

**Public Safety Committee
Wednesday, January 24, 2024
Remote via Zoom
Burlington, Vermont
APPROVED MINUTES**

Members Present: Karen Paul (Chair), Melo Grant, Tim Doherty

Staff Present: Jared Pellerin (Acting City Attorney), Michael LaChance (Fire Chief), Jon Murad (Police Chief)

Public Present: Jean Markey-Duncan

Meeting called to order at 5:36 PM by President Paul.

**1. Adopt the Agenda
1.01 Adopt the Agenda**

Motion to Adopt Agenda as written.

Motion by Councilor Grant, Seconded by Councilor Doherty

Final Resolution: Motion Passes

Yes: Unanimous

**2. Adopt Minutes
2.01 Motion to Adopt Minutes from December 21, 2023**

Motion to Adopt Minutes from December 21, 2023 as presented.

Motion by Councilor Grant, Seconded by Councilor Doherty

Final Resolution: Motion Passes

Yes: Unanimous

**3. Public Forum
3.01 Verbal Comments**

Jean Markey-Duncan shared with the Committee their personal experience with a family member struggling with homelessness and substance use disorder, advocating for more accessible in-patient care in the state of Vermont, emphasizing how public health is integral to achieving public safety and that harm reduction needs to be part of the public safety plan. Councilor Grant recommended Markey-Duncan reach out to state legislators on this issue.

Public Forum closed at 5:47 PM.

**4. Deliberative
4.01 Chief's Report: Fire December 2023**

Chief LaChance confirmed for the Committee that reports come out every other month for Fire Commission meetings, meaning the next updated report will come out in February. Chief LaChance offered to develop a simplified report that could be presented to the Committee monthly with the latest data sets from BFD as he reviews the data weekly.

Chief LaChance briefed the Committee on the December Fire Commission report:

- End of Year totals for BFD responses by December 2023 were 10,974, an 11% increase from 2022. 470 of tracked responses were for overdoses.
- The Community Response Team (CRT) is expected to present their End-of-Year data at the next CommStat meeting on January 25.
 - The CRT is providing medical intervention, Narcan leave-behind kits with fentanyl and xylazine test strips, bandaging supplies, and outreach. Since the implementation of the CRT, BFD is seeing an increased availability of emergency units to respond to more calls.
 - CRT has a 2-staff minimum, staffed by advanced EMS personnel in voluntary, overtime 10-12 hour shifts, 7 days a week and using an existing department vehicle for response. CRT is dispatched for incidents of overdose and unresponsive patients outdoors.
 - CRT Is staffed an average of 56.2 hours per week, which costs \$4,481.23 in personnel costs per week.
 - CRT has made 952 outreach contacts but only 21 referrals to service partners. Outreach partners report that much of the target populations knows services are available but either choose not to engage or do not find services helpful.
 - 1,670 wound care kits have been given out, costing \$449.68 in total. 127 Narcan leave-behind kits have been distributed. Overdoses appear to be decreasing since deployment, which may be due to a number of factors such as efforts from the BPD but Chief LaChance is hopeful the program is part of that impact.
- In 2023, BFD responses for the homeless/transient population significantly increased, especially over the summer. Chief LaChance shared information from a recent study published by the Massachusetts Department of Public Health indicating homelessness is a significant risk factor for overdose death, as the research findings showed that for the general population, 16 out of 100,000 people are at risk for overdose death, whereas within the homeless population, 300 out of 100,000 people are at risk for overdose death.
- Chief LaChance emphasized continuing partnerships and coordination with BPD's CAIP and other law enforcement partners, increasing support for the homeless population and increased access to in-patient treatment facilities are critical to success.

The Committee asked follow-up questions to the report:

