

**Public Safety Committee
Thursday, March 21, 2024
Remote via Zoom
Burlington, Vermont
DRAFT MINUTES**

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

Staff Present: Hayley McClenahan (Assistant City Attorney), Michael LaChance (Fire Chief), Lacey Smith (CAIP Assistant Director), Jon Murad (Police Chief), Shannon Trammell (BPD Executive Manager)

Public Present: Jean Markey-Duncan, Romeo von Hermann

Meeting called to order at 5:37 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 February 21, 2024**

Motion to Adopt Minutes from February 21, 2024 as written.

Motion by Councilor Grant, Seconded by Councilor Doherty

Final Resolution: Motion Passes

Yes: Unanimous

**3. Public Forum
3.01 Verbal Comments**

Jean Markey-Duncan expressed gratitude for reviewing progress on the CNA report's recommendations, as Markey-Duncan had been concerned about staffing shortages stalling progress and is encouraged to see things are moving forward. President Paul replied the Committee wanted to review it at least one time before the end of the council year but that it should be reviewed more regularly.

Romeo von Hermann stated he is looking forward to the Committee's agenda at this meeting and wonders what the future holds for the Public Safety Committee, concerning what items the Committee will bring before the Council next and the state of BPD-community interactions.

Public forum closed at 5:42 PM.

4. Deliberative

4.01 Chief's Report: Fire March 2024

Chief LaChance provided the Committee an updated data report for the Fire Department:

- So far, overdose averages are down compared to 2022 and 2023. Chief LaChance expects overdose averages to increase as the year goes on. Overall, overdoses have been down since October of 2023, which Chief LaChance attributes to a combined effort of the CRT and other initiatives by various partners.
- Houselessness data has not shown significant improvement, and with the closure of the motel program, continues to strain emergency services. Chief LaChance added the State's hotel program in Burlington appears to be well-attended, servicing over 30 individuals, who all have an opportunity to connect with state services before leaving in the morning.
- Chief LaChance included data on how many individuals CRT has serviced, connected to outreach services, and the number of Narcan-Leave-Behind Kits distributed in the last month.
- Chief LaChance advised a full Fire Commission report would be available for the next Public Safety Committee meeting.

Councilor Doherty noted the dramatic reduction in overdose averages from the last few months and asked Chief LaChance to elaborate on the factors involved. Chief LaChance stated that while he does not think CRT is solely responsible for the reduction, believes CRT is making an appreciable difference, along with the many programs other organizations are running, including efforts spearheaded by BPD, Special Assistant to End Homelessness Sarah Russell of CEDO, the Howard Center, and others. Councilor Doherty acknowledged the problem certainly requires a multi-faceted response and added it would be valuable to have someone further analyze the impact each initiative is having, to better pinpoint which strategies are working so City Council can make more informed decisions when it comes to investing resources toward resolving this problem. Councilor Doherty also asked if data from other New England cities struggling with overdose and houselessness is available to compare with Burlington's. Whether other New England cities are tracking data this way was unknown to Chief LaChance, but he agreed that if other cities are tracking the problem in a similar manner, it would be valuable to look into.

Assistant Director Smith shared that the programs and individuals CAIP interacts with are reporting less xylazine in the community as compared to the summer, which may be a driver in the reduction of overdose deaths, as xylazine is a substance that cannot be reversed by Narcan. Assistant Director Smith added that other substances like fentanyl, which can be reversed by Narcan, are still as prevalent as ever in the community, and so agreed that it may be a reduction of xylazine in combination with the other factors Chief LaChance mentioned leading to lower

rates of overdose death. Councilor Doherty inquired if Assistant Director Smith knew why there was less xylazine on the market, to which Assistant Director Smith responded there were several busts over the fall that disrupted supply from Philadelphia, where xylazine is extremely prevalent, so that reactive measure could be at work along with the proactive measures in our community. Chief LaChance added that a supply component would make sense due to the volume of xylazine in Burlington last summer and worries what this summer will bring. Councilor Doherty thought the sustained reduction was a longer period than supply-side action alone would reflect, reinforcing the need to quantify each initiative's contribution to mitigating the problem. Councilor Grant suggested increased distribution and access to Narcan could also be influencing this reduction, as more individuals may be taking it upon themselves to intervene before involving emergency services, adding that preventative strategies are happening and having an effect, and we need to do more.

