



City Council - Public Safety Committee

Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

When: Apr 18, 2024 06:00 PM Eastern Time (US and Canada)

Topic: Public Safety Committee Meeting

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1. Adopt the Agenda

Subject

1.1. Motion to amend/adopt agenda

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 1. Adopt the Agenda

Department

Type

Recommended Action

2. Adopt Minutes

Subject 2.1. Motion to adopt the Minutes from March 21, 2024

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 2. Adopt Minutes

Department Council and Board

Type

3. Public Forum

Subject 3.1. Verbal Comments

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 3. Public Forum

Department

Type

4. Chiefs' Reports

Subject 4.1. Chief LaChance's April Fire Commission Report

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 4. Chiefs' Reports

Department Fire Department

Type

Subject 4.2. BFD Response Data as of 3/14/2024

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 4. Chiefs' Reports

Department Fire Department

Type

Subject 4.3. Chief Murad's March Police Commission Report

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 4. Chiefs' Reports
Department Police Department
Type

5. Discussion of Committee's Priorities and Upcoming Agendas

Subject **5.1. Third Community Forum**
Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom
Category 5. Discussion of Committee's Priorities and Upcoming Agendas
Department Council and Board
Type

Subject **5.2. Additional Data on BFD/BPD Retention and Turnover and CSO/CSL Data**
Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom
Category 5. Discussion of Committee's Priorities and Upcoming Agendas
Department Council and Board
Type

Subject **5.3. Tracking Department Training**
Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom
Category 5. Discussion of Committee's Priorities and Upcoming Agendas
Department Council and Board
Type

Subject **5.4. Community Engagement**
Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom
Category 5. Discussion of Committee's Priorities and Upcoming Agendas
Department Council and Board
Type

Subject **5.5. Pillars of 21st Century Policing**
Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom
Category 5. Discussion of Committee's Priorities and Upcoming Agendas
Department Council and Board
Type

Subject **5.6. Community Education around Data**
Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 5. Discussion of Committee's Priorities and Upcoming Agendas

Department Council and Board

Type

Subject 5.7. Additional Committee Priorities

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 5. Discussion of Committee's Priorities and Upcoming Agendas

Department Council and Board

Type

6. Legislative Updates on Public Safety

Subject 6.1. Review and Discussion of Legislative Updates as of April 15, 2024

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 6. Legislative Updates on Public Safety

Department City Attorney

Type

Recommended Action

7. Other Committee Business

Subject 7.1. Confirmation of Upcoming Meetings

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 7. Other Committee Business

Department Council and Board

Type

Recommended Action

8. Adjournment

Subject 8.1. Motion to adjourn

Meeting April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom

Category 8. Adjournment

Department Council and Board

Type

Recommended Action

9. Informational and Non-Discrimination Statements

Subject	9.1. This agenda is available in alternative formats upon request. For more information on access, call Lori Olberg, Licensing, Voting and Records Coordinator (802-865-7136)(TTY 802-865-7142). Persons with disabilities who require assistance or special arrangements to participate are encouraged to contact 802-865-7000 (voice) or 802-865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information.
Meeting	April 18, 2024 - Public Safety Committee Meeting Agenda - Thursday, April 18, 2024, 6:00 PM, Remote via Zoom
Category	9. Informational and Non-Discrimination Statements
Department	Council and Board
Type	

**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.



Burlington Fire Department



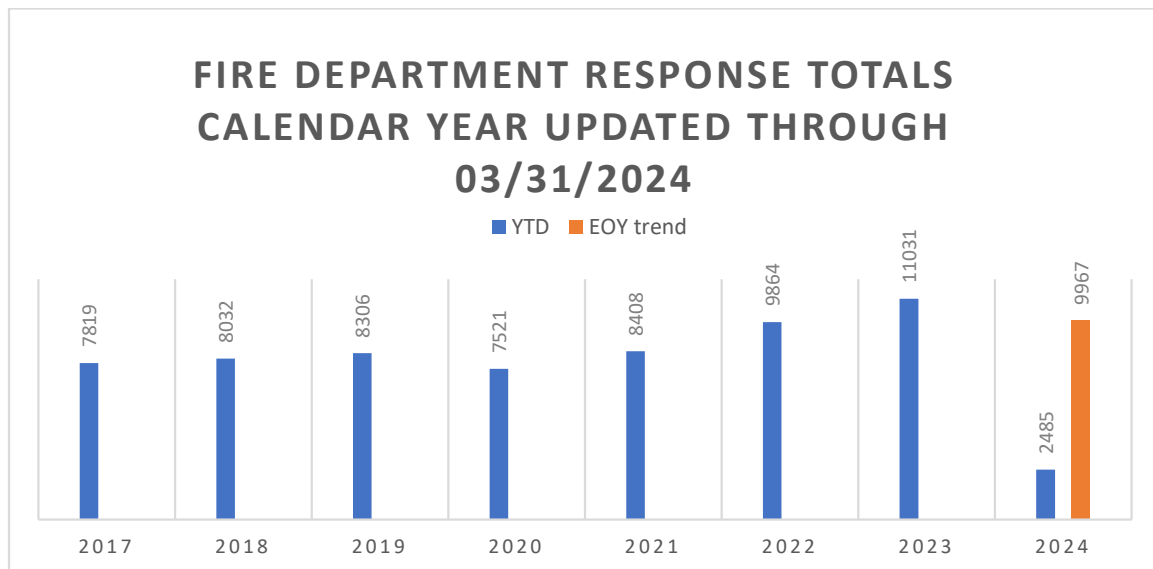
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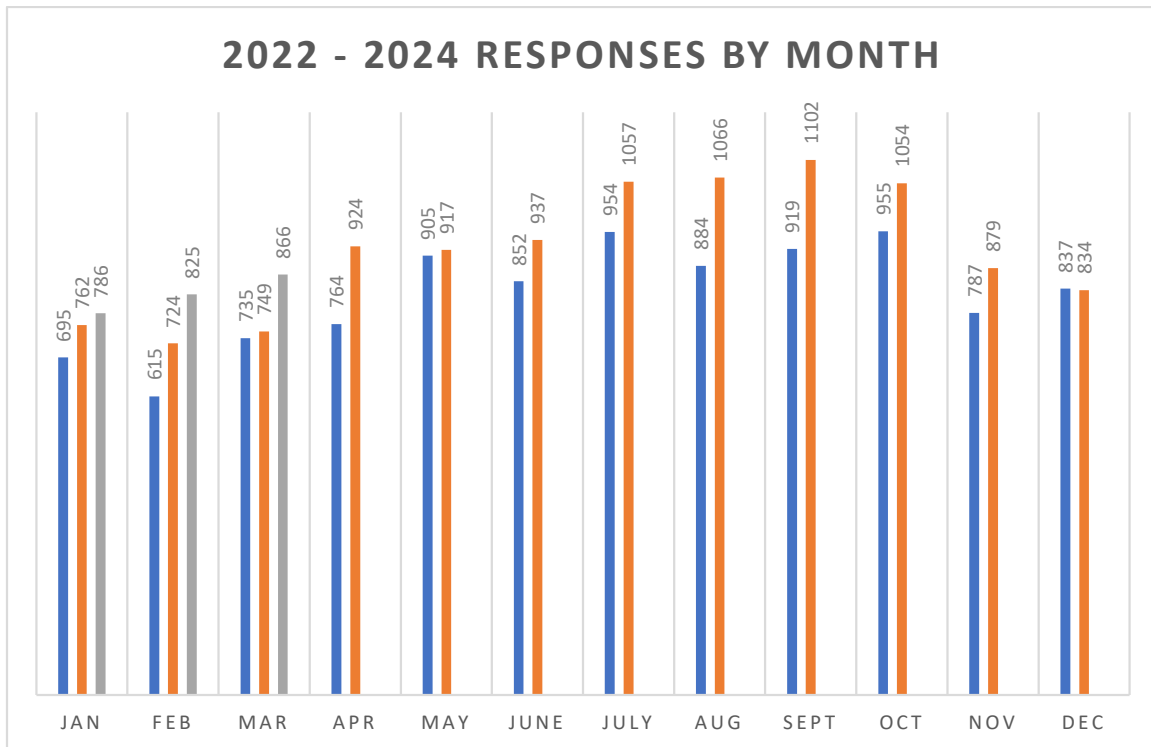
April 02, 2024

Chief's Report to the Burlington Fire Commission

Personnel: We currently hold four vacancies. We accepted entry-level applications through 02/29/24. We received 27 applications. Interviews are underway. DC Petit created a lateral hiring process to increase the candidate pool. This process will allow us to hire experienced firefighters/EMTs at a competitive pay rate and credit toward previous career service. A shorter recruit school will get them on the floor and count toward minimum staffing levels faster, reducing the overtime burden on our employees. The lateral process has been vetted through the BFFA and is in the city review process.

Responses: As of March 31, 2024, the fire department had responded to 2,485 calls for service. During the same period in 2023, we responded to 2,235 calls for service, an 11% increase over the same time last year.





Eclipse: On April 8, the city will experience a once-in-a-lifetime event, a total solar eclipse. There is detailed planning occurring at both the city and state levels. There is a possibility of 150,000 people in the greater Burlington area attending the event. DC Libby has worked with other city departments to ensure the event goes as smoothly as possible. We have hired 29 extra staff for the event. We will be staffing units at city parks and on the UVM campus; a 4th ambulance will be in service, and any units usually staffed with two people will have three.

Overtime: February 01, 2024 – March 31, 2024

- Minimum Staffing Overtime: 912.25 hrs
- Mandatory Minimum Staffing Overtime: 24 hrs

1-year Comparison February 01, 2023 – March 31, 2023

- Minimum Staffing Overtime: 1306.75 hrs
- Mandatory Minimum Staffing Overtime: 12 hrs

The above data shows a 30.19% decrease in Minimum Staffing Overtime and a 100% increase in Mandatory Minimum Staffing Overtime during the same period last year. Overall, the minimum staffing overtime burden on the employees and city budget has decreased by 29%.

Note: The above overtime burden on the staff accounts for Minimum Staffing Overtime, giving us the 22 people required to meet minimum staffing levels. This does not account for extra duty jobs, dispatch extra duty, or CRT overtime. In the same period, our staff committed to the following extra duty, dispatch extra duty, and CRT overtime:

- Extra Duty: 16 hrs
- Dispatch Extra Duty: 218.6 hrs
- CRT Overtime: 942.75 hrs

Fleet: Funding for fleet replacement continues to be a priority for the city's fleet committee. Ensuring fleet repair requests are addressed promptly and coordinated with the shift commanders to reduce response disruptions is a primary concern for the DC of Operations. The new Ladder 4 has arrived in the city. We will be conducting factory training during the first week of May. We expect delivery of two fire apparatus and one ambulance for the Fire Department in the next five months. Ambulance 4 is being built now, and we expect delivery in the spring. With the three-year build schedule for new ambulances and a five-year delivery timeline for new fire trucks, a priority should be placed on a sustainable fleet purchasing plan.

Buildings: Work to cover deferred maintenance is progressing. The shoring recommended for the Station 1 bay under Tower One has been completed. The Station 2 bedroom project is complete, and the space has been reoccupied. The Station 3 bedroom/bathroom project is still in the planning phase.

The City's Great Streets project has significantly impacted Station 1. The basement access and parking areas will be disrupted until the project's completion. DC Petit is coordinating station disruptions, and DC Libby is coordinating changes in response patterns during the construction.

Conversations about the Gateway Block and the fate of Fire Station #1 have begun. Based on heat maps of calls responded to by downtown apparatus, Station 1 is currently in a good location. I'm interested in discussing a new facility but am uninterested in locating it somewhere that would significantly increase response times and cause extra wear and tear on the apparatus.

Radio System Upgrade: The radio system upgrade managed by DC Libby is on schedule. With City Place increasing in height, the antenna currently placed on Burlington Square will need to be relocated to the roof of City Place. This will happen once the building is completed. The station alerting project managed by DC Petit is almost complete. Hardware was installed, and mobile applications were rolled out to the staff. The mobile application will be used to recall off-duty personnel. The app will also support live streaming of our primary radio channels once the station alerting installation is complete.

Staffing Study: Consultants from MissionCIT have completed the staffing study, which has been shared with the Mayor-Elect. The fire department administration and Union leadership will plan a meeting with the new Mayor to discuss the findings and a path forward based on the study recommendations.

Community Response Team Pilot: Between October 16 and March 31, the team has been staffed by 2679.75 hours of voluntary overtime by our line personnel. This is an average of 116.5 hours of overtime per week, giving us an average weekly in-service time for the unit of 58.25 hours. We have received widespread support and appreciation from the community. A profound thank you goes out to our committed responders doing this difficult work. Every month since the inception of the CRT shows reduced overdose responses from the same month of the prior year.

We expect the CRT to be busy with rising temperatures and nicer weather. We are already seeing an increase in opportunities to serve the community. A memo has been submitted to the Mayor inquiring about the future of the CRT program. We will also submit a request to the Board of Finance and City Council to continue staffing the CRT

past the 6-month pilot date of 04/14/24, utilizing the remaining funds from the original approval.

