mr. Heft advised me that his town currently utilizes the Resident Trooper program and that it has been an overwhelming success. He advised me that the town originally had a police department, but that it was bereft with internal issues. He advised me that the Resident Trooper program was recommended and voted on by the town on three separate occasions. It was approved after the third try.

Mr. Heft said that the program is working terrific and that the community is very pleased with the results. Mr. Heft described the advantages as there were many more resources offered by the CSP, such as a Marine Patrol, better communications, accountability, DUI programs, and extra grants for the town. He advised me that the citizens in the community tell him that they are really seeing the results.

I then asked Mr. Heft about any negative opinions on the program, and he said that once in a while he hears complaints that the Troopers aren't seen enough in town, but he writes that off as the Troopers work 5 days and then have three days off in a row.

I asked him about the crime rate in town since they adopted the program and he advised me that on paper it looks as if the statistics have gone up, but that is due to the fact that the statistics take into account more tickets written, more arrests recorded, and other enforcement increases. He said the statistics have to be interpreted correctly, and if they are the crime rate has actually gone down. He quoted one incident where three people, (drug dealers), from Chester were arrested for a multi-state homicide. When they were arrested, several other drug dealers attempted to move into Chester to set up a drug ring of their own, and when they were arrested, it looked like the town had a lot of drug dealers. This is what he meant by having the statistics interpreted.

Mr. Heft endorsed this program and stated that it has really helped his town deal with crime more efficiently.

Master Sergeant Tom Heinsen
Executive Officer (XO)
Troop "F" Westbrook
(860) 399-2106

Sgt. Heinsen has been a Connecticut State Trooper since 1988. He is currently the Executive Officer of Troop "F" in Westbrook. Sgt. Heinsen explained the intricacies of the CSP Resident Trooper Program, which he is frequently called on to "sell" to local towns in the state of Connecticut. He has a power point presentation and extensive documentation on statistics involving these towns, crime rates, population, etc.

The CSP started the Resident Trooper Program in 1947. Connecticut has 169 towns. In 81 of these towns, the primary law enforcement responsibility falls on the CSP. Of these 81 towns, the CSP has Resident Troopers in 59 towns. The remainder of these towns is covered by local Police Departments, (88 towns). It should be noted that there is no county government in Connecticut, and thus there are no Sheriffs, except in some circumstances they assist in court.

Sgt. Heinsen advised me that he was a Resident Trooper for 6 years in Deep River, CT and for 1 year in Chester, CT. He advised me that he thoroughly enjoyed this experience and believed in this concept. He listed the following advantages of this program;

1. It is a much less expensive program than alternate programs, such as establishing a police department.
2. The towns where the resident Troopers work incurs no civil liability, such as police officer involved shootings, car crashes, etc. It lies on the State of Connecticut.
3. The resident Trooper, if properly selected, takes "ownership" of this town. When a crime occurs there, the Trooper takes it personally and does everything in their power to solve it. It also makes accountability easier than having a rotating shift cover these complaints.
4. The resident Trooper builds relationships that are not as easily built without this program, due to the amount of time spent in the town, etc.

5. The town pays for 70% of the cost of the program, to include car, insurance, equipment, etc. The state picks up the remaining 30%. (Sgt. Heinssen felt that this should be a 50/50 program, as it would be more attractive to towns).

6. In CT., the resident Troopers are augmented by Constables, which are full-time certified, police officers. These constables are directly supervised by the resident Trooper. The number of constables is determined by the size of the town. They are also paid by the town.

7. Sgt. Heinssen advised that there are checks and balances set up in this program, where there are quarterly meetings with the RT town's government officials. If the town officials feel there is a problem, they address it and the RT tries to make the appropriate alterations.

In CT., the States Attorneys decide who investigated major crimes for a particular town. Sgt. Heinssen said that the SA predominantly selects the CSP to investigate these crimes, even in towns with local law enforcement. This assists the CSP with promoting their RT program.