President Paul and Chief LaChance discussed the high rates of EMS responses to the homeless, houseless, and transient population over the summer and how the limitations of Vermont's mental health services contribute to houselessness. President Paul referenced the 2024 Burlington Business Association's Business Summit, stating that a lot of innovative solutions other communities are implementing were shared, but these communities have a lot more resources and a lot more open space to build transitional housing. The solutions are also new, so their long-term success has yet to be proven. President Paul asked Assistant Director Smith if the Cherry Street shelter would be closing Friday March 22, as originally planned. Assistant Director Smith advised that she had not heard differently at this time but hopes that will change due to the anticipated inclement weather. Relating back to the BBA event, Assistant Director Smith added Burlington and greater Burlington does have transitional housing and Vermont is relatively in step with models for making housing more accessible, but lacks the volume and scale of these models to meet the community's needs. For instance, a lot of individuals need permanent supportive housing, as opposed to transitional, and that is one of the hardest types to come by in Vermont. Adding housing stock will help alleviate the strain on the market, but to make significant progress in ending homelessness, diversifying housing stock and developing a flow for transitional housing programs would be necessary. Chief LaChance cited New Hope Lane to reinforce Assistant Director Smith's points about housing stock and flow. Assistant Director Smith added the criticism surrounding the project is unfair because it is an emergency shelter, but individuals stay longer than intended because there is nowhere for them to move to. In addition, many of these individuals have vouchers but cannot find a unit to apply the voucher to, and then they have to start over in applying for more vouchers because the voucher expires before it can be redeemed. Councilor Grant stated that cycle is not something that is seen by the community and gives a false perception that programs are not working, when it is not the programs that are the issue but the lack of units. President Paul noted her hope that the State will choose to extend the Cherry Street shelter through the weekend and thanked Chief LaChance for the report.

4.02 Chief's Report: Police February 2024

Chief Murad reviewed the highlights of the most recent Chief's report:

- The year started off with the hostage standoff in the Old North End and another incident a month later involving a person with a knife and another individual who has had previous mental health issues and previously been taken into custody for carrying weapons in public.
- The Battery Street encampment was closed, which Chief Murad attributes to the exacerbation of issues at Decker Towers. While Decker Towers has had ongoing problems, when Chief Murad visited in August 2023, the problems residents faced were primarily related to drug use and distribution within the building. Now, residents and workers in the building also face problems with constant trespassing and corollary issues, such as theft and acts of intimidation. Chief Murad met with Decker Towers residents in March to discuss strategy, rules, and risks of organizing tenant watches, with the intent to promote a supportive partnership between the residents and BPD, as he is supportive of the idea for tenant watches but wants to prevent incidents such as the recent incident where an employee of Decker Towers was accidentally harmed by a resident's actions to deter trespassers from loitering in the stairwell.
- BPD worked with Burlington City Arts to develop street closure and parking plans for the upcoming eclipse on Monday, April 8. Maps have been published by BCA and are available online. Street closures include College Street, which will be closed for pedestrian traffic. Battery, Park, and 127 North will be closed, except for shuttle bus and emergency service traffic, to allow for paid parking spaces. The hope is that these street closures and parking options will mitigate congestion. 40 personnel will be available for the event. Other agencies are not able to contribute their resources because they are managing their own municipality's eclipse traffic. If crowds coming into Burlington exceed 75,000, Chief Murad predicts BPD will not be able to maintain the traffic and road infrastructure, leading to potential issues with emergency vehicles' ability to navigate streets due to gridlock. Chief Murad has been coordinating with BCA and Deputy Chief LaBrecque to prepare for these scenarios. President Paul inquired about a constituent's concern over emergency service response times due to road closures and traffic. Chief Murad assured President Paul that emergency vehicle street access has been prioritized in the operation plans, so response times should not be dramatically impacted.
- More sworn officers joined the department than in any other calendar year since the 1980s. However, a couple of officers also left, and others are anticipated to move on this summer upon reaching 20 years of service. Chief Murad stated many officers are leaving after 20 years and needs to be addressed. BPD is up to 11 dispatchers, with some still in training, but a significant improvement from its previous team of 4. CAIP is fully staffed with all six CSL positions filled, six CSOs, and a seventh expected to join soon.
- Call volume is 23% higher than this time last year, and 2023's call volume numbers were the highest since 2017. While this trend is concerning, BPD is seeing certain categories of calls decreasing, where BPD is not receiving as many Priority 1 calls when compared to 2023.