	2022	2023	% change 22/23	2024	% change 23/24
January	19	40	111%	25	-38%
February	20	29	45%	25	-14%
March	20	28	40%	23	-18%
April	26	43	65%		
May	26	38	46%		
June	38	56	47%		
July	38	39	3%		
August	39	57	46%		
September	24	67	179%		
October	33	25	-24%		
November	31	24	-23%		
December	44	24	-45%		
		Implementation of CRT			

BC McCombie is tracking data coming out of the CRT deployment. Below are some metrics showing the impact of the program. This data shows how many people the team has touched, the quantity of wound care supplies handed out, comfort care supplies distributed, Narcan leave-behind kits distributed, the number of referrals, direct phone requests, and incidents where the team went above and beyond in their duties. (I'm sure this number is under-reported by our crews)

Total:	1357	2312	81	167	26	13	3
	# of Attendees	# of Wound Care Items Distributed	# of Comfort Care Supplies Distributed	# of NLB Kits Distributed	Total # Referrals/ Bridge to Service Providers	Total Request For CRT Members Via Phone	Total Above & Beyond Incidents

Fire Marshal's Office: The Fire Marshal's office has conducted investigations on multiple fire events and is working with the BPD and VSP to conclude these investigations. The office also conducts routine safety and construction project inspections. FM Stone is actively working to update fire ordinances. He is also researching software to allow for more complete investigation documentation and a cleaner workflow with partnering agencies.

Training Division: Current priorities for the training division include:

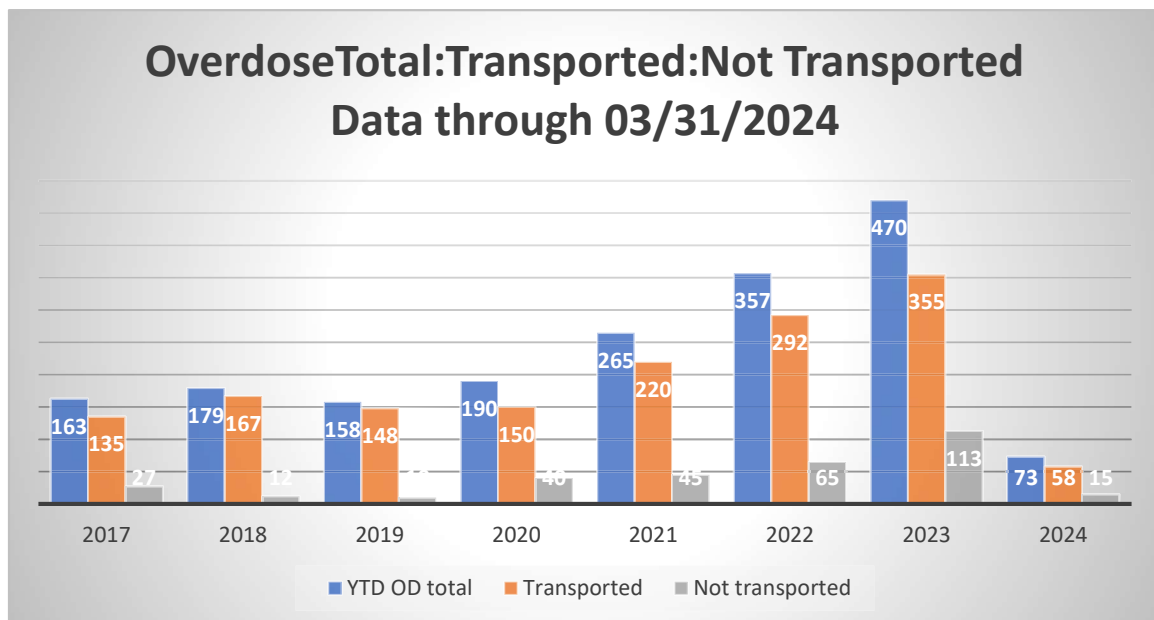
- Coordinating with Emergency One for the New Aerial Training for Ladder 4
- Participating in the UVM-UAS (Unmanned Aircraft System) Train Derailment Scenario planned for April 2 on the waterfront.

- Completed Solar Panel Training and Respect in the workplace training with HR last week.
- Conducting Pump refresher training this week at Leddy.
- Met with a representative of Parks & Rec regarding the fire department's use of Leddy Park for training.
- Work at McNeil to prepare for training drills now that the weather has improved.

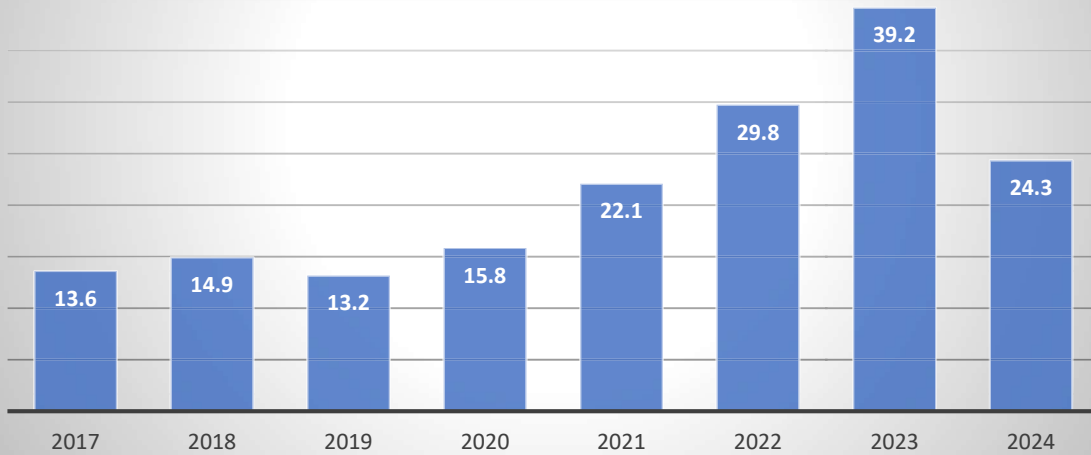
EMS Division: BC McCombie conducted the EMT/AEMT refresher in February. This program was received well, and our people have been recertified. The EMS division regularly updates CRT data, which is used to inform the staff, city leadership, and the community of CRT's impact. The division also conducts regular QA/QI of incident reports and provides follow-up to providers.

BC McCombie is working with various hospital and outreach partners to roll out an EMS Buprenorphine initiative. The goal is to offer early Buprenorphine treatment after an overdose reversal by EMS. Training is scheduled for the first week of May.

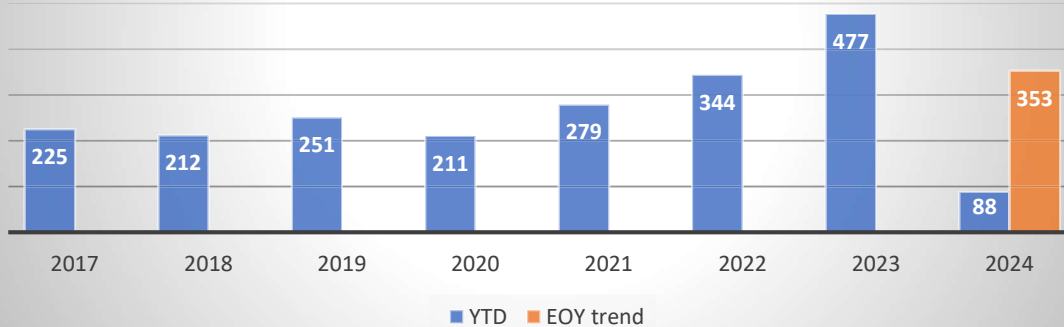
Latest EMS Response Data:



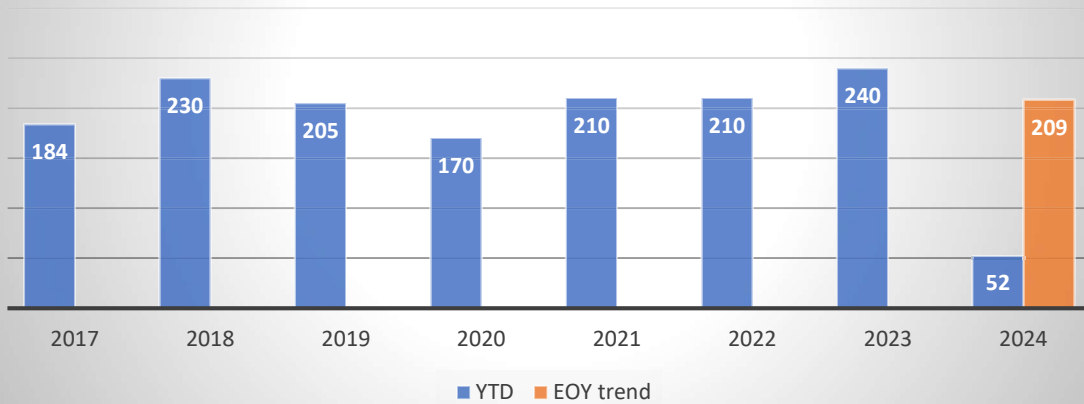
Average Overdose Responses per Month Data through 03/31/2024



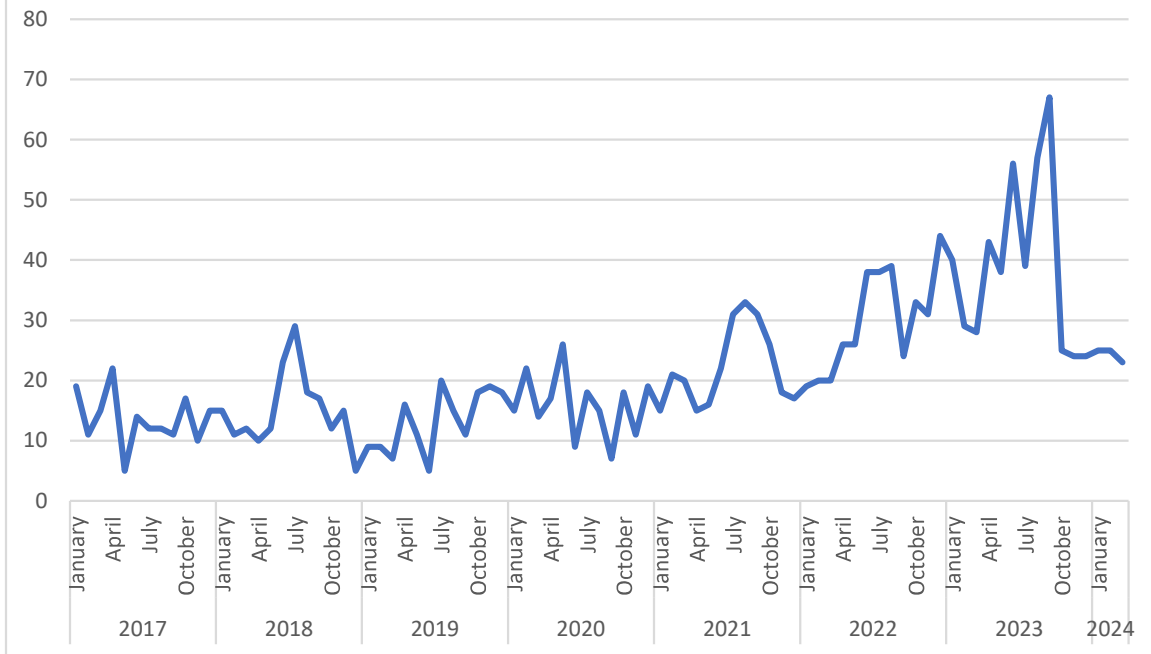
Dispatch Unknown Problem/Person Down Updated through 03/31/2024



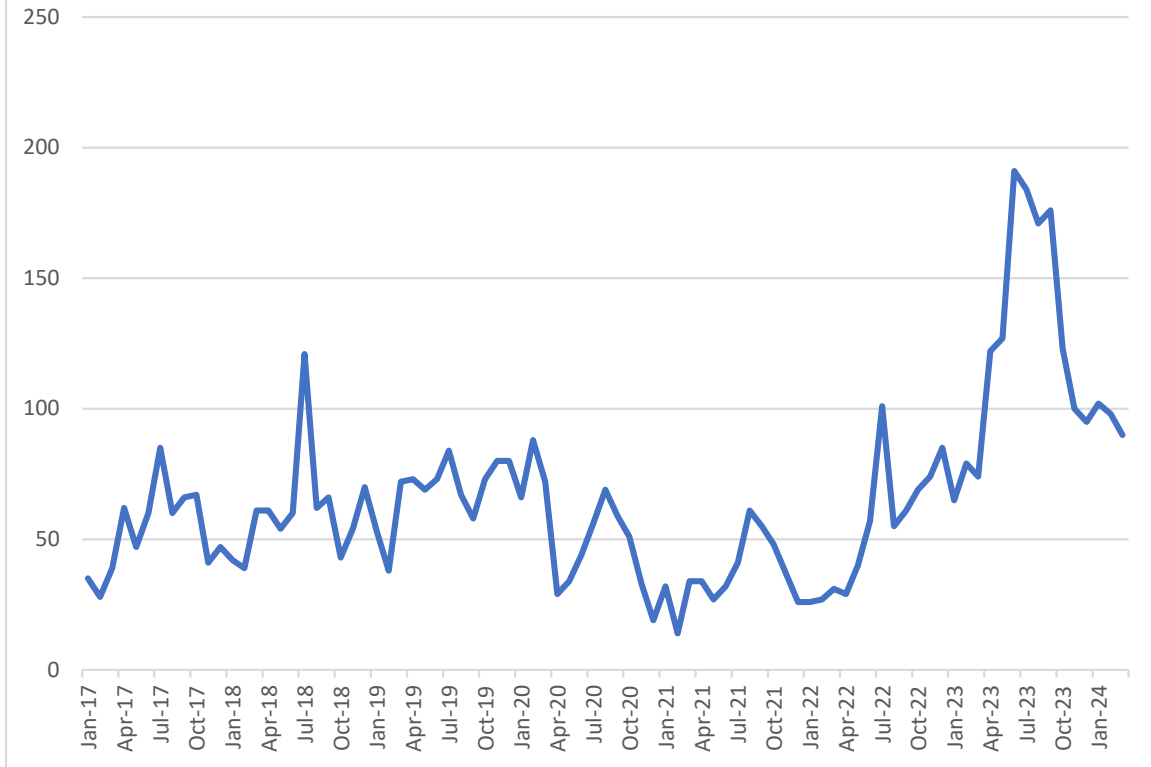
Dispatch Alcohol Intoxication Updated through 03/31/2024