Sgt. Heinssen thoroughly recommended this program to deal with today's ever evolving crime problems. He did not list a single negative connotation to this program, and he felt that the program could be custom fit to any town in any state.

Sergeant Francis Conroy-CSP
Executive Officer (XO)
Troop "D" Danielson
(860) 779-4920

Sergeant Conroy has been employed with the CSP since 1990. He is currently the Executive Officer of Troop "D" Danielson. He was a resident Trooper in the town of Sterling for 1 year.

Sergeant Conroy advised me that he felt that the largest problem facing law enforcement in Connecticut was that there is no accountability in investigations, such as follow up work. He felt that this problem can be remedied by utilizing the resident Trooper program. When he was a RT in the town of Sterling, there were a lot of growing pains initially, as this was the first time the town had utilized a RT. He advised that there was a large learning curve, but that he enjoyed the experience as it taught him how to be a "different" type of Trooper. He got to know the community intimately. He did advise that there was some politics involved, and he mentioned that occasionally he wrote the "wrong" people tickets and that the town fathers balked at this once in awhile. Otherwise Sgt. Conroy recommended this program and felt that it would assist any police agency looking to solve crimes and be proactive as opposed to reactive.

APPENDIX E

Law Enforcement Advisory Board Comparison New Hampshire

Policing of small communities
Lt. Kevin J. Anderson
Vermont State Police

I was asked to review police services in the State of New Hampshire for smaller rural communities. Although I found some differences in how Vermont and New Hampshire handled small town policing, there were definitely more similarities in our policing services.

Representatives from NH Police Agencies I interviewed were:

1. Chief Lester Fairbanks
Chesterfield Police Department
Chesterfield, NH.
2. Sheriff Richard Foote
Cheshire County Sheriff's Department
Keene, NH
(Retired Captain NHSP)
3. Lieutenant Jerome Maslan
New Hampshire State Police
Troop C
Keene, NH.
4. Sergeant Christopher Aucoin
New Hampshire State Police
Troop C
Keene, NH.

I also spoke to Jill Collins, Town Manager of Hinsdale, New Hampshire.

The following is a summary of information received about current policing practices in the State of New Hampshire. Much of the information received was repetitious from representatives in law enforcement.

* Population Statute – Any town having a population less than 3,000 will be covered by the New Hampshire State Police.

* Towns with population under 3,000 can hire a Police Chief. Said Chief has the option of taking police calls or referring them to the State Police.

* County Sheriff can sign contract with town to be Police Chief and can also refer cases to the State Police if town population is fewer than 3,000.

* Police Officers only have arrest powers in town of employment.

- * Town must sign mutual aid agreements so local officers can assist each other in emergencies. (Vermont does not have this problem as all police officers have statewide arrest powers)
- * New Hampshire is seeing a trend towards regionalizing police services.
Example – Cheshire County is trying to put together a county run tactical support team and has recently gone to regional law enforcement dispatching. This is currently run by Cheshire County Sheriff's Department.
- * Local departments handle dog complaints.
- * New Hampshire State Police does not handle dog complaints.
- * Chief Fairbanks described getting requests from small towns for his officers to handle calls which are annoying at times.
- * If a New Hampshire town hires the Sheriff's Department for services and deputy is not available, the State Police must handle the call.
- * Sheriff Foote advised every county in New Hampshire is different in the way agencies assist each other. It usually is dependant on how many agency heads get along.
- * There is a New Hampshire statute that requires State Police to assist local departments if requested to.
- * I asked Sheriff Foote if he ever saw the State of New Hampshire reaching a point where it would eliminate the State Police from handling basic police work in the small communities. Foote stated no due to the fact the smaller towns didn't want to or couldn't spend the money for extra police coverage. Foote did say that some towns do want political control over their police.
- * Hinsdale Town Manager stated rarely saw the State Police in her town unless it was a high profile investigation (Hinsdale has a full time department).
- * Mutual aid compacts – local towns depend on each other to support their own police departments for coverage from time to time.
- * Some small New Hampshire towns hire a “figurehead” Police Chief who may get paid \$500.00 a month. The Chief wouldn't do general police work, the State Police would handle calls in that town. The figurehead Chief usually wouldn't even have a cruiser.
- * Chief Fairbanks feels that areas that have improved in the Cheshire County has been radio communication and having a mutual aid compact.
- * In towns with a population over 3000 the State Police must get permission from local Government or Police Chief to start investigations.
- * Night coverage – Sheriff's Department can tell dispatch to call State Police if they prefer not to get called out during hours when no law enforcement is on duty.
- * Sheriff Foote stated agencies need to be careful to not duplicate services. (Investigating same case)