- As the Fire Department's data reflects, overdoses are reduced from 2023 levels. Along with efforts from CRT and CAIP, there were 3 large-scale operations targeting St. Paul Street, Walnut Street, and North Champlain Street, where cumulatively, tens of thousands of bags of fentanyl (usually mixed with xylazine) were seized, along with large quantities of crack cocaine, firearms, and cash, building on a relationship with the US Attorney and US Drug Enforcement Administration which also carried out a number of key arrests. Press releases are available for all of those and will be linked in the March Chief's Report. Based on those operations and efforts, Chief Murad stated drug traffickers' ability to move product into the city from Philadelphia has been hampered significantly, accounting for the reduction in xylazine noted by Assistant Director Smith.
- Motor vehicle larceny is reduced from last year and appears to be trending downward overall.

President Paul voiced concern for BPD capacity this summer given the anticipated loss of officers who will be approaching 20 years. Chief Murad said he plans to approach these officers about staying on longer, as it would greatly benefit the Department and themselves personally, since the new contract matures this year, giving officers in the top pay bracket a significant salary increase that would be reflected in their pension upon retirement, benefitting them for the rest of their lives, and also wants to negotiate some more desirable assignments for these officers. President Paul asked Chief Murad to elaborate on why gunfire incidents appear to be rising compared to past years. Chief Murad responded that while gunfire incidents may be up from this time last year, the activity and degree of harm resulting from these incidents appears to be changing, as no one was shot in these incidents (February's report excluded the recent incident on Church Street).

Councilor Grant expressed concern for the 23% increase in call volume and wondered how that reflected across incident categories, Chief Murad stated the 23% is spread across all categories but would numerically be most evident in categories like "suspicious event", which is not tracked because it is a catch-all category. Chief Murad clarified the total incident volume is indicative of how often the public is calling and how often officers are being utilized, and there are more calls and reports of suspicious behavior, but these incidents do not necessarily fit into the categories of crime the public and City have historically been interested in tracking, which is why the increase is not obvious from the selected incident data. Councilor Grant responded that some reference on the slide capturing this point would be helpful in the future and would talk to the data team about generating more reports. Councilor Grant also shared concern over how the Decker Towers incident was described because while it qualified as a simple assault, it was an accident and thought this should have been emphasized more in the press release.

Councilor Doherty noted the increase in traffic-related incidents and wondered if this is due to more police officers focusing on traffic incidents. Chief Murad confirmed it is because there are currently 6 officers on field training who are doing traffic stops, where normally, only 2 officers are dedicated to traffic stops. The ebbs and flows of traffic stops align closely with the graduation and training cycles of new officers at BPD. Chief Murad added there has been an increase in crash-with-injury and fatal crashes and believes this is because Burlington has reached its limits in engineered remediation of risky traffic behavior and needs to put more

emphasis on enforcement, but police are receiving conflicting messaging from policy and the public, regarding expectations to enforce traffic laws and rules while also being urged not to do car stops. Councilor Doherty pointed out there is certainly a difference between a suspicious car stop, which has been a pretext for a racially-motivated car stop, versus pulling someone over because they were blatantly speeding, and Chief Murad agreed but added some officers struggle with that distinction. Councilor Grant said there is evidence of racial disparities in Vermont and Burlington traffic stops and the pattern of behavior that occurs following a stop, which needs to be kept in mind when considering traffic enforcement approaches, given that distrust still exists between certain communities and BPD.