- President Paul inquired if BFD's increased cost projections for FY25 of \$800,000 was related to funding CRT staffing requirements. Chief LaChance stated the cost increase is attributable to a change in the attrition rate for BFD, computer equipment, hardware for trucks, onboarding physicals, the maintenance budget for the fire stations, a training budget for the EMS Chief, medical fees and supplies for CRT and the department in general, which all add up to about \$300,000. The requested remaining funds are to order another ambulance, following receipt of a new ambulance in the spring that was supposed to arrive 18 months ago. Chief LaChance added that given the average overtime staffing for CRT, they might be able to extend the program to the end of the current fiscal year, as it was budgeted assuming fully staffed, 12-hour shifts every day. Chief LaChance also shared that a bill written by Representative Carolyn Branagan has been submitted on behalf of the BFD, seeking monies to continue funding CRT throughout Fiscal Year 2025, using the justification that the State can use the CRT's data to create a program enabling other municipalities to initiate something similar, but the outcome of this is unknown for the time being.
- Councilor Grant asked if bandaging supplies are often distributed for tending Xylazine wounds. Chief LaChance confirmed BFD does see many wounds related to the use of Xylazine and medical supplies are being distributed to care for these wounds and other conditions, but that the BFD was never intended to operate as primary care physicians for folks.
- In regards to the maintenance budget, Councilor Grant inquired on the progress of fixing the concrete over the staircase in one of the stations, to which Chief LaChance responded that rugged netting was added to the entire floor in December and is strong enough to catch anything that may fall. Work is projected to begin in the next week on Station 1, which has some significant flooring issues, and BFD is trying to work out with the vendor options for maintaining sufficient access to Station entrances and lots.
- Councilor Grant asked Chief LaChance about BFD's long-term fleet goals. Chief LaChance shared that the City has a separate fleet budget, which the Fire Department typically pulls from to pay for ambulances and firetrucks as needed. Costs of ambulances have increased significantly since the last time the City bought an ambulance, and so to save money, once the latest ambulance ordered is received, Chief LaChance wants to look into remounting existing ambulances, which would be a savings of about \$100,000. BFD is also putting gas engines in new ambulances instead of diesel to save on fuel costs. For firetrucks, Chief LaChance expressed wanting to eventually move away from bonding for firetrucks, as the City currently bonds for firetrucks and buys 3 at a time for about \$3 million. If firetrucks were part of the budget, the City would not need to bond for them and BFD could replace its firetrucks more reliably.
- Councilor Grant let Chief LaChance know she would follow up with an email for public engagement ideas for BFD.

- Councilor Doherty asked if the rise in BFD responses translated to a cost increase for the City. Chief LaChance replied that BFD is already paid to respond, whether there are incidents to respond to or not, but where BFD is seeing some loss is in EMS billing revenue because some individuals are being responded to multiple times in a day. Many of these individuals' services are paid by Medicaid, and Medicaid resists paying transports for patients that get transported more than once per day. Chief LaChance said the EMS billing revenue stream helps reduce the Department's general fund liability. Other costs would be increased wear and tear on vehicles from responding more often, use of more medical supplies, personnel exhaustion, mental and physical health leave costs, and opportunity costs for public engagement and other functions the Fire Department could be performing, such as regular building inspections, more personnel training, and smoke detector installation programs.
- Councilor Doherty asked if BFD had information on how many times they have responded to each individuals in a given period of time, as it may be helpful to quantify the amount spent on multiple responses per person. Chief LaChance responded that for the bill Representative Carolyn Branagan wrote, he had looked into that data but did not find it compelling enough to include, as Burlington taxpayers are paying for BFD to respond to Burlington residents' calls for service, and found that the majority of individuals are residents of Burlington, and advised that the Police Department may be a better resource for tracking what percentage of individuals are Burlington residents versus from somewhere else. Councilor Grant added this data might be valuable for CommStat, as in response to Chief Murad's feedback from the last Public Safety Meeting that Councilor Grant shared with Scott Pavek, Pavek has since mentioned trying to approach a hybrid system where CommStat accommodates confidential collaboration on specific cases while still providing public meetings on tools and tracking data.
- Returning to the discussion on EMS billing, Councilor Grant asked what percentage of billing has not been received by the Department. Chief LaChance stated the Department is typically around 8%, but that the rate is currently around 10.5%, though this is still significantly better compared to other fire departments which experience rates as high as 20-30%.
- In follow up to Councilor Doherty's question regarding repeat response rates, President Paul added that Chief LaChance had shared some of that data over email last fall, specifically for overdose responses, and would forward that along.

4.02 Chief's Report: Police December 2023

Chief Murad briefed the Committee on the December 2023 Chief's Report, which covered all of November and December:

- November 12 saw multiple gunfire incidents, a double murder, and arson at BPD headquarters. BPD also participated in the National Alliance on Mental Illness NAMI Vermont conference, with their table run by Community Service Liaison (CSL), Anna

Wageling. Many officers worked overtime for the Church Street Holiday Tree lighting ceremony and joined forces with BFD and Department of Public Works to ensure the security of the event. The shooting of the three young men of Palestinian descent also took place in November, and BPD was able to identify and apprehend the perpetrator in 24 hours.