Monthly Fire Department Overdoses Updated through 03/31/2024



Monthly Fire Department EMS Responses to
Homeless/Houseless/Transient/No Address Population
Data Through 03/31/2024



Burlington Fire Department Response Data Updated 03/18/2024



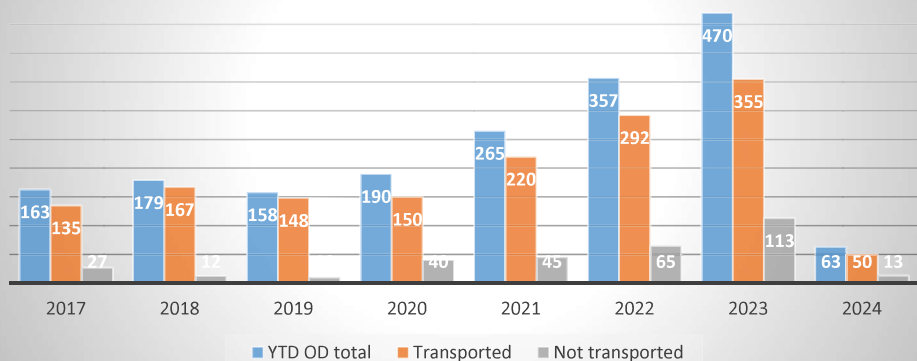


FIRE DEPARTMENT RESPONSE TOTALS
CALENDAR YEAR UPDATED THROUGH
03/17/2024

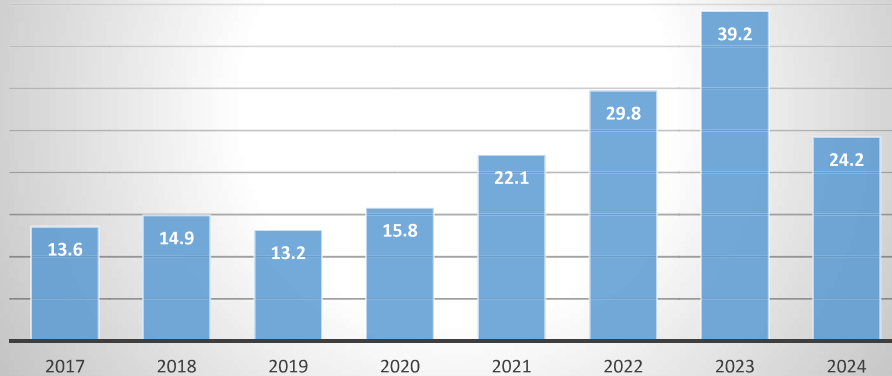




OverdoseTotal:Transported:Not Transported
Data through 03/17/2024

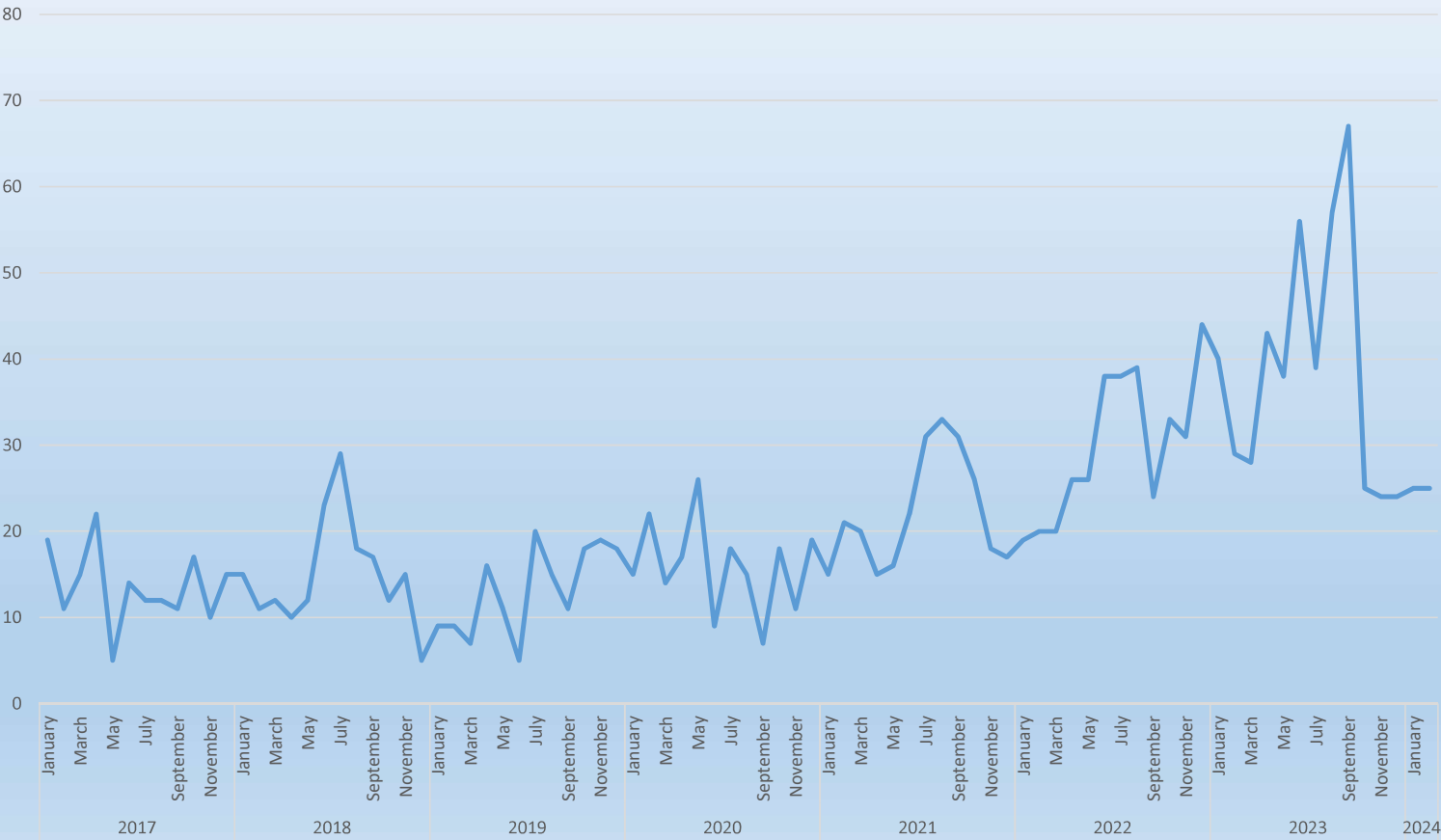


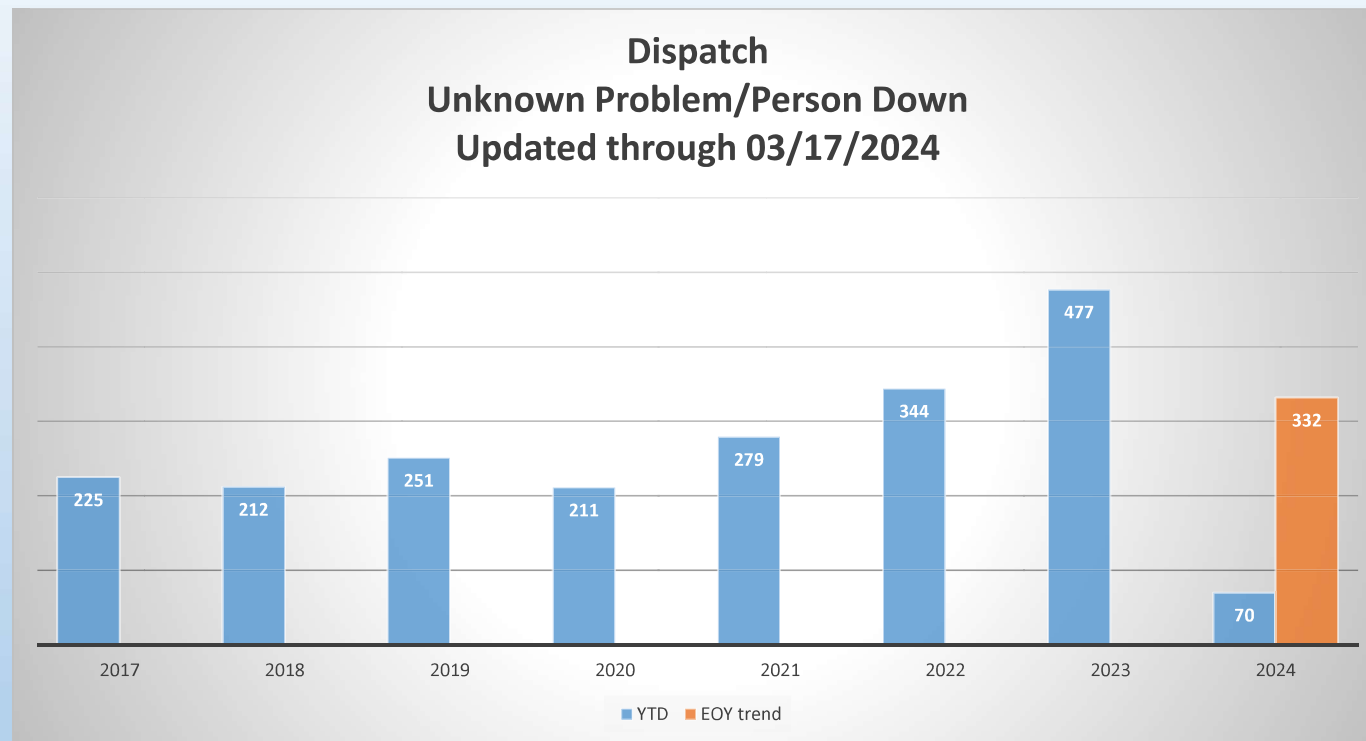
Average Overdose Responses per Month
Data through 03/17/2024



