

Law Enforcement Advisory Board Meeting  
DPS Headquarters, 3<sup>rd</sup> Floor Large Conference Room, Waterbury VT  
Minutes of Meeting  
February 9, 2017

- Vice-Chairman Rick Gauthier called the meeting to order at 1:00 pm with Jim Whitcomb, VSP; Carl Wedin, F&W; Kraig LaPorte, US Attorney Office; and Suellen Royea, DPS/CJS present and phone participants: Jake Elóvirta, DMV; and Jennifer Morrison, Colchester PD. It was noted that the quorum requirements were not met.
- **Review of Minutes from December 22, 2016 Meeting:** The minutes were reviewed for questions/comments. A question was asked regarding Chief Del Pozo's letter and not including his suggestion on reviewing footage. It was noted that his letter was a response to the ACLU and that the suggestion should not be included in our report. It was noted that the Body Camera Report and LEAB Annual Report were submitted. Rick provided testimony to Gov Ops on the Body Camera Report and the ACLU testified a few days later. It appears that the Legislature will allow law enforcement to carry on. No other comments regarding the minutes from the last meeting were given.
- Rick Gauthier shared a letter from Michael Major resigning as Chair. In the letter, Michael Major noted that Chief George Merkel will take his place on the Board. Rick noted that the By-Laws note that the Vice-Chair would move into the Chair position, but questioned if the Vice-Chair could elect a new Chair. This issue was tabled until a quorum was present.
- **Old Business:**
  - **Develop Business Plan for 2017:** Rick Gauthier noted that there has been some discussion about the Law Enforcement Advisory Board at the Legislature and the group not being used to its potential. Some of the challenges include not taking on big enough projects and perhaps waiting too long for Legislative directive. He suggested to develop a business plan. **Some possible topics included: reviewing regionalization/management in the future, and looking into the traffic race data and findings report recently completed by UVM Professor Stephanie Seguino.** Some discussion was held about the traffic data report where it was suggested to obtain, in writing, the methodology used for the report; to review the science behind the data; and whether it was something CRG, as the State's Statistical Analysis Center, should analyze. The consensus was that any response might be viewed as a rebuttal to the report. There was also a review on how the Law Enforcement Advisory Board receives assignments; assignments can come from a number of sources including the Legislature, Governor, or Public Safety Commissioner, to name a few. **Some addition suggestions made included: to table the discussion until a quorum was present; to use this year to create sustainable relationships and try to promote our services to Legislature; remove Defender General from the Board due to lack of participation; review fair and impartial policing, mental health crisis and reaction; law enforcement wellness, recruiting retention/effective techniques to recruit adversity, revisit statewide retirement plan; and expand 21<sup>st</sup> Century policing report that might have some value to law enforcement in Vermont.**
  - Rick Gauthier shared that H.22 reached 100% consensus today in the Legislature and he thought the mirror bill, S.25/26, should go through.
- **Adjournment:** Kraig LaPorte made a motion to adjourn. Jim Whitcomb seconded the motion. Meeting adjourned at 1:34 pm.

## The Vermont Statutes Online

### Title 24 : Municipal And County Government

#### Chapter 055 : Police

(Cite as: 24 V.S.A. § 1939)

#### § 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 Public Safety;
- (2) the Director of the Vermont State Police;
- (3) the Director of the Vermont Criminal Justice Services 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;
- (12) the Defender General or designee;
- (13) one employee-representative of the Vermont State Police, appointed by the Director of the Vermont State Employees' Association; and
- (14) a member of the Vermont Constables Association appointed by the President of the Association.

(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 House and Senate Committees on Judiciary annually by January 15.

(e) The Board shall examine how individuals make complaints to law enforcement and suggest, on or before December 15, 2012, to the Senate and House Committees on Judiciary what procedures should exist to file a complaint. (Added 2003, No. 122 (Adj. Sess.), § 85e; amended 2005, No. 71, § 81a; 2011, No. 134 (Adj. Sess.), § 4; 2011, No. 139 (Adj. Sess.), § 19, eff. May 14, 2012; 2013, No. 141 (Adj. Sess.), § 9.)