

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

Members Present: Melo Grant (Chair), Carter Neubieser

Staff Present: Hayley McClenahan (Assistant City Attorney), Michael LaChance (Fire Chief), Lacey Smith (CAIP Assistant Director), Anna Wageling (CAIP Community Support Supervisor)

Public Present: Monica Weeber (Crime Research Group), Robin Joy (Crime Research Group), Dave Maher, Ed Baker, Bella Fern (Decriminalize Vermont)

Meeting called to order at 5:35 PM by Councilor Grant.

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

Motion to Adopt Agenda as written.

Motion by Councilor Neubieser, Seconded by Councilor Grant

Final Resolution: Motion Passes

Yes: Unanimous

**2. Adopt Minutes
2.01 Motion to Adopt Draft Minutes from September 19, 2024**

2.02 Motion to Adopt Draft Minutes from October 24, 2024

Motion to adopt both minutes from September 19, 2024 and October 24, 2024 as written.

Motion by Councilor Neubieser, Seconded by Councilor Grant

Final Resolution: Motion Passes

Yes: Unanimous

**3. Presentation from Robin Joy and Monica Weeber with the Crime Research Group
3.01 A Discussion about VCRs (Violations of Conditions of Release), bail, and data showing cases move through our court system.**

Monica Weeber, Executive Director of the Crime Research Group (CRG) and Dr. Robin Joy, CRG's Director of Research, presented to the Committee on the organization's work and VCR data:

- CRG has been operating in Vermont, mainly on Vermont's criminal justice system for 14 years and previously operated under the name Vermont Center for Criminal Justice Research.

- CRG shared the findings of a report on bail and the bail system in Vermont. Dr. Joy summarized the policies, different types of conditions of release, and nuances of Vermont's bail system.
- Dr. Joy directed members of the public to various other Act 40 reports available through the CRG website that may be of interest, mainly on transitional housing data and community-based restorative accountability programs.

Councilor Grant asked if Dr. Joy could speak to why a defendant might be more likely to be released on conditions, even if they are repeatedly violating those conditions. Dr. Joy clarified she cannot speak to the judiciary's decisions or on specific cases, but can speak to how in Vermont law, it is clear that bail cannot be used as punishment for a defendant, and there are strict legal criteria for when someone can be held without bail.

Chief LaChance expressed a desire to work with the judiciary on meaningful solutions for the individuals who seem to cycle through the public safety system repeatedly and thinks this cycle is what the public is most frustrated by.

Councilor Neubieser asked if Dr. Joy could provide some context for the typical process of how someone moves through the system. Dr. Joy explained there are a number of different paths someone could take through the system and said there is a chart CRG can share with the Committee that outlines these possible paths, which do not apply to juveniles, who are under a different system.

Dr. Joy added the Legislature agreed to pilot pretrial services and pretrial supervision to address violations of conditions of release in Essex and Orleans counties in the near future, assuring the Committee there is movement happening on the state level to address the issues the public is seeing but advised it will not happen fast.

- Dr. Joy shared progress on a second research study focusing on VCR, with the completion of a final report anticipated to be released online early next year.

Councilor Grant asked Dr. Joy to speak to how conditions of release might be affecting the backlog and the rate of dismissal with the courts. Dr. Joy said an additional study will be coming out that looks at that issue more closely.

Councilor Grant asked if there is a way to parse out the specific municipalities within the county data for the purpose of looking at Burlington cases. Dr. Joy explained she receives monthly dispositions from the court which contains data on the police agency that made the arrest and said she can make that available to Councilor Grant as a data request.

CRG provided the following links for the public to reference:

- <https://crgvt.org/research-roundup/act-40-criminal-justice-investment-and-trends-report>

- <https://crgvt.org/research-roundup/retrospective-study-for-the-use-of-the-arnold-public-safety-assessment-psa>
- https://crgvt.org/client_media/files/reports/Research%20Brief_Violations%20of%20Conditions%20of%20Release.pdf

4. Public Forum

4.01 Verbal Comments

Dave Maher commented that a person who violates conditions of release can be held without bail and so, urged the Committee to influence the judges to utilize that mechanism.

Public Forum closed at 6:40 PM.

5. Chiefs' Reports

5.01 BFD – Data and Update from Chief LaChance including the launch of the PREVENT initiative

Chief LaChance reviewed BFD's latest response data:

- This year, calls are on track to show less than a 1% increase, which Chief LaChance hopes is indicative of the efficacy of the Department's attempts to be more proactive in addressing problems.
- The Department has started tracking what would have previously been categorized as "no patients" for overdoses, where an overdose occurred, and BFD responded but the overdose was reversed and the individual did not engage with BFD, which has revealed a significant increase in non-transports for total overdoses.
- BFD said calls for alcohol intoxication have remained steady.
- Responses to the homeless, houseless, and transient population are rising, partly owing the termination of the motel programs in September and October.
- CRT continues to track the number of attendees. Chief LaChance said he would like to see the number of monthly referrals increase as that has been stagnating.
- The PREVENT initiative launched about one week ago, intended to reach and treat people who overdose but do not want to be transported to the hospital. It is too early to have any meaningful data on the program's impact.