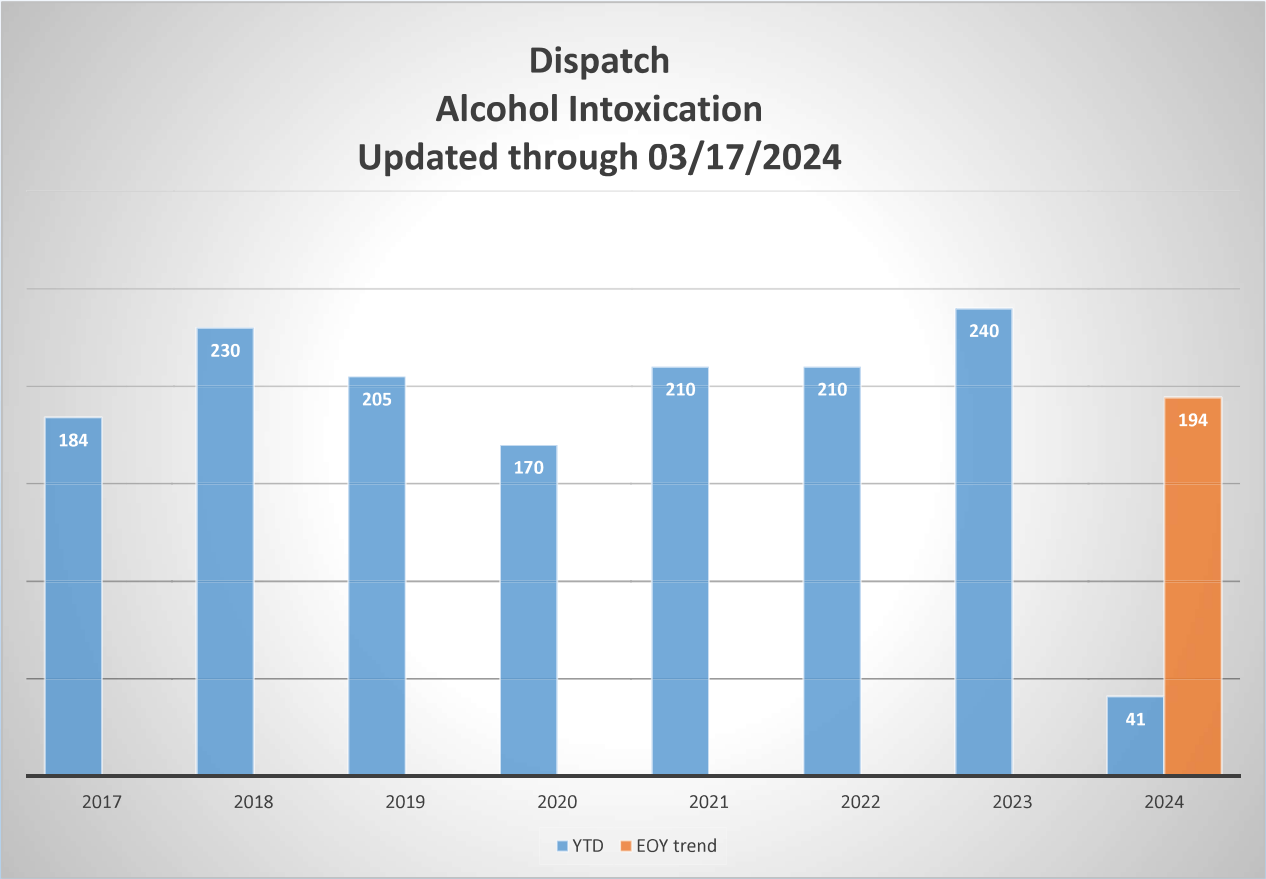


Monthly Fire Department Overdoses
Updated through 02/29/2024





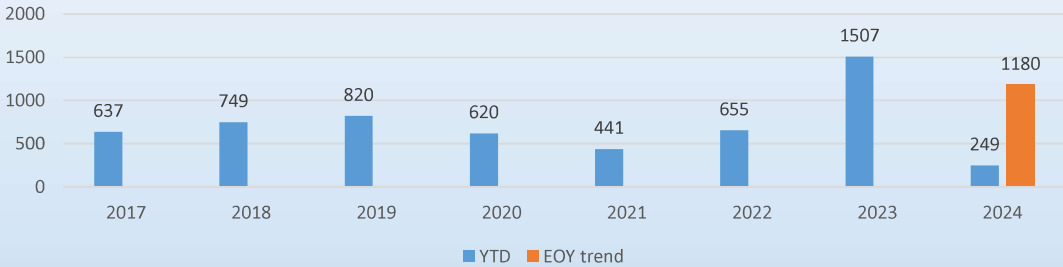
- Overdoses can be dispatched as an unresponsive person or person down.
- Sometimes, these people are overdosed.
- Often, they are experiencing the desired effect of their substance or have another non-emergent need.



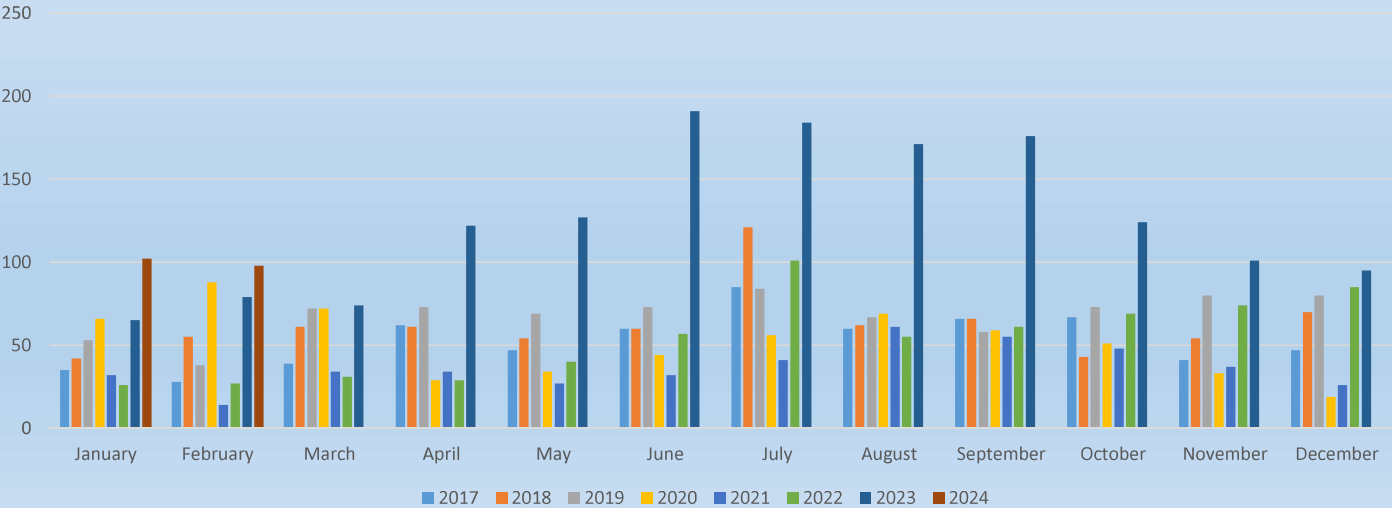
- Open alcohol intoxication is a concern in the community.
- These numbers are relatively steady and do not appear to account for a significant response increase.



Annual
Fire Department EMS Responses to Homeless/Houseless/Transient/
No Address Population
Updated through 03/17/2024

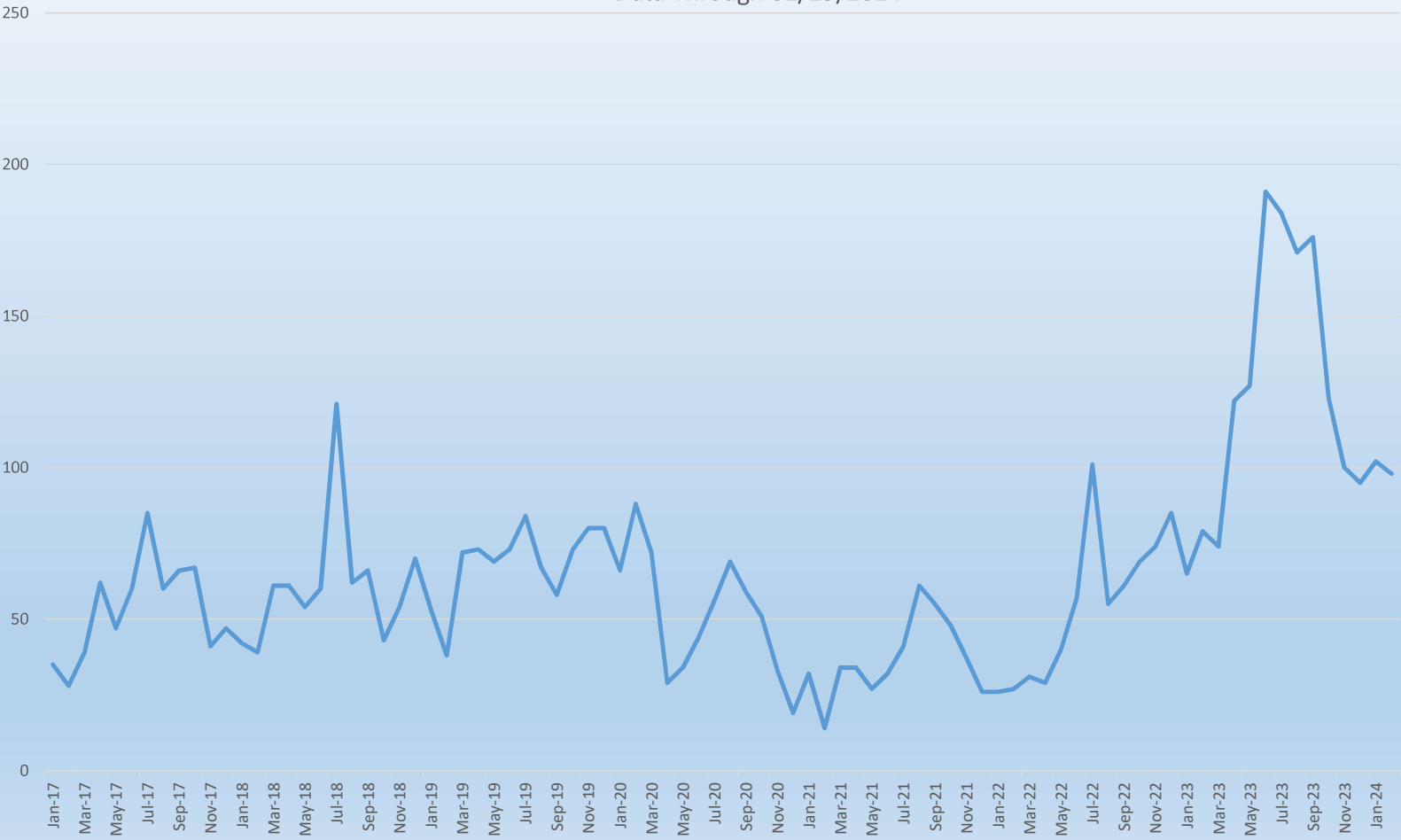


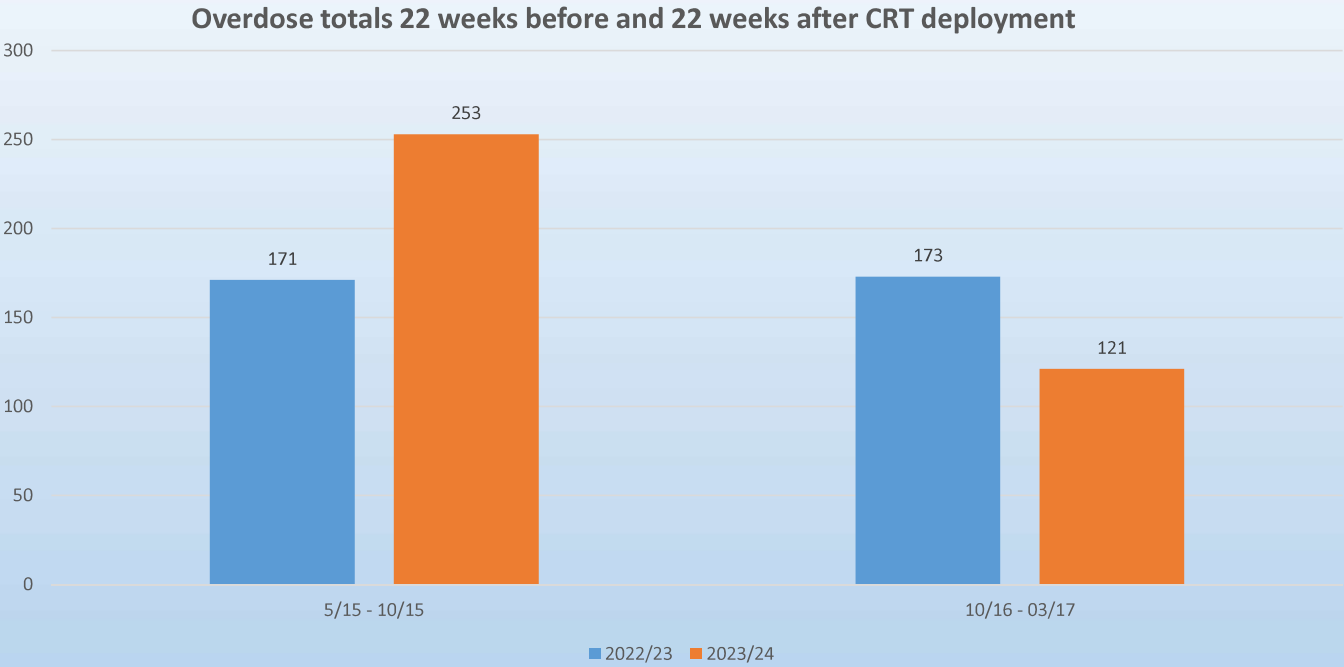
Monthly Fire Department EMS Responses to
Homeless/Houseless/Transient/No Address Population





Monthly Fire Department EMS Responses to Homeless/Houseless/Transient/No Address Population
Data Through 02/29/2024





Total:	1309	2272	76	163	25	13	3
	# of Attendees	# of Wound Care Items Distributed	# of Comfort Care Supplies Distributed	# of NLB Kits Distributed	Total # Referrals/ Bridge to Service Providers	Total Request For CRT Members Via Phone	Total Above & Beyond Incidents



BURLINGTON POLICE CHIEF'S REPORT

March 2024

Mar 22, 2024 – all data preliminary & subject to change



ECLIPSE – APRIL 08 2024

Our maximum staffing for the Eclipse Event is 40. This includes officers and professional employees and is equivalent to the number of BPD staff we had for the July 3rd Fireworks in 2023. (It should be noted that for that event we hired an additional five law-enforcement officers from neighboring agencies. We are unable to do this for the Eclipse because neighboring agencies are fully using their own personnel.)

