



Police Commission

**Tuesday, March 26, 2024, 6:00 PM, Contois Auditorium, City Hall
and via Zoom**

MINUTES OF MEETING

DRAFT

MEMBERS PRESENT:

**Chair Shakuntala Rao
Commissioner Cox (Zoom)
Commissioner Jessica Oski
Commissioner Kevin Garrison (Zoom)
Commissioner Jack Keefe
Commissioner Carolyn Hanson**

OTHERS PRESENT:

**Chief Jon Murad
Shannon Trammell, Clerk**

1. Agenda

1.1. Call to Order

Chair Rao called the meeting to order at 6:04 pm.

1.2. Roll Call and Determination of Quorum

Commissioner Keefe arrived 6:05pm
Commissioner Comerford – absent

1.3. Additions or Modifications to Agenda

Motion made by Commissioner Hanson, seconded by Commissioner Oski, to approve the agenda as posted.

VOTING: Unanimous, motion carries.

2. Commission Actions

2.1. Approve the minutes from the Regular Commission Meeting on 2/27/2024

Motion made by Commissioner Oski, seconded by Commissioner Keefe, to approve the minutes from 2/27/2024 as posted.

Commissioner Hanson would like minutes to reflect she provided prior notification to the Commission that she would be out of the Country for the February meeting.

VOTING: Unanimous, motion carries.

3. Public Forum

3.1. The public is invited to address the Commission

Romeo vonHerman stated that he noticed changes happening slowly, going in the right direction, but there are still some deficiencies. He stated he is advocating for trust building process and remains concerned as a private citizen. He stated that from an equity standpoint, he appreciates those being recruited reflect the city's diversity. He stated he remains concerned on interactions and response times. He has noticed the Dept's PIO at the NPA meetings and would love to see additional steps made to build trust between the Department and the Community, and would like to see "ice breaking moments" with the community.

Keren Sita spoke that she supports cremee with a cop and stated that people should be able to name drop officers, that people should be close to the police officers and have that relationship. She stated she felt officers should be buddies with BHS students and that people need to see officers walking the streets.

Councilor Melo Grant stated that she sent an email to the Commission Chair requesting the 2023 Annual Report, if there was one done. At the most recent Public Safety Committee meeting, they reviewed the CNA Report and would like a status update on the tasks assigned to the Commission. She recognized the ongoing staffing issue the Commission is having and stated she would reach out to HR. Councilor Grant noted that she appreciated the note in the Chief's Report about the calls for service, but is still concerned drawing attention to an increase in calls without noting what the increase is from. She also stated she appreciated the note about Pittsburg PD in the Chief's Report. She stated that a focus on local solutions to build up morale should be made and that she is willing to raise funds for cremee with a cop and still would like an engagement plan. She also stated that the feedback on the recruitment ad was fantastic.

4. Police Department Items

4.1. Chief's Report

The Chief shared his report for the month of March and gave an overview of the eclipse plans.

4.2. Department Directive Revision Discussion for Approval

DD40 - External and Internal Complaints, Supervisors Reviews, Administrative Reviews, Internal

**Previously DD40 - Quality Control Process, Investigations, Discipline [\[CURRENT VERSION\]](#)
*hyperlinked.**

The Chief provided an overview of DD40 and the reason behind the update, stating largely that the current Directive doesn't capture how and what the Department currently does in regards to discipline. A lot of the rewrite was driven by recommendations from the CNA Report, but that he also took guidance from the current practice which is outlined in the August 2020 Agreement with the Police Commission, from the Executive Order by Mayor Weinberger, and from the BWC Policy with the Police Commission from August 2021. Complaints that are sent through the portal are received by the Police Commission at the same time as the Department is notified. He stated that this updated Directive incorporates all the agreements that have been made with the Police Commission and the CNA Report recommendations to DD40 with regard to "Internal Investigations and Citizen Complaints." He acknowledged that he was not expecting approval tonight, but hoped this would be a good working draft for feedback and comments to work upon.

Commissioner Oski mentioned that on Page 3, under "lower level infractions", D.2., might need clarification due to the revision made to DD01 recently regarding "improper care and maintenance of equipment" and thought adding a D.3. that aligns with DD01 might be needed.

Commissioner Oski also suggested that less stigmatized language should be used in addressing invalid complaints and the "mental health" component of that section.