5. Review and Update on the CNA Recommendations

5.01 Review and Discussion

Executive Manager Trammell gave an overview of progress on the implementation of the CNA recommendations, which began last year after the finalization of the CNA report and the matrix listing the recommendations:

- Implementation started in early 2023, where Executive Manager Trammell took the matrix and grouped recommendations by topic or directive and added some tracking factors. A new notes section was also added to the spreadsheet, which shows current department notes, adjacent to the existing notes columns from work group discussions.
- Executive Trammell advised Item 9.3.1 of the posted CNA matrix for this meeting should read “in progress” as opposed to “complete”. In addition, Assistant Director Smith is allocating some CSLs to work on the tasks pertaining to refugee communities, so those items are also in progress.
- Recommendations that involved minor directive revisions and other low-hanging fruit were prioritized first, as Executive Manager Trammell was at the time, still Executive Assistant to the Chief and had to balance other priorities. Since being promoted to Executive Manager in September, Trammell has been able to prioritize the larger, more complex recommendations, such as police oversight in collaboration with the Police Commission.
- Many of the recommendations pertain to Directive 40, or DD40. Some recommendations have been completed but some of the recommendations are also contingent on the development of a police oversight model. Executive Manager Trammell shared Chief Murad has made revisions to DD40, with the intention of incorporating the CNA recommendations and better outlining what the Department is currently doing, until a consensus is reached on police oversight. These revisions have been provided to the Burlington Police Officers Association (BPOA) and the Police Commission for review.
- Several recommendations are also grouped into the broad topic of training. Executive Manager Trammell has dedicated a lot of time to improve the training process and make it more transparent, which is why BPD asked for an increase in the training budget for

FY25. Executive Manager Trammell has also reached out to South Burlington to explore the possibility of sharing resources and involving more community partners in training.

- With some significant progress made on DD40, the continuation of police oversight exploration in partnership with the Police Commission, and some momentum in training, Executive Manager Trammell's next focus will be working on the community-centric recommendations.

Referring to discussion on the Police Chief's Report, Romeo von Hermann voiced concern for the racial component in traffic response and other incidents and hopes it will be addressed in future meetings as it plays a critical role on the decisions and interactions officers carry out when responding to incidents.

President Paul said that hopefully that and the CNA recommendations will be more prioritized in the next year and thanked Executive Manager Trammell for the effort put into implementing the recommendations and adapting the spreadsheet to be more readable.

Councilor Grant expressed gratitude for the work completed on the CNA recommendations but also requested a status update on incomplete items with past due completion goal dates, such as DD13.3.

Councilor Doherty took a moment to acknowledge President Paul's dedication to the Committee, since this would be her Public Safety Committee meeting, and also supported the suggestion that the Committee make the CNA recommendations a top priority in the coming year, as the City paid for the CNA report and should strive to make the most of it. President Paul added that hopefully, the community forums Councilor Grant initiated would also continue.

6. Review of Resolution: Accepting Grant Funding from the Department of Health for the Crisis Response Team and Exploring the Creation of a Burlington CAIP Department

6.01 Review and Discussion

By way of introduction, President Paul summarized the resolution's history, challenges the City has faced in standing up Burlington CARES since discussions first started in 2021, and asked Assistant Director Smith to speak to the exploration of making CAIP its own department, independent of the BPD.

Assistant Director Smith updated the Committee on the status of Burlington CARES:

- The CARES Clinical Supervisor is expected to start on Monday 3/25, and among her first priorities will be to hire for the clinician positions she will be supervising, as Assistant Director Smith believed it was important for the Clinical Supervisor to be directly involved in that process.
- The MOU with UVMMC pertaining to CARES is still under legal review. Until the MOU is finalized, the Clinical Supervisor will spend part of her shifts working with Fire

and CRT, allowing her to be on the road, working to address the health aspects of public safety, as early as next week.

- Burlington CARES' clinical system has been developed, and the Clinical Supervisor will also be an integral part of informing and implementing this process.

Assistant Director Smith updated the Committee on the status of CAIP:

- All six CSL positions have been filled. One CSL is in orientation, but by next month, all CSLs will be fully independent.
- CAIP's CSLs are actively responding to calls or requests for CSLs from the Fire Department, the Fletcher Free Library, CEDO on projects related to houselessness, the School District, and Burlington Parks, Recreation & Waterfront.
- CAIP is actively hiring for a CSL supervisor, whose duties are currently being fulfilled by Assistant Director Smith.