- Six new BPD officers graduated from the police academy in December, and Chief Murad expects they will be ready to be solo officers in spring 2024. Corporal Carolynne Erwin also participated in the Special Olympics swim meet, joining officers from other agencies to celebrate these athletes and hand out medals and ribbons.
- Most of the data contained in the December report was also captured in the year-end report, except for data on aggregated larceny, which in the December report shows how trends have deviated for aggregated larceny over the past three years, and 2023 shows more than twice the number of retail thefts were reported compared to 2022, an increase that is only second to the increase in overdoses.

4.03 Chief's Report: Police January 2024

Chief Murad advised the Committee that the January report is a year-end report, which at this stage is mostly complete, though a few categories will change as numbers are being updated, but expects the data will not change drastically. Additionally, another annual report is expected to be available in the first half of the year, looking at the data from a statistical perspective. Until that report is available, the January year-end report is the most complete report the BPD has, which was released via press release and also posted on Front Porch Forum.

Chief Murad briefed the Committee on the year-end report presented to the Police Commission on January 23:

- Gunfire incidents were down in 2023 with a total of 16 incidents compared to 26 in 2022. Chief Murad attributed the decrease to some key arrests.
- At this point, all murder cases have been solved except for one of the two murders on November 12, 2023, which is an ongoing investigation.
- There was a decrease in online drug tip reporting from 2022 to 2023. Councilor Grant requested that data be added to the monthly reports going forward and added it seems odd there would be a decrease when there was more activity in 2023 and wondered if it is potentially an underused tool. Regarding online incident reporting, as Chief Murad explained how the tool was never intended to be a way to report certain incidents like retail theft and how this has affected reporting numbers and overall workflow for BPD, Councilor Grant cautioned against inadvertently blaming people for doing what they had been advised to do at the time, but understands and appreciates BPD has since corrected the misunderstanding.

- BPD is starting the year with 69 officers and is gaining 1 sworn officer but losing another so for February, the number is still 69. While Chief Murad had projected 4-6 officers from this class, an inadvertent benefit to one officer is that field training officers will have a break because field training is a difficult task, and they have been doing it since June.
- Since the end of December, the two designated Marketplace officers have been rolled back into regular patrol, so the number of patrolling officers is up by two from 21 as it shows in the report. Patrol officers are still focused on the downtown core and are doing foot patrols of the Marketplace as they are able.
- President Paul and Chief Murad discussed the possibility of launching a nonresidential police academy in Chittenden County and whether that would make an appreciable difference in BPD recruiting efforts. Chief Murad pointed out other barriers that a nonresidential police academy could not address, such as lack of housing. Advantages to having a nonresidential police academy based in Chittenden County would be the ability to control the curriculum and make it specific to Chittenden County law enforcement and opening up the recruiting pool to candidates for whom spending several weeks in Pittsford, away from home or family is not attractive. Chief Murad shared that at one time, a program like this was being explored with Champlain College and there were many logistical and practical obstacles to overcome, one being the cost of commercial space and building it out, which Chief Murad estimates at \$75 million for a top-notch facility. Williston would probably be the most advantageous spot as it centrally located to the interstate system and could attract candidates from Franklin or Addison County. Chief Murad said that teaming up with a college or university is something he would be interested in exploring more in-depth with any of the Committee members or Councilors one-on-one as he has put much time and thought into researching the possibilities already, and while it would be a tremendous lift, believes the end result would have a justifiable pay-off.
- BPD hired another CSL, so there are now six Community Service Officers (CSOs) and six CSLs. The Community Support Supervisor was promoted to Assistant Director of CAIP, so BPD will be hiring for this now vacant position. Another CSO is also expected to be onboarded soon. Chief Murad highlighted how the organizational chart for the Police Department and CAIP's structure is completely unique compared to the rest of the state. As CAIP continues to grow, the composition of the force is changing so that 60% of the force are sworn officers and 40% are professional employees. In 2019, 75% of the force were sworn officers and 25% were professional employees. Chief Murad hopes to see capacity grow both for sworn officers and professional employees.
- Total incidents for 2023 was 30,760, a 22% increase from 2022. Chief Murad emphasized not all incidents are crimes, and that these numbers just reflect all calls for service and may also be subject to change once they have caught up with online reporting data. However, what total incidents does show is that BPD is facing more calls in 2018 with half the number of patrol officers in 2018. BPD stacked 14% of the incidents and

13% were sourced from online reports, which will shift going forward from the change made to the online reporting system.

