

Law Enforcement Advisory Board  
DPS Headquarters, Lab Classroom, Waterbury VT  
Minutes of Meeting  
May 23, 2018

- Chair Richard Gauthier called the meeting to order at 1:00 pm with the following present: Commissioner Tom Anderson, Department of Public Safety; Colonel Jason Batchelder, F&W; Colonel Matthew Birmingham, Vermont State Police; Sheriff Bill Bohnyak, Vermont Sheriff's Association (via conference call); Jake Elovirta, Motor Vehicles (via conference call); Kraig LaPorte, U. S. Attorney's Office; James Hughes, State's Attorney's Office; Evan Meenan, Attorney General's Office; Chief Jennifer Morrison, Vermont Association of Chiefs of Police (via conference call); Nelson Tift, Vermont Constable Association; Michael O'Neil, Vermont Trooper's Association; Captain James Whitcomb, Vermont State Police; Gwynn Zakov, Vermont League of Cities and Towns; John Gonyea, VCIC; Amy Messier, VCIC; and Suellen Royea, DPS/CJS. The quorum requirements were met.
- **Review Minutes from January 24, 2018: Gwynn Zakov made a motion to accept the minutes. Evan Meenan seconded the motion. Motion carried.**
- **Old Business:**
  - **Legislative Update, S.273:** Rick Gauthier reviewed the legislative intent of obtaining accurate data regarding criminal activity and introduced John Gonyea and Amy Messier from VCIC. John reviewed the purpose of NIBRS and VCIC's role. The FBI NCIC participation mandate is clear; however, NIBRS participation is voluntary. Participation and training in NIBRS are some of the areas for improvement nationwide. VCIC has been offering agency trainings, which have resulted in more timely and accurate data. In addition, Amy has been recognized as a subject expert. Following VCIC's presentation, some items discussed included: the goal of NIBRS to provide accurate and up-to-date data; the pending legislation seeks the Law Enforcement Advisory Board's input on how to get agencies to participate and validate the data; voluntary versus mandatory involvement; and when officers should be trained. Some suggestions given were officers being trained around two (2) years post-graduation and all supervisors, and for VCIC to offer a "cheat sheet" to be used as a guideline. Of note, there is an attempt at VCIC to standardize the process and get everyone on the same page. John and Amy left the meeting at 1:23 pm.
  - **Fair and Impartial Policing Update:** Rick Gauthier reported that the council recently created a sub-committee; the November deadline will not be met, which the Legislature has been made aware of; and they are looking at alternative trainings that hit the major markers. It is thought that it will model the DV training; one year on-line, one year in person. Commissioner Anderson added that DPS has gone back and forth with DOJ regarding the Vermont State Police's policy. Rick Gauthier also noted that there are a few agency policies recently submitted to the Attorney General's Office for evaluation.
  - **Dispatching Update:** Commissioner Anderson reviewed his request for guidance from the legislature regarding whether the State should start charging for dispatching services, stop charging for dispatching services, or continue dispatching as it currently operates. Jennifer Morrison shared that the Chittenden County Dispatching movement

is moving forward; a board of directors has been assigned and an official first meeting was held where they discussed working on an RFP for a consultant to guide them on the process. Gwynn Zaktov noted that they cannot choose a side on this and are in the same position as DPS. Some legislators have made it clear that they will push for something next session.

- **Legislation Update:**
  - **S.273:** Rick Gauthier reviewed the high points of the bill. Those included: a requirement the Council create an alternative training path; review Level 2 and 3 training; some significant membership changes to Council; creation of a study committee regarding Level C retirement; defined law enforcement authority; membership changes to the Law Enforcement Advisory Board; and assigned a couple of reports to the LEAB, which are due January, 2019. Of note, there is a possibility the bill could be vetoed. In the event S.273 is vetoed, we will continue to provide the Legislature with the requested reports.
  - **Oral Fluid Testing:** Commissioner Anderson noted that the House is supportive; however, the bill died in the Senate. DPS will continue to push for this testing.
  - **S.198:** It was reported that the bill died early on.
  - **Act 54:** It was reported that there was some disarray between the co-chairs opinions and the final report, which resulted in the original co-chairs resignations. An effort is underway to get the group back on track with new co-chairs. This currently is with the Committee of Conference.
- **New Business:** No new business was discussed.
- **Adjournment:** Colonel Matt Birmingham made a motion to adjourn. Jim Hughes seconded the motion. Meeting adjourned at 1:48 pm.