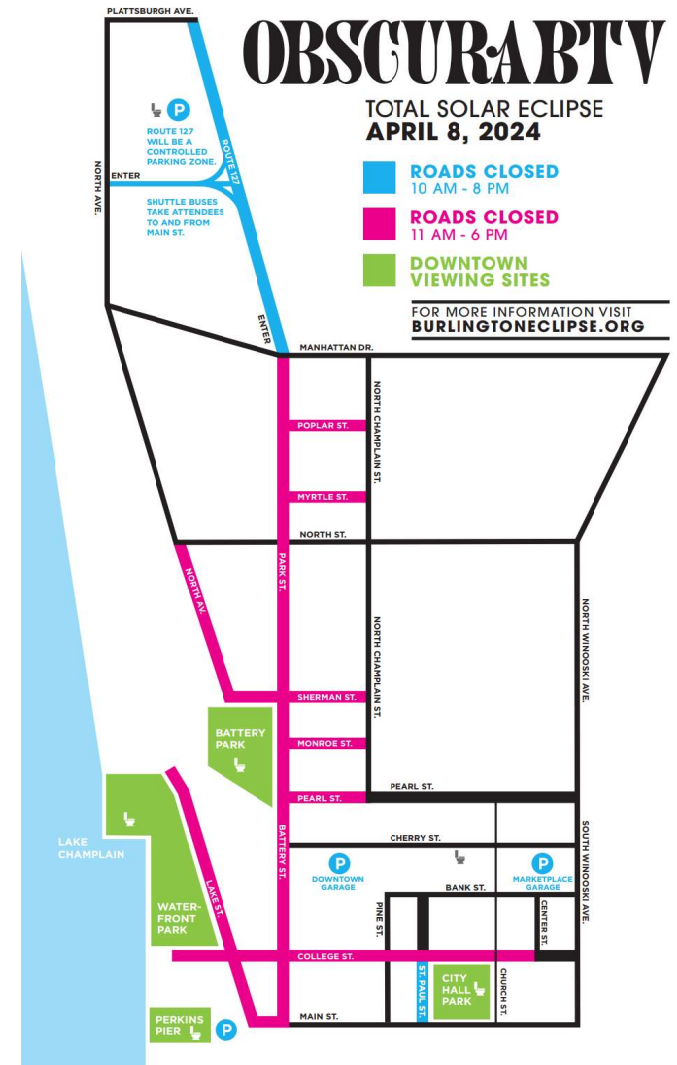
Eight officers and five CSOs will be detailed to maintain a shuttle bus lane and street closures, shown opposite. The main route will extend from Main Street north along Battery Street and Park Street to Route 127. It will be closed to traffic other than emergency vehicles and shuttle busses, and Route 127 will be used for parking.

One supervisor and four officers will be on duty to address non-event calls for service. The remaining officers will be detailed for safety and security at the event sites and ERV staffing.

Our internal assessment is that if crowds in Burlington run from 25,000 to 50,000, we will be able to maintain the limited access lane but the rest of our roadway infrastructure will experience significant traffic, potentially at levels that will even affect emergency response.

If crowds exceed 50,000, we do not have confidence that we can maintain traffic flow anywhere in the city. Crowds in the 75,000+ range will, in all probability, create total gridlock in the city and larger crowds will potentially shut Interstate 89 as well as major arteries such as Route 7 and Route 2. ***At that point, even emergency-vehicle movement cannot be guaranteed in the city.***

Mar 22, 2024 – all data preliminary & subject to change





SOME ADVICE FOR OUR ROADWAYS



Vermont Agency of Transportation
@AOTVermont

Vermonters, we're in the path of totality for the 4/8 solar eclipse! We expect a LOT of visitors. Help reduce traffic by encouraging family and friends who are visiting to stay longer, or help them find a way home via less-traveled roads. vermont.gov/eclipse #VTEclipse

...



Vermont Agency of Transportation
@AOTVermont

...

Vermont is a-buzz with planning and preparations for the solar eclipse on 4/8, which is expected to bring thousands of visitors. Please do not drive on 4/8 unless you must, and use local roads, not highways and interstates. Hunker down, Vermont! vermont.gov/eclipse #VTEclipse



4:00 PM · Mar 13, 2024 · 450 Views

Mar 22, 2024 – all data preliminary & subject to change

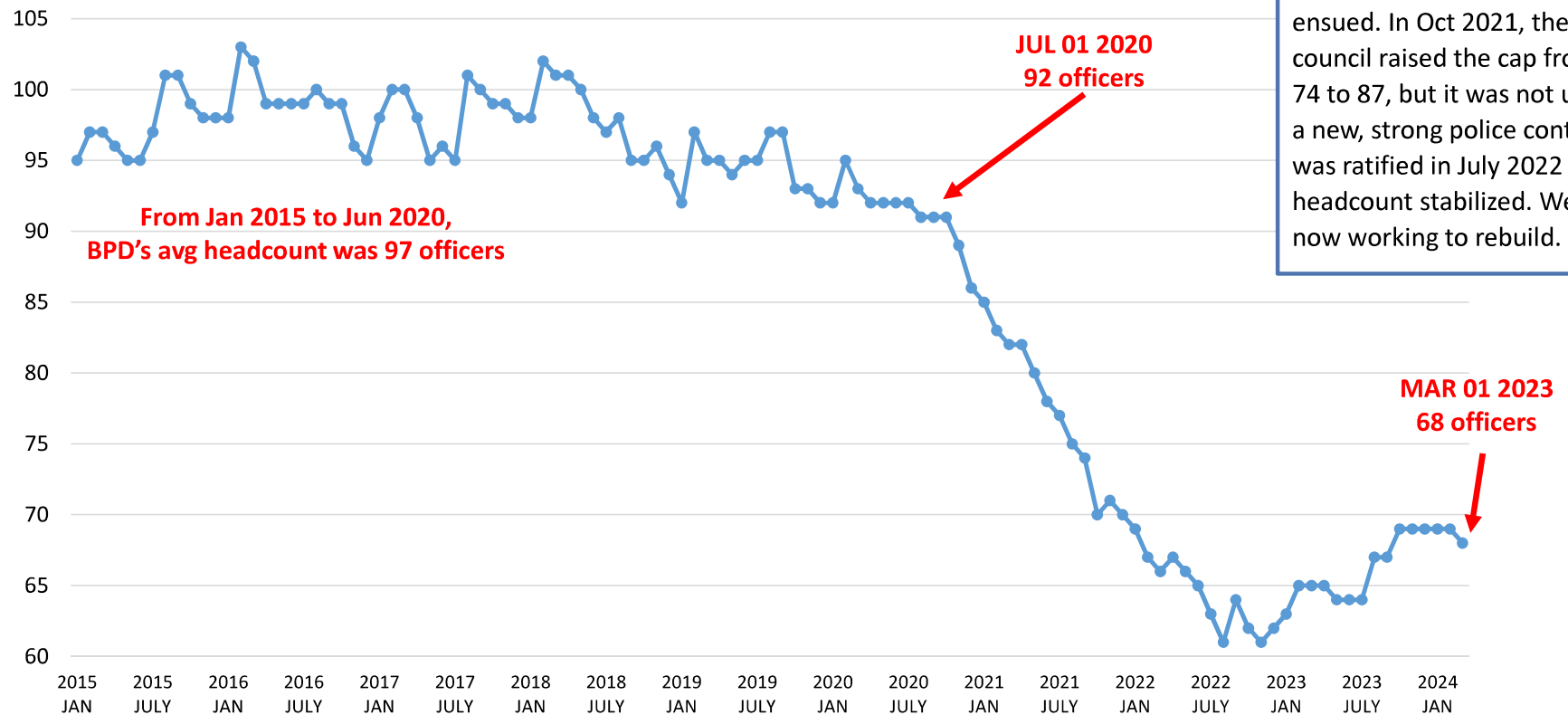


4:00 PM · Mar 20, 2024 · 515 Views



BPD SWORN OFFICER HEADCOUNT, 2015-2024

TOTAL SWORN HEADCOUNT, as of the first of each month, month-by-month



In June 2020, the Burlington City Council voted to reduce, by attrition, the BPD's authorized headcount from 105 to 74. An officer exodus ensued. In Oct 2021, the council raised the cap from 74 to 87, but it was not until a new, strong police contract was ratified in July 2022 that headcount stabilized. We are now working to rebuild.

Mar 22, 2024 – all data preliminary & subject to change



ADVERTISING

Our Recruitment team, Corporal Erwin and Coordinator Bajwa, got a full-page, centerfold ad placed in the most-read tabloid in New York City, a paper with the ninth largest circulation of any in the US. We've already had bites, and a visit from an interested NYC applicant.

Police Recruitment

JOINING THE FORCE

Want a meaningful job? Consider a career in policing

By JERRI ORMONT BLUMBERG

IDEALISM ad Mortem: Faithful unit, but it's not all that it seems. The brave men and women of the Vermont Police Department live by the motto as they protect our city every day. What it

35 New York Post, Friday, March 8, 2024 nypost.com



Police Officer
\$72,248 - \$79,693

Depending on Experience

- NO CIVIL SERVICE EXAM!
- Condensed hiring process
- Competitive Salary
- Wellness Benefits
- Strong Union
- Annual educational bonus

START YOUR CAREER WITH US.
JOIN THE BURLINGTON POLICE DEPARTMENT TODAY.



Visit: bpdcareers.com
OR Contact Cpl.

Carolynne Erwin

- cerwin@bpdvt.org
- 802-540-2260



APPLY TODAY!

37

New York Post, Friday, March 8, 2024 nypost.com



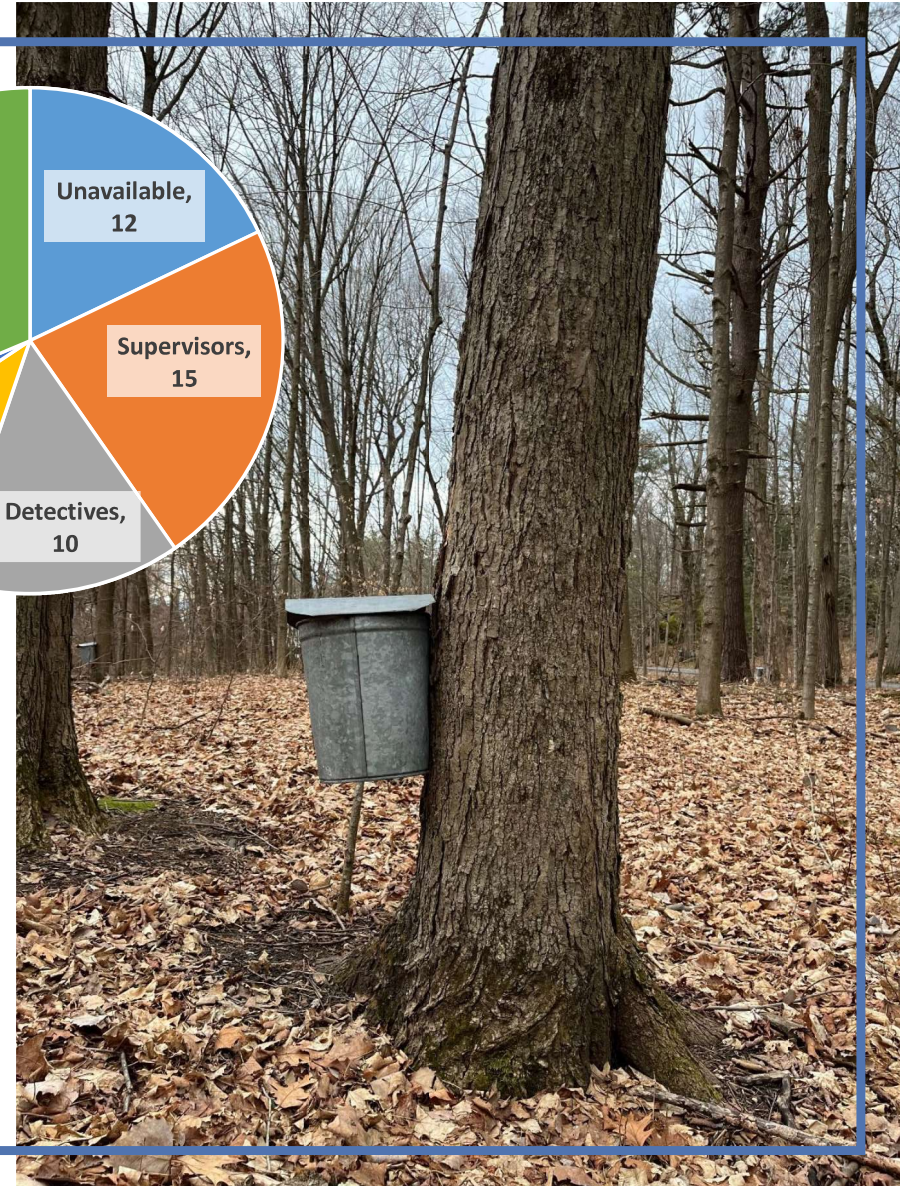
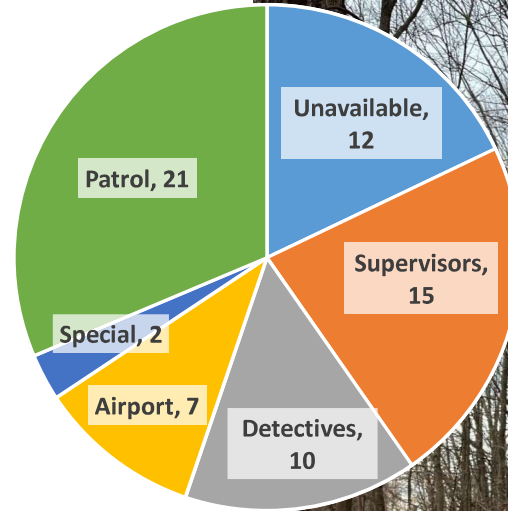
67 TOTAL, 55 AVAILABLE

As of March 15 2024, we are authorized for 87 sworn officers. Of those 87, we have 67. Of those 67, 55 are able to be deployed as solo officers, or “effective.”

minus 12 injured, light, military, FTO, etc. = 55
minus 15 supervisors = 40
minus 10 detectives = 30
minus 7 airport officers = 23
minus 2 special assignments = 21

21

officers on Patrol



Mar 22, 2024 – all data preliminary & subject to change



INCIDENT VOLUME

YEAR-TO-DATE 03/15

Incidents in 2024 are up 21% compared to 2023. BPD is addressing more incidents with fewer patrol officers—50% fewer, actually. As a result, of the 5,450 incidents in 2024 so far, 671 have been “stacked”—i.e., 12%. And 398 have been referred to online reporting, or 7%.