- Chief Murad created a visualization of the Priority Response Plan, illustrating how the Priority Response Plan comes into effect when there are two or fewer officers available, ensuring there are always two officers available on any given shift to respond to a life-threatening emergency. At this point, BPD stops responding to calls in order, but by priority, where the two officers will not respond to anything less than a Priority 1. Anything less than a Priority 1 is stacked until other officers become available again.
- Breaking down total incidents by incident type, Chief Murad saw an overall improvement from 2022 to 2023, as 2022 was a particularly challenging year. However, 2023 did see unique challenges with overdose and public drug use, where overdose was up 71% from 2022, which has contributed to rising incidents of larceny and retail thefts. Chief Murad voiced that BPD is expecting 2024 to be challenging for the homeless population, because while being homeless is not a crime, this population is more vulnerable to situations that can become crimes like general public disorder, retail theft, and public use of drugs. Incident trends were also tracked from 2018 to 2022, as year to year is not always reliable.
- Councilor Doherty wondered if for years 2020 and 2021, incident totals might have been affected because people were at home and stores were closed, causing the incident data to look better than it might have otherwise. Chief Murad agreed and added that the COVID years affected some categories positively but others negatively, such as larceny, in part due to court closures, causing a delay in response and ultimately, a delay or lack of consequence for commitment of the crime. Councilor Grant added that drug use along with the court closures seemed to be a definite driver. Councilor Grant thought it would be helpful to the public if BPD could educate residents on strategies for keeping their property safe, such as not leaving the keys in the ignition to warm up one's car.
- President Paul highlighted that gunfire incidents going down is very encouraging and that it is wonderful to think that in the future, Burlington may be a city that only sees three in a year again.
- Regarding Chief Murad's comment about homelessness leading to an increase in disorderly conduct, President Paul asked why disorderly conduct did not go up in 2023 if that is the case. Chief Murad clarified he was referring to an increase in public disorder, not disorderly conduct, as disorderly conduct is a specific set of behaviors defined by law. Chief Murad added a sub-clause of disorderly conduct is fighting, so what the data could be showing is that incidents of fighting have grown more violent, so more cases were escalated to simple assault, and could account for the decrease in disorderly conduct but the increase in simple assaults.
- Chief Murad updated the Committee on rebuilding progress, where BPD hired 15 officers, more than they have hired in a year for two decades. With some departures, the net gain is eight officers. The recruitment team's efforts are paying off, and BPD

recruiting will be concentrating on graduating students and have also been targeting officers in New York City, as that agency is experiencing a lot of attrition and have large classes of new officers who need to find a placement. Overall, Chief Murad feels that since 2010, recruitment and retention is trending in the right direction and thinks BPD can achieve over 80 officers by Fiscal Year 2026, though it will still be a challenge. Chief Murad affirmed BPD is committed to retaining personnel through competitive benefits, supporting personnel in their work and providing opportunities that keep them interested, offering new recruits strong hiring incentives, and strengthening CAIP and Burlington CARES.