Regarding turning CAIP into its own department, Assistant Director Smith urged the Committee to recommend further exploration of the positive and negative aspects inherent to this goal before arriving at a decision, emphasizing these points:

- CAIP and CSLs were created to effect systemic change in the public safety system, and this mission must be preserved in whatever future decisions are made.
- CAIP relies on BPD's systems and databases to be proactive in their work, access of which is regulated at the state level, such that if CAIP were to be removed from BPD, they would run into significant roadblocks with obtaining access to the same information, negatively impacting their work. Assistant Director Smith stressed access to these systems and databases is what enables CAIP to be effective and fill gaps nonprofit services and other social services cannot address because those organizations are not privy to the same access. While not opposed to the idea of forming a separate department for CAIP, Assistant Director Smith stated exploration of how to guarantee CAIP's continued access to BPD systems would need to be worked out.
- Costs associated with moving CAIP out of BPD should also be considered, in terms of building, logistics, and setting up a secure network.
- Has had several conversations exploring what it would look like to embed CSLs in other departments, such as with Fire and the Library, rather than breaking CAIP off into its own space.
- The best path forward for CAIP is one that takes into account the needs of the community, the needs of the individuals who utilize the system and helps them help themselves to no longer need a system that was not set up to help them in the way the rest of the social service system does, while also diversifying those systems. Assistant Director Smith shared that based on programs other public entities have been offering for

years, Vermont is behind the curve for providing social service care and could learn a lot from exploring existing models in other communities, all while keeping in mind, “What does it mean for us to do system change within the public safety sphere?”

- Understands the concerns about CAIP being in the Police Department due to the fact that it is a system that has caused harm, resulting in some mistrust of BPD. Over the last ten years, Assistant Director Smith has heard from many people who are concerned about referring individuals to CAIP due to this concern and believes the right approach is through building relationship, adding that the goal is to effectively minimize harm throughout the entire public system, not just the Police Department.

President Paul deferred to Councilors Grant and Doherty on how they want to proceed with this information, given that following Organization Day on April 1st, committees and commissions will be reassigned. Councilor Grant added that based on Assistant Director Smith’s points, further exploration is certainly warranted and should be followed up with another Public Safety Committee meeting.

Councilor Grant voiced being in support of embedding Burlington CARES with BFD, and that at one time, she had her reservations about CSLs staying under the Police Department but Assistant Director Smith had convinced her otherwise, based on the above points.

Councilor Doherty supported referring the minutes from this meeting to the full Council for further review, also advising that a roadmap should be developed, breaking down next steps into their smallest tasks, and presented to decision makers, and asked Assistant Director Smith to weigh in.

Assistant Director Smith agreed with taking a pragmatic approach, digging into the minutia of what it would really mean to turn CAIP into its own department, especially for system access, and anticipating the unintended consequences that could have a negative impact on CAIP’s ability to safely help individuals avoid police contact and alleviate the workload on officers.

President Paul expressed that in regards to Burlington CARES and CAIP, while whatever decisions are made will surely be well thought out, Assistant Director Smith’s points about structural issues are incredibly poignant, having not been brought up in previous discussions concerning CAIP. President Paul suggested the Committee may draft and refer a memo synthesizing these points, along with the minutes from this meeting and the Committee’s opinion on next steps, to the Council sometime in April or May, with input from Assistant Director Smith.

For Burlington CARES, Assistant Director Smith added there is nothing preventing CARES from partnering with Fire in terms of system access. With that in mind, and trying to corral all of the facets of CAIP and Burlington CARES, Assistant Director Smith reiterated that before moving forward, all possible options should be explored, and the Council should move forward with the option that is best for our city.

President Paul agreed and stated that public safety happens because everyone is working together, not in separate boxes. With the approach of Organization Day, President Paul added that further pursuit and discussion of this matter will be up to Councilors Doherty and Grant or whoever is assigned to this committee going forward and thanked the Committee and staff for their dedication to the Public Safety Committee in the last year.

7. Future Business

7.01 Other Committee Business

No other committee business.

8. Adjournment

8.01 Motion to Adjourn

The meeting was adjourned with no objection by President Paul at 7:30 PM.