	YTD INCIDENTS (as of 03/15)	%Δ
2019	5,245	100%
2020	5,352	↑2%
2021	3,239	↓40%
2022	3,602	↑11%
2023	4,524	↑26%
2024	5,450	↑21%
	Δ 2019 to 2024:	↑4%

It should be noted that not all incidents are crimes. They are more accurately “calls for service.” As shown on the previous slide, there are more than 100 categories of incident. The fact that incidents are up does not necessarily mean that crime is up; as the next slide shows, some categories of criminal incident are up and some are not.

Mar 22, 2024 — all data preliminary & subject to change



THE PRIORITY RESPONSE PLAN

With staffing down and incident volume up, the BPD had to create the Priority Response Plan. It husbands resources while remaining true to our duty to prioritize our **NEIGHBORS' PHYSICAL SAFETY** and their sense of safety. **The Plan goes into effect when two or fewer sworn police officers are available for response; when that happens, Priority 2 and Priority 3 incidents get "stacked" and do not receive an in-person response.** When three or more officers are available, they are dispatched to all incidents regardless of Priority category.

Incidents labeled "CSO" or "CSL" initially receive a response from a CSO or CSL, rather than a sworn officer, unless the incident evolves in a way that changes its category or requires a sworn officer.

Incidents labeled "ONL" (for "Online Only") are to be diverted to an online reporting function. Note that larcenies and retail thefts are NOT supposed to be online reports.

Additionally, during daytime weekday hours when DSB detectives are available, **DSB will handle untimely deaths.**

PRIORITY 1	High priority.
PRIORITY 2	Middle priority. (*) = situationally dependent; some may be Priority 1 or Priority 3.
PRIORITY 3	Low priority. Response may be delayed based on officer availability; may receive a CSO response.

911 Hangup		Cruelty to Animals	CSO	Illegal Dumping	CSO	Robbery	
Airport AOA Violation		Custodial Interference *		Impeding a Public Officer		Runaway	
Airport Duress Alarm		Disorderly Conduct *		Impersonation of a Police Officer *		Runaway Apprehension	
Airport PHASE		Disorderly Conduct by Elec Comm	ONL	Inciting a Felony		Search	
Alarm *		Disturbance		Intoxication	CSO	Search Warrant	
Alcohol Offense	CSO	DLS		Investigation - Cold Case		Service Coordination	CSL
Animal Problem	CSO	Domestic Assault - Felony		Juvenile Problem *		Sex Offender Registry Violation	
Arrest on Warrant		Domestic Assault - Misd		Kidnapping		Sexual Assault	
Arson		Domestic Disturbance		Larceny - from a Building		Sheltering/Aiding Runaway	
Assault - Aggravated		Drugs		Larceny - from a Motor Vehicle		SRO Activity	
Assault - Simple		Drugs - Possession		Larceny - Other		Stalking	
Assist - Agency		Drugs - Sale		Larceny from a Person		Stolen Vehicle	
Assist - Car Seat Inspection	CSO	DUI		Lewd and Lascivious Conduct		Subpoena Service	CSO
Assist - K9		Eluding Police		Lockdown Drill		Suicide - Attempted	
Assist - Motorist	CSO	Embezzlement	ONL	Mental Health Issue *		Suspicious Event *	
Assist - Other		Enabling Consumption by Minors		Minor in Possession of Alcohol		Theft of Rental Property	ONL
Assist - Public		Encampment Outreach	CSL	Missing Person		Theft of Service	ONL
Background Investigation		Encampment Policy	CSL	Motor Vehicle Complaint	CSO	Threats/Harassment *	
Bad Check	ONL	Escape		Neighbor Dispute	CSL	Traffic	
Bar / Liquor License Violation		Extortion	ONL	Noise	CSO	Trespass *	
Bomb Threat		False Info to Police		Obstruction of Justice		TRO/FRO Service	
Burglary *		False Pretenses	ONL	Operations		TRO/FRO Violation	
CHINS		False Public Alarms		Ordinance Violation - Other	CSO	Unlawful Restraint	
Community Outreach		False Swearing		Overdose		Untimely Death	DSB
Compliance Check		Fireworks	CSO	Parking	CSO	Use of Elec Comm to Lure a Child	
Computer Crime	ONL	Foot Patrol		Possession of Stolen Property		Uttering a Forged Instrument	ONL
Contributing to Delinquency of Minor		Forgery	ONL	Prescription Fraud	ONL	Vandalism	ONL
Counterfeiting	ONL	Found/Lost Property	CSO	Prohibited Acts		VIN verification	CSO
Crash - Fatality		Fraud	ONL	Property Damage	CSO	Violation of Conditions of Release *	
Crash - Injury to person(s)		Fugitive From Justice		Reckless Endangerment *		Voyeurism *	
Crash - LSA *		Graffiti Removal		Recovered Property	CSO	Weapons Offense	
Crash - Non-Investigated	CSO	Hindering Arrest		Resisting Arrest		Welfare Check *	
Crash - Property damage only	CSO	Homicide		Retail Theft			
Cruelty to a Child		Identity Theft	ONL	Roadway Hazard			

Mar 22, 2024 – all data preliminary & subject to change



PITTSBURGH CURTAILS SERVICES

Pittsburgh, PA, has a population of 303,000 and covers 58 square miles. They currently have 740 officers and have declared a staffing and response emergency.

In Pittsburgh, the Police Chief is facing headcount reductions. The agency is down about 18% from their historic full authorization of 900 (i.e., they're down about 18% from their historic full count—For comparison, the BPD is down 35% from our historic full count. Our cities' respective officer:citizen ratios are, for authorized headcounts, 1:337 for Pittsburgh vs 1:419 for Burlington, and, for actual current headcounts, 1:410 vs 1:647.

The Pittsburgh chief wants to cut the agency's call volume from approximately 200,000 calls per year down to about 50,000. For perspective, 200,000 calls for Pittsburgh means that residents call about 6% less often, per resident, than in Burlington, with 31,000 calls for 45,000 residents.

Calls such as criminal mischief, theft, harassment, and burglary alarms will be handled by the telephone reporting unit or online reporting.

Between the hours of 3 a.m. and 7 a.m., there won't be a desk officer at any of Pittsburgh's six zone stations. On some overnight shifts, there will only be 22 officers to cover the entire city—a shocking 1:13,772 ratio. In Burlington, with one supervisor and two officers on most overnight shifts, the ratio is 1:15,000.

Mar 22, 2024 – all data preliminary & subject to change



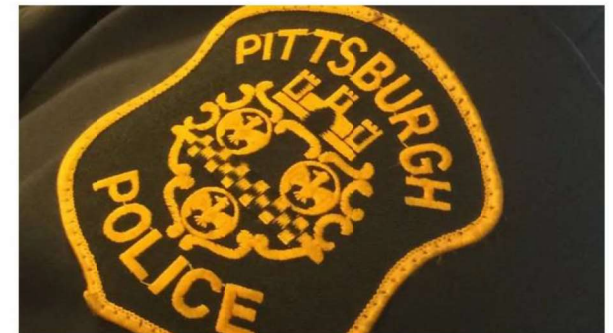
POLICE 1

911

Pittsburgh police will only respond to calls of in-progress emergencies as part of new staffing plan

Chief Larry Sciroto aims to reduce the bureau's call volume from 200,000 calls to 50,000 calls this year

March 12, 2024 12:55 PM



Photo/Pittsburgh Bureau of Police Facebook page

By Joanna Putman

Police1

PITTSBURGH —The Pittsburgh Bureau of Police has implemented a new response policy. Beginning March 11, officers will only respond to calls of



SELECTED VALCOUR INCIDENTS, YTD AS OF MARCH 15

	Assault - Agg	Assault - Simple	Burglary	Crash w Injury or Fatal	Disorderly Conduct	Domestic Assault*	Domestic Disturb	Gunfire	Larceny (all)**	Mental Health Issue	Overdose	Robbery	Sexual Assault	Stolen Vehicle	Traffic
2019	7	31	13	14	20	21	64	0	79	174	12	4	16	13	572
2020	11	31	16	13	25	7	116	1	95	187	24	3	16	11	578
2021	7	16	10	8	14	5	94	2	114	153	18	2	9	12	184
2022	11	21	43	15	18	9	102	1	125	199	17	4	5	31	164
2023	4	30	30	16	15	13	88	1	222	195	60	0	4	73	113
2024	10	31	37	17	12	5	91	3	233	169	45	2	7	40	262

* = combines incidents categorized as "Domestic Assault – Felony" and "Domestic Assault – Misdemeanor"

** = combines incidents categorized as "Larceny from a Person," "Larceny – from a Building," "Larceny – from Motor Vehicle," and "Larceny – Other"

NOTE: All categories shown year-to-date, through March 15 of their respective year

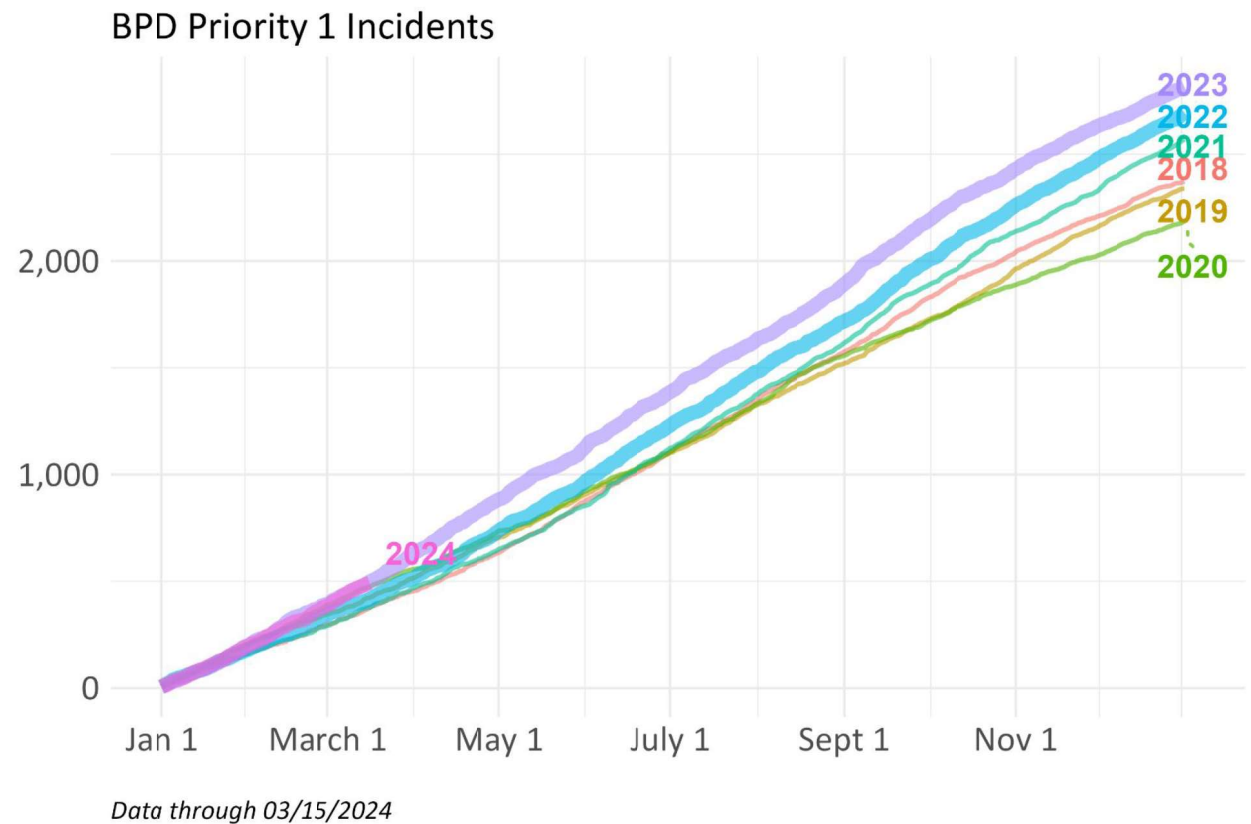
NOTE: These data are derived from Valcour incidents. Valcour is the BPD's computer-aided dispatch and records-management system. Incidents are initially categorized by dispatch according to the information provided by a caller; the category may be changed by the officer who responds to the scene and/or the detective who takes the case. Offense data and/or NIBRS data may differ.