- Relating to Burlington CARES, Chief Murad confirmed there is a CARES clinician supervisor in the background check process and will be ready to onboard soon. The City is still waiting to hear back from UVM's legal counsel at this time, and if there is still no agreement once the CARES clinician supervisor is on-boarded, Chief Murad plans to coordinate with BFD to deploy her with CRT so that she is in the field, getting experience and can also work on hiring two clinicians. Chief Murad advised that the City is keeping the state grant given for CARES but that some of the money will need to go back to the state once it is running. Chief Murad plans for the new Assistant Director of CAIP to dedicate more time to this since managing day-to-day operations of the CSLs are not part of that role.
- President Paul mentioned that there is a line item in the Public Safety Tax increase for BPD recruitment of \$125,000, based on 77 officers, so the Department has that money to spend toward those efforts.
- Chief Murad and Councilor Grant discussed the hiring incentive discrepancies, as Chief Murad updated the Committee that Human Resources Director Kerin Durfee was working on this based on feedback from Councilor Grant from a previous Public Safety Committee meeting. Councilor Grant stated Director Durfee had been in touch about the issue. Councilor Grant brainstormed strategies with Chief Murad about search engine optimization and online job boards to try and improve visibility of BPD's job postings as opposed to just relying on the BPD Careers page and the City's career website. Chief Murad replied Executive Manager Shannon Trammell has worked on SEO for advertising in the past but could not speak to what has been done for job posting and would bring it up with the recruitment team. Councilor Doherty suggested Chief Murad look into hiring a Burlington-based digital marketing firm to help with SEO, if it proved to be a valuable investment. Councilor Doherty also wondered about the potential for rehiring retired police officers to address the labor shortage. Chief Murad stated BPD has brought back some officers this way but that most officers who have retired are happy where they are, either fully retired or having moved on to work for state agencies for their healthcare benefits that BPD is not in a position to match.
- President Paul and Chief Murad the challenges businesses are having in trying to implement their own security measures, as those who are committing retail theft still find ways around these barriers. Chief Murad said some businesses are reluctant to report due to the perception that BPD will not respond, and while Chief Murad acknowledges that

BPD is not in a position to respond to every retail theft as reliably as they should, they will come when they can, and ultimately, BPD needs the report, even if they cannot respond right away.

- Councilor Doherty inquired if the loss of the street crimes unit has contributed to the rise in retail theft, as the street crimes unit would have been dedicated to these kinds of cases and have knowledge of repeat offenders and their patterns. Chief Murad said the knowledge is not so much lost, as there are still officers who know the recurring suspects and can identify them when reports come through, but officers do not have the ability to focus on it as they once did. The narcotics team is also familiar with this community, and the CSLs and street outreach are also valuable resources officers can refer to for intelligence. One issue in not having a dedicated street crime team is that BPD is not able to focus on a pattern of a crime at a specific location. Chief Murad also described how it used to be that someone who was arrested for something like retail theft could have their charges lessened by providing intelligence to the police, but there has since been a stated policy change due to the complication of substance use disorder creating a sense that unfair leverage is being used against the individual to coerce them into cooperating with the police. However, even if this was a tactic available to the BPD, Chief Murad does not believe they currently have the capacity to carry it out.
- Councilor Doherty asked about the possibility of pooling resources with other municipalities, such as South Burlington, and creating a county-wide task force for combatting retail theft. Chief Murad responded this concept was discussed a few weeks ago, and some of the challenges identified were command and control issues and staffing. Chief Murad stated that if it was staffed through overtime, it is something they may be able to consider, as it would be important to be able to reciprocate any help received from neighboring municipalities like Williston and South Burlington if they decided to band together on this issue.
- President Paul stated hearing that downtown merchants' perception is that it is typically the same 20 to 25 individuals doing a large amount of the retail theft and has heard stories of people coming to Burlington from out of state just to steal an incredibly expensive item and that it seems relatively organized. President Paul wondered what mechanisms would be available to retailers to put pressure on them, especially if they are able to recognize individuals and asked Chief Murad to follow up on this at a later time. Councilor Grant did not agree with the perspective that retail thefts are organized but agreed with further exploring tools retailers can use, such as trespasses and expressed wanting to share this meeting with the rest of the council body and constituents.

5. Third Community Forum

5.01 Third Community Forum Discussion

The Committee discussed the possibility of hosting a third community forum to complement the two community forums on public safety in December 2023. Councilor Grant expressed wanting the forum to focus on harm reduction and include a presentation from the Fire Department, as

they were not speakers at the last forums. Councilor Grant suggested involving Scott Pavek with CommStat, Ed Baker, an advocate for harm reduction and overdose prevention centers, and communicated she was looking into locations and targeting a weekend day but was also open to suggestions.

President Paul noted Contois Auditorium use is typically scheduled so that City staff do not need to set up the room more than once a day, as it can take a lot of time and effort. Contois availability would be dependent on this as well as regularly scheduled events. President Paul also added a bigger challenge might be coordinating the event with City employees' availability. Councilor Grant spoke to how this event would be an important opportunity to educate the public on harm reduction strategies and data supporting the efficacy of overdose prevention centers.

6. Other Committee Business

6.01 Other Committee Business

The Committee set the next meeting date for February 21st, pending confirmation with Chief LaChance.

7. Adjournment

7.01 Motion to Adjourn

President Paul adjourned the meeting with no objection at 8:25 PM.