* State Police are on call from midnight to 0700 Sunday through Thursday and from 0230 to 0700 on Friday and Saturday.

* New Hampshire State Police described that on call hours are difficult because they often don't know what hours the Sheriff's Department will be covering in a town.

APPENDIX F

Duties of the Vermont Department of Public Safety

In 2005 the Vermont Legislature asked the law enforcement advisory board (LEAB) to study a variety of issues effecting the improvement of rural policing. Specifically the statutory language is as follows.

“In order to achieve better coordination of all law enforcement resources in the state, the law enforcement advisory board created pursuant to 24 V.S.A. § 1939 shall study the relationship between the state police and local coverage to ensure effective coverage in a cost-effective manner for Vermonters. Specifically it shall:

- (1) Develop a list of the duties of the department of public safety that cover the entire state such as the crime lab, special investigations, and the mission and duties of the state police;”

This document is a list of duties performed by the Department of Public Safety that deal with the protection of the public and the law enforcement duties. They are listed below.

Department of Public Safety – Division of Criminal Justice Services

- Forensic Lab functions;
 - Analysis of evidence for all law enforcement in Vermont,
 - Assisting in the collection of evidence at certain major crime scenes when requested by the investigating law enforcement agency.
- VCIC services;
 - Criminal History record keeping and dissemination,
 - Sex offender registry information collection and dissemination,
 - Want and warrant information both in state and through NCIC,
 - Marijuana registry information,
- Information Technology, System of Services through the Vermont Incident Based Report System (VIBRS) to include;
 - Internet access
 - Computer aided dispatch (CAD)/Records Management System (RMS)
 - Email
 - Calendar
 - Vermont Law Enforcement Telecommunication System (VLETS)
 - Computerized Criminal History information
 - National Crime Information Center access
 - Sex Offender Registry information
 - Marijuana Registry
 - Warrants
 - Mobile applications
 - Crash data
 - Statewide Police Intelligence Network (SPIN)
 - Automated Fingerprint Identification System (AFIS)
 - Forensic Lab Information Management System
- Radio Technology Services;
 - Microwave network to delivering voice and data to a variety of agencies.
- Highway Safety services;

- Coordinating the enforcement and education efforts of Vermont’s law enforcement community through problem identification and grant dissemination to improve highway safety.

Department of Public Safety – Division of State Police

- Field Force Functions and Services;
 - Troop commanders serve as public safety district managers acting as coordinators in all hazardous emergency response and preparedness situations.
 - Provide for the following specialized resources throughout the State;
 - Bomb Squad,
 - Search and Rescue,
 - Hostage Negotiation,
 - Tactical Support Unit,
 - Dive Team,
 - K-9 services,
 - Critical incident dispatch team and mobile command post,
 - Crowd Control Team,
 - Peer Support Team,
 - Traffic Safety Team.
 - Back up services to any county or local law enforcement agency that requests help.
 - Accident Investigation services and accident reconstruction services on any police vehicle accident and major traffic accident when requested by another county or local law enforcement agency.
 - Dispatching services for fire, police and EMS.
 - 9-1-1 call handling
 - Primary law enforcement response to all communities that do not have a local police agency or services from a sheriff’s office.
- Criminal Investigation Functions and Services;
 - Special investigations to local or county law enforcement agencies such as police shootings, police use of excessive force and police misconduct of a criminal nature,
 - Polygraph services,
 - Major crime investigation any where in the state. Criminal investigation help is offered to local and county law enforcement agencies whenever there is a major crime.
 - Coordination of drug enforcement,
 - Homeland Security Support and Coordination,
 - Criminal Intelligence information collection and dissemination.