Mar 22, 2024 – all data preliminary & subject to change



PRIORITY 1 INCIDENTS

Priority 1 incidents have been climbing steadily over the past few years. Last year's total was significantly affected by the huge increase in overdose. So far 2024 is a bit lower than 2023.



Mar 22, 2024 – all data preliminary & subject to change



DRUG UNIT WORK

Enforcement against traffickers is a key component of addressing the drug problem. The Burlington Police Department's Drug Unit continues to disrupt and dismantle drug organizations operating in Burlington. Since late 2021, the Drug Unit's primary focus has been xylazine-laced opiates, when detectives first started hearing about "the new Philly dope." Labs identified xylazine, or "tranq," in early 2022.

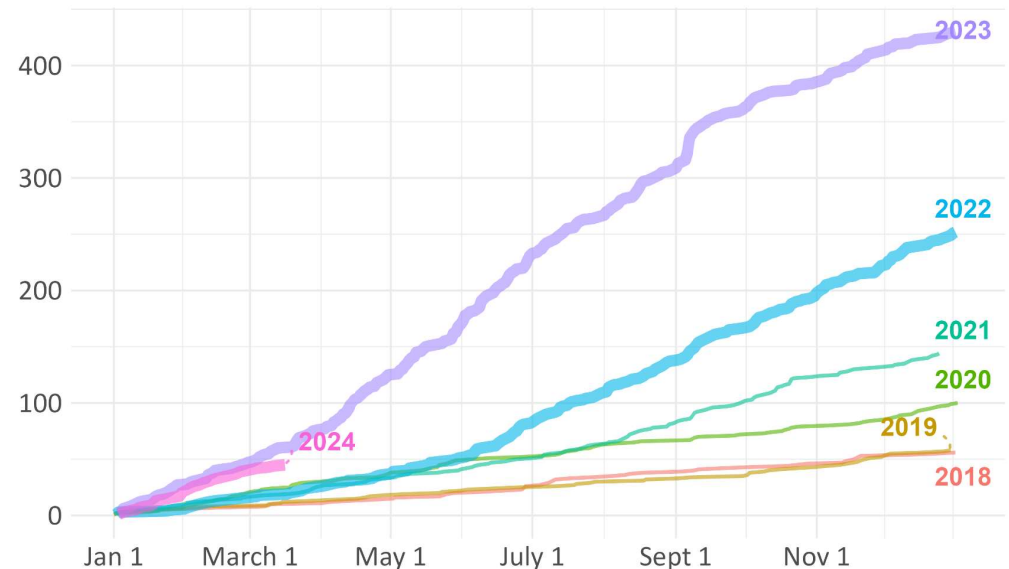
Most of the organizations in Burlington connect to nearby "source cities" that supply our area with illegal drugs, Philadelphia being one. These organizations rely heavily on local community members for introductions to our city's drug scene and customer base. But it is typically out-of-state members of the organization who oversee trafficking in the Burlington area. This was true of recent BPD Drug Unit operations on [Saint Paul Street](#), on [Walnut Street](#), and on [North Champlain Street](#).

Cumulatively, we have seized tens of thousands of bags of fentanyl, usually mixed with xylazine, as well as crack cocaine, firearms, and cash.

Over the past few years there have also been more than a dozen federal convictions, thanks to the BPD's tremendous partnership with the DEA and the US Attorney's Office for the District of Vermont, including recent sentencing announcements for older drug-related cases involving [money laundering](#), [hundreds of thousands of dollars seized](#), and [multiple firearms recovered](#).

Mar 22, 2024 – all data preliminary & subject to change

BPD Overdose Incidents



Data through 03/15/2024



THE BPD IS HIRING!

\$74,500
starting pay

\$100,000
top pay (when contract matures)

and a \$15,000
hiring bonus

- City retirement with 5-year vesting
- Shift differential, weekend, and holiday pay
- **full medical benefits** and wellness incentives
- Retirement after 20 years of service at 50% salary
- Retirement after 25 years of service at 75% salary
- 15-step pay scale for non-supervisory employees
- Overtime can be received as cash or vacation accrual
- **10-hour workday, 4-days-on/3-days-off schedule**
- **Weekends off every other month**
- Yearly education bonus
- Beards and tattoos permitted
- Various **specialty assignments** such as detectives, narcotics, K9, domestic violence prevention, airport
- **Applicant can be a non-U.S. citizen** if applicant is a permanent resident / green-card holder

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City of Burlington

*2024 Legislative Update**Volume 15-2024**April 15, 2024***Government Relations Team:**Jamie Feehan: jfeehan@primmer.com • Jonathan Wolff: jwolff@primmer.comMichelle Davis Farnham: mfarnham@primmer.com • Margaret Laggis: laggistics@comcast.net**Address:** 30 Main Street, Suite 500, Burlington, Vermont 05402**Phone:** (802) 864-0880*Copies of Bills: [Hyperlinked Below](#) or Access the Legislative Website at www.leg.state.vt.us*

The pace is certainly starting to pick up in the Legislature as lawmakers are becoming increasingly aware of the calendar. The session is fast approaching its final weeks and we are starting to see movement on must-pass bills. That includes the FY25 budget bill, H.883, which is poised to be voted on in Senate Appropriations early this week. The bill will then head to the Senate floor. Typically, the budget bill then goes to a conference committee between House and Senate budget writers that typically lasts about two weeks with adjournment around the same time. It appears budget writers in the Senate are either moving up the adjournment date, or expecting a longer conference committee period. It's likely many issues found in other bills will find their way into the budget bill before we're done.

In other notable action,

- the Senate Finance Committee recommended late Friday a miscellaneous tax bill, [H.546](#), that now also contains approximately [\\$19 million in new fee increases](#) charged by the Department of Financial Regulation on certain of its regulated entities.
- Senate Transportation approved its version of the FY25 transportation budget bill, H. that contains appropriations to support spending on transportation modes, infrastructure and administration. The bill should be on the Senate floor as early as the end of this week. It, too, will then likely head into a conference committee.
- House Ways & Means is poised to vote on a [draft Committee bill](#) setting the FY25 property tax rates and yields necessary to support education spending. That bill also contains two, new taxes: one assessing a sales tax to purchases of prewritten software regardless of where accessed (the so-called "cloud tax") raising about \$20 million; and another a 1.5% surcharge on short-term rentals raising about \$6 million. These taxes are intended to help to buy down the looming property tax increase needed to support education spending. The bill also makes short-term changes related to education spending and creates yet another task force to consider more significant changes for the future. In late developments, the Administration proposed to the Committee phasing in the property tax increase over several years, the mechanics and details of which were yet to be fleshed-out. The Committee delayed a Friday vote on the bill in order to learn more early this week.
- Senate Natural Resources & Energy has targeted this Wednesday to vote on a significant housing and Act 250 reform bill. A [new draft of that Senate Committee response](#) to H.687 was just released for consideration. Multiple Senate committees will also be involved before this one heads back to the House. The House-passed [H.687](#) will form the House starting point in any conference committee formed to reconcile differences. came from the House and will be the vehicle to contain the Senate response,

Several other legislative priorities remain pending, of course. Movement on the must-pass bills will likely put a fire under lawmaker consideration of these other bills.

For now, a number of bills and issues relevant to the City remain active and continue to be considered, including the following:

Housing

Budget Bill - The [House-passed H.883](#) is pending in Senate Appropriations with a vote likely early this week. The House version of the bill contains a number of appropriations related to housing, including:

- Includes \$7.5M GF in base for Emergency Housing
- Adds \$16.5M in one-time GF for Emergency Housing
- Adds \$20M contingent appropriation for Emergency Housing
- Includes \$839K GF for security at Emergency Housing motels and hotels
- Includes \$7.2M GF in DCF's Office of Economic Opportunity for shelter bed expansion
- Provides \$446K to fund Spectrum Youth and Family Services' 10-bed shelter for homeless youth
- Provides \$25.7M for the Housing Opportunity Grant Program (HOP) that assists homeless individuals

Emergency Housing/Homeless/General Assistance – The House-passed [H.879](#) remains pending in Senate Health & Welfare. The bill proposes to establish the Emergency Temporary Shelter Program to replace the General Assistance Emergency Housing Program. The bill is intended to provide in statute a more stable and predictable process for housing unsheltered homelessness by making interim shelter opportunities be available to provide a stable pathway to permanent housing for all Vermonters experiencing homelessness. Further, arbitrary time limits, night-by-night shelter, relocation between interim housing sites, and other disruptions in housing stability are intended to be eliminated. A preference will be that non-congregate housing be used to the greatest extent possible, with hotels and motels are a continued possibility. There is a day limit based on statewide vacancy rates and capped at 90 days maximum, with a possible three month transition of eligible households. There is no mass exodus on one date. The \$80/day cap remains. There is a total budget of \$49 million starting in FY26. There is stalled implementation of the new program for a year to better understand all implications and how it would be run. FY25 General Assistance will continued to be funded.

Rental Assistance/Housing/No Cause or Just Cause Evictions – The [House-passed H.829](#) is now pending in Senate Economic Development, Housing & General Affairs where its fate remains uncertain. The bill contains policy and appropriations related to general housing and rental assistance programs. The House chose to fund these initiatives through a new 11.75% income tax bracket starting in tax year 2025 at \$500,000 of income. JFO estimates the new top marginal rate will increase personal income tax revenue by \$74.9 million in fiscal year 2026. Prior to passing the House, an amendment was offered and rejected that would have provided a moratorium on no-cause evictions until the Legislature passes legislation repealing the moratorium. A separate amendment directing a study did pass. The Evictions Study Committee is created to review the causes of eviction in Vermont and propose legislation advancing eviction laws responsive to Vermont's crises of housing and homelessness. A report with findings and any legislative recommendations is due back to the Legislature by December 15, 2024.

Burlington Charter Change/Just Cause Eviction – [H.474](#) was introduced last year and remains pending in House Government Operations. The bill proposes to approve amendments to the charter of the City of Burlington to authorize the City Council to adopt an ordinance prohibiting the eviction of residential tenants without just cause.

Housing/Be Home/Act 250 – As described above, the [House-passed H.687](#) remains pending in Senate Natural Resources & Energy with a midweek vote likely on the Senate Committee response. A [new draft of that Senate Committee response](#) was just released for consideration. It is also expected Senate Economic Development, Housing & General Affairs will also review portions of the bill. Elements of an [amended S.311](#) and [S.308](#) will also be woven into H.687. All the bills contain proposals and revisions to zoning and Act 250 matters, and reform proposals related to the regulatory review of such matters. Also consistent is each of the bills are exemptions from Act 250 for defined Tiers based upon location, density, infrastructure and more. Tier 1A provides such an exemption for designated areas in municipalities that have such infrastructure and local zoning review. Differences relate to scope and timeline for implementation.

Tax on Short-Term Rentals – As described above, House Ways & Means is poised to adopt a new 1.5% surcharge on short-term rentals. The proposal is part of the omnibus education property tax and yield [draft Committee bill](#) currently in Committee. Following a vote in Committee the bill will be introduced, and then likely be referred to House Appropriations before heading to the House floor. The surcharge is estimated to raise approximately \$6 million annually.

Housing Status Protected Class – The House-passed and [amended H.132](#) remains pending in the Senate Committee on Economic Development, Housing & General Affairs. The bill adds housing status to the list of protected classes against which housing and employment discrimination is prohibited. ‘Housing status’ is defined to mean the actual or perceived status of being homeless, being a homeless individual, or being a homeless person, as defined under federal law.

Public Safety

Retail Theft – The [House passed H.534](#) remains pending in the Senate Judiciary Committee. The bill is targeting repeat retail theft offenders and provides that a person who commits more than one retail theft offense in one or more locations within a 14-day period and within a single county shall be punished by a fine of not more than \$1,000 or imprisonment for not more than 10 years, or both, if the aggregate retail value of the merchandise taken away exceeds \$900. This provision, however, is to be repealed on July 1, 2027. In addition, the bill says it is the intent of the General Assembly that the Department of Corrections reinstitute the Community Restitution Program and ensure that it is appropriately staffed and resourced so that it may be offered in all 14 counties as a sentencing alternative.

Drug Crimes/Public Safety – The Senate-passed [S.58](#) remains pending and under consideration in House Judiciary. The omnibus public safety bill proposes to amend the drug laws related to, for example, dispensing or selling a regulated drug with death resulting, and adding xylazine to the list of regulated drugs and subject to such penalties. The bill also includes so-called Raise the Age provisions that address when an individual is subject to the jurisdiction of the Family Division of Superior Court to the Criminal Division, and applies certain of the so-called Big 12 crimes to 16-18 year olds. A proposal to allow an accelerated eviction process based on criminal activity, illegal drug activity, or acts of violence was removed from the bill.

Bail and Conditions of Release – The Senate-passed [S.195](#) remains pending in House Judiciary. The bill makes a series of amendments to bail, release prior to trial, electronic monitoring, home detention, and other matters related to conditions of release.