5.02 BPD – Chief's Report

The Committee tabled this item until their next meeting.

6. BPD Recruitment Update – Time table for reporting

6.01 Update on BPD Recruitment and Time Table Reporting

The Committee tabled this item until their next meeting.

7. Harm Reduction Strategies with Ed Baker

7.01 Discussion with Ed Baker on Harm Reduction Strategies

Ed Baker, a person in recovery from severe drug use disorder and has dedicated his career to working with people with substance use disorder, now in retirement but still advocating for harm reduction strategies, said Burlington has a population of unhoused and people suffering from substance use disorder whose needs are chronically unmet by the current system. Baker explained that harm reduction is neutral on drugs, negative on harm, and positive on change. Baker emphasized that if any other population group in Vermont were dying at the rate people with drug addiction in Vermont are dying, Vermont would be pulling out all the stops to prevent it.

Bella Fern of the Decriminalizing Vermont Coalition, which most recently worked on the overdose prevention center policy specific to Burlington, shared her main talking points for harm reduction, being its effectiveness in terms of reducing suffering, reducing costs, and reducing the burden public and emergency services.

Ed Baker noted the overdose prevention center would be paid with opioid settlement funds, not with taxpayer money, and added overdose prevention centers lead to reduction in crime, reduction in drug use, reduction in disposal of drug use supplies, reduction in overdose, and reduction in overdose death.

Bella Fern added Decriminalize Vermont sees the overdose prevention center as just one of many solutions to addressing the overdose crisis and that it is important to remember that people who are housed also struggle with drug addiction and need services provided by overdose prevention centers. Fern also shared findings from New York City's overdose prevention center, including reduction in syringe litter and no increase in crimes surrounding the overdose prevention center.

Fern reviewed the Vermont Department of Health's guidelines for the overdose prevention center, made available to the public, which outline the services the overdose prevention center will provide, such as:

- Hazardous waste disposal
- Support services and referrals
- Educational resources for substance use disorder
- Overdose response
- Sterile medical supplies
- Screenings

CAIP Assistant Director Lacey Smith commented our current systems work well for some people but not others, and has actually caused harm for others, so new systems need to be built

for those groups. Assistant Director Smith emphasized treating those groups like they do not exist is what leads to the compounding public issues we are seeing in the Burlington community, and so the community needs to be willing to embrace new strategies, new programs, and new services for those struggling with drug addiction and also urged that the community be patient with change and solutions because they take time, so the best that can be done now is to work to reduce risk and harm.

Councilor Neubieser asked for more detail on the educational resources and services offered through an overdose prevention center. Fern clarified the two core components of an overdose prevention center are addiction recovery and harm reduction education. Harm reduction education includes safe use, harm reduction, and overdose prevention practices. Services supporting addiction recovery would include overdose response, overdose stimulants, safer sex practices, infectious disease education, and recovery and treatment education.

Councilor Neubieser inquired about how the overdose prevention center's impact is going to be tracked and evaluated. Baker replied that funds have been allocated to hire a research group with the idea being that after 1 or 2 years, Burlington would have substantial data and insights to evaluate the efficacy of the overdose prevention center. Baker also added this would be the first research project of an overdose prevention center in a city the size of Burlington, so Burlington would become an example city for other smaller cities in the US.

Fern noted H.72, which was the bill passed for the opioid settlement, funds the site and a study for the pilot site, but does not prohibit the creation of more overdose prevention sites in the state.

8. CSL Update and Data Request

8.01 CSL Update and Data Request

Assistant Director Smith updated the Committee on CAIP:

- Assistant Director Smith expects to have more robust data to share on CAIP's engagement with the public for December.
- CAIP currently has 6 CSLs, the first CARES clinician has been hired and started, and the second CARES clinician position will be posted in the coming weeks.
- The CARES Clinician currently spends one day a week with BFD, which is expected to increase once trainings and orientations are done. Since the position is new to BFD, there is more complexity to hiring and onboarding due to the medical component.
- For 2024, CAIP has been involved with approximately over 2,600 incidents.
- CSS Anna Wageling added CSLs are now working 4 10-hour days with 3 days off per week to give employees more of a break, which has also allowed CAIP to extend its hours to 9:30 PM.

9. State's Attorney Case Data

9.01 Review of State's Attorney Backlog and Clearance Data

Councilor Grant reviewed the latest data from the State's Attorney's Office regarding the backlog and clearance data for Chittenden County's cases. December will be starting with about 2,600 criminal cases. The clearance rate for September was 85%, meaning more cases were opened than closed that month, which could be due to a more serious case being prosecuted. October had a clearance rate of 127%, and November is starting at 100%.

10. Updates from the Mayor

10.01 Review of the City's New Website

Councilor Grant showed where to find information on Mayor Mulvaney-Stanak's next meetups on the City website, how to find the Mayor's Updates and Press Releases, and how to access the Mayor's updates to City Council from past meetings. Councilor Grant also pointed out that under the Mayor's page is a link to the Public Forums on Community Safety where the public can access those meeting notes.

Councilor Grant noted the next Public Safety Committee meeting will be December 19.

11. Adjournment

11.01 Motion to Adjourn

The meeting was adjourned with no objection by Councilor Grant at 7:37 PM.