APPENDIX G



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MEMORANDUM

To: Members of the Law Enforcement Advisory Board

From: Trevor M. Lashua

Associate, Legislative and Information Services

Date: December 6, 2005

RE: Rural policing – results of the round table meetings

The Meetings

There are a broad variety of law enforcement services provided - and not provided in some cases – in the smaller rural towns of Vermont. What law enforcement services are available are often layered, ranging from elected and appointed constables to the state police, leaving towns with uneven quilt of policing at best (and non-existent at worst).

The round table tour took us (Paco Aumand, executive director of Criminal Justice Services, Karen Horn, VLCT staff and myself) to three locations in three counties: Newfane (Williamsville) in Windham County, Montgomery in Franklin County, and Montpelier in Washington County. In the process, town officials from Newfane, Dummerston, Putney, Westminster, Concord, Montgomery, Georgia, Orange, Woodstock (town, not village), Salisbury, and Poultney attended. All totaled, seven counties were represented in person, with letters or via telephone from Jericho, Worcester and Hancock weighing in on behalf of those three towns.

Sponsor of:

VLCT Health Trust, Inc.

VLCT Municipal Assistance
Center

VLCT Property and Casualty
Intermunicipal Fund, Inc.

VLCT Unemployment
Insurance Trust, Inc.

The variety of individuals and agencies providing law enforcement services in Vermont has resulted in greatly varied levels of satisfaction. Most of the towns that participated in our round table discussions have some kind of contract with their county Sheriff's Department. Others, such as Jericho,

contract directly with the Vermont State Police. Orange has decided not to contract with its county sheriff (in Orange County) due to concerns over cost and service provision as is the case with several towns in Windham County.

Municipal Experiences

The inconsistency with the abilities of individual sheriffs and management of the Sheriff's Departments throughout the state is a major driver of both the rural policing problem and its potential outcomes. Anecdotal evidence suggests that the successful sheriffs in Vermont are well-versed in both law enforcement and financial management, utilizing significant entrepreneurial streaks to secure funding sources and contracts. Because the position is one that is elected to four-year terms, there is no guarantee that the individual will have a background that includes law enforcement and financial management.

One theme that emerged is that the wide gap in the financial management and entrepreneurial abilities of county sheriffs may be the major determinant in whether the department they operate is successful or not.

It should also be noted that the system in Essex County is unique when compared with all of the other law enforcement agencies in Vermont. Most of the county is policed by three full-time law enforcement officers (not counting Sheriff Amos Colby) operating in what may best be called a fluid structure. They do not have scheduled work hours, towns pay what they feel they can afford without any guarantees with regards to services provided, and any revenue for traffic enforcement is handed over to the state. While appearing very unconventional, the system developed by Sheriff Colby appears to work very well.

The Sheriff's Department in Essex County has also been successful to an extent in overcoming one of the traditional obstacles to law enforcement (or even any proposed or created regional entity): control of "turf". In overcoming that obstacle, Sheriff Colby has worked with the commander of the Derby state police barracks on improving cooperation and communication. Now, Essex County Sheriff's Deputies are regularly dispatched by the state police.

Problems with communication – between law enforcement agencies, between law enforcement and local officials – was another theme continually identified during the round table meetings, and as such needs to be addressed in any proposed solution or pilot project.