Law Enforcement Interrogation Policies – The Senate-passed [S.285](#) remains pending in House Judiciary. The bill states that it is intent of the General Assembly to prevent false confessions and wrongful convictions of individuals subject to law enforcement interrogation, to progress towards a total prohibition of the use of deception in all forms of interrogation, and to ultimately improve trust between Vermont’s communities and law enforcement. To achieve these objectives, it is the further intent of the General Assembly to create a

minimum set of law enforcement interrogation standards that incorporate evidence-based best practices by: (1) prohibiting law enforcement's use of threats, physical harm, and deception during interrogations of all persons consistent; and (2) mandating that the Vermont Criminal Justice Council develop, adopt, and enforce a statewide model interrogation policy that applies to all Vermont law enforcement agencies and constables exercising law enforcement authority.

Expungement and Sealing of Criminal History Records – The House-passed [H.655](#) remains pending and under active consideration in Senate Judiciary. The bill proposes to expand the list of offenses that may qualify for sealing upon petition, shift offenses that are currently expungable to sealable, and make amendments to who may access sealed criminal history records and under what circumstances.

Restorative Justice – The [House-passed H.645](#) remains pending and under active consideration in Senate Judiciary. The bill looks to alternative approaches to restorative justice as a means to combat retail theft and repeat offenders. The revised bill addresses juvenile and adult court diversion programs and barriers to access such programs.

Auto Theft – The Senate has given preliminary approval to [H.563 as recommended by Senate Judiciary](#). Final approval is expected early this week, and the bill will then head back to the House. The Senate version contains violations and penalties for entering a motor vehicle of another without authorization or consent of the owner, and operating a motor vehicle without the consent of the owner. The Senate version rejects a House proposal (House-passed [H.563](#)) containing additional violations and penalties for auto theft.

Unserialized or “Ghost” Weapons – The Senate-passed [S.209](#) is under active consideration in House Judiciary with a vote on an amended bill possible early this week. The Senate bill prohibits a person to possess, transfer, or offer to transfer an unfinished frame or receiver, or firearm, unless they have been imprinted with a serial number by a federal firearms licensee, or manufacture a firearm or frame or receiver of a firearm, including by a three-dimensional printer, that is not imprinted with a serial number by a federal firearms licensee. The [House Judiciary amendment](#) under consideration largely agrees with that Senate proposal, and adds a new provision that prohibits firearms or dangerous and deadly weapons at polling places.

Substance Use, Prevention and Treatment

Overdose Prevention Centers – The [House-passed H.72](#) is under active consideration in the Senate Health & Welfare with a vote possible this week. The bill authorizes overdose prevention centers and provides related immunity related to same. The [draft bill under consideration in the Senate Committee](#) now contemplates one site in Burlington and \$1.1 million in funding to come from opioid settlement funds. It also includes language recommended by the City to address trained professionals on site.

Budget Bill - The [House-passed H.883](#) is pending in Senate Appropriations and vote on the Senate version is expected early this week. The House bill contains a number of appropriations related to public health, including:

- Includes \$2M from the Evidence Based Education Fund for naloxone distribution
- Directs \$6.1M of Opioid Settlement Fund for substance use prevention and treatment as follows:
 - \$1,060,000 Opioid Abatement Special Fund for a program administered by Vermont's 13 recovery centers in collaboration with the Department of Corrections to provide recovery support to those in correctional facilities, post-incarceration, and involved in probation and parole;
 - \$1,000,000 Opioid Abatement Special Fund for grants to providers to establish community-based stabilization beds for individuals transitioning between substance use disorder residential treatment and the recovery system;

- \$800,000 Opioid Abatement Special Fund for grants to providers for ongoing support for contingency management;
- \$795,000 Opioid Abatement Special Fund for prevention coalitions;
- \$714,481 Opioid Abatement Special Fund to expand Student Assistance Professional and school-based services;
- \$325,000 Opioid Abatement Special Fund for recovery housing supports;
- \$300,000 Opioid Abatement Special Fund for a grant to Johnson Health Center and Vermonters for Criminal Justice Reform to establish a managed medical response partnership for individuals with substance use disorder;
- \$835,073 General Fund for the Bridges to Health program; and
- \$400,000 General Fund for the Vermont Household Health Insurance Survey.

Flavored Tobacco Products and e-liquids – The Governor has vetoed [S.18](#), a bill that proposes to ban the retail sale of flavored cigarettes, e-cigarettes, and e-liquids, among other purposes. The Senate has indicated they will not schedule a vote to override, meaning the veto will stand absent further developments.

Transportation/Public Transit

FY25 Transportation Budget Bill – The Senate Transportation Committee has voted to recommend its version of the FY25 transportation appropriation and policy bill, [H.868](#). The bill has since been reviewed and approved by Senate Finance and will next be reviewed by Senate Appropriations before going to the Senate floor. The bill is expected to go to a conference committee to reconcile differences with the [House-passed H.868](#). The annual bill contains appropriations for transportation infrastructure, programs, administration, and modes of transportation, including public transit, aviation and rail.

FY25 Public Transit Budget/GMT – The TBill referenced above contains funding for public transit and related programs. A few notable changes in the Senate Transportation bill:

- They disagreed with the House decision to take \$1.7 million in federal carbon reduction moneys to be used for EV an infrastructure and instead return that money to transit and Mobility and Transportation Initiatives (MTI) capital (likely EV Sprinters or the like).
- They tightened the MTI eligibility language to make sure that any new grants will complement and not compete with existing services and programs, including public transit.
- They deleted entirely the House proposal for a study of broader transportation revenues. The Committee rationale is that this has been studied enough and the issue just needs political will to make revenue decisions. (As a reminder, this was not a transit-specific study but for all of transportation.)
- In response to GMT’s continued budget deficits, the bill appropriates \$1 million to GMT as one-time bridge funding, contingent on a number of factors described in Section 5, page 12. The money comes from VTrans maintenance but will be replaced with any new federal funds that can be flexed for this purpose.

GMT Funding - Senate Transportation voted to [appropriate \\$1 million in one-time funds to Green Mountain Transit](#) to address expected financial deficits. The funding is conditioned on the following:

- (1) that GMT begin collecting fares for urban and commuter transit service not later than June 1, 2024;
- (2) in coordination with the Agency of Transportation, Special Service Transportation Agency, Rural Community Transportation, and Tri-Valley Transit, evaluate alternative options for delivering cost-effective urban fixed-route transit service, rural transit service, commuter service, and any other specialized services currently provided, and prepare a proposed implementation plan, including a three-year cost and revenue plan, for recommended service transitions; and

(3) submit to the House and Senate Committees on Transportation an interim report on or before November 15, 2024 and a final report on or before February 1, 2025, detailing the findings, recommendations, and implementation plan

Medicaid Transportation – The House-passed FY25 Budget Bill ([H.883](#)) is now pending in Senate Appropriations. The bill includes an additional \$1.3 million in FY25 funding to address shortfalls in the FY24 budget experienced by transit agencies providing Medicaid transportation services. The language accompanying the appropriation makes clear the intent of the money is to go directly to entities providing the service. In addition, the language directs DVHA to update the Legislature on projected NEMT funding needs, and revisions to the contract to provide such services, in DVHA’s FY25 budget adjustment appropriation request next year.

Municipal Government

Burlington Charter Change – [H.881](#) is on the House Calendar for action this week after being recommended by House Government Operations. The bill contains the lone change to the City’s charter: to double from \$5 to \$10 million the line of credit available to the Burlington Electric Department for potential working capital and liquidity.

Miscellaneous Tax Bill/Study of Municipal Revenue Sharing – Senate Finance gave its recommendation to an [amended H.546](#) late last week. This is a [miscellaneous tax bill](#) originating from the Tax Department that contained mostly technical changes but has grown with House and now proposed Senate changes, including approximately \$19 million in proposed fee increases. The Senate Finance version allows a municipality to enact a local option sales, meals and alcohol, or rooms tax by vote of the legislative body of the municipality without a charter change.

The House-passed [H.546](#) added a study to the bill creating the Local Government Revenue Working Group to evaluate municipal revenue sources and to make recommendations for State authorization of new revenue generation for municipalities. A Report is due back on or before December 15, 2024. The Senate deleted the study in favor of above.

Municipal Tax Abatement and Tax Sales – Senate Government Operations gave its recommendation late last week to an [amended H.629](#). The bill is now pending in Senate Appropriations. The bill contains revisions to the processes for municipal tax abatement and tax sales, including when abatement is considered and the factors in the decision, and notices provided to taxpayers. The bill also creates a Working Group on Vermont’s abatement and tax sales processes to look further into the issues and make a report and any recommendations to the Legislature.

Electronic Meetings – The Senate-passed [S.55](#) remains pending in the House Government Operations Committee. The House Committee is considering a few [amendments to the Senate bill](#). The bill requires any public body of the State, except advisory bodies and the Human Services Board, to:

- hold all regular and special meetings in a hybrid fashion, which shall include both a designated physical meeting location and a designated electronic meeting platform;
- electronically record all meetings; and
- for a minimum of 30 days following the approval and posting of the official minutes for a meeting, retain the audiovisual recording and post the recording in a designated electronic location.

A quorum or more of the members of an advisory body may attend any meeting of the advisory body by electronic or other means without being physically present at or staffing a designated meeting location.

A resident of the geographic area in which the public body has jurisdiction, a member of a public body, or a member of the press may request that a public body designate a physical meeting location or provide electronic

or telephonic access to a regular meeting or series of regular meetings. The request shall be made in writing not less than three business days before the date of the meeting.

Study of County Government – The Senate-passed [S.159](#) remains pending in the House Government Operations Committee. The bill creates a study committee relative to county government. It also creates a County and Regional Governance Technical Advisory Group to analyze the subject matter being considered by the County and Regional Governance Study Committee and advise, assist, and provide recommendations to the Study Committee, specifically on the structure and organization of county and regional government.

Alcohol Bill – The [House-passed H.867](#) remains pending in the Senate Economic Development, Housing & General Affairs Committee. The bill has several provisions, including those that: relate to service of on-premises and off-premises within same contiguous premises and allows on-premises to sell also sell closed containers for off-premises consumption; relate to special venue serving permits and permitted establishments; relate to sampling event permits; increase the number of special events permit to manufacturer or rectifier from 10 to 20 per year; relate to a report is due from Department of Liquor and Lottery; relate to liquor liability and last year's reform, and extends the provision requiring every licensee of the Department to acquire liquor liability insurance and extends the effective date of mandate to July 1, 2026; and creates a new fee for a retail master license, which is a person that acts as the parent corporation for licensed retail dealers or manufacturers that have merged.

State and Municipal Code of Ethics – The House-passed [H.875](#) remains pending and under active consideration this week in the Senate Government Operations Committee. The bill creates a State Ethics Code and Municipal Ethics Code. The municipal portion of the bill also repeals redundant municipal ethics law and requires municipal officers currently in office to complete initial ethics training. Municipal officers include members of legislative and quasi-judicial bodies, as well as individuals who, as part of their official municipal duties, exercise authority and discretion in performing any governmental action or function, other than in a solely clerical, secretarial, or ministerial capacity. Members of advisory bodies are not considered municipal officers. Here is a [summary](#) of the combined bill.

The week's schedule (some committee agendas have yet to be posted, or are incomplete in anticipation of lengthy floor time) includes:

Monday, April 15 – [House Ways & Means](#) will consider the property tax and yield bill. [Senate Natural Resources & Energy](#) will consider the housing bills.

Tuesday, April 16 – [House Judiciary](#) will consider S.195 related to conditions for release, and S.209 related to ghost guns. House Ways & Means will consider the property tax and yield bill. [Senate Government Operations](#) will consider H.875 related to a municipal code of ethics. Senate Natural Resources & Energy will consider H.687, the housing bill. [Senate Transportation](#) will review any updates to the transportation budget bill, H.868.

Wednesday, April 17 – House Judiciary will consider S.58 related to drug crimes. [House Transportation](#) will hear from Green Mountain Transit and VTrans on GMT's fiscal picture. [Senate Economic Development](#) will consider a study of housing inventory. [Senate Health & Welfare](#) will consider H.879 related to General Assistance and emergency housing. The same Committee will consider H.72 related to overdose preventer centers with a vote possible. [Senate Judiciary](#) will consider H.645 related to the expansion of approaches to restorative justice.

Thursday, April 18 – [House Government Operations](#) will consider S.55 related to open meeting laws. House Judiciary will consider S.58 related to drug crimes, and S.195 related to conditions for release. Senate Economic

Development will again consider housing issues. Senate Government Operations will consider H.875 related to a municipal code of ethics. Senate Health & Welfare will consider H.879 related to General Assistance and emergency housing. Senate Judiciary will consider H.534 related to retail theft with a vote possible.

Friday, April 19 – House Judiciary will consider S.58 related to drug crimes with a vote possible. Senate Economic Development will consider H.867 related to alcohol. Senate Government Operations will consider H.875 related to a municipal code of ethics. Senate Health & Welfare will consider H.879 related to General Assistance and emergency housing. Senate Judiciary will consider H.645 related to the expansion of approaches to restorative justice.