Commissioner Keefe noted that CNA recommended an entire rewrite of DD40, and commended the team for doing just that. He stated a concern was that the CNA Report recommended that with the intake of the complaints, the Chief shouldn't be the "gatekeeper" of those. The Chief was not aware of the recommendation and Commissioner Keefe said he would email that clarification to the Chief. Commissioner Keefe did state he still had questions of the Role of the Commission when it comes to the Charter Change initiative. He also mentioned that the Police Commission needs to keep pace with the Department in doing investigations in a timely manner and recommended that updates and dispositions be given in email, not verbally, so there is not further delay waiting for monthly meetings or special meetings.

Commissioner Hanson stated that the document helps to clarify the process, which was needed. She also stated that perhaps the new process the charter change initiative has proposed goes after 9.e. on page 17; that if there is a disagreement with the Chief's disposition and the Police Commission's recommendation that currently, it would go to the Mayor and that perhaps the new initiative is meant to be inserted at this point. She also stated she was pleased that the transparency sections G & H were included on page 10, and was supportive of a 6 month report – creation of a statistical summary of complaints and dispositions and thought this was something that could be done.

The Chief shared the Vermont State Police's model and thought this could be done.

5. Commissioner Comments

5.1. Commission to provide comments or questions

Chair Rao congratulated the mayor-elect and stated she would be present at the swearing in on April 1st and that she would be asking the mayor-elect to direct resources to the

Commission for a staff assistant, as it is an important role to keep connected with the public and provides management of files, website, tracking, and meetings, etc.

Commissioner Hanson also congratulated the mayor-elect and urged that if there were any questions on the performance of the current Chief, that the Commission be consulted. That they have the closest view of the Chief's work and that it is important for stability of the Department.

6. Commission Business

6.1. February 2024 Use of Force Report

There were no requests to BWC for February.

There are some pending requests and an update on this was requested by Commissioner Keefe [see next item]

6.2. Update on Body Worn Camera Policy

Chair Rao provided that the revised agreement was forwarded to the BPOA, and were waiting for a response from the BPOA so that it can be brought forth for a vote and approval, and stated in the meantime, City Attorney's office said the BPD can release the requests made in January.

6.3. Commission Comments to the Charter Change Committee

Document posted for discussion.

6.3. BPOA Feedback

BPOA is invited to provide the Commission feedback

Detective Corrow provided feedback on the Commissioner's comments, stating that he thinks there is largely agreement, but that the Union still believes the independent panel should be made up of 5 people, not 3 and would like to see how that is incorporated into DD40. He also stated that they would like to see parameters of the experience requirement of the panel and thinks that 10 years of law enforcement experience is needed. They would like to see the parameters behind the "break the glass" requirement; that there needs to be that ability, but there needs to be parameters to do so. He would also like clarification on "where the buck stops" and what triggers the independent panel. He stated there is agreement that it needs to be non-political.

Commissioner Keefe stated he would also like to see clarity on the independent panel on the powers, duties, role and obligations of the panel and that he doesn't know how that aligns with the role of the Commission. He stated that the Police Commission needs to be purely objective and disagrees with the statement made by Commissioner Hanson in Commissioner Remarks.

Detective Corrow stated that he doesn't understand the independent panel and where the ability to appeal pushes that. He stated that the end-all-be-all shouldn't be the panel and that the Mayor should not have authority over individual officers. That is not the case in any other Department.

Commissioner Cox stated that the Mayor referral doesn't work and requested clarity if

the purpose of the panel is for those disagreements
To be sent to the panel? Which was answered with "that is our understanding."

6.3. Public Feedback

The Commission will open the floor to allow for public comment on this item.

Romeo vonHerman stated he remains concerned by not having proper accountability and would love to see the panel. He stated he is concerned with the thought of 2 public oversight bodies over the Police Department. He also mentioned Title 6 issues and how those would be addressed.

7. Executive Session

7.1. Executive Session, as required.

Commissioner Oski moved for a special finding that premature general public knowledge of the Commission's hearing of grievances would clearly place the state, municipality, other public body, or person involved at a substantial disadvantage., SECONDED by Commissioner Keefe

VOTING: Unanimous; motion carries

Commissioner Oski motioned to move into Executive Session based upon the special finding, pursuant to 1 VSA 313(a)(1)b, SECONDED by Commissioner Garrison

VOTING: Unanimous; motion carries

Chair Rao then announced that the Commission would not move back into public session at the conclusion of the Executive Session and there would be no further public discussion.

8. Adjournment

8.1. Motion to Adjourn