

Law Enforcement Advisory Board  
DPS Headquarters, Lab Classroom, Waterbury VT  
Minutes of Meeting  
January 24, 2018

- Vice-Chair William Bohnyak called the meeting to order at 1:03 pm with the following present: Commissioner Tom Anderson, Department of Public Safety; Jake Elovirta, Motor Vehicles (via conference call); Kraig LaPorte, U. S. Attorney Office (via conference call, left call at 1:25 pm); Evan Meenan, Attorney General's Office; Chief Jennifer Morrison (via conference call); Nelson Tift, Vermont Constable Association; Captain James Whitcomb, Vermont State Police; and Suellen Royea, DPS/CJS. It was noted the quorum requirements were met.
- **Review Minutes from November 15, 2017: Nelson Tift made a motion to accept the minutes. Captain James Whitcomb seconded the motion. Motion carried.**
- **Old Business:**
  - **Fair and Impartial Policing:** It was reported that Rick Gauthier was providing testimony at the Legislature on this topic today, the model policy was amended in December of 2017, and information was received from Senator Leahy's office that 23 cities/states were getting a second letter; the State of Vermont was no longer on the list, but Burlington was still on the list. Commissioner Anderson thanked everyone that worked on the policy.
  - **Annual Report Update:** It was noted that the annual report was submitted. Those present reported that no feedback/response has been received from legislators.
- **New Business:**
  - **Business Plan:** The following topics were thought to be areas the LEAB should undertake for 2018:
    - **Dispatching:** Commissioner Tom Anderson reported that he testified last week regarding a law enforcement bill that included: officer training, recruitment, retention, E911 PSAPS, and dispatching. He relayed that it would be helpful to have some legislative assistance regarding regional dispatching and offered that the LEAB could research regional dispatching and provide a report to the legislature. In addition, he reviewed a report written by the E911 Call Taking Working Group last year. Some suggested questions/options included: should municipalities include a plan for dispatching and funding; how does DPS implement a fee/what fee; should DPS phase out dispatching services. There was language in Bill 273 regarding prohibiting DPS from answering 911 calls, which he suggested revising the language. It was noted during the discussion that the E911 Working Group is scheduled to testify on January 25, 2018; the major agencies have come together to speak with one voice; it is important to continue to work together to provide a solution; and towns not paying for dispatch services is a potential area to be addressed. A discussion was held regarding fee structures, which included a suggestion to develop a couple of alternative cost sharing formulas; the fee structure is different depending on where you go; the Chittenden County Regional Dispatching is on the town ballots for the Town Meeting Day vote; and talking to Sheriff Roger Marcoux regarding the formula he uses for fees.

- **Membership Changes:** Commissioner Tom Anderson reviewed 273 proposes a membership change to the Criminal Justice Council to include a representative from the Chiefs of Police Association and the Sheriffs Association without changing the membership number, removing the Defender General's membership from the Law Enforcement Advisory Board and change the number of times the LEAB meets to our discretion.
- **Data Collection:** Data collection was reviewed briefly. It was noted that there was an effort to utilize one statewide RMS system; however, it was thought best for agencies to decide what to use. It was suggested to watch this bill.
- **Utilization of the LEAB:** A brief discussion was held regarding requests for testifying and utilizing the voice of the LEAB.
- **Oral Fluid Testing:** A review of the Transportation bill regarding using oral fluid testing was held. The process of implementing this mechanism was reviewed; legislation enabling the testing mechanism, selecting the testing equipment, creating the rules, and then find a case to be admitted into the court system. Commissioner Anderson will circulate H.511. It was noted that this is a less intrusive process compared to drawing blood. A suggestion was made to issue a press release that the LEAB met and feel this should be pursued. Testimony for H.237, which was introduced last year, is scheduled in February. Jake Elovirta offered to send a link to members of this bill. It was thought that this is the right time to move oral fluid testing forward. Some suggestions on the manner to voice the LEAB's position included someone from the LEAB testifying when it comes up, writing a letter to the Chair of the House Transportation Committee, and holding a press conference to include the OCC, Marijuana Committee, and the LEAB.
- **Other Bills to Watch:**
  - Act 54, a bill relating to racial disparities in law enforcement.
  - S.198, an act relating to an elevation of the Department of Public Safety to the Agency Public Safety. It was noted that Commissioner Anderson testified on the bill last week and felt that the Criminal Justice Training Council should not be included and there are some statutory/constitutional issues in combining some departments.
- **Other:**
  - There was a brief discussion regarding an incident in Colchester where local/state agencies were not apprised of a federal investigation.
  - An update was given regarding bias policing in Vermont. The Vermont Association of Chiefs of Police and the IACP will be creating a best practices for Vermont. It was noted that the recent report and analysis may not have been done correctly and the data was unreliable. It is the hope that the manual will eliminate some negativism.
- **Adjournment: Evan Meenan made a motion to adjourn. Motion seconded by Captain James Whitcomb. Motion carried. Meeting adjourned at 1:51 pm.**