As may be expected, funding (or the lack thereof) was the major issue identified by the local officials who attended as an obstacle to providing the law enforcement services they wished to in their communities. Many municipalities do not have any more money to give to contracts with outside agencies, and none of the towns felt they could form their own local police departments.

There was, however, an expression of interest in working cooperatively with neighboring towns on some kind of law enforcement solution. Those ideas included pooling resources to secure a contract with the Sheriff's Department or state police, forming a regional municipal police department, and approaching neighboring towns about expanding their police departments (for a fee).

Problems

In addition to issues of communication, turf and funding, other obstacles/problems identified at the round table meetings were:

- The need to clarify the role of the Vermont State Police;
- Accountability, particularly in Windham County;
- Perceived lack of professionalism in performance of duties;
- Reporting is often weak, and town officials are having a difficult time tracking just how the tax dollars of their citizens are being spent.
- Time to respond fluctuates significantly.

There is a desire in rural communities for comprehensive law enforcement services that provide proactive and preventative policing, a steady presence, and attention to quality of life issues. A theme developed that identified the existence, and possible expansion of, a two-tiered law enforcement structure in Vermont. That structure would split law enforcement duties into two categories:

- 1) Police services (i.e. quality of life issues, community policing, prevention);
- 2) Law enforcement services (investigations, drug task forces, handling of more serious crimes such as homicide).

While the service is uneven from town to town and county to county, everyone named speeding as the issue they struggle most mightily with. Also listed as areas of concern were: break-ins/burglaries, ATV ordinance enforcement, dogs/animal control issues, domestic disputes, noise, underage drinking, and problems at local swimming holes. All of those are problems that would most likely fall under the umbrella of police services, rather than law enforcement services.

Solutions?

First and foremost, the sense of those participating is that solutions need to be driven at the local level. As was mentioned throughout this memo and during the round table meetings, there are some structures in place that may be able to provide towns with the desired level of service – if funding (in whole or in part) was made available.

Sheriff's Departments are a logical structure in some areas, and not in others. The problem with them stems from the conditions of their existence – they are not statutorily mandated to provide rural law enforcement services, and the sheriff is an elected official that could conceivably change every four years (thus establishing an unstable framework of abilities, personalities, management styles, and vision of the sheriff's role).

In counties where the Sheriff's Department appears to be an effective regional option, any proposal should include increased state assistance for the sheriffs for personnel, equipment, and training. Improvements in accountability are necessary, and may be handled largely through improvements in reporting. (This is being done well in some parts of the state.) If state funding in some form is provided, it should come with performance-related “strings”, such as response time, uniform and predictable reporting to municipalities, provision of comprehensive policing services, and a presence that is random in terms of time of day and location but also steady in the community.

In counties where the Sheriff is not regarded as an effective or logical option (i.e. Windham, Windsor, Chittenden and possibly Orange), towns may look to cooperate through creative uses of inter-local agreements. Some funding from the state may be necessary in those scenarios as well (to cover start-up or capital costs).

Joint contracts can and have worked for some communities. For example, Orange may end up approaching neighboring Barre Town (which has a seven officer, 24/7 police department) about an arrangement to extend their police services into Orange. Hardwick and Greensboro have operated cooperatively for years. Georgia and Fairfax do not share a local police department, but rather they share a contract with the Franklin County Sheriff's Department.

Another idea followed along the lines of the resident trooper program established in Connecticut, but changed it from a state trooper to a more generic resident police officer. The officer would answer to the communities in which they are the chief law enforcement individual, and also to a statewide chief of resident police officers whose duties would include ensuring a standard of law enforcement performance.

It appears that creating and implementing a single statewide template is not the best option. When it comes to law enforcement in rural Vermont, one size does not fit all, especially given the fact that towns "want Andy Taylor, not Rambo," to quote one local official. Viewing this issue as a work in progress, it has become clear that there is a need for continued discussion regarding potential solutions.

APPENDIX H

